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الاستعراض الدوري الشامل

تقرير الفريق العامل المعني بالاستعراض الدوري الشامل*

الأردن

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fourth session from 2 to 13 February 2009. The review of Jordan was held at the 15th meeting on 11 February 2009. The delegation of Jordan was headed by H.E. Dr. Mousa Burayzat, Director of the International Relations and Organizations Department and Director of The Human Rights Department at the Ministry of Foreign Affairs. At its meeting held on 13 February 2009, the Working Group adopted the present report on Jordan.

2. On 8 September 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Jordan: Burkina Faso, Japan and Mexico.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Jordan:

(a) A national report submitted / written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/4/JOR/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR), in accordance with paragraph 15 (b) (A/HRC/WG.6/4/ JOR/2);

(c) A summary prepared by OHCHR, in accordance with paragraph 15 (c) (A/HRC/WG.6/4/ JOR/3).

4. A list of questions prepared in advance by the Czech Republic, Denmark, Germany, Lithuania, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland and was transmitted to Jordan through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation stated that the national report was drafted after extensive consultation with stakeholders: NGOs, government organs, State authorities and civil society at large, to provide an updated overview of the human rights situation in the country. The state of openness and transparency in modern Jordan has enabled everybody interested to visit the country, make contacts, formulate recommendations and ultimately make their own assessment of the human rights situation. Jordan is, indeed, under constant review and is not totally unhappy about the fact. Further, Jordan is proud of being before the Human Rights Council as this is a proof of the country's genuine openness, transparency and definitive commitment, under the guidance of King Abdullah II, to the strengthening of human rights, which is the premise of sound governance, establishment of justice and attainment of security, stability and peace inside the country and with its neighbors. The criteria of human rights and the follow-up of their implementation are the measures of political legitimacy and social justice.

6. The preparation of the report comprised several stages, the first being the collection of information about laws and legislation, policies and practices from government sources. Then institutions such as universities, experts and NGOs, were consulted, as well as the Standing Committee on Human Rights, which comprises various government departments and is chaired by the Director of the Human Rights Department in the Ministry of Foreign Affairs.

7. Jordan's political and social openness, independence and respect for the human dignity and tolerance and other values associated with human rights are not due only to its people's cultural heritage and intellectual development as part of the tolerant Islamic civilization and the outward-looking Arab identity but also to the fact that Jordanians have been living under governing institutions characterized by good governance, accountability, acceptance of other opinions and respect for the will of the people. Thus, we find a reflection of this and more in the principles of the Constitution, the fundamental document guaranteeing the protection of rights and fundamental freedoms of individuals in all walks of life: civil, political, economic, social and cultural.

8. The Jordanian Constitution of 1952 is perfectly in line with international human rights standards as provided for in the international instruments, foremost among them the Universal Declaration of Human Rights and the two International Covenants on civil and political rights and economic, social and cultural rights. This modern and progressive Constitution has been complemented by other documents, namely the National Charter and the National Agenda. The National Charter sets forth a number of guiding principles inspired by the Constitution in order to activate political pluralism, the establishment of political parties and enhanced participation. The National Agenda contains strategies and plans, long-term projects and mechanisms for action.

9. By virtue of article 6 of the Constitution, "Jordanians shall be equal before the law". Jordanian laws provide effective and equal protection against any discrimination on the basis of race, language, religion, sex or political opinion. Jordanians are equal with respect to appointment to public posts. In addition, legislation ensures equality between men and women in all rights and everyone aged 18 or more enjoys legal capacity. Everybody is protected against violence or prejudice and has the right to resort to law and the right to litigation. Furthermore, the law ensures equality in education for everybody. Elementary education is compulsory and free of charge. Higher education is also open to everybody on the basis of fair admission regulations.

10. As for personal freedoms, the Constitution protects the rights of individuals and there is no crime without law (*Nullum crimen, nulla poena sine lege*). Article 9 of the 1961 Law, and its amendments, stipulates that the accused is presumed innocent until proven guilty. Courts are inviolable and all acts of arrest and inspections are carried out according to a clear legal framework.

11. The Criminal Code criminalizes any infringement on the personal freedom. Every State official who has arrested, detained or confined somebody to a place of detention in cases not stipulated by the law is punished. Law No.7 of 1954 is not intended to restrict personal freedoms but rather intends to prevent crimes that threaten public peace and security. Administrative detention is governed by certain safeguards that ensure balance between the right to life, especially of persons who could be subjected to vendettas or honour crimes, and the right to freedom of liberty.

12. The Anti-Terrorist Law adopted in 2006 seeks to prevent crimes of terrorism and the financing of terrorist activities. Jordan does not claim that this law is an ideal one as many countries and international bodies, legal and political, are still striving to ensure a balance between conflicting rights and Jordan is one of those countries. That nobody has yet been brought to court under the Law gives an indication of how keen the authorities are not to apply the Law unless it is absolutely necessary. Jordan, as well as various States and international organizations, is seeking balance between the protection of human rights and the prevention of terrorism.

13. On religious freedoms, article 14 of the Constitution stipulates that "The State shall safeguard the free exercise of all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality." The law represses any insults to any religion, place of worship or group of people engaging in their religious rituals. It also bans any caricatures or publications that can defame or ridicule any religion. With respect to the query submitted by the Netherlands concerning cases against people wishing to change their religion, Jordanians enjoy freedom of worship, but there are certain issues connected with the rights of others that would affect those wanting to change religion. This relates not to the right of freedom of worship but to the practical consequences regarding, for example, the legitimacy of the marriage, the children and the inheritance. The laws concerned are being applied very carefully and in perfect transparency.

14. In regards to the right to freedom of movement, the Constitution underlines the right of people to move freely (Article 9). Jordanians are not obliged to live in one specific place. Passport Law No. 5 of 2003 entitles everybody to obtain a passport to travel to any other country. Foreigners enter and leave Jordan freely.

15. Criminal Code No. 16 of 1960, and its amendments, protects the right to life and physical integrity. It prohibits individuals or authorities from putting an end to anybody's life and no human being can forsake his right to life. The Code criminalizes premeditated

murder, homicide, manslaughter and crimes in which people could be harmed in any way. In Jordan, torture is criminalized in a manner commensurate with the provisions of the Convention against Torture (CAT). Jordan is committed to condemning torture and never overlooks acts that could be perpetrated in this respect. However, Jordan does not deny that there are sometimes individual cases of abuse or torture and very limited cases of maltreatment. Those responsible are prosecuted for these actions and the State rejects any policies not in line with the respect of human rights.

16. Regarding the follow-up on the recommendations of the Special Rapporteur on torture, it is difficult to follow those recommendations as they are based on undocumented and imprecise information. The cases referred to were verified according to internationally accepted procedures. Yet, the Government has taken steps to address cases related to torture and to protect the rights of those individuals in places of detention and rehabilitation. Furthermore, under the law, there are various organs that carry out inspections in the various places of detention, in addition to the fact that there is an independent Ombudsman office which carries out transparent and rapid investigations in cases of complaints.

17. Capital punishment applies to certain extremely serious crimes and its use is very restrained. A number of laws have been amended to align it with article 6, paragraphs 1 to 5, of the International Covenant on Civil and Political Rights (ICCPR) and Jordan is working to limit use even more. Capital punishment does not apply to juveniles or pregnant women and no executions have been carried out since April 2007, so that in a sense this is a sort of moratorium on implementation of this punishment.

18. On freedom of opinion and expression, the Constitution protects the right to speak out, to write and to publish. The 1998 Press and Publications Law and its amendments govern the freedom of the press. It is not possible to hold any journalist accountable for his or her opinions. Everybody has the right to obtain information from sources and it is not possible to compel any journalist to reveal his sources. The law does not allow detention of a journalist. In addition, it allows citizens to reach information. Law No. 27 of 2007 has been promulgated to ensure the right to obtain information, in line with the international trend in this respect.

19. The Constitution provides for the right of association and the right of assembly and the holding of public meetings. There are thousands of licensed associations in Jordan. Associations can have legal personality, undertake voluntary work, guarantee equality amongst their members and should be non-profit. Yet, some civil society and the international organizations have called for some amendments to this law and in specific areas and, therefore, a committee has been formed to prepare a new draft in order to amend the existing law. As for the right of assembly, Jordan does not have any reservations to the relevant article in ICCPR. However, the application of this right is regulated in a manner that ensures the protection of public order and people's property. Jordan is considering a number of alternatives to improve the exercise of this right and no ideas in this respect are excluded.

20. The same applies to the law governing political parties. It allows freedom to form political parties and entitles parties to utilize the facilities provided by the State. It prohibits the formation of parties along religious or sectarian lines. The right to vote and to stand for election is also protected by the law for everybody, male and female. There are safeguards to ensure women's participation in the Lower House, and there are at least six women in the Assembly.

B. Interactive dialogue and responses by the State under review

21. During the inter-active dialogue, statements were made by 53 delegations. A number of delegations congratulated the delegation of Jordan for its comprehensive presentation of the national report, prepared in cooperation with relevant stakeholders. Jordan's significant role in the Human Rights Council institution-building process was evoked and the Kingdom was commended for its great achievements in the promotion and protection of human rights through, inter alia, the work and the activities of the "A"-status National Centre for Human Rights (NCHR) the National Coalition for Children established in 2007, the Complaints and Human Rights Office within the Public Security Directorate and the recent opening of the Family Protection Centre. Appreciation was also expressed for a number of policies, including the National Plan of Action for Children, the National Project on the Employment of Women and the National Aids programme in addition to effective strategies for the reduction of poverty and the dissemination of health care. A number of delegations underlined that Jordan was generously hosting several hundred thousand Palestinian refugees and Iraqis. Cooperation with international human rights mechanisms and with OHCHR was also welcomed.

22. Algeria recommended (a) that Jordan pursue its policy aiming at enshrining human rights principles in national legislation in accordance with international standards and continue its constructive cooperation with international human rights mechanisms. It encouraged Jordan's efforts and willingness (b) to submit periodic reports, which have suffered some delays, to treaty bodies, and urged it to seek appropriate technical assistance from OHCHR if deemed necessary. Algeria recommended that (c) the Kingdom should continue to move towards the promotion of women's rights and to further strengthen equality between women and men as well as efforts undertaken aimed at putting an end to certain customary social practices which sometimes stand in the way of the effective implementation of human rights, such as honour crimes and crimes of revenge. It recommended (d) efforts aimed at protecting the rights of foreign workers and prohibiting abuses that might be practiced against them and (e) that Jordan share with other interested countries its experience and best practices on the protection and consolidation of the right of persons with disabilities.

23. Finland expressed concern regarding the situation of women, the status of their rights, domestic violence and honour crimes. Finland recommended (a) that the penal legislation concerning discrimination and violence against women be developed in a comprehensive manner; (b) Jordan withdraw its reservations to articles 9 (2), 15 (4) and 16 (1), (c), (d) and (g) of the Convention on the Elimination of Discrimination against Women (CEDAW); (c) and that the visit requested in 2007 by the Special Rapporteur on violence against women be carried out and the opportunity be used to organize transparent consultations with all stakeholders.

24. Egypt noted the challenges faced, particularly regarding the number of refugees, and asked about the efforts made in this regard. It noted strides in the protection of women's and children's rights, including street children, and in the implementation of the first Millennium Development Goal (MDG). Egypt recommended Jordan (a) continue its implementation of national policies aimed at the protection and promotion of human rights, and (b) refuse any attempts to impose any values alien to the contractual obligations and commitments of Jordan, based on the universally agreed human rights principles.

25. Bahrain appreciated the campaign on violence against women, the hosting of the regional office of UNIFEM and the establishment of a centre for the protection of families. Bahrain recognised the efforts to ensure basic education for all. Bahrain recommended Jordan (a) continue efforts in promoting the rights of women and their participation in higher decision-making posts and (b) continue efforts in providing all with basic education.

26. Qatar praised the constitutional and legal guarantees to promote the economic, social and cultural advances in accordance with the MDGs. It noted that Jordan is a host to a number of Iraqis and, despite economic and social challenges, has made efforts to ensure their basic needs are met equally with Jordanians'. Qatar asked what assistance and services the authorities required to meet these needs and recommended that Jordan seek financial support from the international community in order to continue providing the necessary assistance to thousands of Iraqis hosted in the Kingdom.

27. Sudan noted the importance Jordan attached to the family and the steps taken for its protection, including the national plan for children for 2004-2013. It asked what progress had been made in acting on the recommendation of the Committee on the Rights of the Child to guarantee the implementation of the plan. It recommended Jordan (a) share with developing countries and least developed countries (LDCs) its experiences in the health field. It also recommended (b) not responding to any comment that is outside of Jordan's legal commitments and international principles agreed upon by consensus.

28. Kuwait noted the sophisticated national strategy for the health system. This social and health care protection system, including health insurance, covers all area of Jordan. Kuwait recommended that Jordan (a) continue its efforts in this direction and encouraged it (b) to continue to cooperate with human rights mechanisms and the Human Rights Council (HRC).

29. Djibouti welcomed the Government's proactive policy to guarantee legal access to education, health and social services. It noted the ratification of human rights instruments and initiatives taken to domesticate them and the establishment of a national commission to promote human rights and the national council for the disabled. Djibouti recommended that Jordan should pursue its efforts aimed at improving the living conditions of persons with disabilities.

30. Azerbaijan commended the legal guarantees of equality, freedom of opinion and press, free exercise of all forms of worship and religious rites. It recommended Jordan (a) accelerate its efforts to achieve the MDGs. Azerbaijan noted Jordan has one of the region's highest literacy rates in the region. It praised endeavours to increase women's representation in society, including their appointment to higher governmental posts and recommended (b) further pursuing efforts in this regard. It stressed Jordan's generosity towards Palestinians refugees and called on the international community to share this burden with Jordan through financial and other relevant support.

31. Saudi Arabia praised the efforts to promote human rights, including economic, social and cultural rights, the establishment of an institutional and legal framework and the contribution to the United Nations, especially OHCHR. Saudi Arabia recommended (a) continue its cooperation with OHCHR. Hailing the progress regarding education, it recommended Jordan (b) continue the dissemination of the culture of human rights through its inclusion in curricula.

32. Mexico commended Jordan's progress regarding children's rights, human rights education, the promotion of religious tolerance and efforts to care for refugees. It recommended Jordan (a) follow up on the recommendation by the Committee on the Elimination of Discrimination against Women to address all forms of violence against women and adopt legislation in this area; redouble its efforts to fight against honour crimes, through public awareness and punishment of perpetrators and ensure that measures of protection for potential victims be determined with their full participation. It also recommended Jordan (b) examine the recently adopted "Law on Societies" to ensure that the provisions of this law are in line with international human rights standards and in particular with the right to the freedom of association enshrined in the International Covenant on Civil and Political Rights (ICCPR). Noting the quest for a balance between defending human rights and combating terrorism, it recommended Jordan (c) review the legislation applicable to crimes of terrorism, including the Criminal Code and the law on prevention of terrorism, to ensure it is in line with international human rights standards and standards for combating organized crime. Taking into account the efforts against torture, Mexico recommended Jordan (d) consider accepting jurisdiction of the Committee against Torture to receive specific cases as well as the ratification of the Optional Protocol to the Convention against Torture (OP-CAT) within a reasonable timeframe.

33. Yemen noted the advances regarding social security, living standards and poverty-reduction and the indications Jordan will attain the first MDG. The 2006 country report spoke of a high level of health care in accordance with international standards and Jordan laudably serves patients from throughout the region. Yemen recommended that Jordan continue its efforts to provide better living standards and share its experience of a developed health care with other countries, particularly within the region.

34. Oman noted the ratification of human rights treaties and Jordan's positive cooperation with international bodies, OHCHR and HRC. Jordan hosted a seminar on combating terrorism in October 2008. Oman recommended that Jordan should continue to make even great efforts to promote human rights in accordance with the cultural practices that stand side by side with Jordanian society, and incorporate them into its national legislation.

35. Indonesia noted the free parliamentary elections in 1989, the National Charter, the institutional and human rights infrastructure, the National Plan of Action for children, the National Coalition for Children and the Complaints and Human Rights Office. In view of the frequent allegations of torture against the Directorate and the impunity which its members are allegedly to enjoy, it recommended that both the new body and the NCHR work closely together to monitor the strict application of the rule of law for detainees.

36. Malaysia noted Jordan's success in education and high literacy rates, its promotion of human rights and democratic ideas within Islam and the elimination of negative references to other religions in its school curriculum and textbooks. Malaysia recommended Jordan (a) share its experiences and good practices in this area with other countries. Noting the significant reduction in poverty and the clear indications the country will be able to achieve MDG 1 and national targets by 2015, Malaysia recommended Jordan (b) continue with its efforts in this area so as to ensure that MDG 1 and targets can be achieved as planned.

37. Palestine appreciated Jordan's continued support regarding the Palestinian question and its hosting of Palestinian refugees, who enjoy their rights. Jordan is also a model in the protection of religious and ethnic minorities. Palestine recommended Jordan continue enhancing its role in peacekeeping operations, including providing health services and continuing its support to capacity-building in all conflict regions in the world.

38. The United Kingdom commended the establishment of a moratorium on the death penalty, the openness to NGOs' visits to prisons and the Family Protection Department centres. It asked about the implementation and awareness raising of human rights conventions and what steps had been taken to ease case delays in the judicial system. Noting concerns expressed by the Special Rapporteur on torture regarding the compromising of safeguards to combat torture since security forces are shielded from independent prosecution, it asked about the steps to implement the Committee against Torture's recommendation to abolish exceptional courts. The United Kingdom recommended Jordan (a) consider ratifying OP-CAT, (b) continue to facilitate prison visits, including unannounced ones, by NGOs; (c) implement an independent and transparent complaints mechanism to deal with reports of prisoner ill-treatment; (d) consider transferring oversight for allegations of ill-treatment of all prisoners to an appropriate civilian judicial authority; (e) take further steps to address discrimination against women, minorities and vulnerable groups, including children and disabled people.

39. Germany asked about regulation of the status of asylum-seeking and refugee children and about accession to relevant international instruments. It asked about measures to ensure freedom of association and expression and the independence of NGOs. Germany recommended that the Jordanian Government (a) abolish all protection and impunity for perpetrators of honour killings. Cases should be fully investigated and those responsible should be convicted without exception. It also recommended that Jordan (b) strengthen its efforts to combat torture and that the Government and responsible authorities do fully investigate all cases and reports on torture in a prompt, transparent and independent manner and do bring to justice those responsible, and (c) review its Nationality Law in order to ensure that a Jordanian mother married to a non-Jordanian man has the right to confer her nationality to their children.

40. Pakistan stated that a human-rights-friendly approach has led to active NGO involvement in monitoring, advocacy and promotion of human rights. It noted the standing invitation to Special Procedures and the reforms in the areas of freedom of the press and judiciary. While commending the progressive steps taken by Jordan, Pakistan recommended that Jordan (a) continue to provide and improve human rights education and training for judicial and law enforcement officials and (b) strengthen the implementation of its National Action Plan for Children.

41. Morocco asked for information on measures to ensure the right to health and equal rights to those affected by illnesses including AIDS and about efforts by the national human rights commission to promote women's rights. It recommended that Jordan (a) continue its efforts to integrate the provisions of the human rights treaties it has ratified into national law; and Jordan (b) to benefit from their successful experiences in the areas contained in the national report which focuses on the challenges and to request the necessary technical assistance from the relevant international organisations.

42. Tunisia noted the ratification of most of the international human rights instruments and Jordan's national legislation. The Constitution authorizes the creation of associations and there is a network of organizations and associations which represent civil society. Jordanian legislation has ensured that associations have the right to use the media and official information means while at the same time preventing political parties from operating along religious, racial or tribal lines. Tunisia requested more information about the preparation and implementation of the national children's programme for 2009-2013.

43. France, noting the de facto moratorium on the death penalty, asked how Jordan envisaged transforming it into a de jure moratorium. France asked about measures to guarantee equality between men and women in family law, including inheritance law. While noting the efforts to combat torture, it recommended Jordan (a) pursue its actions to prevent acts of torture and other cruel, inhuman and degrading treatments in all detention centres, (b) in particular by ratifying OP-CAT and by setting up an independent national mechanism for oversight in places of detention. It recommended Jordan (c) implement all possible efforts to combat ill-treatment against foreign workers and to offer, through the Labour Code, adequate protection to all workers in Jordan. It welcomed the standing invitation to special procedures and recommended Jordan (d) respond as soon as possible to the request for visits by Special Rapporteurs, such as the Special Rapporteur on violence against women.

44. Canada expressed concern regarding ongoing enforcement of restrictions on media reporting, the absence of an independent electoral commission, the Societies Law and reports of honour killings. Canada recommended that Jordan (a) take further steps to promote an open and free press where journalists may report on a full spectrum of political, social and economic issues without fear of retribution; (b) establish an independent electoral commission allowing for open participation of political parties and objective certification of election results; (c) revise the Societies Law to remove the government-approval requirement in the work of NGOs and take steps to ensure that these changes are put into practice in the interest of encouraging broad participation in Jordanian civil society; (d) strengthen legislation protecting women from violence, and amend its criminal law to ensure that honour crimes are treated on a par with other serious violent crimes and are investigated and prosecuted.

45. Lebanon praised Jordan's attention to promoting the status of woman, health, labour and combating violence against women and the efforts regarding gender equality and women's role in politics, as evidenced by the number of women in parliament, local authorities and the judiciary. Lebanon recommended that Jordan (a) continue to promote the status of women and to empower them and (b) step up its excellent cooperation with civil society and ensure that this helps further to protect human rights. Lebanon asked about steps to protect children's rights to education and prevent forced labour.

46. Philippines noted the strengthened efforts to promote women's equality and empowerment and the positive results achieved. Philippines recommended that Jordan (a) continue these efforts, with emphasis on promoting enhanced economic opportunities for women and equality in the workplace. It also recommended that the Government (b) continue measures to improve the wellbeing and human rights protection of migrant workers, including domestic workers.

47. Nicaragua noted the consolidation of internal democratic processes through structural change and recommended that Jordan

continue to strengthen its institutional framework so that its society can continue to enjoy their rights and to fully participate in the democracy that prevails in Jordan today.

48. Chile recommended Jordan (a) harmonize national legislation with standards and requirements contemplated in international human rights instruments ratified by Jordan, (b) lift reservations to CEDAW to ensure greater participation by women in public life, non-discrimination and effective protection against violence against women; (c) lift reservations to the Convention on the Rights of the Child (CRC); (d) establish a moratorium on the death penalty as a way of achieving its full abolition; (e) amend practices and deficiencies in national legislation and accede to OP-CAT to prevent and punish cases of violations in this regard; and (f) accede to Optional Protocols 1 and 2 to ICCPR.

49. The Netherlands commended Jordan's efforts regarding the protection of human rights. In relation to the concerns expressed by the HRC about practical limitations to the right to freedom of religion, including freedom to change religion, it recommended that Jordan should (a) pursue the protection of those who convert to another religion according to international human rights standards. With regard to the so-called honour crimes that still occur and the reduction of penalties for the perpetrators, it recommended Jordan should (b) continue its efforts to strengthen the position of women and in particular ensure that perpetrators of honour crimes do not benefit from a reduction of penalty, take into consideration the recommendations of the Committee on the Elimination of Discrimination against Women and furthermore also strive to provide victims of honour crimes with the necessary protective shelters. The Special Rapporteur on torture's follow-up report raised concerns with regard to the continuing use of torture and impunity and the Netherlands therefore recommended that (c) further action is taken to prevent impunity for torture and ill-treatment and follow-up is given to the recommendations of the United Nations Special Rapporteur on torture.

50. Brazil noted the "A"-status Centre for Human Rights, the National Coalition for Children and the Plan of Action for Children, the reduction of poverty, and the success in ensuring universal basic education. Brazil recommended that Jordan (a) consider, within the context of paragraph 1 (a) of HRC resolution 9/12, reviewing the nature of its reservations to CEDAW and CRC; (b) establishing a moratorium on executions, with a view to abolishing the death penalty, (c) continue its efforts aimed at eradicating poverty; (d) continue its measures to address all forms of violence against women and girls.

51. The United Arab Emirates noted Jordan's increasing intention to the promotion of children's rights at legislative and institutional levels, the accession to CRC and its optional protocols, the establishment of institutions and a national plan of action, the programmes for the care and protection of children in the public and private sectors and the awareness-raising campaigns. It recommended Jordan (a) pursue its efforts aimed at the promotion of the rights of the child in addition to the implementation of the national plan for children; (b) consider the inclusion of human rights in school curricula.

52. Concerning torture, Jordan acknowledges that there are gaps in this field, but the reports that are circulating are exaggerated and do not reflect the facts on the ground. No country can pretend to eliminate this phenomenon completely, but in Jordan there is a political will to deal comprehensively with the issue of torture and to tackle individual cases and impunity in a serious manner. There is political supervision and a follow-up of all cases: anybody responsible for ill-treatment or torture is prosecuted. The statement of the Special Rapporteur on torture, Mr. Nowak, that "torture is widespread" is not true, and subsequently he withdrew the statement he had made earlier in this connection.

53. Jordan has embarked on a wide-ranging programme to combat torture, including training courses, workshops and seminars. Courses, workshops and seminars for law enforcement personnel are held every month under the supervision of the National Centre for Human Rights. About 400 officers have graduated from these courses in the past year alone.

54. Many agreements have been signed with local and international agencies, including with Austria and the European Union, in order to develop rehabilitation centres, including for victims of torture.

55. Al Jafer prison has been closed and many other measures have been taken in accordance with international principles on the way of dealing with prisoners. There are frequent visits by Human Rights Watch and by various human rights agencies to detention and rehabilitation facilities.

56. Many issues were raised regarding women. Concerning honour crimes, Jordan stated that the law has been amended and there is no such thing as "honour crimes" in Jordanian law. Criminal acts committed in the heat of passion are also declining owing to a collective effort, especially by parliamentarians and members of the Royal Family, to raise awareness. The amendment of the law and the increase in punishment testify to the huge progress achieved.

57. Jordanian society is based on the teaching of Islam, which organises civil matters in accordance with the Sharia norms which regulate marriage and inheritance. The provisions of the Sharia are suitable to protect the rights of women and to promote their status. These norms are accepted by the people themselves and adhered to voluntarily.

58. Although Jordanian law does not confer the Jordanian nationality on children of a Jordanian mother married to a non-Jordanian, it nonetheless ensures that the husband and the children acquire a residence permit. It should be noted that approximately 50 per cent of the population in Jordan is from a country under occupation. No country agrees to undermine its own national identity. Jordan also protects Palestinian rights this way.

59. As for the protection of the family, the Civil Code has been amended and Jordanian women can now enjoy equal rights. The Government has withdrawn its reservation to article 15 (4) of CEDAW. The law on domestic violence has been enacted and there are many policies and programmes supported by, for example, the European Union and international organizations. The Constitution guarantees women's rights and promotes their participation in the political life. Jordanian women have achieved great progress and this has been a very positive development.

60. Special courts have been established to help the judiciary to examine cases requiring specific expertise. Their rules and sentences

can be submitted to the court of cassation. Allegations that these courts do not observe due process and do not follow criminal procedures are unfounded.

61. As regards freedom of the press, there is no law that stipulates imprisonment of journalists for expressing their views: journalists are free and masters of their own actions. Some States had referred to an incident involving a journalist that occurred during a peaceful demonstration to protest the onslaught on Gaza. It was a single and isolated incident and happened because the person involved failed to distinguish himself from stone-throwers at a sensitive location near the premises of a certain embassy

62. Jordan adheres to the CRC. There are juvenile courts and special consultants who help judges to hand down decisions in the best interest of the child. The law on juvenile justice has been enacted and juveniles are not detained in rehabilitation centres for adults. Homeless children are defined as children with special needs.

63. Norway said that, despite positive developments regarding women's rights, including the increased resources to assist abused women and measures to increase employment opportunities, concerns remain regarding their situation. Norway remains attentive to the situation of human rights of women in Jordan. CEDAW, Amnesty International and Human Rights Watch report that women are discriminated against within the legal system and that violence against women is widespread. Norway recommended Jordan (a) withdraw its reservations to CEDAW, (b) modify or repeal discriminatory legislation, including discriminatory provisions in its Personal Status Act, Criminal Code and Nationality Act; (c) enact legislation on violence against women in order that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished; and (d) increase the number of home shelters in order to replace protective custody for women at risk of violence.

64. Nigeria noted ratification of human rights instruments, the engagement in policy and institutional reform, the National Project on the Employment of Women, the provision of basic education to all children and the National AIDS Programme. Nigeria would like to see improvement in Jordan's legislative and judicial sectors, especially in the areas of gender mainstreaming, sexual harassment and economic exploitation of children. It called on the international community to support Jordan's efforts to improve its economic, social and cultural rights.

65. China noted Jordan's constitutional framework for human rights, accession to international conventions, national human rights centres; progress in poverty-reduction, the health system and children's access to basic education, and improved level of human rights education. China encouraged Jordan to ensure detailed implementation of the national strategic plan for the protection of rights of people with disabilities and children and, through various forms of human rights education and training, enhance people's awareness of human rights for their better enjoyment of them.

66. Japan noted the ratification of human rights instruments, the holding of democratic elections, the promotion of women's rights and social advancement, and the accommodation of Palestinian and Iraqi refugees. Japan recommended (a) considering establishing a legal framework for the protection of refugees and applicants for asylum, as well as becoming a State party to the related instruments; (b) considering amendment of the Jordanian Nationality Act with respect to the right of children to a nationality, as the law currently does not allow a Jordanian mother married to a non-Jordanian man to confer her nationality to her children. Japan expressed concern regarding reports of forced confessions and violence perpetrated by detention officers, the lack of neutrality when bringing them to justice and offences tried within a special court for security services.

67. Sweden noted reports of torture by police and prison authorities. While recognizing the ratification of CAT, the visit of the Special Rapporteur and legislative attempts, it recommended the Government (a) continue and strengthen its efforts with a view to completely stem this practice and ensure that detainees have access to effective legal remedy and (b) take steps to enable accession to OP-CAT. Sweden noted the recommendations of the Committee on the Elimination of Discrimination against Women regarding discrimination against women and expressed concern regarding honour killings, discriminatory family and inheritance legislation and the situation of foreign women employed as domestic workers. While noting efforts and the new legislation initiated to promote the status of women, Sweden recommended the Government (c) continue looking into this question with a view to ensuring that violence and all sorts of discrimination against women are effectively eliminated in line with international standards.

68. Bhutan commended Jordan's commitment to improving the lives of the most vulnerable through advocacy, support and cooperation at the highest levels of the State. It commended the promotion of economic, social and cultural rights and the achievements in the area of poverty-reduction, Jordan being on track to achieve MDG 1. Noting reports of regional and gender disparities and the potential risk of segments of the near-poor falling below the poverty line, it recommended that the Jordanian Government (a) continue to implement and strengthen its Poverty Alleviation Strategy and other programmes for poverty-reduction, in order to build upon progress achieved thus far, and to bridge any existing regional and gender disparities. While noting the well-developed health care system and the universal access to basic education, Bhutan recommended Jordan (b) consider stepping up these positive efforts through greater investment in the health sector to strengthen existing services and (c) consolidate and continue taking measures to reinforce enrolment and retention rates in secondary education.

69. Turkey recommended Jordan (a) consider withdrawing its reservations to a number of articles of CEDAW, and also consider ratifying its Optional Protocol. Sharing the recommendations of the Committee on the Rights of the Child, Turkey also recommended that Jordan (b) continue to address the problems faced by the girl child and the suggestions by the Committee that local, religious and other leaders should take a more active role in supporting the efforts to prevent and eliminate discrimination against the girl child. It welcomed the reform process to combat torture and ill-treatment, including the amendment of the Criminal Code and the prosecution and punishment of a number of officials, and recommended that Jordan (c) continue its efforts in this field. It requested information about the new Assembly Law.

70. Italy expressed concern regarding honour killings and recommended Jordan (a) consider amending articles 98 and 340 of its Criminal Code in order to abolish all kinds of legal protection for perpetrators of honour killings. It noted the adoption of the Societies Law and recommended Jordan (b) consider amending recent legislation concerning NGOs in order to reduce restrictions

on their activities and allow them adequate freedom of action. It expressed concern about conditions of detention and alleged torture by the General Intelligence Department and said allegations in their regard should be investigated.

71. The Russian Federation noted the importance given to human rights cooperation and Jordan's openness to dialogue. Noting the "A"-status of the Centre for Human Rights, it asked for information about the Centre's operation, the challenges the Centre faces in carrying out activities, its sources of funding and the extension of its mandate to monitoring all State institutions, including the police and the armed forces.

72. Cuba commended Jordan for maintaining its identity between the Arab culture and Muslim religion. It noted the constitutional and legal framework for human rights and the equality among citizens regarding rights and obligations. It noted the reduction in poverty and indications that Jordan will achieve MDG 1. Cuba asked about measures to attend to the needs of migrant workers. Cuba recommended Jordan (a) continue its efforts to achieve MDG 1 by 2015 so that its population can fully enjoy the rights inherent to a decent and respectable life and (b) continue the enlargement and consolidation of the quality of the national health system, if possible, by earmarking more financial resources in the total national budget and through the training of specialised personnel.

73. Bangladesh commended the progress in socio-economic development and the near universal access to education. It recommended Jordan (a) further strengthen human rights education and training for the judiciary and law enforcement agencies with the assistance of OHCHR and other relevant international organizations; (b) continue to work to enhance access to water through efficient water-resources management with the support and assistance of the international community.

74. Argentina noted the reduction of the list of crimes punishable by the death penalty as a step toward its abolishment. It recommended Jordan consider the possibility of signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and accept the competence of the Committee on Enforced Disappearances.

75. Lithuania stated that notwithstanding improvements in the situation of women, further steps were needed regarding honour killings and domestic violence. Lithuania recommended (a) establishing a shelter system for victims of domestic violence and undertaking public-awareness campaigns against domestic violence; (b) ratifying the Optional Protocol to CEDAW (OP-CEDAW) and facilitating the visit of the Special Rapporteur on violence against women, its causes and consequences.

76. Romania commended the progress regarding economic, social and cultural rights and the fight against illiteracy. It noted efforts made to promote tolerance and welcomed the new curriculum for religious education. Noting positive aspects in the legal framework for gender equality, it asked what other steps had been taken to strengthen promotion of women's rights.

77. Slovenia, while commending Jordan's efforts regarding children's rights, noted reports of violence, exploitation, trafficking and violation of the rights of migrant, refugee and asylum-seeking children, children with disabilities and juvenile offenders. Slovenia noted the concern of the Committee on the Rights of the Child regarding physical punishment at home and the disciplinary action permitted under the Criminal Code. Further to recommendations by the Human Rights Committee and the Committee on the Rights of the Child, it recommended Jordan (a) consider changing legislation to prohibit all forms of corporal punishment also at home and effectively enforce a ban on corporal punishment in all settings. It expressed concern about limitations to women's progress and participation and asked if Jordan is considering enacting a comprehensive gender-equality law. Further to recommendations by the Committee on the Elimination of Discrimination against Women, it recommended Jordan (b) address all forms of violence against women and girls and enact legislation in this field. It also recommended (c) amending the Criminal Code to ensure that perpetrators of honour crimes do not benefit from reduction of penalty and that these crimes are treated like other violent crimes in regard to investigation and prosecution.

78. The Libyan Arab Jamahiriya stated that the Constitution guarantees the principle of equality, individual freedom, freedom of expression, movement and residence, religion and family rights. It noted the strategies for health care, rehabilitation and redress and social and religious guidance as priorities under the Constitution. It noted the importance of health and health care in Jordan, as the Health Ministry is the second largest. It wished further prosperity and success to Jordan in its efforts to ensure attainment of the MDGs.

79. Ireland, noting the amendment to the Criminal Code and the de facto moratorium on application of the death penalty, recommended that Jordan (a) take further concrete steps to move quickly towards the abolition of the death penalty. Ireland noted evidence that, despite the prison reform programme, torture and ill-treatment still occur and asked about plans to eradicate them. It recommended that Jordan (b) prioritize such actions and that allegations of torture and ill-treatment of convicted prisoners and detainees be investigated in a timely, transparent and independent fashion. Noting concerns about administrative detention, it recommended that the Jordanian Government (c) actively seek to address these concerns and to review the use of administrative detention and ensure that current detainees have access to legal representation and to the courts.

80. The Syrian Arab Republic said Jordan is an Arab country which has attained excellent levels of sustainable development despite its lack of resources and economic burden and while hosting Iraqi refugees. The constitutional framework guarantees fundamental freedoms and there are numerous laws and institutions concerning health, housing, free basic education, empowerment of woman and childcare. Noting that more than 45 women serve in the judiciary, it asked to hear about courses to upgrade women's negotiating skills and the application of the relevant laws.

81. The Republic of Korea while appreciating the ratification of most human rights instruments, expressed concern about the domestication of international obligations. It asked about the government's plans to prevent honour killings, noting with concern their frequency and the references by treaty bodies and NGOs to leniency towards perpetrators in the Criminal Code and judicial practice. It drew attention to treaty bodies' recommendation that Jordan should give consideration to transferring the criminal jurisdiction both of the State Security Court and the Police Court to ordinary courts.

82. While appreciating the measures to address torture and impunity the Czech Republic recommended Jordan (a) increase its efforts to eliminate cases of torture, especially by security services, to ensure their prevention and the punishment of persons responsible for any such acts. It recommended (b) a comprehensive review of conditions in prisons and underlined the importance of an independent, impartial complaint mechanism for the victims of torture. To support the more effective implementation of provisions of CAT, it recommended Jordan (c) submit its pending reports to the Committee against Torture, (d) accede to OP-CAT and establish its national preventive mechanism accordingly. Regarding the possibility that, when under threat of violence or honour killing, women may be put in "protective custody", it recommended Jordan (e) review this practice and increase the capacity of existing or establish other efficient protective mechanisms for women at risk of violence that do not victimize them and ensure strict punishment of perpetrators of any such violence. The Czech Republic asked about the procedure for domesticating international obligations, including those regarding freedom of opinion and expression and protection of free media. It recommended that Jordan (f) accede to the 1951 Refugee Convention and its 1967 Protocol and adopt measures to ensure recognition of refugees and regularization of their stay, including access to basic needs and protection against exploitation.

83. Bosnia and Herzegovina hoped Jordan would make additional efforts to increase cooperation with treaty bodies and other mechanisms. It asked about steps to enact a comprehensive gender equality law, as recommended by the Committee on the Elimination of Discrimination against Women, and about steps to enact legislation on violence against women and girls. It also asked about success in protecting and providing assistance to children and young people victims of sexual exploitation or trafficking and whether Jordan intended to abolish the death penalty and ratify the Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (OP-ICCPR).

84. Albania noted the progress in the area of education and commended the steps to increase the rate of employment of women, especially the strategies to support female employment in remote areas. Albania recommended continuing to improve the legislation aimed at prohibiting all forms of torture and in particular to strengthen measures to protect the rights of detainees.

85. Afghanistan appreciated efforts to ensure transparency and accountability by welcoming local and international human rights groups to investigate allegations of human rights abuses and publish their findings. It noted active supporters of human rights from civil society and that the Government works to ensure equity and justice and to monitor the protection of rights. Afghanistan recommended Jordan (a) further implement the national strategy for persons with disabilities; (b) strengthen the implementation of the National Plan of Action for Children 2004-2013; (c) increase awareness, including through public campaigns, of human rights and fundamental freedoms; (c) to continue to provide, improve and enhance human rights education and training programmes, including the holding of workshops and seminars for the judiciary, law enforcement personnel and lawyers; (d) maintain support for the National Council and Institutions charged with the promotion and protection of human rights.

86. The Jordanian delegation said Jordan is party to 7 of 8 ILO fundamental Conventions and has also ratified 24 international agreements. Labour laws are guaranteed regardless of workers' gender, origins or nationalities. Jordan has been taking certain steps to protect the right of migrant workers, including agricultural and domestic workers, and to ensure that they are treated in line with international standards. All workers can currently enjoy the benefit of social security in Jordan. Moreover, Jordan is committed to putting in place the ILO decent work programmes, which protect rights of migrant workers. Jordan has also signed with several States sending migrant workers a Memorandum of Understanding on wider protection for such workers.

87. The Government provides for emergency assistance through social services and a specific body, the National Assistance Fund, to the families of persons in protective custody, whose relatives are considered as vulnerable people. The Ministry for Social Development assist and cares for the children of persons in protective custody. An NGO is responsible for assisting female detainees. A family planning council provides further assistance to detainees, their children and families.

88. Jordan referred to other institutions for the protection of citizens' rights: the Special Office for Complaints, Records and Compensation, the president of which has the rank of Minister, accepts and records all complaints of individuals. There is also an ombudsperson, who acts as a mediator. The Ministry for Social Development and the Ministry for Political Development act in the field of democracy and public participation. There are also standing human rights commissions in several ministries. There are other law-based activities such as training programmes for judges, law enforcement officials and security forces.

89. Rights to social protection, education and health are guaranteed. Jordan is one of the very few countries that guarantee access to education and health for children and women. The access is totally cost-free for children under 6 years. Efforts will be made to extend this to all levels of the population.

90. Regarding delay in submitting reports to treaty bodies, the actual drafting of reports requires an enormous amount of time. The draft report to the Committee against Torture has been submitted to the Ministry for Foreign Affairs and the head of delegation is committed to finalizing it as soon as possible. Delay in sending reports does not mean that work on protection of human rights is not continuously progressing.

91. Jordan considered the UPR dialogue had been extremely objective. It had carefully noted all comments have been and recommendations would be considered in line with its interest its furthering human rights, its international commitments and written law.

ثانياً - الاستنتاجات و/أو التوصيات

92- نظر الأردن في التوصيات التي قُدمت أثناء الحوار التفاعلي، وترد فيما يلي التوصيات التي تحظى بتأييده:

1- أن يستعرض طابع التحفظات على اتفاقية القضاء على جميع أشكال التمييز ضد المرأة، واتفاقية حقوق الطفل، في إطار الفقرة 1(أ) من القرار 9/12 الصادر عن مجلس حقوق الإنسان (البرازيل)؛

2- أن يدعم تنفيذ أحكام اتفاقية مناهضة التعذيب وغيره من ضروب المعاملة أو العقوبة القاسية أو اللاإنسانية أو المهينة تنفيذاً أكثر فعالية، وأن يقدم إلى لجنة

مناهضة التعذيب تقاريره التي لم تقدم بعد (الجمهورية التشيكية)؛

3- أن يواصل بذل المزيد من الجهود لتعزيز حقوق الإنسان وفقاً للممارسات الثقافية التي يتبناها المجتمع الأردني، وأن يستمر في تلك الجهود لإدراجها في تشريعاته الوطنية (عمان)؛ وأن يواصل جهوده لكي يدرج في القانون الوطني أحكام معاهدات حقوق الإنسان التي صدق عليها (المغرب)؛ وأن يستمر في سياساته الهادفة إلى ترسيخ مبادئ حقوق الإنسان في التشريعات الوطنية وفقاً للمعايير الدولية فضلاً عن مواصلة تعاونه البناء مع الآليات الدولية لحقوق الإنسان (الجزائر)؛

4- أن يوائم التشريعات الوطنية مع المعايير والمتطلبات الواردة في الصكوك الدولية لحقوق الإنسان التي صدق عليها (شيلي)؛

5- أن يعمل على تحسين الجهازين التشريعي والقضائي للأردن، ولا سيما في مجال مراعاة المنظور الجنساني، والتحرش الجنسي واستغلال الأطفال اقتصادياً (نيجيريا)؛

6- أن يستمر في تعزيز إطاره المؤسسي لكي يتسنى لأفراد مجتمعه مواصلة التمتع بحقوقهم والمشاركة الكاملة في الديمقراطية التي ينعم بها الأردن اليوم (نيكاراغوا)؛

7- أن يواصل دعم المجلس الوطني والمؤسسات المكلفة بتعزيز حقوق الإنسان وحمايتها (أفغانستان)؛

8- أن يعزز تعاونه الممتاز مع المجتمع المدني وأن يكفل إسهام ذلك في تعزيز حماية حقوق الإنسان (لبنان)؛

9- أن يواصل تنفيذ سياساته الوطنية الرامية إلى حماية حقوق الإنسان وتعزيزها (مصر)؛ وأن يعزز تنفيذ خطة عمل الأردن الوطنية المعنية بالطفولة للفترة 2004-2013، (أفغانستان وباكستان)؛ وأن يواصل جهوده الهادفة إلى تعزيز حقوق الطفل، إضافة إلى تنفيذ الخطة الوطنية للطفولة (الإمارات العربية المتحدة)؛

10- أن يعمل على إنكاء الوعي، بما في ذلك، عن طريق القيام بحملات إعلامية في مجال حقوق الإنسان والحريات الأساسية (أفغانستان)؛

11- أن يواصل نشر ثقافة حقوق الإنسان بإدراجها في المناهج الدراسية (المملكة العربية السعودية)؛ وأن يعمل على تبادل خبراته وممارساته الجيدة في مجال تعزيز حقوق الإنسان والأفكار الديمقراطية في إطار تعاليم الإسلام، والقضاء على أي إشارات سلبية إلى اتباع الديانات الأخرى في المناهج والكتب المدرسية (ماليزيا)؛

12- أن يواصل تقديم دورات تثقيفية وتدريبية في مجال حقوق الإنسان للمسؤولين القضائيين والموظفين المكلفين بإنفاذ القانون (باكستان) ويعمل على تحسينها، وأن يستمر في تقديم برامج تثقيفية وتدريبية في مجال حقوق الإنسان وتحسينها وتعزيزها، بما في ذلك تنظيم حلقات عمل وحلقت دراسية للجهاز القضائي والموظفين المكلفين بإنفاذ القانون والمحامين (أفغانستان). وأن يواصل تعزيز عملية التنقيف والتدريب في مجال حقوق الإنسان للجهاز القضائي ووكالات إنفاذ القانون بمساعدة المفوضية السامية لحقوق الإنسان وغيرها من المنظمات الدولية ذات الصلة (بنغلاديش)؛

13- أن يواصل تنفيذ الاستراتيجية الوطنية المتعلقة بالأشخاص ذوي الإعاقة (أفغانستان)؛

14- أن يقدم إلى هيئات المعاهدات التقارير الدورية التي تعرضت لبعض التأخير، وأن يلتزم المساعدة التقنية من المفوضية السامية لحقوق الإنسان في هذا الخصوص، إذا رأى ذلك ضرورياً (الجزائر)؛ وأن يواصل التعاون مع المفوضية السامية لحقوق الإنسان (المملكة العربية السعودية)، وآليات حقوق الإنسان، ومجلس حقوق الإنسان (الكويت)؛

15- أن يواصل التوجه صوب تعزيز حقوق المرأة وزيادة تعزيز المساواة بين المرأة والرجل، فضلاً عن بذل جهود من أجل وضع حد لبعض الممارسات الاجتماعية العرفية التي تقف أحياناً حجر عثرة أمام التنفيذ الفعال لحقوق الإنسان، مثل جرائم الشرف، وجرائم الثأر (الجزائر)؛ وأن يواصل تعزيز وضع المرأة وتمكينها (لبنان)؛

16- أن يتخذ المزيد من التدابير للتصدي للتمييز ضد المرأة والأقليات والفئات الضعيفة، بما في ذلك الأطفال والمعوقون (المملكة المتحدة)؛

17- أن يواصل معالجة المشاكل التي تواجهها الطفلات، وأن يتناول اقتراحات لجنة حقوق الطفل التي تدعو إلى اضطلاع القيادات المحلية والدينية وغيرها بدور أكثر فعالية في دعم الجهود الرامية إلى منع التمييز ضد الطفلات والقضاء عليه (تركيا)؛

18- أن يواصل ويعزز الجهود (السويد والجمهورية التشيكية وألمانيا) الرامية إلى القضاء (الجمهورية التشيكية وألمانيا)، على أفعال التعذيب (السويد والجمهورية التشيكية وألمانيا)، والتصدي لها كلياً (السويد)، ولا سيما الأفعال التي ترتكبها أجهزة الأمن (الجمهورية التشيكية)، وأن يضمن توافر سبل انتصاف قانوني فعال للمحتجزين (السويد)؛ وأن يولي أولوية لمسألة الحد من التعذيب وإساءة المعاملة والقضاء عليهما، وأن يُحقق في الوقت المناسب وبطريقة شفافة ومستقلة في الادعاءات حول ما يتعرض له السجناء المدانين والمحتجزون من التعذيب وإساءة المعاملة (أيرلندا)؛ وأن يتابع إجراءاته لمنع أفعال التعذيب (الجمهورية التشيكية وفرنسا) وغيره من ضروب المعاملة أو العقوبة القاسية أو اللاإنسانية أو المهينة في جميع مراكز الاحتجاز (فرنسا)، وأن يضمن معاقبة الأشخاص المسؤولين عن أفعال التعذيب (الجمهورية التشيكية)؛ وأن يتخذ المزيد من الإجراءات لمنع إفلات مرتكبي أفعال التعذيب وإساءة المعاملة من العقاب، ولمتابعة توصيل المقرر الخاص للأمم المتحدة المعني بمسألة التعذيب (هولندا)؛ وأن ينفذ آلية لتقديم الشكاوى وتنسب بالاستقلالية والشفافية لمعالجة التقارير المتعلقة بإساءة معاملة السجناء (المملكة المتحدة)؛ وأن تجري حكومته وسلطاته المسؤولة تحقيقات كاملة في جميع القضايا والتقارير المتعلقة بالتعذيب على نحو سريع وشفاف ومستقل، وأن تقدم المسؤولين عن ذلك إلى العدالة (ألمانيا). وأن يضطلع باستعراض شامل لظروف السجن ويؤكد أهمية أن تتوافر لضحايا التعذيب آلية لتقديم الشكاوى وتنسب بالاستقلالية والنزاهة (الجمهورية التشيكية)؛

19- أن يواصل تحسين التشريعات الرامية إلى حظر جميع أشكال التعذيب، وبوجه خاص أن يعزز التدابير الرامية إلى حماية حقوق المحتجزين (ألبانيا)؛

20- أن يعمل مكتب المظالم وحقوق الإنسان التابع لمديرية الأمن العام، عن كثب، مع المركز الوطني لحقوق الإنسان لرصد التطبيق الصارم لمبدأ سيادة القانون فيما يخص المحتجزين (إندونيسيا)؛

21- أن يواصل النظر في تعزيز وضع المرأة بهدف ضمان القضاء بفعالية على العنف والتمييز ضد المرأة بجميع أشكاله وبما يتماشى مع المعايير الدولية (السويد)؛ وأن يستمر في بذل جهوده للتصدي لجميع أشكال العنف ضد النساء والفتيات (البرازيل)؛ وأن يسن تشريعات تُجرّم العنف ضد المرأة، وتتيح للنساء والفتيات اللواتي يقعن ضحايا للعنف الحصول على سبل مباشرة للانتصاف والحماية، وتكفل مقاضاة مرتكبي أعمال العنف ومعاقبتهم (النرويج)؛ وأن يزيد عدد دور الإيواء لكي تحل محل مرافق "الحجز بغرض الحماية" الذي تخضع له النساء اللواتي يتعرضن للعنف (النرويج)، وأن ينشئ نظام إيواء لضحايا العنف المنزلي، ويقوم بحملات توعية عامة بشأن العنف المنزلي (ليتوانيا)؛

22- أن يستعرض ممارسة "الحجز لغرض الحماية" وأن يزيد قدرات الآليات القائمة أو ينشئ آليات فعالة أخرى لحماية النساء اللواتي يتعرضن للعنف تكفل عدم إيذاهن، وأن يضمن فرض عقوبة صارمة على مرتكبي هذا العنف (الجمهورية التشيكية)؛

23- أن يرد في أقرب وقت ممكن على طلبات الزيارة التي وجهها الموقوفون الخاصون، مثل المقرر الخاص المعني بمسألة العنف ضد المرأة (فرنسا)؛

- 24- أن ينظر في تعديل التشريعات لمنع جميع أشكال العنف البدني في المنزل أيضاً، وإنفاذ الحظر المفروض على العنف البدني إنفاذاً فعالاً في جميع الأماكن (سلوفينيا)؛
- 25- أن يواصل الجهود التي يبذلها لتعزيز حقوق المرأة ومشاركتها في المناصب العليا لصنع القرار (البحرين)؛ وأن يواصل بذل المزيد من الجهود لرفع مستوى تمثيل المرأة في المجتمع، بما في ذلك تعيينها في المناصب الحكومية العليا (أذربيجان)؛
- 26- أن يتخذ المزيد من التدابير لتشجيع وجود صحافة مفتوحة وحرية بحيث يمكن للصحافيين تناول طائفة كاملة من القضايا السياسية والاجتماعية والاقتصادية دون خوف من العقاب (كندا)؛
- 27- أن يبذل جميع الجهود الممكنة لمكافحة إساءة معاملة العمال الأجانب وتوفير الحماية المناسبة لجميع العمال في الأردن عن طريق قانون العمل (فرنسا)؛
- 28- أن يواصل الجهود المبذولة لتعزيز المساواة بين المرأة والرجل وتمكين المرأة، مع التركيز على تشجيع تعزيز الفرص الاقتصادية للمرأة وتحقيق المساواة في مكان العمل (البلين)؛
- 29- أن يواصل بذل الجهود الرامية إلى القضاء على الفقر (البرازيل)؛ وأن يستمر في تنفيذ وتعزيز استراتيجيته للتخفيف من الفقر وبرامجه الأخرى المعنية بالحد من الفقر للاستفادة من التقدم المحرز حتى الآن والقضاء على أي تفاوت قائمة بين المناطق الإقليمية أو بين الجنسين (بوتان)؛
- 30- أن يستمر عجلة جهوده لتحقيق الأهداف الإنمائية للألفية (أذربيجان)؛ وأن يواصل الجهود المبذولة لضمان تحقيق الهدف الأول من هذه الأهداف (ماليزيا وكوبا)، والأهداف الوطنية (ماليزيا) بحلول عام 2015 (كوبا) وذلك على النحو المقرر (ماليزيا) لكي يتسنى لسكان الأردن التمتع الكامل بحقوقهم الطبيعي في أن يحيا حياة لائقة وكرامة (كوبا)؛
- 31- أن يواصل بذل الجهود لتوفير مستويات معيشة أفضل، وأن يتبادل مع بلدان أخرى، ولا سيما داخل المنطقة، الخبرات التي اكتسبها في مجال الرعاية الصحية المتطورة (اليمن)؛
- 32- أن يواصل جهوده الهادفة إلى تحسين ظروف معيشة الأشخاص ذوي الإعاقة (جيبوتي)؛
- 33- أن يقوم بتبادل خبراته وأفضل الممارسات مع البلدان المهتمة الأخرى في مجال حماية حقوق الأشخاص ذوي الإعاقة وتعزيز حقوقهم وتبادل الخبرات مع البلدان المهتمة (الجزائر)؛ وأن يتبادل ما لديه من خبرات مع البلدان النامية وأقل البلدان نمواً في مجال الصحة (السودان)؛ وأن يواصل بذل جهوده لضمان توافر نظم صحي فعال (الكويت)؛ وأن ينظر في تكثيف الجهود الإيجابية عن طريق زيادة الاستثمار في القطاع الصحي لتعزيز الخدمات القائمة (بوتان)؛
- 34- أن يواصل تحسين وتعزيز جودة النظام الصحي الوطني ويخصص، إن أمكن، المزيد من الموارد المالية لهذا النظام من إجمالي الميزانية الوطنية، وذلك من خلال تدريب موظفين متخصصين (كوبا)؛
- 35- أن يواصل العمل على تعزيز فرص الحصول على المياه من خلال الإدارة الفعالة لموارد المياه بدعم من المجتمع الدولي وبمساعده (بنغلاديش)؛
- 36- أن يواصل بذل الجهود لإتاحة التعليم الأساسي للجميع (البحرين)؛ وأن يدعم ويواصل اتخاذ تدابير لتعزيز معدلات الالتحاق بالمدارس ومتابعة الدراسة في المرحلة الثانوية (بوتان)؛ وأن ينظر في إدراج قضايا حقوق الإنسان في المناهج الدراسية (الإمارات العربية المتحدة)؛
- 37- أن يبذل جهوداً ترمي إلى حماية حقوق العمال الأجانب ومنع التجاوزات التي قد تمارس ضدهم (الجزائر)؛ وأن يستمر في تدابير تحسين رفاه العمال المهاجرين وحماية حقوقهم الإنسانية، بمن فيهم العاملون في الخدمة المنزلية (الفلبين)؛
- 38- أن يواصل تعزيز دوره في عمليات حفظ السلام، بما في ذلك بتوفير الخدمات الطبية واستمراره في دعم بناء القدرات في جميع مناطق النزاع في العالم (فلسطين)؛
- 39- أن يرفض أي محاولات لفرض أي قيم مخالفة للالتزامات التعاقدية للأردن (مصر) وألا يلتفت إلى أي تعليق يخرج عن نطاق الالتزامات القانونية للأردن والمبادئ الدولية المتفق عليها بتوافق الآراء (السودان)؛
- 40- أن يستفيد من التجارب الناجحة في المجالات الواردة في التقرير الوطني التي تركز على التحديات، وأن يطلب المساعدة التقنية الضرورية من المنظمات الدولية ذات الصلة (المغرب)؛
- 41- أن يلتزم الدعم المالي من المجتمع الدولي لكي يستمر في تقديم المساعدة الضرورية إلى آلاف العراقيين الذين تستضيفهم المملكة (قطر).
- 93- وسينظر الأردن في التوصيات التالية ويقدم ردوده عليها في الوقت المناسب. وستدرج ردود الأردن على هذه التوصيات في تقرير النتائج الذي اعتمدته مجلس حقوق الإنسان في دورته الحادية عشرة.
- 1- أن ينظر الأردن في إمكانية التوقيع على الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري والتصديق عليها، وأن يقبل اختصاص اللجنة المنشأة بموجب هذه الاتفاقية (الأرجنتين)؛
- 2- أن يطور على نحو شامل التشريعات المتعلقة بالتمييز والعنف ضد المرأة (فنلندا)؛
- 3- أن يُعَدّل قانون العقوبات بإدخال أحكام لكفالة عدم استفادة مرتكبي جرائم الشرف من تخفيض العقوبة ومعاملة هذه الجرائم كما تعامل جرائم العنف الأخرى من حيث التحقيق فيها ومقاضاة مرتكبيها (سلوفينيا)؛
- 4- أن يلغي جميع أشكال الحماية لمرتكبي جرائم القتل بدافع الشرف ويكفل عدم إفلاتهم من العقاب (ألمانيا)؛
- 5- أن يوافق على الزيارة التي طلبتها المقررة الخاصة المعنية بمسألة العنف ضد المرأة في عام 2007، وأن يغتنم الفرصة لإجراء مشاورات تتسم بالشفافية مع جميع أصحاب المصلحة (فنلندا)؛
- 6- أن يتابع التوصيات التي قدمتها اللجنة المعنية بالقضاء على التمييز ضد المرأة فيما يتعلق بالتصدي لجميع أشكال العنف ضد النساء والفتيات، وأن يعتمد ويسن تشريعات في هذا المجال (سلوفينيا والمكسيك)؛ وأن يضاعف جهوده لمكافحة جرائم الشرف عن طريق توعية الجمهور ومراقبة مرتكبيها، وأن يضمن للضحايا المحتملين مشاركتهم التامة في تحديد تدابير الحماية (المكسيك)؛
- 7- أن يعزز التشريعات التي تتعلق بحماية المرأة من العنف، وأن يعدّل قانون العقوبات بحيث يكفل أن تعامل جرائم الشرف بالطريقة نفسها التي تعامل بها جرائم العنف الخطيرة الأخرى، وأن يضمن التحقيق فيها ومقاضاة مرتكبيها (كندا)؛

- 8- أن يواصل بذل جهوده لتعزيز مكانة المرأة، ولا سيما ضمان عدم استعادة مرتكبي جرائم الشرف من تخفيض العقوبة، وأن يراعي توصيلات اللجنة المعنية بالقضاء على التمييز ضد المرأة، وأن يسعى جاهداً، إضافة إلى ذلك، لتوفير ما يلزم من دور إيواء لحماية ضحايا جرائم الشرف (هولندا)؛
- 9- أن يواصل ما يبذله من جهود في عملية الإصلاح الشاملة التي بدأت بها الحكومة لمكافحة التعذيب وإساءة المعاملة، بما في ذلك تعديل قانون العقوبات ومقاضاة ومعاقبة عدد من الموظفين على ممارستهم للتعذيب وإساءة المعاملة (تركيا)؛
- 10- أن يواصل تيسير الزيارات التي تقوم بها منظمات غير حكومية إلى السجون، بما في ذلك الزيارات غير العلن عنها (المملكة المتحدة)؛
- 11- أن يسعى سعياً حثيثاً إلى التصدي للشواغل المثارة إزاء استخدام إجراء الاحتجاز الإداري بمراجعته وضمن حصول المحتجزين الحاليين على فرص التمثيل القانوني أمام المحاكم (أيرلندا)؛
- 12- أن يستمر في حماية أولئك الذين يعتنقون ديانة أخرى غير ديانتهم وفقاً للمعايير الدولية لحقوق الإنسان (هولندا)؛
- 13- أن ينظر في قانون الجمعيات الذي اعتمد مؤخراً وأن يقوم بمراجعته (المكسيك وكندا) لضمان أن تكون أحكام هذا القانون متماشية مع المعايير الدولية لحقوق الإنسان، ولا سيما الحق في حرية تكوين الجمعيات المكرس في العهد الدولي الخاص بالحقوق المدنية والسياسية (المكسيك)؛ وأن يلغي شرط الحصول على الموافقة الحكومية على عمل المنظمات غير الحكومية، وأن يتخذ تدابير لضمان تطبيق هذه التغييرات من الناحية العملية من أجل تشجيع المشاركة الواسعة في المجتمع المدني الأردني (كندا)؛ وأن ينظر في تعديل ذاك التشريع المتعلق بالمنظمات غير الحكومية للحد من القيود المفروضة على أنشطتها وللمساح لها بالعمل بحرية كافية (إيطاليا)؛
- 14- أن ينشئ لجنة انتخابات مستقلة لإتاحة مشاركة الأحزاب السياسية مشاركة مفتوحة والتصديق بموضوعية على نتائج الانتخابات (كندا)؛
- 15- أن يراجع التشريعات المطبقة على جرائم الإرهاب، بما في ذلك القانون الجنائي والقانون المتعلق بمنع الإرهاب لضمان أن تكون هذه التشريعات متوافقة مع المعايير الدولية لحقوق الإنسان ومعايير مكافحة الجريمة المنظمة (المكسيك).
- 94- ولم تحظ بتأييد الأردن التوصيات المشار إليها في فقرات التقرير 23(ب)، و32(د) و38(أ، د) و39(ج)، و43(ب)، و48(ب، ج، د، هـ، و)، و50(ب)، و63(أ، ب)، و66(أ، ب)، و67(ب)، و69(أ)، و70(أ)، و75(ب)، و79(أ)، و82(د، و).
- 95- وجميع الاستنتاجات و/أو التوصيات الواردة في هذا التقرير تعكس موقف الدولة (الدول) التي قدمتها و/أو الدولة موضوع الاستعراض بشأنها. ولا ينبغي تأويل هذه الاستنتاجات و/أو التوصيات على أنها قد حظيت بتأييد الفريق العام ككل.

Annex

COMPOSITION OF THE DELEGATION

The delegation of Jordan was headed by H.E. Dr. Mousa Burayzat, Director of the International Relations and Organizations Department and Director of the Human Rights Department at the Ministry of Foreign Affairs and composed of 18 members:

H.E. Dr. Mousa Burayzat, Director of the International Relations and Organizations Department and Director of The Human Rights Department at the Ministry of Foreign Affairs;

Mr. Muhib Ninrat, Chargé d'affaires a.i., Permanent Mission of Jordan;

H.E. Mr. Ali Al Kayed, Governor, Ministry of the Interior;

H.E. Amar Alhusseini, Judge at the Ministry of Justice;

Dr. Yousef Al Masarwah, General Intelligence Department;

Colonel. Maher Al Shishani, Public Security Department;

Dr. Bashar Abu Taleb- First Secretary, Permanent Mission of Jordan;

Mr. Mutaz Hyassat- First Secretary, Permanent Mission of Jordan;

Mr. Mohammed Hindawi-Second Secretary, Permanent Mission of Jordan;

Mr. Ghealan Qudah, Third Secretary, Permanent Mission of Jordan;

Dr. Khaled Al Takhayneh, Ministry of Foreign Affairs (International Relations and Organizations Department);

Dr. Manal Mazahreh, Ministry of Foreign Affairs (The Human Rights Department);

Ms. Ghadeer El Fayez-Special Assistant to the Permanent Representative, Permanent Mission of Jordan;

Mr. Abdel Basit Al Kabariti, Ministry of the Interior;

Dr. Ali Al Dabbas, National Council for Human Rights;

Mr. Ayesh Al Awalmleh, Ministry of Social Development;

Mr. Kamal Al Mushriqi, Freedom of Change Academy for Democratic and Development Studies;

Mr. Anjad Shamout, The ArabBridge Center for Development and Human Rights.

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* لم يترجم إلا الفصل الثاني من هذا التقرير. ويعمم مرفق هذا التقرير بالصيغة التي ورد بها.