



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

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

Twenty-second session

Summary record of the 448th meeting

Held at Headquarters, New York, on Thursday, 20 January 2000, at 10 a.m.

Chairperson: Ms. Gonzalez

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The meeting was called to order at 10.40 a.m.

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

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

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

2. **Ms. Sabbagh** (Jordan), noting that there had been a number of positive developments in the implementation of the Convention since the submission of the second periodic report in 1997, stressed that non-governmental organizations had been major partners in the preparation of its current report. In fact, such partnerships had become common in most areas of public life in Jordan, particularly in relation to women's issues.

3. After a brief overview of the demographic, economic, social and political situation in Jordan, she emphasized that Jordan remained committed to structural reform and economic stability despite a doubling of its population to 4.6 million between 1981 and 1997 — due in part to periodic waves of Palestinian refugees — and a scarcity of natural resources. While some progress had been made in slowing the rate of demographic growth, Jordan had focused on developing its greatest asset — its people.

4. The Jordanian Constitution emphasized the principle of the equality and fundamental rights of all its citizens. Such constitutional equality, however, was not fully reflected in the law. Nevertheless, since the ratification of the Convention and the establishment of national machinery to examine and amend legislation to promote the status of women and prevent discrimination, four laws had been amended, three were currently before the Parliament, and seven more were being examined by the Government. The Landlords and Tenants Act was amended to recognize the wife and children as original tenants, even if their names were not included in a lease, thus giving a divorced woman the right to continue to occupy a property if her husband left. Labour laws were amended to protect women against termination of employment in case of pregnancy and to allow leave for child care. Maternity leave was extended to 10 weeks with full pay, and time off for breast-feeding during working hours was provided. The Civil Service

Regulations governing workers in the public sector were also amended to extend maternity leave from 60 to 90 days with full pay.

5. Since the preparation of the second report in 1997, a number of amendments to civil status laws proposed by the Jordanian National Committee for Women had been adopted. An important gain for women was the availability of a family civil status book for divorced women, at their request, and to widows with children as heads of household. Furthermore, the passport laws had been amended, granting the wife the right to obtain a passport without her husband's approval, and allowing a mother to add children under age 16 to her passport without the father's approval.

6. Amendments to the Penal Code concerning penalties for violence against women and the penalty for adultery provided equality of sentence for the same crime for all perpetrators. In addition, the repeal of article 340 of the Penal Code, allowing a claim of mitigating circumstances for a man who killed or injured his wife or other female relative for committing adultery, had been submitted to Parliament for review. One of the Government arguments for the repeal of the article was that individuals could not take the law into their own hands and must have recourse to the competent authorities in such situations. That article had also led to the misconception that a man had the right to kill a woman on the basis of mere suspicion. Civil society, especially non-governmental organizations, had generated a great deal of momentum in favour of repeal, but the Lower House had rejected the proposal. Following extensive debate, the Senate had accepted the proposed repeal and returned the bill to the Lower House for further study. In addition to a number of amendments to other laws concerning pension rights for women, nationality, health insurance and a wife's separate financial identity, the Government was currently studying a new draft Civil Status Code that underscored the rights Islam granted to women. The process of reviewing and amending that legislation had been greatly facilitated by the political will shown at the highest levels for the elimination of discrimination against women.

7. Since the signing of the Convention in 1992, Jordanian policy had been aimed at preparing a social environment that would be receptive to changes in the status of women. Accordingly, Jordan had established the Jordanian National Committee for Women, under

the leadership of Princess Basma Bint Talal. Its membership included ministers and under-secretaries, in addition to broad representation from civil society and women's organizations in particular. It was responsible for the review of legislation, formulation of policies affecting women in all fields and input in the preparation of development plans.

8. One of the most significant measures to expedite gender equality was the adoption of the National Strategy for Women in 1993, which covered six domains: legislation, economics, social development, politics, education and health. In light of the enormous achievements made in implementation of the Strategy, the process of updating it had recently begun. The Government had also adopted a National Programme of Action for implementation of the Beijing Platform for Action, focusing on six areas: the family, women's empowerment, equality and justice, political participation and decision-making, use of natural resources and protection of the environment, and poverty. Another important step was the inclusion of a gender perspective in the Economic and Social Development Plan for 1999-2003. The Plan gave equal weight to the role of men and women in sustainable development and human rights, and dealt with issues specific to women on the basis of the need to eliminate all forms of discrimination. The Plan's three parts included a long-term development strategy, detailed five-year economic and social policies, and plans for all 21 economic sectors. Women had been a tangible presence on the sectoral committees which had laid out the plan. It was worth noting that one of its major objectives was "to bridge the gap between the sexes in the various social and economic fields".

9. A tangible improvement had been noted in women's participation in political life and decision-making following ratification of the Convention. Women had been present in the Cabinet since 1993, and for the first time in the history of Jordan, a woman currently occupied the position of deputy prime minister. After the issue of the second report, three women had been appointed to positions of under-secretary in ministries and five women had been appointed to the judiciary.

10. Women's representation in the Senate had increased steadily since Jordan's return to democracy in 1989. Since three women had been appointed to the 40-member Senate in 1997 only one woman had won a parliamentary election. Women's organizations had

consequently petitioned the Government to establish a 20 per cent quota for a transitional period. Although thousands of signatures had been collected, the Government had rejected the proposal on the grounds that women did not constitute a sector or a minority. Studies had indicated that women failed to win seats owing to the popular perception of women's role, inadequate qualifications of candidates, tribalism, religion, and financial and moral inability to conduct an electoral campaign.

11. On the initiative of Princess Basma Bint Talal, the President of the Jordanian National Committee for Women, the Cabinet had approved the appointment of 99 women to town and village councils. Fifteen women had subsequently stood for election, and 10 had been elected, including one to the office of mayor of a council. In the 1999 elections, out of 35 women candidates, 8 had been elected for the approximately 5,000 council seats. Those admittedly modest results nonetheless indicated that social patterns were changing. More effort must be made to improve the legal status of women and to prepare a cultural and social environment amenable to changes in that status.

12. The Jordanian Government guaranteed education for all citizens, and primary schooling was compulsory. School enrolment for boys and girls was the same at the primary and secondary levels; at the university level, nearly half of all students were women. Although female illiteracy was still higher than male illiteracy, it had declined from one half to one fifth of the population between 1979 and 1994. The Ministry of Education was cooperating with non-governmental organizations in the establishment of nationwide literacy centres. In addition, a National Committee for Human Rights Education, set up at the behest of the Prime Minister in May 1999, was drafting a report and developing a national plan for human rights education in cooperation with civil and international human rights groups.

13. The new interdisciplinary Masters programme in Women's Studies, also launched in 1999, aimed to provide Jordanian women with the knowledge and skills necessary to enhance their role in society, both at home and abroad. It combined several fields of humanistic study, including sociology, psychology, political science, law and economics.

14. Although the right to work was enshrined in the Constitution, women constituted less than 14 per cent

of the workforce. Women between the ages of 20 and 34 had the highest rate of employment. Although legislation affecting appointment, promotion and professional qualifications contained no discriminatory provisions, there was a distinct inequality between men and women in those areas, with few women holding decision-making or supervisory positions. A pilot monitoring and follow-up mechanism had been established that was designed to detect violations of their right was currently being tested.

15. Notwithstanding Jordan's ratification of International Labour Organization Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, women's pay was still about 85 per cent of men's. However, the recent establishment of a minimum wage should bring about a direct improvement in the status of working women in the private sector. In addition, several governmental and non-governmental organizations were conducting programmes aimed at improving the economic status of women in such areas as training, awareness-raising and loans for the development of small businesses.

16. Jordan had experienced a remarkable improvement in the country's health status in recent years: infant and child mortality rates had decreased, and life expectancy had risen. Reproductive health indicators showed improvements in prenatal health care and medically supervised births and a decrease in maternal mortality. Non-governmental organizations, which had played a pioneering role in the provision of health services, were conducting programmes to raise awareness about reproductive health and to sensitize men to the importance of family planning. Prenuptial medical tests, introduced in the 1990s, were now provided in 28 centres.

17. Government health insurance regulations covered health care for all citizens below the poverty line including elderly and disabled women. Welfare legislation stipulated free medical coverage, and special facilities for the latter. Health education regarding diseases affecting women was being upgraded. Yet, despite the increase in services for people with special needs, long waiting lists attested to the need for further expansion.

18. In the past decade, great strides had been made both in acknowledging the existence of domestic violence and in working towards its elimination. As a result of growing frequency of assaults on women and

children and the emergence of new patterns of criminal aggression, the Directorate of Public Security had set up the Family Protection Department, which dealt with cases of sexual assault both within and outside the family; negligence and injury of children by family members; and with cases of domestic violence. Investigations were confidential and conducted by male and female officers, depending on the nature of the case and the sex of the victim. The Department was working to create a safe society, to ensure the dignity and safety of mothers, to protect children from harm, and to raise public awareness. It was also networking with other concerned governmental and non-governmental institutions and was creating a database for follow-up and analysis.

19. The Government had launched a nationwide project to improve the institutional capacity of governmental and voluntary institutions dealing with cases of domestic violence, and to formulate a comprehensive strategy covering domestic violence, sexual abuse, and the abuse of children. In that endeavour, non-governmental organizations, which organized awareness-raising programmes, conducted research, and set up shelters, family counselling centres and hot lines, played a key role.

20. Twenty per cent of Jordan's population was rural. Although most basic services were available to them, coverage was less extensive. The sharpest disparity between rural and urban women occurred in the area of literacy and fertility so that both governmental and non-governmental entities were stepping up their efforts in those fields, particularly in family planning. Since national economic statistics did not include production outside the formal sector, rural women's work was marginalized. Nor did social security cover the informal sector, depriving both rural men and women of social and financial entitlements.

21. Jordanian woman enjoyed full equality with men under the law in all civil matters, including contracts, property management and commercial transactions; any impediments were attributable to social mores. In the area of family life, Jordan subscribed to the principles of the Islamic shariah. Although women had the right to specify their own conditions in marriage contracts, few did so. Non-governmental organizations had launched legal literacy campaigns to educate women about their entitlements.

22. Political and economic factors directly affected the elimination of gender discrimination. For example, regional politics influenced the setting of national priorities and the domestic economic situation, aggravated by the international crisis, was a major factor in limiting increased participation of women in the job market.

23. Social and cultural factors also had a significant bearing on the implementation of the Convention. Although education and health had shown marked improvement, less success had been achieved in employment, participation in public life and access to decision-making positions. Furthermore, available information was often not gender-disaggregated, making it difficult to ensure comprehensive follow-up on the implementation of the Convention and to detect discrimination against women. The Department of Statistics had commenced work on a project to develop gender statistics.

24. The Government was nonetheless confident that Jordan would succeed in overcoming those obstacles to women's advancement, since there was sufficient political will to support the demands of the Jordanian women's movement. The preparation of the second periodic report — in which many governmental and non-governmental organizations had participated — was an excellent example of a fruitful strategic partnership between the Government and civil society. The review of achievements had enabled participating organizations to make further commitments for the years ahead.

25. **Ms. Aouij** congratulated Jordan upon its excellent report, which scrupulously abided by all the Committee's guidelines. The ratification of the Convention demonstrated that there was political will to advance the rights of women in Jordan; the creation of the Jordanian National Committee for Women, presided over by Princess Basma Bint Talal, was further evidence of the Government's seriousness of purpose. The structural reforms undertaken by the Government, the significant role of non-governmental organizations in awareness-raising and in the work of the National Committee, and the various draft amendments before the Parliament all gave hope for Jordanian women.

26. The Committee, however, strongly supported the requests of non-governmental organizations for reforms, in particular since they in no way impaired the

broad principles of the Islamic shariah. First, the provision requiring that a woman obtain her husband's authorization in order to work must be repealed. Second, male impunity for crimes of honour must be abolished. Third, Jordan's pursuit of democracy and development could not succeed without greater participation of women in public life. The appointment of women judges was a clear victory, since judicial power had a significant impact on the interpretation of laws and the evolution of women's status. For the first time, a woman had been appointed deputy prime minister. Jordan should be praised for allowing women to assume positions of responsibility.

27. The Government had made a considerable investment in the social sphere so that education, training, employment, health and family planning had improved decisively. More women were registered voters, and the number of women in the employment market had risen.

28. Social and cultural traditions were difficult to combat; the task would be a long one. Still, non-governmental organizations, working in conjunction with the Jordanian National Committee for Women, were doing a remarkable job of awareness-raising and education, especially in the area of law. Much legislation was still strongly discriminatory, in particular with respect to article 16 of the Convention. Although it was difficult to achieve legal reforms in Arab and Muslim countries, such changes were crucial for the attainment of equality between the sexes. Despite economic, political and social impediments, Jordanian women were experiencing an awakening that would allow them to take further steps towards the enhancement of their rights.

29. **Ms. Açar** said that the promotion and protection of women's rights and the full integration of women in public life had long been recognized in Jordan as prerequisites for modernization and democratization. The progress made by Jordanian women, which had been achieved despite restrictive legal norms regulating their role in society, was due in part to the political will and commitment of high-level leaders, in particular the late King Hussein. Indeed, Jordan was an example to other developing countries, especially in the Muslim world, of what could be attained through effective leadership. Leaders could change, however, and the Jordanian Government must therefore ensure that women's rights were embodied in national legislation. She expressed the hope that the State party, which

acted as a pace-setter in the region, would withdraw its reservations to the Convention, thus sending an important signal not only to women in Jordan, but also in other Arab countries. She wished to encourage the Jordanian National Committee for Women to keep up its good work, focusing in particular on the areas she had highlighted.

30. **The Chairperson** invited the members of the Committee to pose questions to the representative of Jordan on specific articles of the Convention.

Article 2

31. **Ms. Taya** expressed concern that, although Jordan had ratified the Convention in 1992, it had yet to be published in the *Official Gazette* and consequently had not acquired force of law. Furthermore, the Constitution did not explicitly prohibit gender discrimination, nor was that term defined in Jordanian legislation. Although the Court of Appeal had stated that, in the event of a conflict, the international conventions to which Jordan was a party should have precedence over domestic legislation, there was no clear legal provision to that effect. She asked when the Convention would be published in the *Official Gazette* and whether there was a timetable for the amendment of the Constitution in order to bring it into line with the Convention. The application of article 340 of the Penal Code, which was under review, should be suspended pending its revision or repeal.

32. **Ms. Cartwright** endorsed the call by Ms. Taya for the prompt publication of the Convention in the *Official Gazette*. There was also a critical need for legislation that specifically prohibited discrimination against women, as stipulated in article 2 (b) of the Convention. She welcomed the amending of many existing laws that discriminated against women and she was convinced that the Government had the necessary political will and commitment to modify or abolish the discriminatory provisions that remained. It was important to ensure through a programme of education that women and, in particular, law enforcement officials and judges were aware of the legislative reform undertaken.

33. **Ms. Goonesekere** welcomed the government proposal to repeal article 340 of the Penal Code, which gave the benefit of impunity to a man who killed or injured his wife or one of his female kin whom he had caught committing adultery. That provision was not in

conformity with article 2 (g) of the Convention or Islamic law, which required that any claim of adultery must be corroborated by the testimony of five witnesses. She urged the Government to draw on the experience of other countries that had amended or repealed laws dealing with so-called crimes of passion. The proposal by the Legal Committee of the Jordanian National Committee for Women that the impunity clause should be replaced with a new plea of extenuating circumstances was not satisfactory. It was not clear to her why the proposed amendment to article 292 of the Penal Code, which dealt with sexual intercourse with minors, established different penalties for intercourse with girls aged under 15 years and under 12 years, although the age of consent was 15. She asked what the rationale was for the one-month prison sentence imposed on men who failed to register the unilateral repudiation of their wives, and suggested that it would be more constructive to provide couples with counselling with a view to bringing about reconciliation.

34. **Ms. Schöpp-Schilling** said that there appeared to be a divergence of views between high-level leaders, including members of the royal family, who were committed to the advancement of women, and the Lower House of Parliament, which had blocked certain reforms. The Government should ensure that the Committee's concluding observations on the second periodic report were the subject of a parliamentary debate, since such an exercise would be a valuable means of educating parliamentarians about the importance of the Convention. She was gratified that the Government was taking up the National Committee's proposals for the amendment of discriminatory legislation, as an important first step, and urged it to speed up that process. It should also take measures to embody the principle of equality of men and women in the Constitution and to adopt specific legislation prohibiting discrimination against women as defined in article 1 of the Convention and providing for sanctions where appropriate. Finally, the Government must ensure that the Convention was published in the *Official Gazette*. She wished to have more information about the legal status of the large number of women refugees in Jordan.

Article 3

35. **Ms. Ferrer** said that the establishment of the Jordanian National Committee for Women had been a

very important act. She wished to have more information about the composition, structure, mandate and budget of the National Committee and its relationship with the Council of Ministers. She welcomed the National Committee's role in promoting the amending of legislation that discriminated against women, and asked how it publicized those amendments. Paragraphs 18 and 20 of the report referred to a network of communications consisting of policy makers representing the various ministries and other State bodies, which provided the National Committee with information on the status of women. She wondered whether the network was also empowered to make recommendations and proposals.

36. **Ms. Mayakayaka-Manzini**, asked whether the National Committee had sufficient financial and human resources to carry out its numerous and wide-ranging functions. While the National Committee transmitted its recommendations and resolutions to the Prime Minister, she wondered whether it was also empowered to give voice to women's views in the Parliament, where women were significantly under-represented. The cooperation between the National Committee and women's non-governmental organizations was most commendable, and she was pleased that those organizations had contributed to the preparation of the report. She would like to know whether the ministries had women's focal points so as to ensure that gender issues were not marginalized. Coordination between the National Committee and other human rights bodies was also important.

37. **Ms. Ryel** said that the Government should consider empowering the Jordanian National Committee for Women, or its Legal Committee, to receive individual complaints of discrimination. By establishing a body to which women could have recourse, the Government would gain a clearer picture of the incidence of discrimination against women and its manifestations. It might wish to study the experience of Scandinavian countries that had appointed ombudsmen, who, while lacking the power to enforce their decisions, were often able to bring about amicable settlements of disputes. It might also examine the experience of those countries in establishing within universities offices staffed by female law students to provide free legal advice to women who wished to challenge acts of discrimination. Such a service could be established at little cost to the State and would be accessible to all women.

38. **Ms. Abaka** asked for information on the role of the media in trying to change stereotypical perceptions and to publicize incidents of discrimination. Although the Convention did not include a special article on the media, that aspect was covered under article 5, on the stereotyping of gender roles. Moreover, the Beijing Platform for Action had an extensive chapter on the role of the media.

39. **Ms. Corti** welcomed the programme of the Jordanian National Committee for Women to change laws governing women's rights. She noted, however, that the issue was sufficiently important to merit an institution wielding greater authority. She therefore recommended establishment of a ministry for equal opportunities with real political power. A ministry would considerably enhance the chances of successfully implementing projects and programmes upholding women's rights.

Article 4

40. **Ms. Schöpp-Schilling** said that she could not understand the Government's decision not to establish a 20 per cent quota for women's representation in Parliament. Without such a quota, it would take too long for women to become parliamentarians and be able to influence national policy. She endorsed Ms. Corti's idea of establishing a ministry for equal opportunities.

41. **Ms. Ferrer** wondered whether the Jordanian National Committee for Women had adopted an education policy to counteract the deep-rooted practices used to keep women in subordinate roles, and whether there was a similar programme that targeted media personnel. Noting that the report made several references to the experiences of women's non-governmental organizations in the area of education, she pointed out that it was important to have a government programme which sought to influence the whole society, particularly men, with a view to changing their attitudes. It was equally important to educate teachers in those new concepts affecting the role of women and to review the relevant references in school textbooks.

42. She noted from the report that there had been a considerable increase in violence against women since 1997. That was the result of deep-rooted customs which must be stamped out if crimes of honour and other violent crimes against women were to be

eliminated. The greatest number of violent incidents affected girls between 17 and 27 years of age and people from the poor stratum of society. She asked for statistics on such crimes over the previous three years and wondered how the Government of Jordan and the Jordanian National Committee for Women planned to address those extremely important issues.

43. **Ms. Ouedraogo** congratulated the Jordanian delegation for exercising its political will and commitment in order to promote the human rights of women in Jordan, especially since the social and cultural context was not conducive to achieving that end. The survey cited in the report indicating that 40 per cent of Jordanian women believed that they were not the equals of men, obviously reflected the type of education offered to girls in many countries where men's influence in the family upbringing of children and in the sphere of formal education remained strictly traditional. An effective plan of action in the fields of education, information and communication needed to be developed to counteract the attitude of resignation common among women in Jordan. Moreover, a special programme should be undertaken in conjunction with national associations to give wide publicity to the translations of the Convention into the national languages spoken in the country and thereby ensure the legal literacy of women in Jordan. Training modules on human rights instruments, including the Convention, should be introduced in all professional and technical schools as well as in primary and secondary schools and universities. Finally she would welcome more information on the measures being taken by the Government of Jordan to address the extremely important issue of violence against women.

Articles 5 and 6

44. **Ms. Khan**, speaking on articles 5 and 6, said that adoption of the proposed amendments to the Penal Code could only be achieved as a result of strong advocacy as well as education and training designed to change stereotyped perceptions. She therefore recommended training and manuals for law enforcement personnel and other officials who would be responsible for implementing efforts to change gender stereotypes. She wondered whether the proposed amendments to the Penal Code could be extended to those who committed honour crimes against women merely for refusing to marry the men chosen for them by their families.

45. She would welcome information on women who were sent to prison instead of being sent to shelters in order to protect them from being killed. She would particularly like to know whether their incarceration was indefinite and whether they had access to education and other facilities. According to independent sources of information, the judiciary was authorized under article 39 of the Constitution to censor news coverage of criminal investigations or trials. She wondered whether human rights groups in Jordan had challenged such procedures.

The meeting rose at 12.55 p.m.