

Women Deprived of Liberty: the Case of Jordan

For Consideration by the UN Working Group for Discrimination
Against Women

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The Amman Center for Human Rights Studies (ACHRS), in consultative status with ECOSOC, is an independent think tank and regional advocacy center for research and training on issues of human rights and democracy. Our work and activities aim to support civil society in Jordan, and to strengthen the general level of awareness towards human rights in the Arab World.

The work of ACHRS is framed by five institutional concentrations: women's rights, the right to life, the right to think, the right to speak, and the right to participate. Conducting studies and research provides an informational basis from which to further these aims.

Introduction

The constitution of the Hashemite Kingdom of Jordan states that all citizens, no matter their gender, are entitled to equal protection under the law. Yet in Jordan today, as in many countries, a large gap exists between constitutional commitments to gender equality and the reality of both governmental and social practices.

Jordan has signed and ratified the Universal Declaration of Human Rights and the International Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), but the latter has been ratified with selective reservations to key articles, such as article 9, pertaining to equality between men and women in transferring nationality to their children, and article 16, designed to protect women from discrimination in all matters related to family life.

Limitations in the Personal Status Law, the national legal framework governing all family-related matters in Jordan, further inhibit the liberties of women. The realization of true equal protection requires women in Jordan to have, at minimum, both unhindered access to the country's judicial system and the ability to assert their rights as legal entitlements under CEDAW.

Despite recent improvements, such as the repeal of article 308, which allowed rapists to escape penalties by marrying their victims, and the creation of shelters to mitigate instances of protective detention, women in Jordan still face significant discrimination in both law and practice.

Institutional and social barriers simultaneously degrade the equal protection of women in the Kingdom. The state, through the justice system, creates obstacles that inhibit women from asserting their rights: these structural deterrances are compounded by external challenges, such as income inequality and immigration status, making certain groups of women in Jordan particularly vulnerable to deprivations of liberties.

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Terminology

AARD: the Arab Renaissance for Democracy and Development
ACADP: the Arab Coalition Against the Death Penalty
ACHRS - Amman Center of Human Rights Studies
ASAF: the Arab Society for Academic Freedom
CEDAW: International Convention on the Elimination of all forms of Discrimination Against Women
CRC: Correction and Rehabilitation Centre
ENAR: Elections Network in the Arab Region
JCRC: Jweideh Correctional and Rehabilitation Centre
JOHUD: the Jordanian Hashemite Fund for Human Development
MDW: Migrant domestic worker
SIGI: Sisterhood is Global Institute

1. Judicial Authority

Jordan's judicial system is multifaceted: during the nineteenth century, when the country was part of the Ottoman Empire, criminal procedures from French Napoleonic legal codes were adopted.

When Jordan became a British protectorate, aspects of English common law were also introduced into the judiciary system. After gaining independence in 1946, the King and other Jordanian civic leaders decided to integrate European law into the new constitution, and established the judiciary system as one of three separate branches of the government.

Its independence is constitutionally guaranteed by the article 27 which states, «*the Judicial Power is independent and shall be exercised by the courts of law in their varying types and degrees. All judgements shall be given in accordance with the law and pronounced in the name of the King*». The judiciary system is responsible for the interpretation and application of the rule of law across the country.

Article 99 of the Constitution divides the courts into three categories: Civil Courts, Religious Courts, and Magistrate Courts.

1.1 Civil Courts

In Jordan, civil courts have jurisdiction over all persons, civil and criminal, including cases brought against or by the government.

Civil courts include :

- Magistrate Courts,
- Courts of First Instance,
- Courts of Appeal,
- The Court of Cassation

Magistrate Courts have jurisdiction over criminal misdemeanor cases, and cases where potential sentences do not surpass two years. They all see all cases related to labour disputes, eviction, and trespassing, and act as juvenile courts. Courts of First Instance have jurisdiction over criminal cases that do not fall within the jurisdiction of the Magistrate Courts. The Court of

Cassation hears appeals of felonies of criminal cases and civil cases exceeding 500 JD.

Civil courts have jurisdiction over cases involving parties of different religions, except if both parties mutually agree to submit the case to the jurisdiction of one of the religious courts of the country. In case of jurisdictional conflicts between any two religious courts or between a religious court and a civil court, the president of the Court of Cassation appoints a three-judge special tribunal to decide jurisdiction or to hear the case.

1.2 Religious Courts

There are two types of religious courts in Jordan: Shari'a courts, governing Muslims, and non-muslim tribunals and councils. There are sixty-four Shari'a courts in Jordan, and women use the Shari'a system at a higher rate than men, particularly regarding issues such as inheritance or divorce.¹

Christian persons in Jordan also have various councils according to sects existing in the country, and have the ability to apply their own religious law. Religious courts have jurisdiction over Personal Status and communal endowment among their respective communities.

1.3 Special Courts

Special courts have been established under specific laws defining their formation, jurisdiction and administration. Special courts include

- the High Tribunal (or High Council or Supreme Council), which interprets the Constitution at the request of the prime minister or of either chamber of the National Assembly;*
- the Special Council, which may be called on by the prime minister to interpret any law that has not been interpreted by the courts of law;*
- the High Court of Justice, which is to be constituted when necessary by the Court of Cassation.*

2. Women's Access to Justice

The High Court of Justice hears habeas corpus and mandamus petitions and may issue injunctions involving public servants charged with irregularities. It also has the ability to try cabinet ministers charged with offenses. There is also a special court known as the Land Settlement Court. After the 1976 abolition of tribunal law, tribal matters came under the formal jurisdiction of the regular courts, but instances of informal adjudication by local intermediaries or tribal authorities remained. There are no official statistics citing the number of homebound girls in Jordan, but acknowledging their existence is critical to understanding larger social barriers to equal civic participation and legal protection for women in the Kingdom.

1.4 The Constitutional Court

In 2011, in response to the outbreak of protests throughout the MENA region, Jordanian authorities have decided the creation and implementation of a Constitutional Court.

This Court is considered as an independent and separate judicial body, guaranteed by legal personality and financial and administrative independence. The Court has the accountability to oversee the constitutionality of applicable laws and regulations and to interpret the provisions of the Constitution.



According to UNWomen, access to justice “encompasses all the elements needed to enable citizen to seek redress for their grievances and to demand that [an individual’s] rights are upheld.”² When an individual has their rights violated, they are entitled to turn to the judicial system to seek redress for their grievances, no matter their gender. In compliance with its stated obligation, Jordan’s judicial system must initiate legal proceedings as defined in the country’s constitution.

Despite this commitment, equal legal access is frequently obstructed by a variety of external obstacles. Social pressures, economic disparities, and the absence of legal aid services all create challenges for women within Jordan’s legal system.

2.1 Social Pressure

In accordance with the universally recognised human rights principle of access to justice, the Jordanian Constitution states that « the courts shall be open to all and shall be free from any interference in their affairs ». Despite this recognition at the highest legislative level, social barriers often prevent women from actively seeking justice.

A recent study of 1,700 Jordanian citizens conducted by the Arab Renaissance for Democracy and Development (AARD) found that women seek legal help at a far lower rate than men.³ For women in Jordan, especially those from low-income families, interacting with the legal system can be a fraught and overwhelming process.

In certain circumstances, social norms and stigma can dissuade women from asserting their civil liberties, such as visiting a police station to fulfil a complaint or a court to report a violation of their rights. Though this stigma has lessened recently, women may still face backlash from their families and communities for being seen in these institutions. Once in court, women have to interact with a majority male legal staff, who can be ignorant towards women’s issues.

While Jordan is a regional leader in educational equality, there are instances of girls kept out of the educational system and within the house, either by personal choice or by parental control. In 2008, the Jordanian Hashemite Fund for Human Development (JOHUD) outlined instances of “homebound girls” in Jordan, a term later expanded in a 2013 Save the Children Report.⁴

Though compulsory education through age 16 is a constitutional right in Jordan, social factors can push parents to keep their daughters out of school and in the home, especially as they reach puberty. There are no official statistics citing the number of homebound girls in Jordan, but acknowledging their existence is critical to understanding larger social barriers to equal civic participation and legal protection for women in the Kingdom.

2.2 Economic Disparities

Navigating bureaucratic and administrative procedures requires time and funds, both of which can be difficult to come by for low-income women, especially those who are the heads of their households. Women have to navigate through more bureaucratic and administrative procedures which require additional efforts, time and funds.

Within the array of issues women tend to take to religious courts, there are several numerous procedures, forms and processes that could be financially dissuasive. After recent modifications, many Shari’a service fees have increased.⁵



3. Women and Detention

Recent developments in gender equality have not translated to improvements in women's economic participation. Jordanian's women employment rate still remains extremely low, especially for married women.⁶

Many Jordanian women are overburdened with unpaid care work. Through ensuring responsibility of the physical and mental wellbeing of their households, women provide a largely invisible service to the economy. Due to the limited public and private sector economic opportunities, Jordanian women may be financially dependent on men: in these situations, women may be deterred from using the country's legal system to pursue justice because of associated costs.

Because women lack many of the economic opportunities of their male counterparts in Jordan, they are also particularly vulnerable to imprisonment on small debt charges. Women in Jordan are specifically at risk for imprisonment for failure to pay small debts: it is generally considered more difficult for men to apply for micro-financing loans than women, so many women take out loans on behalf of their husbands. Hamzeh Husami, the founder of an Amman-based campaign to secure the release of Jordanian women imprisoned for small debts, cited multiple instances of women being jailed for loans they took on for their husbands' projects, only to be divorced by their husbands after imprisonment.⁷ There have been instances in the past year of women imprisoned for failing to pay debts as low as 56JD.⁸

2. 3. Absence of Legal Aid Services

Lack of appropriate legal aid also forms a significant obstacle towards the realization of equal treatment of women under the law in Jordan. Unfortunately, laws that protect the right to legal assistance are scattered and do not provide a secure framework for equal access to justice: prior inequalities are enhanced by the absence of a comprehensive legislative framework that clearly and explicitly outlines aid procedures.

Legal aid can be provided for criminal cases involving crime who are sanctioned by execution or life imprisonment. Indeed, the article 208 of Jordan's Criminal Trial Procedures Laws provides that cases for crime that are penalized by capital punishment, imprisonment with hard labor, life imprisonment, or temporary hard labor for a period of ten years can benefit from free legal aid if they cannot afford it.

However, regarding general legal matters, Jordanian laws do not explicitly guarantee the right to legal aid. Even if, in the context of the Personal Status Law, the Ministry of Justice is obligated to provide legal aid, in practice, this provision is generally at the discretion of individual judges.

These limitations are compounded by procedural regulations restricting applicants from lodging a case or appeal without legal representation. Therefore, women who do not receive legal aid or those who cannot afford private representation are restricted in their access to justice.

2.4 Lack of Governmental Resources

The Jordanian justice sector is currently facing administrative and financial hardships, especially in the Shari'a court system, which is used more heavily by women than men. Jordan has only 64 Shari'a courts and 234 Shari'a judges for its 9 million inhabitants.⁹ Increasing demand for Shari'a services has led to a lack of both human and financial resources, and the subsequent overcrowding of the Shari'a system disproportionately affects women.

An analysis of the Chief Justice Department Annual Statistical Report highlights the increasing number of unresolved cases that are dealt with by Shari'a courts in Jordan. Between 2010 and 2016, the number of unresolved cases has doubled in Jordan. The timeliness of deliberation processes has also been impacted: this specifically harms women going through divorce proceedings, as women cannot remarry until the marriage has been formally dissolved by the court, a stipulation that does not apply to Jordanian men.¹⁰

In Jordan, the penitentiary system is comprised of 15 prisons, otherwise known as Correction and Rehabilitation Centres or CRCs. There are additional temporary detention centers distributed throughout the northern, central and southern parts of the country.

According to Danish Institute Against Torture (Dignity), nearly all women imprisoned and administratively detained in Jordan are held in two CRCs: Juweida, outside of Amman, and Um Al-Lulu, located by the Syrian border. In 2016, a combined 3073 women were detained in Juweida and Umm Al-Lulu; of this group, 1721 were taken in as administrative detainees.¹¹ Women are also held at Fuheis psychiatric hospital, a medical institution that also accommodates mentally ill prisoners.

The prevalence of administrative detention, or imprisonment without a proper trial, is perhaps one of the most critical issues faced by both female Jordanian citizens and foreign nationals within the country's legal system. Protective and preventive detention fall within the larger category of administrative detentions, most commonly seen in the incarceration of women fleeing the threat of domestic violence. According to the NGO Sisterhood is Global Institute (SIGI), 65% of all female inmates in Jordan are administrative detainees.¹²

There have been recent efforts by national authorities to curb the number of female administrative detainees, and between 2015 and 2016, the number dropped 16%.¹³ Yet administrative detention remains an issue that disproportionately affects marginalized women in Jordan, specifically victims of abuse and migrant domestic workers. Interviews with relevant stakeholders (civil society organisations, intergovernmental organisation and activists) also revealed the vulnerability of women who lack economic, educational and civic resources within Jordan's legal system.

3.1 Administrative Detention

Jordan's women's CRCs differ from many other women-only correctional centers across the world: the central discrepancy is the large percentage of female prisoners held under protective custody.

The Crimes Prevention Law of 1954 gives governors the power to administratively detain individuals without trial. Legally, this period can exceed one year if individuals represent an imminent threat to their community. While this law was initially designed to prevent crimes, in practice practice, it allows for the use of correction centers to house women fleeing violence for indeterminate periods of time.

Several Amman-based NGOs cited instances where women were victims of domestic violence or those at risk of so-called honour crimes were held under protective custody, for their own safety. Unfortunately, there is no reliable official data on the exact number of female administrative detainees in Jordan.

Women are sentenced to detention through a simple "administrative procedure" following a decision of a governor, rather than a judge. This decision is allowed by the law, even without evidence of the imminence of the threat. The widespread use of protective custody undermines the smooth functioning of the rule of law in Jordan.

Several local civic leaders described the Crime Prevention Law as incorrectly implemented, and spoke of the absence of a national legal framework overseeing this practice. The lack of regulations regarding administrative detention gives local governors outside the judicial system a large amount of discretionary power over the lives of women fleeing violence.

Human Rights Watch describes administrative detention as used simply to detain women for "acting outside local norms, such as women alone in public at night or in the company of men who are not their relatives."¹⁴

Governors refer to article 3 of the Crimes Prevention Law to practise protective custody against women but on the three specific cases where administrative detention is legal (individuals who are found in public or private places about to commit or assist in committing a crime, individuals with a record of theft or protecting thieves, and individuals being free without a warranty) none of them specifically includes women under the threat of murder.¹⁵

Thus, using the pretext of “preventing crimes” to detain women indefinitely and to confine them into detention center is clearly discriminatory and violate the international conventions ratified by Jordan such as CEDAW, the Bangkok Rules and their rights as define in the Constitution.

Effectively, article 1 of CEDAW highlights that discrimination includes any distinction made on the basis of sex, which “ has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women [...] on a basis of equality of men and women, of human rights and fundamental freedoms. ”

The Bangkok Rules, also known as “The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders,” explicitly state protective custody should be “ temporary and only be applied when necessary and expressly requested by the woman concerned ” and shall in all cases be supervised by judicial or other competent authorities. Such protective measures shall not be continued against the will of the woman concerned.

According to the UN Special Rapporteur on Torture, “prolongation detention can amount to inhuman treatment and is discriminatory.”¹⁶ Protective custody in Jordan violates the core principles of these international conventions, and can lead to inhuman and degrading treatments of female prisoners. Many MDWs experience violations of their labour rights, such as the removal of residency documents by employers, and are thus vulnerable to arrest for accruing overstay fines they Many MDWs experience violations of their labour rights, such as the removal of residency documents by employers, and are thus vulnerable to a

A person, no matter their gender, should never been placed in detention without having first a trial and then get an official verdict based on a decision from a person empowered, such as judges. Further, governors always refer to Crime Prevention Law to legally justify their decision to place women in detention center, however, if we look deep inside it, there is no article mentioning, testifying or overseeing this practice. The application of Article 3 to detain women in protective custody is therefore in violation of national law.As a result, women in this country, face the risk of being held for an unlimited period of time and without being provided of a legal assistance.

Furthermore, concerning the national legal framework, the Protection Against Family Violence Act constitutes the first stone of a legal basis for protecting and asserting women’s rights in Jordan, even if we look deeper, this Act contains some limitations, which in practice, can restrict its good application, such as the absence of a juridical framework defining domestic violences. Then, there is gap between this Act and the provision in Penal Code, particularly, in cases involving honour crimes, where the sentences are often lenient.

Daining women under protective custody for preventing crimes or offenses against them can be solenny qualified as an “ illegal practice ” and has no legal basis in Jordan. Protective custody, which is undertaken without consent, deprives women of their rights and constitutes a form of sex-based discrimination, as women are held in administrative detention at far higher rates than men.¹⁷

3.2 The Detention of Non-Nationals

Women lacking Jordanian citizenship face specific challenges within the country’s legal system and detention proceedings. Two particularly vulnerable groups include female refugees, primarily from Syria and Palestine, and female migrant domestic workers, primarily from Sri Lanka, Indonesia, and the Philippines.¹⁸

Jordan is not a signatory to the 1961 Convention Relating to the Status of Refugees, and has no formal domestic system for granting protection to refugees or asylum seekers. While Jordan hosts over one and a half million refugees, the lack of a regulatory framework allows for a large amount of government discretion over the detention and deportation of refugees.¹⁹ Deportations are not court controlled, but rather fall under the jurisdiction of the Interior Ministry.

Refugees are excluded from high-skilled and semi-skilled employment opportunities: while the Jordanian government generally tolerates the participation of refugees in the country’s informal economy, the Global Detention Project also reports that violation of work permits is the primary cause for detention for refugees in Jordan.²⁰

For many women fleeing violence in Syria and Palestine, refugee status is compounded by general employment discrepancies between the sexes in Jordan, resulting in numerous instances of female refugees turning to sex work or entering forced marriages. At times, refugee camps can function as de facto detention centers: in April 2015, 11 Syrian women were arrested on prostitution charges in Irbid, and then detained in Azraq camp.²¹

Migrant domestic workers (MDWs) are also particularly vulnerable within Jordan’s judicial system. These women come to Jordan through recruitment agencies to be hired as domestic workers in Jordanian homes.

Based on that agreement and the demand from employers, the Jordanian agency creates job order and applies to the foreign embassy for approval. The two parties then issue individual work contracts based on the applicants’ files, which each embassy must authenticate. On the basis of such a contract, Jordanian officials then issue immigration and work visas.²²

Many MDWs experience violations of their labour rights, such as the removal of residency documents by employers, and are thus vulnerable to arrest for accruing overstay fines they cannot pay.²³

Other common violations included forced confinement inside the home, delayed or unpaid salaries, no day off, and working hours that exceeded the terms of the contract.²⁴

With few contacts outside the home, domestic workers suffering abuses have little means of reprisal. When MDWs approached police stations, some officers referred them directly to their agency or embassy without taking their statements. NGOs and embassies often lacked the appropriate resources to help them.

In instances when cases made it to court, adjudication took months and sometimes years, and workers remained at risk of detention, accumulation of large fines, and a lengthy period without income.. Labor Ministry officials rarely held employers and recruitment agencies to account when they violated labor protections.²⁵

Jordanian police sometimes detain domestic workers who have fled abusive employment conditions, in violations of Jordanian law. There have also been instances of employers filing charges of theft against domestic workers, leading to immediate detention, prosecution, and possible deportation. Many escaped workers are unable to return home following the accumulation of fines from living in the Kingdom without legal residency, a status they lose after leaving their employers without permission.²⁶ The odds of imprisonment are far greater for migrant domestic workers who cannot find shelter with their embassy.²⁷

Overall, it is evident that police and public official fail to hold employers and agencies accountable when they violate labor protections or commit abuse, while they immediately incarcerate MDWs when escape or are accused of theft.

4. Recent Improvements to Equal Protection

Detention conditions for MDWs are poor. Pregnant migrant women and those with young children experience particular difficulties in Jordan's CRCs. According to a report by the Dignity Publication series, NGOs have reported instances of migrant women in Jordan being raped by their employers, detained, and then forced to relinquish their newborns to state-run institutions.²⁸ Similarly, the Dignity report cites cases of foreign women detained following divorces from and custody battles with former Jordanian husbands.²⁹

To mitigate the persecution of female migrant domestic workers, regulations on recruitment agencies should be implemented. In 2009, the government issued regulations that increased regulations on recruitment agencies, and criminalized and forced labor for exploitation under a new law against human trafficking.³⁰ Nonetheless, the law often has not been applied and the labour minister continues to receive complaints from domestic workers.³¹

In 2016, after receiving 960 complaints from MDWs and dealing with 1,402 cases of MDWs leaving their employers prior to the termination of their contracts, the Labour Ministry claims to have given warnings to twenty-seven recruitment agencies for misconduct and shut down eight.³²



Despite discrimination, there have been a variety of improvements for women within Jordan's legal system over the past five years. Most noticeable is the recent creation of shelters for women fleeing threats of domestic violence and honor killings: this past July, twenty-nine women detained in Juewieda for protective reasons were moved into a shelter created specifically for women facing the risk of honor crimes.³³

The Jordanian Minister of Social Development, Hala Lattouf, has claimed all cases of preventive or protective detention will cease by 2019.³⁴ Other improvements include the increase of loan-financing campaigns for women detained on small debt charges and changes in the penal code.

4.1 Shelters

For years, the Jordanian government and civil society groups and activists worked to establish an alternative for women whose lives are in danger due to reasons related to "family honour." The Ministry of Social Development started a almost three year project in collaboration with local NGOs led by Mizan Law Group for Human Rights, and other relevant security ministries and agencies.

In August 2017, The Ministry of Social Development said it had finalised a regulation draft that will govern the operation of a shelter for women, instead of placing them in the women's correctional and rehabilitation facilities for indefinite periods without any charges laid.³⁵ The government allocated 1 million JD to start this housing project.³⁶

Under the umbrella of Jordan's Ministry of Social-Development, the state provides security and political backing, with the government carrying the legal responsibility for the women's lives.³⁸

The guest house is protected by a fiberglass barrier and an armed guard is on duty the whole day. Inside, mobile phones are banned in case GPS-driven apps and social media "check-ins" reveal the location of staff members and guests. Everyone, including the administration, uses a landline to communicate with the outside world.³⁹

Dr. Feryal Al-Assaf, the Director of Studies and documentation department and Civil Society Cooperation Coordinator of the National Center Human Rights, told us that two other shelters are in the plans, one in the north and one in the south of Jordan. The Center is contributing to the creation of a shelter for women migrant workers, in collaboration with the Ministers of Labor and Justice. This shelter is due to be inaugurated in 2019.

4.2 Loan Financing Projects

As stated in section two, economic difficulties faced by women in Jordan are linked to challenges within the legal system: this is perhaps most clearly seen through numerous instances of women being detained on small debt charges. Local fundraising campaigns have emerged as a way to release women held in prison after failing to pay micro-financed loans. Over the summer of 2017, 92 women held for debts under 400JD (560 USD) were released after receiving aid from a fundraising campaign headed by activist Hazmeh Hussami.⁴⁰ Donors from both inside and outside Jordan contributed financial sup-

Changes in detention practices are particularly important for cases of pregnant women and new mothers who have accrued small debts out of necessity, as the imprisonment of these groups is a violation of international law.⁴¹ Because women are generally granted loans more easily than men, they can face detention after their husbands take out loans in their name without their knowledge.⁴² Tighter regulations on loan processes could help to effectively combat this form of unjust imprisonment.

4.3 Legal Changes

In recent years, the Jordanian government has launched a progressive reform agenda to improve and ensure better legal protection for women. According to the former minister of Justice, Mr Bassan Talhouni, the government is committed to make legal amendments to ensure women's liberties.

In 2017, the amendment of the Domestic Violence Protection Law was endorsed by both the Senate and the Lower House. This law aim to tackle loopholes on the enacted Family Protection Law of 2008 and to enhance the stability and safety of family members, especially women and children, by obliging health, education and social services to report any case of domestic violence to law enforcement institutions.

Also in 2017, article 98 was amended, preventing perpetrators of crimes "gainst women" to receive mitigated sentences. The provision leaves a loophole, however, under article 340 of the same law, which allows for mitigated sentences for those who murder their spouses discovered committing adultery.⁴³

In 2018, article 308 of the Jordan's Penal Code, that allowed perpetrators of sexual assault to avoid punishment by marrying their victims was repealed.



5. Conclusion

The denial of the rights of women and girls can manifest in a variety of settings and forms: this report has sought to demonstrate the scope of deprivations of women's liberties in Jordan, giving particular attention to the prevalence of administrative detention in the country.

Administrative detention primarily harms two already vulnerable groups: women fleeing honor crimes and other forms of violence, and female migrant domestic workers. Some improvements have been made to protect the rights of these populations in Jordan, but more must be done to ensure their fair treatment within the country's legal system

Repealing the Crime Prevention Law is necessary to end the risks of protective detention and fully ensure the liberties of all women in Jordan. Shelters must also be coordinated with economic and social programs that allow women to successfully reenter society, and men who have attempted or committed honor crimes must be consistently persecuted to the full extent of the law.

Protecting the rights of migrant domestic workers poses an array of challenges within Jordan's existing visa sponsorship system: accounts from both domestic workers and their employers demonstrate the variety of factors that enable mistreatment and incarceration. The Kingdom of Jordan must commit to investigating and prosecuting abuses against migrant domestic workers. In doing so, access to legal aid and to proficient interpretation in their mother tongue should be provided. Additionally, agencies should be held accountable by the government for any and all violations of labor protections.

National laws, policies and regulations governing the rights of inmates in detention (including the Constitution, Penal Code, Criminal Procedure Code, and the Prison Law) should be amended when they discriminate or do not protect the human rights of women, in line with the Bangkok Rules and other international standards on detention.

Strengthening the participation of women in Jordan's political and economic systems will be invaluable in protecting the rights of both women and girls. Lack of economic opportunities constrains women's ability to claim justice and to seek mean of redress. Equal access to justice is the foundation for gender equality and supporting women's empowerment is the first step to a fairer and equitable society.

Women's liberties could be further protected by encouraging the appointment of women to decision-making positions, such as Shari'a judges. The lack of female Shari'a judges in Jordan is a pressing issue, as women use Sharia courts at higher rate than men, yet must face predominantly male court staffs.

Women are denied liberty in both law and practice, and going forward, both forms of discrimination should be accounted for. Legally, Jordanian men who marry foreign women have the right to pass on their nationality to their children and their wives, while women who marry non-Jordanians are denied the same rights.

These laws and regulations are part of a bigger system of traditions and practices well rooted in a patriarchal society, that are hard to repeal. Projects like the one at the National Human Rights Center, where lawyers meet with police men, teachers and other members of the civic society can truly improve the situation in long term. Unfortunately, these kind of initiatives are few and need funding.

Overall, traditional gender roles are still strongly rooted in Jordan, and this affects the division of labor within the Jordanian society and women's economic and political participation, as much as legislation and policies.

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