



Shared Prosperity Dignified Life



Country matrix – Jordan 2024

The country matrix adopts and adheres to the coding standards adopted in the “Gender Justice and the Law” initiative.

General framework of the State

Has the State ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)? Does it have any reservations on the implementation of the provisions of the Convention?

Jordan ratified the Convention in 1992 but made reservations to article 9 (equal rights in regard to transferring nationality to a spouse or children) and article 16 (1) (c)–(f) (equality in marriage and family life).

Does the Constitution refer to gender equality and non-discrimination?

Article 6 of the Constitution of the Hashemite Kingdom of Jordan provides for equality before the law. The most recent amendment to the Constitution added the word “females” to the title of Section II so that the title now reads, “The rights and duties of Jordanian males and females”.

Paragraph 6 of Article 6 also provides that “the State guarantees the empowerment and support of women to play an active role in building society in a way that guarantees equal opportunities on the basis of justice and equity, and protects them from all forms of violence and discrimination”.

If customary law is a valid source of law under the Constitution, is it valid if it violates constitutional provisions on gender equality or non-discrimination?

The Jordanian Constitution does not state where “customary law” is ranked as a source of law if it conflicts with constitutional provisions, nor does it include an explicit provision on its ranking in relation to the Constitution.

If personal law is a valid source of law under the Constitution, is it valid if it violates constitutional provisions on equality or non-discrimination?

The Jordanian legislator considered the provisions of Islamic jurisprudence [*fiqh*] as one of the sources of conventional law where an explicit legal provision does not exist. Article 2 of the Jordanian Civil Code provides the following: “If the court does not find a provision in this Code it shall rule with the provisions of Islamic jurisprudence that are most compatible with the provisions of this Code and if none exist then it shall rule according to Islamic Shariah principles”. Article 3 of the Civil Code also provides that “[u]nderstanding, interpreting, explaining and proving the provision shall refer back to the principles of Islamic jurisprudence”.

The Jordanian Constitution does not address the ranking of Islamic jurisprudence and Shariah principles in the event that they conflict with the constitutional provisions, nor does it include an explicit provision on its ranking in relation to the Constitution.

Do national laws clearly define the mandate and jurisdiction of informal justice systems, where they exist, in terms of their enforcement of formal and informal laws, both of which must conform to international standards, including non-discrimination?

There is no law which defines the mandate and jurisdiction of informal justice systems and their position in relation to the Constitution in the event that they conflict with its provisions on human rights in general and women’s rights in particular.

Is there a law on discrimination that prohibits both direct and indirect discrimination against women?

The National Charter of 1990 provides in Section I that Jordanian men and women are equal under the law. There shall be no distinction between them in rights and obligations regardless of any difference in race, language or religion. They shall exercise their constitutional rights.

However, there is no comprehensive standard legislation on gender equality that prohibits both direct and indirect discrimination against women.

Is there a national action plan or policy to address violence against women and girls that is overseen by a national mechanism with the

mandate to monitor and review implementation?

There is no national action plan or policy that addresses specifically violence against women and girls. However, the National Strategy for Women in Jordan generally includes several goals, one of which is ensuring equal opportunities between men and women without discrimination based on gender, under the supervision of the Jordanian National Committee for Women's Affairs. The second goal of this Strategy also explicitly provides that "women and girls enjoy a life free from all forms of gender-based violence". It is worth noting that an implementation plan was developed to achieve that goal, and it includes initiatives related to reducing violence.

Additionally, a national framework to protect against domestic violence has been put in place, under the supervision of the national team for protecting families from domestic violence and under the auspices of the National Council for Family Affairs.

Are there budgetary commitments provided for by government entities for the implementation of legislation addressing violence against women and girls by creating an obligation on the Government to provide a budget or allocation of funding for the

implementation of relevant programmes or activities?

The general budget report for preparing the draft general budget law for the years 2023, 2024 and 2025 included clauses on monitoring the necessary financial allocations to implement projects emanating from the National Strategy for Women's Affairs (2020-2025), which includes among its initiatives working to review legislation and develop proposals that will enhance equality, empower women and increase their participation in various fields.

Is there a national strategy or action plan currently in place containing measures to ensure full and equal access to the entire range of sexual and reproductive health information, services and supplies, with budgetary, human and administrative resources allocated for its implementation?

Jordan initiated the 2020–2030 national strategy for reproductive and sexual health, which includes detailed plans without a budget allocated for them.

Are there laws that explicitly require the production and/or dissemination of gender statistics?

There is a standalone section for gender statistics in the public statistics department. The statistics department issues an annual report on the status of

Jordanian women. But Law No. 12 of 2012 does not include a specific clause on the production and dissemination of gender statistics.

Is legal aid mandated or guaranteed in criminal matters?

Pursuant to the Legal Aid Regulation of 2019, legal aid may be requested from the public prosecution, the regular courts and the higher criminal court, in accordance with the legislation in force.

Is legal aid mandated or guaranteed in civil/family matters?

The legal aid system does not cover civil matters. The law in civil rights cases and claims does not permit any individual to represent themselves in court without legal representation in claims of over 1,000 Jordanian dinars.

Article 5 (5) of the Jordan Bar Association Law of 1972 provides that the Bar Association is responsible for coordinating legal aid for Jordanians who are impoverished, but this is a very general and ambiguous clause which does not explain in detail the issues which require legal aid.

The law permits individuals in personal status cases (family cases) to be represented without a lawyer.

Legal capacity and public life

Do women and men have equal rights to apply for passports?

Jordanian women have the right to apply for passports equally with men and without restrictions.

Do women and men have equal rights to obtain an identity card?

Article 38 (a) of the Personal Status Law of 2001 provides that every Jordanian over the age of 16 has the right to obtain an identity card.

In civil law matters and procedures, are women required to obtain permission from judicial or administrative authorities, spouses and other family members prior to initiating legal action?

Women are not required to obtain permission from judicial or administrative authorities, spouses and other family members prior to initiating legal action in civil matters. Article 43 of the Civil Code provides that any person who is at least 18 years of age has full capacity to exercise their civil rights. This clause does not distinguish between men and women.

In personal/family law matters, are women required to obtain permission from judicial or administrative authorities, spouses and other family members prior to initiating legal action?

According to the personal status law, women must obtain consent from their guardian to get married. A guardian's consent is not required for a previously married woman over the age of 18.

Does a woman's testimony carry the same evidentiary weight in court as a man's?

The Jordanian Civil Code does not explicitly provide that a woman's testimony has less evidentiary weight than a man's. However, the Personal Status Law No. 15 of 2019 requires the testimony of two women versus the testimony of one man for evidence for marriage, divorce and harm.

Can a woman enter into a contract the same way as a man?

A woman can enter into a contract in the same way as a man. Article 43 of the Civil Code provides that any person over the age of 18 has full legal capacity to exercise their civil rights and it does not distinguish between men and women.

Does the law allow for women to register businesses the same way as men?

There are no legal restrictions on women registering businesses.

Do women and men have equal rights to own, access and control or use property?

Article 43 of the Civil Code provides that any person over

the age of 18 has full legal capacity to exercise their civil rights and it does not distinguish between men and women. In addition, article 320 of the Personal Status Law provides that each spouse has independent financial authority for their personal assets.

Do women and men enjoy equal rights and access to hold public and political office (legislature, executive, judiciary)?

The Jordanian Constitution provides under article 22 (1) that every Jordanian has the right to hold public office under specific conditions in the law or regulations. No provisions prohibit women from holding public and political office but there is no positive affirmation of this right.

Are there quotas for women (reserved seats) in the national parliament?

There are only 15 seats reserved for women according to article 8 (b) of the Electoral Law, so that there is 1 seat allocated to women for each of the 12 governorates and each of the 3 districts of the Badia region in the Kingdom.

Is there a law that explicitly prohibits violence against women in politics and elections?

There is no legislation that explicitly prohibits violence against women in politics and elections.

Protection from violence against women and girls in the public and private sectors

Is there legislation on domestic violence that includes all forms of physical violence?

Women and girls have protection under Law No. 15 of 2017 on protection from domestic violence. But it does not include a clear detailed definition of violence and the forms of violence, including physical violence.

Is there legislation on domestic violence that includes all forms of sexual violence?

Women and girls have protection under Law No. 15 of 2017 on protection from domestic violence. But it does not include a clear detailed definition of violence and the forms of violence, including sexual violence.

Is there legislation on domestic violence that includes all forms of psychological/emotional violence?

Women and girls have protection under Law No. 15 of 2017 on protection from domestic violence. But it does not include a clear detailed definition of violence and the forms of violence, including psychological/emotional violence.

Is there legislation on domestic violence that includes all forms of financial/economic violence?

Women and girls have protection under Law No. 15 of 2017 on protection from domestic violence. But it does not include a clear detailed definition of violence and the forms of violence, including financial/economic violence.

Does the law criminalize marital rape?

The law does not criminalize marital rape.

Are there criminal and civil protection orders available for victims of violence for which a breach (constitutes a criminal offence) has legal consequences?

Law No. 15 of 2017 on protection from domestic violence provides under article 17 the following: "(a) If the perpetrator of domestic violence breaches a protection order as provided under article 16 of this law or any of its conditions, they shall be punished with no more than one month's imprisonment or a fine of no more than 100 dinars, or both of these punishments. (b) If the breach of the protection order is accompanied by the use of violence against any of the persons covered by it, the perpetrator of the domestic violence shall be punished with no more than three months' imprisonment or a fine of no more than 200 dinars, or both of these punishments. This is without prejudice to any more severe punishment specified by any other law".

Does the law allow mitigating circumstances for femicide?

In 2017, article 98 of the Penal Code was amended to stop mitigating circumstances for offenders, but article 340 of the Penal Code still permits mitigating circumstances if the murderer is one of the spouses who surprises their spouse in the act of adultery.

Does the law criminalize female genital mutilation (FGM) or cutting if practised?

There is no specific provision criminalizing FGM but the law considers that this practice falls within crimes of mutilation according to the Penal Code and the Law on Medical Responsibility and is punishable under them.

Does the law criminalize adultery?

Articles 282 to 284 of the Penal Code criminalize adultery.

The crime of adultery is only prosecuted with a complaint from the legal guardian or one of the spouses and cannot be prosecuted for the public right.

Do laws that criminalize rape act based on absence of consent without requiring proof of the use of physical force or penetration?

The Jordanian legislator criminalizes the act of rape on the basis of non-consent, with the requirement of proving the

use of physical force, as it states in the first paragraph of Article 292 of the Penal Code that “whoever has coercive sexual intercourse with a female (other than his wife) shall be punished with temporary hard labour for at least five years”.

Does the law include exoneration if the offender marries his victim?

In 2017, article 308 of the Penal Code was repealed, which had stopped enforcement of the article or prosecution of the man in rape or sexual assault cases if he married his victim.

Is sexual harassment defined in any legislation?

The amendment of the Labour Law in 2023 added a definition of sexual harassment and criminalized it in the workplace.

Is there a provision in the law that criminalizes cyberviolence against women and girls?

The Jordanian cybercrime law does not contain any provisions which specifically address cyberviolence against women and girls but some of the provisions could apply to both men and women.

Are sex work and prostitution criminalized?

The law criminalizes practising prostitution and leading girls to practise prostitution under the Penal Code and it does not criminalize the person asking for sexual services.

Are there comprehensive provisions (punitive, protective and preventive) on human trafficking in any law?

Law No. 9 of 2009 on the prevention of human trafficking provides comprehensive provisions to counteract human trafficking.

Employment and economic benefits

Does the law mandate non-discrimination against women in employment?

The Labour Law, which was recently amended in 2023, now mandates non-discrimination on the basis of sex among employees that would prejudice equal opportunities.

Does the law mandate equal pay for the same work as men?

The Constitution provides that “every worker shall receive pay commensurate with the quality and quantity of their work”. Labour Law No. 8 of 1996 was amended by Law No. 14 of 2019 with respect to the prohibition of gender discrimination in pay.

Does the law mandate equal remuneration for work of equal value?

According to article 53 of the Labour Law, an employer will be fined no less than 500 and no more than 1,000 Jordanian dinars for each case where they pay a worker less than the minimum pay or for any gender discrimination in pay for work of equal value, in addition to a ruling to pay the worker the difference in pay. The punishment is doubled for every repeated violation.

Does the law allow women to do the same jobs as men?

The Labour Law of 2023 prohibits the discrimination on the basis of sex among employees that would prejudice equal opportunities. It therefore allows women to do the same jobs as men.

It should be noted that the instructions issued by the Minister of Labour maintained some restrictions regarding the

work of pregnant and breastfeeding women in some fields, such as mines, quarries and the rubber industry.

Does the law allow women to work the same night hours as men?

The law prohibits women from working at night with the exception of those jobs specified by the Minister of Labour.

The amendments of the Labour Law in 2023 removed the restrictions imposed on women working during night hours on the same basis as men in general. However, it did not include an explicit affirmation of women’s right to work at night. It also maintained some restrictions and conditions regarding pregnant and breastfeeding women, people with disabilities and people who

perform night work to create a safe work environment “based on instructions issued by the competent minister”.

Do national labour and civil service-related laws (labour codes, civil retirement acts, etc.) discriminate between men and women in terms of retirement age?

The retirement age is 55 for women and 60 for men.

Do national labour and civil service-related laws grant men and women equal rights to pass on their pensions to their spouses?

Spouses have the same rights to benefit from a pension. However, a widower does not benefit from his right to his share of the pension passed on to him by his wife except under specific conditions. A retired woman is not automatically considered the breadwinner for her children; she has to prove the responsibility when her retirement rights are settled.

Does the law prohibit dismissal during pregnancy and maternity leave?

Under article 27 of the Labour Law an employer may not terminate a woman’s employment or send dismissal notices to her because of her pregnancy from the sixth month of her pregnancy or during her maternity leave.

Does the law provide for maternity leave that meets the International Labour Organization (ILO) standard of 14 weeks?

Women have the right to paid maternity leave of 90 days in the

public sector and 70 days in the private sector, but this is less than the ILO standard of 14 weeks.

Does the law provide for paid paternity leave available to fathers?

Fathers receive three days’ paternity leave in both the public and private sectors. This was established when the Labour Law was amended in 2019 and when the Civil Service Law was amended in 2020.

Is childcare publicly provided or subsidized?

Article 42 of the Social Security Law was amended and now includes the following paragraph: “The Corporation may dedicate (25%) of monthly contributions stipulated in subparagraph (1) of paragraph (A) of this article for the purposes of establishing social protection programs that are related to maternity insurance; to be determined pursuant to a bylaw issued for this purpose”. Accordingly, the Social Protection Bylaw linked to maternity insurance was issued. It stipulated contributing to the cost of childcare for the child of a worker covered by maternity insurance, whether in an organized institutional nursery or at home, in addition to contributing to the operational costs of nurseries according to approved terms with an amount ranging from (25) to (60) dinars per month for a maximum period of six months.

Does legislation tackle sexual harassment in the workplace?

The Labour Code, which was amended in 2023, now

criminalizes sexual harassment in the workplace based on a definition provided by the same law. Additionally, the Ministry of Labour issued a Policy on the Protection from Violence and Harassment in the Workplace and a Guide for Employers.

Are there provisions allowing for civil claims/remedies for sexual harassment in the workplace?

Article 29 (a) of the Labour Law provides that an employee may resign from their employment without prior notice and without losing their rights, and in addition they can claim damages if the employee is the victim of sexual assault by the employer or their representative.

Does the Labour Law provide protection for domestic workers?

Migrant domestic workers benefited from some rights as a result of legislation pursuant to the Labour Law of 2008 which regulates working hours and pay. Neither the regulation nor the Social Security Law mandates that female workers must be enrolled for social security.

Is there a public entity that can receive complaints on gender discrimination in employment?

Under article 22 (1) of the Jordanian Constitution, every Jordanian has the right to hold public offices under the conditions prescribed by the law or regulations. There are no provisions prohibiting women from holding public and political offices but there is no positive affirmation of this right.

Family matters (personal status)

Is 18 the minimum age at marriage, with no legal exceptions, for both women and men?

The legal age for marriage is 18. However, the courts have the authority to agree to the marriage of a minor over the age of 16.

Is marriage under the legal age void or voidable?

According to article 31 (e) of the Personal Status Law, a marriage contract is invalid if both parties, or one party, does not fulfil the eligibility conditions when entering the contract. However, article 35 (c) of the Personal Status Law provides that “a claim that a marriage is invalid because of being underage will not be heard if the wife has given birth or was pregnant, or both parties at the time of the claim fulfilled the eligibility conditions”.

Do women and men have equal rights to enter marriage (i.e. consent) and initiate divorce?

Muslim women do not have equal rights in marriage and divorce. The wife has a legal duty to obey her husband. Men have legal commitments to support their wives and children financially. The law allows a woman to add conditions to her marriage contract enabling her to render it invalid if she wishes and also to make a claim for divorce [*khula*] to end the marriage relationship. Men can divorce on their own. Christian women in some sects may not divorce.

Does the law prohibit polygamy?

The Personal Status Law permits polygamy provided that the judge for the second marriage informs the second wife that the husband is already married.

Do women and men have equal rights to be legal guardian of their children during and after marriage?

Fathers are the sole guardians of children. A woman can be a trustee for her children.

Does the law grant women and men equal custody rights of their children?

A mother has the right to custody until a child reaches the age of 15; after that, the child is given the right to choose which parent to live with until the age of 18, where the custody conditions continue to apply. The mother loses her custody rights if she marries again to a person who is not a relative of her previous husband.

Do women and men have equal rights to choose where to live?

The Jordanian Personal Status Law provides that after receiving her average dowry, the wife must take up residence in her legal husband's house and move with him anywhere he chooses, even if it's outside the Kingdom, on the condition that it is safe for her and that there is no condition in the [marriage] contract that states otherwise. If she refuses, she forfeits her right to alimony. The woman has the

legal right to choose the place in which she wishes to live as a condition of marriage and the man cannot require her to live somewhere else if she exercised her right at the beginning.

Do women and men have equal rights to choose a profession?

Jordanian laws, including the Labour Law and the Civil Code, do not include any restrictions on women choosing a profession.

Do women and men have equal rights to own, access, and control or use marital property including upon divorce?

Article 320 of the Personal Status Law provides that when they marry, each spouse has independent financial authority over their personal assets. The marriage ownership system in Jordan is for spouses to split assets during and after their marriage.

Do women have equal rights as men to pass their nationality to children?

Pursuant to Law No. 6 of 1954 on nationality, a Jordanian woman married to a non-Jordanian cannot pass her nationality to her children in the same way as men. In 2014, the Government issued a decision undertaking to grant benefits to Jordanian sons and daughters.

Do women have equal rights as men to pass their nationality to a foreign spouse?

Pursuant to Law No. 6 of 1954 on nationality, a Jordanian woman married to a non-Jordanian cannot pass her nationality to her husband in the same way as men. In 2014, the Government issued a decision undertaking to grant benefits to the Jordanian wives of non-Jordanians.

Where rights to inheritance are enshrined by law, do women and men have equal rights?

The Shariah laws on inheritance apply. Women have equal rights

to inheritance in certain cases but they are generally entitled to less than men. In most cases a male gets the share of two females.

Are there specialized civil courts or civil court processes for family law matters that provide for the equal rights of men and women?

Personal status matters are appointed by the law and are included within the jurisdiction

of the Shariah courts alone when the litigating parties are Muslim.

As for Christians, paragraph B of Article 4 of the Christian Communities Councils' Law stipulates that: "If one of the parties to the lawsuit is a Muslim and the dispute relates to personal status matters, then jurisdiction to hear the lawsuit rests with the regular court of first instance unless the parties agree to accept the jurisdiction of the Shariah courts".

Sexual and reproductive health and rights

Do law(s) or regulation(s) exist that guarantee access to maternal health care for all women and girls, irrespective of marital status and without third-party authorization?

Article 4 (d) of the Public Health Law describes the medical services provided to women and children, which include during pregnancy and childbirth and post-childbirth, monitoring children's growth and any health matter relating to family planning. Article 4 (e) provides that spouses can have a physical and blood tests before their marriage but it does not mention any condition on marital status.

Do law(s) or regulation(s) exist that guarantee access to contraceptive services for all women and adolescent girls, irrespective of marital status and without third-party authorization?

According to the Ministry of Health's 2013–2017 strategic

plan, the Ministry granted married women protection from pregnancy (provision of family planning methods) through centres and hospitals. All the indices provided in the plan (which exceeds 50 pages) refer to the term "married woman". According to the July 2016 United Nations Population Fund report on sexual health and reproductive policies and laws in selected Arab countries, despite the progress gained in Jordan which does not require women to obtain permission from their spouses to use contraception, unmarried women lack access to such methods.

Do law(s) or regulation(s) exist that guarantee access to emergency contraception for all women and adolescent girls, irrespective of marital status and without third-party authorization?

Access to emergency contraception has not been addressed in laws or policies.

Is induced abortion legal at least when the life or health of the pregnant woman is at risk and in cases of rape, incest or severe fetal impairment, and is abortion decriminalized in any case for both the pregnant woman as well as health-care providers performing it (when consent is fully given)?

Articles 321 to 325 of the Penal Code prohibit abortion, including in relation to women who were victims of rape.

Irrespective of the legal status of abortion, do law(s) or regulation(s) exist that ensure access to post-abortion care for all women and girls, independent of their marital status and without third-party authorization?

According to the 2020–2030 National Strategy for Sexual and Reproductive Health and the 2018–2022 Ministry of Health

Strategy, post-abortion services are provided to women, as well as health counselling and awareness of family planning. But neither strategy makes it clear that access to this care is independent of marital status and without third-party authorization.

Do law(s), regulation(s) or national policies exist that make comprehensive sexual health education a mandatory component of the national school curriculum?

Comprehensive sexual health education is not mandated in the national school curriculum by any law(s) or regulation(s).

Do law(s) or regulation(s) exist that guarantee access to voluntary HIV testing and counselling services for all women and girls, irrespective of marital status and without third-party authorization?

Jordan put in place a national programme and preventive strategy to stop HIV. It

guaranteed access to counselling and testing services without restrictions on age or third-party authorization.

Does the law criminalize consensual same-sex sexual conduct?

There is no specific prohibition of same-sex conduct in the Penal Code. There is a lack of information about the application of the criminal laws to punish consensual same-sex sexual conduct or expression of sexual orientation.