**11 September 2017**

**Submission to the UN Human Rights Committee**

**Subsequent to the Adoption of the List of Issues**

***(121st Session—16 Oct 2017 - 10 Nov 2017)***

**Fifth periodic report pursuant to article 40 of the Covenant**

**Jordan**

****

Contact address in Belgium: Rue d'Argile 60, 1950 Kraainem,

Tel.: ++ 32-2-782 00 15 - Fax: ++ 32-2-782 08 11 - E-mail: jwitnesses.be@jw.org

*Contact in New York: Philip Brumley, General Counsel for Jehovah’s Witnesses: ++ 845 306 0711*

Table of Contents

[SUMMARY OF THE SUBMISSION 2](#_Toc482693832)

[I. Introduction/Background 3](#_Toc482693833)

[II. Alleged Violations of the International Covenant on Civil and Political Rights (ICCPR – Articles 17, 18, 19, 21, 22, 26 and 27) 3](#_Toc482693834)

[III. Conclusions and Recommendations 4](#_Toc482693835)

|  |
| --- |
| SUMMARY OF THE SUBMISSIONThis submission to the Human Rights Committee, subsequent to the adoptionof the *List of Issues* to be taken up in connection with the consideration of the 5th report of Jordan (CCPR/C/JOR/5), highlights violations of the provisions of the International Covenant on Civil and Political Rights (“ICCPR”). It also intends to provide observations related to the *List of issues* (CCPR/C/JOR/Q/5) and the *Reply to The List of Issues* (CCPR/C/JOR/Q/5/Add.1)Jehovah’s Witnesses in Jordan, and as a worldwide organization, respectfully request Jordanian authorities to:1. Abide by their commitment to uphold the fundamental freedoms guaranteed by the ICCPR for all citizens, including Jehovah’s Witnesses;
2. Treat with justice the request of Jehovah’s Witnesses to gain registration as a religion. In this regard, representatives of Jehovah’s Witnesses stand ready to meet with the appropriate authorities to work through the registration process;
3. Give them more freedom in their worship; and
4. Find adequate solutions for the denial of personal status rights of Jehovah’s Witnesses.
 |

# I. Introduction/Background

* 1. The European Association of Jehovah’s Christian Witnesses (EAJCW) is a charity registered in the United Kingdom. It is assisting the adherents of the faith of Jehovah’s Witnesses in various areas of the world.
	2. Jehovah’s Witnesses have been living in the Hashemite Kingdom of Jordan since the 1930’s. They were well known by their Bible education work. The Council of Ministers acknowledged their existence through its resolution number 1189 dated 2/21/1960. In 1962, the Jordanian authorities confirmed the permission given to allow the entry of *The Watchtower* magazine, the main journal of Jehovah’s Witnesses, to the Hashemite Kingdom, and a new branch office was opened.
	3. Nevertheless, on May 12, 1964, the Israel Boycott Office of the League of Arab Nations Secretariat in Damascus issued Recommendation No. 570, effectively banning the work of Jehovah’s Witnesses in all Arab countries. The ban was based on the false charge that “Jehovah’s Witnesses are inspired by International Zionism.”
	4. On October 27, 1964, the Council of Ministers endorsed the decision of the Boycott Office and withdrew its recognition of the Congregation of Jehovah’s Witnesses. Jehovah’s Witnesses appealed before the Supreme Court of Justice, but the court turned down their application claiming that it had no authority in this case since it was a matter of national security. The Watch Tower Bible and Tract Society submitted a letter to the Israel Boycott Office in Damascus to reconsider their decision. An answer was received on May 8, 1965, wherein additional charges were made, without any evidence, and stating that there was no basis to reopen the case. The Boycott Office has rejected subsequent appeals to reconsider the ban, and insists that the Witnesses must condemn the State of Israel.
	5. This submission provides information subsequent to the adoption of the *List of Issues* taken up in connection with the consideration of the 5th periodic report of Jordan (CCPR/C/JOR/5). It predominantly focuses on the rights protected under Articles 17, 18, 19, 21, 22, 26 and 27 of the ICCPR.

# II. Alleged Violations of the International Covenant on Civil and Political Rights (ICCPR – Articles 17, 18, 19, 21, 22, 26 and 27)

**Refusal to reregister legal entities**

* 1. In November 2013, an application for legal recognition was submitted to Prime Minister Dr. Abdullah Ensour. In March 2014, the lawyer representing Jehovah’s Witnesses was orally notified about the rejection of the application. On December 11, 2014, the ambassador, Dr. Alia Bouran, replied to a letter addressed to the Minister of Foreign Affairs, H.E. Mr. Nasser Judeh, informing a representative of the world headquarters of Jehovah’s Witnesses that the Jordanian authorities decided not to grant their approval for the registration.
	2. Because Jehovah’s Witnesses have no legal recognition and no legal entities can be established in Jordan, there are consequently numerous related challenges.
	3. The European Association of Jehovah’s Christian Witnesses (EAJCW) noted with gratitude that the CCPR requested the Jordanian authorities to:

“*…provide detailed information on measures taken to guarantee freedom of religion and eliminate discrimination on religious grounds by law and in practice. In particular, please comment on the Committee’s previous concerns that apostasy from Islam will lead to discriminatory practices, such as denial of inheritance, and that the Baha’i faith is not recognized*.”(CCPR/C/JOR/Q/5 p. 4 and para. 19)

**Abuses of Religious Freedom and Discrimination**

* 1. Jehovah’s Witnesses are not allowed to worship freely. According to the prior decree issued against Jehovah’s Witnesses in Jordan, Christian meetings for worship in official Kingdom Halls (name of places of worship), the importation of religious literature, and sharing their religious beliefs with their neighbors are prohibited. In spite of that, Jehovah’s Witnesses are grateful that Jordanian authorities allow them to succeed in meeting in some small, private halls in order to study the Bible in groups.
	2. Article 17 of the Covenant provides for the right of every person to be protected against arbitrary or unlawful interference with his privacy, family, home or correspondence, as well as against unlawful attacks on his honor and reputation. In the view of the Committee, this right is required to be guaranteed against all such interferences and attacks whether they emanate from State authorities or from natural or legal persons. The obligations imposed by this article require the State to adopt legislative and other measures to give effect to the prohibition against such interferences and attacks as well as to the protection of this right.
	3. When interrogated by the police, Jehovah’s Witnesses are threatened with arrest and imprisonment if they will not cooperate with the authorities. Jehovah’s Witnesses have no effective remedy to defend themselves before the courts in respect to their religion and beliefs.
	4. Back in 2015, the Jordanian authorities interrogated one male Witness. The authorities indicated that they know a lot about the Witnesses’ activities in Jordan and recognized that Jehovah’s Witnesses do not constitute a threat to the authorities. However, their main concern was the presence of foreign Jehovah’s Witnesses.
	5. During the present year, nine Jehovah’s Witnesses went in two cars to share their beliefs in Northern Jordan. The Jordanian police stopped one of the cars. They confiscated the religious publications, claiming that they received a complaint about a “suspicious” car. The Witnesses were interrogated for about four hours by the police and then by the Intelligence Office. One of the interrogators asked one of the Witnesses to sign a pledge promising not to share her beliefs anymore, but she refused. Two other Witnesses were asked to return to the Intelligence Office in the coming two days. Both interrogations ended positively. The interrogator told the Witnesses that since they are sharing their beliefs in a tribal area, there is a risk of harm by extremists. They apologized for the way the Witnesses were treated by the police and they gave them back their personal identity cards, but retained the publications.
	6. On several occasions foreign residents who are Jehovah’s Witnesses were deported from the country because they were sharing their beliefs.
	7. One male Witness was falsely accused of evangelizing to Muslims and was deported from Jordan. He was consequently separated from his Jordanian wife.
	8. Two female Witnesses residing in Jordan, one of whom is from Syria, were arrested for sharing their faith and interrogated. The reason given was that they were found evangelizing in an area where many crimes had been reported. Although they knew nothing of this situation, the authorities warned them not to evangelize in West Amman and ordered that the Syrian citizen be deported. They threatened the Jordanian citizen that her case would be transferred to the city mayor and she may be arrested and put in jail. However, the Syrian citizen applied to the United Nations High Commissioner for Refugees (UNHCR) seeking asylum and received an official document that he can present to the police, which will prohibit the Intelligence Department from deporting her to Syria.

**Denial of Personal Status Rights**

* 1. Jehovah’s Witnesses are facing restrictions of personal rights in Jordan. They have been trying to find a pragmatic solution for personal status issues, such as lack of registration of marriages, problems with inheritances, and difficulties with burials.
	2. It is with great appreciation that Jehovah’s Witnesses noticed that the CCPR raised the issue of personal status rights for members of religious minorities. The CCPR requested Jordanian authorities to:

“*…provide information on the practical application of the provisions of the Covenant in the domestic legal system, including examples of cases in which national courts have referred to those provisions. Given that sharia applies to all Jordanian nationals, irrespective of their religion, please provide information as to whether the State party is considering elaborating an optional civil personal status law.*” (CCPR/C/JOR/Q/5 p. 1 and para. 2)

* 1. The *Written Reply to List of Issues* provided by the Jordanian authorities does not insure that sufficient provisions will be implemented to prevent any violations of the Covenant. (CCPR/C/JOR/Q/5/Add.1 p. 1 and para. 1)

***Burials and Inheritances***

* 1. A few years ago a Witness bought space in a cemetery outside Amman and his family has managed to bury their dead ones there. However, the challenge remains in obtaining certificates of death and inheritances.
	2. To illustrate, a male Witness passed away in March 2014. Since personal status in Jordan is a religious matter and Jehovah’s Witnesses are not recognized, his family had to go to the Catholic Church in order to obtain the inheritance certificate. Unfortunately, the clergymen refused to cooperate because the Church did not perform the burial ceremony. A person from the Evangelical Church agreed to issue the certification of succession after he was provided with a reference statement stating that the deceased was a member of the community of Jehovah’s Witnesses in Jordan, that he passed away on March 29, 2014, and that he was buried in Amman – Madaba, Jordan, according to the principles of the Bible.
	3. It was not until October 2014, with the assistance of the person from the Evangelical Church, that the family was able to obtain the certificate of succession and therefore resolve the inheritance issue. Meanwhile, the financial situation of the family was blocked without the inheritance certificate.

***Marriages***

* 1. Since Jehovah’s Witnesses are not legally recognized, and there is no civil marriage in Jordan, Witnesses either travel outside Jordan to have a civil marriage or they try to find a clergyman who is willing to marry them without practicing any religious customs and traditions. On the other hand, all denominations that are legally recognized can easily perform their marriages in Jordan.

# III. Conclusions and Recommendations

* 1. Jehovah’s Witnesses in Jordan, and as a worldwide organization, respectfully request Jordanian authorities to:
1. Abide by their commitment to uphold the fundamental freedoms guaranteed by the ICCPR for all citizens, including Jehovah’s Witnesses;
2. Treat with justice the request of Jehovah’s Witnesses to gain registration as a religion. In this regard, representatives of Jehovah’s Witnesses stand ready to meet with the appropriate authorities to work through the registration process;
3. Give them more freedom in their worship; and
4. Find adequate solutions for the denial of personal status rights of Jehovah’s Witnesses.