



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-ninth session

Summary record of the 806th meeting (Chamber A)

Held at Headquarters, New York, on Thursday, 2 August 2007, at 3 p.m.

Chairperson : Ms. Simms (Vice -Chairperson)

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In the absence of Ms. Šimonović, Ms. Simms, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

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

Combined third and fourth periodic report of Jordan (continued) (CEDAW/C/JOR/3-4)

1. *At the invitation of the Chairperson, the members of the delegation of Jordan took places at the Committee table.*

Articles 10 to 14

2. **Ms. Chutikul**, expressing concern at the low preschool enrolment and attendance figures, requested information on the content and results of the national early childhood development strategy and urged the Government to pay more attention to the coverage and quality of preschool education.

3. She wished to know why only 3.4 per cent of university professors were women. Women would not pursue non-traditional courses of study unless jobs in the corresponding fields were open to them, and she wondered whether job vacancy announcements were allowed to specify whether only men or women should apply. She asked whether any changes had been made to the materials used in schools and colleges in the wake of the recent research on traditional stereotyping of women and girls in textbooks and urged the Government to identify possible gender biases in teacher-student relations, such as a tendency to call more on boys than girls in class. She also requested information on the human rights and sex education provided to young people.

4. **Ms. Patten** noted that only a small percentage of women were working in the formal labour market and that women were suffering from discrimination in terms of recruitment, promotion and wages in both the public and private sectors, while assuming a disproportionate share of family responsibilities. She urged the Government to eliminate the prohibition on women working at night or in certain jobs.

5. With regard to labour legislation, she requested information on the provisions on maternity benefits and sexual harassment in the new Labour Code, and asked whether the exclusion of domestic workers and cooks from article 3 of that Code would be addressed.

She also asked what steps were being taken to reduce the wage gap, to adjust the wage structure in women-dominated professions and to bring national legislation into line with ILO Convention No. 100 concerning equal remuneration.

6. The lack of data and policies on the large percentage of women working in the informal sector was a cause for concern. She asked about efforts to ensure that those women received social protection and labour benefits and had access to the credit, resources, training and technology they needed.

7. She requested information on measures to eliminate the large-scale discrimination against women working in the private sector, where women were being dismissed when they became pregnant and having their wages docked for taking nursing breaks and maternity leave. She asked whether sanctions had been established or applied for violations of the Labour Code and whether there was a labour inspectorate or similar body to handle such violations. Lastly, she requested information on Government initiatives to end occupational segregation and to promote the equal participation of women in highly skilled jobs and management.

8. **The Chairperson**, speaking in her capacity as a Committee member, asked what measures the Government was taking to stop the abuse of foreign domestic workers in Jordan, who were mostly women. The issue required urgent attention because, given traditional attitudes about domestic work being a woman's job, as more Jordanian women began to work outside the home, more foreign women would be brought in to perform domestic work. The services provided to Iraqis and Palestinians should be extended to all foreigners working in the country.

9. **Ms. Pimentel**, referring to paragraph 26 of the responses (CEDAW/C/JOR/Q/4/Add.1), requested more information on the content and effectiveness of the reproductive health awareness project for mosque preachers. She was concerned to note that demography, development and reproductive health were taught as one subject area in the compulsory national curriculum for university students. Any suggestion that women's reproductive rights should be controlled in the pursuit of demographic goals must be avoided, and she suggested that the Government consult general recommendation No. 24 in that respect. Lastly, she asked how the

Government was extending its policies to the Iraqi community in Jordan.

10. **Ms. Begum** noted with concern that increasing numbers of the most qualified health-care professionals were working in the private sector, a trend that was raising the cost of health care for low-income, divorced, elderly and migrant women. She requested information on the steps being taken to maintain quality standards in the public health-care sector and to ensure that health care was people- and not profit-oriented. She also asked whether post-natal care was provided to mothers, as recommended by the Committee.

11. She had noted with concern the statement in paragraph 134 of the report (CEDAW/C/JOR/3-4) that there was little awareness of reproductive health issues among young people. She wished to know whether there was any comprehensive reproductive health education plan, including media campaigns on family planning, and whether affordable contraceptives were available to urban youth, who had the highest incidence of HIV/AIDS. She asked whether the 2005-2009 national youth strategy was gender-based and targeted both rural and urban communities, and what initiatives were underway to stop the spread of AIDS among young people and married women. She also asked about the steps being taken to eradicate stereotyping and prejudice in the health sector and to ensure that women would not need their husband's approval to obtain contraceptives. She requested information on how primary care was being delivered to elderly women. Lastly, she recommended that health-care personnel should be trained to identify and handle cases of violence against women.

12. **Mr. Touq** (Jordan) said that, although preschool education was not covered by the Education Act, the Government acknowledged its importance and had recently opened 400 preschool centres for needy boys and girls in rural and remote areas.

13. With regard to employment, he said that the language used in vacancy announcements for jobs in the public sector was completely gender-neutral. The lack of women professors in universities was due to the reluctance of Jordanian families to send their daughters abroad to obtain the necessary post-graduate degrees, but those attitudes were changing. Iraqi men and women residing in Jordan received equal treatment in

terms of access to services, despite the considerable cost to the Jordanian Government.

14. **Ms. Khyami** (Jordan) said that it was true that few women had reached the higher professional ranks in university faculties, in large part because rising through the hierarchy required years of research and publication effort for both men and women, which in most cases were added to women's traditional domestic responsibilities. It was also true that the numbers of women studying in scientific and technical colleges was low, although an equal number of grants were available for women and men. Women could pursue study abroad and could bring their families with them on an equal basis with men.

15. With regard to early childhood education and day care centres, Jordanian institutions offered day care to all employees. There were also numerous kindergartens run by UNRWA to serve the needs of the Palestinians living in Jordan. The school curriculum was reviewed and updated every 5 years, which provided opportunities to include more information about women's rights.

16. The media had been used effectively to raise awareness of women's rights, especially regarding reproductive health. Mosque preachers were offered training on general health and common diseases, including brochures on reproductive health, which provided them with information to use when they made home visits to the families under their care. It was her impression that the level of embarrassment surrounding discussion of such subjects as reproductive health, birth control and birth spacing was declining.

17. **Ms. Khader** (Jordan) said that a project with UNICEF had established 1,000 day care centres over three years. Many preschools were privately run, but all must be licensed and comply with government standards.

18. On the subject of raising awareness of human rights, a concept matrix had been developed for teachers on subjects including human rights, the environment, conflict resolution and family violence. Instructors received training in such areas through teachers' clubs for public schools and educational forums in private schools. Government human rights organizations sponsored human rights clubs in schools, which had reached 4,000 students over the past two years. Sex education had been introduced gradually through the biology curriculum. Current reproductive

health education programmes provided clear and candid information, using media and the theatre to convey their message.

19. Women contributed to the informal sector of the economy through farming, working in a family business or micro enterprise, but received no benefits. The World Bank was studying ways to overcome obstacles to women's entry into formal markets. In the public sector, women's retirement age was set at 55, while men retired at 60, a situation which could prevent women from rising to higher professional levels. A draft amendment had been proposed which would remove all exemptions to the Labour Act.

20. Turning to the situation of foreign domestic workers, she reported that the Council on Foreign Migrant Workers in Jordan provided them with advice, free legal assistance and a toll-free telephone hotline. The Ministry of Labour had concluded protocols with the Philippines, Sri Lanka and Indonesia, the home countries of most such workers, in order to ensure uniform employment contracts for all. Employers could not hold workers' passports, and pamphlets in several languages spelling out their rights were given to all migrant workers on arrival at the airport.

21. A recent conference on Arab women in the working world had made a number of policy recommendations. The main one concerned overcoming the obstacles to combining maternity with employment through such mechanisms as a government social security fund, so that employers would not bear for the full cost of benefits. Women and men had legal equality in employment and the minimum wage was the same for both, but stereotypes regarding women's domestic responsibilities had not changed. Most foreign domestic workers were hired by persons who wished to display their wealth, not by working women. Compensation could be paid to victims of sexual harassment in the workplace, but few cases were actually brought to court because of the associated stigma and a culture of blaming the victim.

22. Turning to reproductive health, demographics and development, she said that Jordan would soon experience a "youth bulge", with 65 per cent of its population under 25, and family planning policies would be focused on that group. Access to information on reproductive health and family planning services should be considered a woman's human right. A woman did not need her husband's consent for access

to birth control, which was supplied free of charge. A draft law on patient rights and confidentiality was also under consideration.

23. The Government was attempting to meet the needs of Iraqi women living in Jordan through programmes in cooperation with international organizations to help them deal with violence and to provide legal guidance regarding application for refugee status.

24. **Mr. Touq** (Jordan) said that the Government was addressing the issue of maintaining quality medical services as prices rose. Between services provided by the Government and the security forces, 70 per cent of Jordanians had medical insurance. They could use government clinics or the university hospital, or go to army hospitals, at reasonable cost. Private medical services were growing quickly, and were an indicator that incomes were rising. Many areas of specialized care, including coronary and cancer care, were considered to be of international standard. Maintaining that level of care was placing new burdens on the State budget, however.

Articles 15 and 16

25. **Ms. Shin** said that, according to the report, Jordanian women, as a practical matter, enjoyed the same rights as men with regard to freedom of movement and choice of residence and domicile. She therefore urged the State party to consider withdrawing its reservation to article 15, paragraph 4, of the Convention.

26. She was concerned that, although the legal age of marriage had been raised to 18, it was possible for an underage girl to marry if a judge considered marriage to be in her best interest. Because of the potential impact of early marriage on a girl's education and health, the State party should repeal that provision of its Personal Status Act as soon as possible.

27. **Ms. Begum** said that, under Jordanian law, marriage was based not on equality of rights and duties for husband and wife, but on reciprocity. Marriage on such a basis undermined the fundamental principles of the Convention and enshrined discrimination on the basis of sex. However, she was encouraged by the enactment of interim law No. 82 of 2001, which amended some provisions of the Personal Status Act in respect of polygamy. Nevertheless, the State Party should withdraw its reservations to article 16 and

revise its Personal Status Act to bring it into line with the Convention.

28. **Mr. Touq** (Jordan) said that the Government's voter registration efforts, which had placed special emphasis on women and youth, had met with great success in 2007, when 1.9 million Jordanians had voted in municipal elections. Were that success to be repeated in the legislative elections of November 2007, he expected voters to fundamentally alter the composition of Parliament, paving the way for the enactment of more progressive laws.

29. Withdrawal of the reservations that his country maintained to the Convention was a politically charged issue and could happen only in the right environment and with a favourable Parliament. Until such a Parliament was elected, he asked the Committee to be patient in respect of that issue.

30. **Ms. Khader** (Jordan) said that, despite her country's reservation to article 15, paragraph 4, the Passports Act had been amended by an interim law issued by the Council of Ministers. A woman could currently apply for a passport of her own, without having to obtain the permission of her parents, guardian or husband. However, some social objections remained in that regard.

31. The authority granted to judges under the Personal Status Act to marry underage girls could be used only in exceptional cases. In order to prevent abuse of that power and discourage the practice of underage marriage, the Government had undertaken a nationwide campaign to promote marriage at the legal age. In fact, the average age of Jordanian women at marriage was currently 25. In addition, religious judges throughout the country had pledged not to exercise that authority except in the most extreme circumstances.

32. Women could also now initiate divorce, under the amended Personal Status Act, as well as require that certain conditions, such as monogamy or the right to complete education, be stipulated in the marriage contract. More importantly, a woman's consent to all conditions of the marriage contract was essential to its validity. In respect of the custody of children, the child's best interest was now the basis for assigning custody and that joint custody was now a possibility under the law.

33. **Ms. Neubauer**, recalling that the act which had set aside six parliamentary seats for women had been a

temporary measure, and that the delegation had said it would be unwise to amend the national elections law at the present time, wondered why the Government, in view of its assertion that it strongly desired to increase the representation of women in Parliament, had not issued an amended temporary law to increase the number of seats reserved for women. Such an action had no financial implications for the Government and would undoubtedly speed up the withdrawal of the State party's reservations to the Convention.

34. **Ms. Shin** was concerned that the draft law on non-governmental organizations might restrict their activities. She asked the Government to discuss the proposed law with those organizations and urged it not to place any restrictions on them.

35. While the comprehensive equal opportunity legislation that the authorities had enacted was to be commended, it did not include definitions of direct and indirect discrimination. It was also imperative that the Government introduce legislation on domestic violence and rape.

36. **Ms. Patten** asked whether the Government had a comprehensive plan to transfer all women detained in protective custody centres into non-punitive voluntary shelters.

37. Although she understood that virginity tests were not administered to women without their consent, she wondered whether they could sincerely and freely consent to such a test when they were in police custody.

38. Finally, she understood that there was no specific legal provision on sexual harassment; the current law merely allowed the person who had been harassed to leave the place of work with compensation. In view of the low rate of female employment, such a solution was far from ideal and the State party must take measures directly aimed at eliminating sexual harassment.

39. **Ms. Gaspard** said that politicians had the power and thus the duty to bring about positive change and gender equity. In that regard, she urged the State party to take action in order to raise the number of women in university posts: without role models, young women would not seek to enter academia.

40. **Ms. Chutikul** asked for information about gender discrimination in the private sector and wondered

whether sexual harassment was a problem in schools or other educational institutions.

41. **Mr. Touq** (Jordan) said that he understood the experts' desire to see gender equality achieved as quickly as possible, but amending the national elections law was a task fraught with hazards. The recent municipal elections had changed the political landscape, and the Government needed time to understand the latest developments before taking further action. The current Government had also promised the Jordanian people that it would not enact any temporary laws or introduce any temporary amendments. However, he expected that there would be political changes in the near future that would make it possible to take special measures once again.

42. In response to the question on the draft law on non-governmental organizations, he said that every bill introduced in Parliament received four readings, thus giving all interested parties ample opportunity to criticize the draft and propose changes. Furthermore, every draft law was subject to a period of public questioning and scrutiny. He urged non-governmental organizations to make use of that time in order to provide legislators with feedback on the proposed law.

43. With respect to gender discrimination in the private sector, he said that Jordan believed in free markets. The role of the Government was to legislate and regulate, and it was for the private sector to implement those laws and regulations. However, the Government would do everything in its power to encourage private companies to eliminate discrimination in the workplace.

44. **Ms. Khader** (Jordan) said that, under the labour law, an employee who had been sexually harassed could leave the place of work with compensation and take the harasser to court, if that harasser was the owner of the company. However, there were many psychological and cultural barriers that deterred women from exercising their rights. The Government had undertaken several awareness-raising activities to educate women about their rights and to teach them how to avoid sexual harassment and violence.

45. Under the law, a virginity test could not be forced on a woman. None the less, she agreed it was conceivable that a woman, alone in a detention centre, might feel pressure to have the test performed. There were ongoing efforts aimed at educating the police to the importance of allowing victims of sexual violence

to choose freely whether to undergo a virginity test. In addition, the Government had made a concerted effort to protect all women who were in detention centres and planned to transfer all women in protective custody to the new shelters that were being established.

46. Finally, she said that sexual harassment was virtually unheard of in schools and other educational institutions.

47. **Mr. Touq** (Jordan) thanked the Committee members for their thought-provoking questions and said that his delegation had benefited greatly from the constructive dialogue. He was confident that the Government, in partnership with the Committee, the Jordanian National Commission for Women (JNCW), civil society and non-governmental organizations, would be able to achieve fully the objectives of the Convention. In conclusion, he invited Committee members to visit his country and see for themselves where women stood in their quest for equality.

The meeting rose at 5.10 p.m.