

KARAMA PROGRAMME



 **DIGNITY**
DANISH INSTITUTE AGAINST TORTURE

ABOUT THE PROGRAMME

Jordan's Karama programme aims at eliminating the use of torture and other forms of ill-treatment and improving the treatment and conditions of persons deprived of their liberty in Jordan. This objective is pursued through various strategies, including preventing such practices – for example through the reduction of the use of pre-trial detention (PTD) and through the monitoring of places of detention; criminalization of torture; impartial and prompt investigation of the crimes; prosecution and punishment of perpetrators; and provision of redress (including rehabilitation) to victims – in accordance with Jordan's national and international obligations.

The Karama Programme is inspired by the co-responsibility approach where state institutions, civil society organizations and professional groups cooperate to achieve a common goal, namely to fulfill the international obligations of Jordan to prevent and eliminate torture, as stipulated in the Convention against Torture that Jordan ratified in 2006 and published in the Official Gazette.

THE PROGRAMME AIMS AT:

- **Establishing and reinforcing cooperation between government authorities and civil society organizations in order to eliminate torture.**
- **Amending the Jordanian national legislation** to ensure effective prevention of torture, prosecution of perpetrators of torture, and provision of redress to the victims.
- **Enhancing knowledge and professional capacities in relevant fields, including within law enforcement institutions,** with the aim of both preventing such illegal acts in Jordan, as well as reacting effectively when such crimes have been committed.
- **Enhancing knowledge and professional capacities for the relevant state institutions, civil society organisations and professional associations,** including the Bar Association - with the aim of ensuring effective measures, and ascertaining that acts of torture and ill-treatment are documented, prosecuted, and redressed according to international legal standards and Jordanian laws.

- **Establishing the legal and social culture which rejects all forms of torture** that punishes its perpetrators, affirming that victims are entitled to a fair trial and compensation before the relevant courts.
- **Activating the role of the Public Prosecution Office** in monitoring places of detention.
- **Establish and develop the reporting, documentation and referrals of torture cases.**
- **Call to implement the recommendations of the various UN committees** and the recommendations of the Universal Periodic Review.

The Karama programme is funded by the Danish Ministry of Foreign Affairs under the Danish-Arab Partnership Programme and implemented within the framework of the bilateral agreement between Jordan and Denmark. DIGNITY – Danish Institute Against Torture, the Danish Prosecution Authority and Danish Bar Association provide technical input to the Karama programme.

Based on the agreement, the Prime Minister with letter No. 56/10/6/17806 dated 9/29/2008 approved this funded programme. Below is the list of Jordanian and Danish partners of the Karama programme in the various phases:

Phase I **2008 - 12/2010**

Public Security Department, Ministry of Justice, National Center for Human Rights, Mizan for Law

Phase III **2014 - 3/2016**

Ministry of Justice, National Center for Human Rights, Mizan for Law

Phase V **2/2019 - Still ongoing**

Ministry of Justice, Mizan for Law

Danish Partners:

DIGNITY – Danish Institute Against Torture Danish, Head of Public Prosecution Authority, Danish National Police Authority, Prison Monitoring services and Danish Bar Association

Phase II **2011 - 9/2013**

Public Security Department, Ministry of Justice, National Center for Human Rights, Mizan for Law

Phase IV **9/2017 - 12/2018**

Ministry of Justice, National Center for Human Rights, Mizan for Law



TARGET GROUPS:

- Public Prosecutors and Magistrates
- Legal and Health professionals
- Relevant professionals such as psychiatrists and social workers

FINAL BENEFICIARIES:

- Victims of torture and other forms of ill-treatment
- Persons exposed to the risk of torture and ill-treatment. These are persons deprived of their liberty at places of detention by the Police or at the Correction and Rehabilitation Centers in Jordan

KEY RESULTS:

Over the last 12 years, the Karama programme has contributed to generating debate in Jordan about the prohibition of torture and ill-treatment and about strategies for how to combat and prevent torture – for example through a discussion about the ratification of the Optional Protocol to the UN Convention Against Torture. By way of example, two international conferences at the Dead Sea was organized in June 2013 and June 2015 to discuss how to combat torture and reduce the use of pre-trial detention in the region.

The Karama programme has also enhanced the awareness of the needed legislation and policy reforms for Jordan's criminal justice system to adhere to international human rights law obligations. By way of example, Article 8 of the Jordanian Constitution now prohibits torture and the use of evidence obtained under duress, while article 208 of the Penal Code defines and criminalizes torture. Moreover, a specialized anti-torture law has been proposed by Mizan for Law.

During the Karama programme, Public Prosecutors have begun to investigate allegations of torture and register the cases before sending them to the Police court or other special courts. Capacities of key professional groups, including lawyers and doctors, have been strengthened during the programme so that allegations of torture are now better documented and reported.

THE FOLLOWING ARE THE PROGRAMME'S OUTCOMES:

1. The program contributed to opening a national and international dialogue on the importance of combating torture and reducing the use of PTD through the activities implemented by local partners.



2. The National Center for Human Rights (NCHR) has established a National Coalition to combat torture (composed of organizations from all the governorates) which contributed in spreading the culture of rejecting all forms of torture and raise the awareness of the rights under the UN Convention Against Torture.

3. The NCHR has established a National Monitoring Team (NMT) with the purpose of undertaking preventive visits to monitor places of detention, including Correctional and Rehabilitation Centers (CRCs) and police stations. The team is composed of members from the NCHR, independent members from civil society organizations and relevant professional groups.



4. The Ministry of Justice participated in the National Monitoring Team with the aim of creating a broad consensus and mobilizing relevant experiences and expertise.
5. Two international conferences on combating torture and limiting the use of PTD were held in June 2013 and June 2015 through which a national and international strategy to combat torture was produced. The conferences were attended by Arab and non-Arab countries, international organizations, local authorities and local civil society organizations.



6. Mizan for Law follows up with the relevant UN committees' recommendations to Jordan.

7. The Mizan case management system used by Public Prosecutors and Judges was amended to ease classification of crimes (2013), and to better document and control the use of PTD (2015).



8. Creating a national central electronic registry for torture cases on Mizan case management system, where the Chief Prosecutor instructed all Public Prosecutors to record any complaint or allegation of torture or other ill-treatment and investigate it (2016).
 9. Follow up on documentation through a database within Mizan case management system in relation to PTD and follow-up on the national registry of torture cases so that it is an essential part of the referral system.
10. Manual and publications:

A. Ministry of Justice and Public Prosecution office: Collaborative work of the Karama working group (consisting of judges and prosecutors), DIGNITY and the Danish Public Prosecution worked to produce the following publications:

- I. Manual for Public Prosecutors on Investigating Cases of Torture according to obligations under national legislation and international conventions ratified by Jordan. (Initially published in 2010 and revised in 2015)



- II. Training of Trainers guideline on the Manual on Investigating Cases of Torture (2017)
- III. Checklist Specific to be used by Public Prosecutors when inspecting for a crime of torture in places of detention (2017)
- IV. Manual for Public Prosecutors detailing the procedures they need to follow during PTD to limit its use. Initially released in 2013 and updated in 2017, 2016, and 2018 in light of legislative amendments
- V. Manual on the role of lawyers during the PTD phase; developed through workshops between the Karama working group and the Danish Bar Association. (2018)



- B. Mizan for Law:** Mizan has published several studies and pamphlets in cooperation with local experts and DIGNITY including:
- I. Special Procedural Manual to Redress Victims of Torture and other CID Treatment in Jordan
 - II. A paper advocating for the adoption of an Anti-Torture Law in Jordan
 - III. A study on the Rights and Guarantees of the Defendant Prior to Trial in cooperation with the Public Security Directorate
 - IV. A study on the adherence of the State Security Court to principles of fair trial
 - V. An awareness pamphlet outlining the rights of those under arrest and detention

C. National Center for Human Rights: collaborative effort between NCHR staff, NMT, DIGNITY and local experts resulted in the following publications:

- I. National Monitoring Team First Periodic Report- 2015
- II. National Monitoring Team Second Periodic Report- 2017



- III. Police Manual on International Human Rights Standards During Initial Investigation (Produced by Judge Nasser Salamat And Advocate Nisreen Zraikat - 2018)

D. Publications by DIGNITY – Danish Institute against Torture:

- I. Comparative Study on the Conditions for Women in Detention – 2015



- II. Quantitative and Qualitative Research on The Reasons of Torture – 2013
- III. A study on violence in Amman and Zarqa in cooperation with Information and Research Center at King Hussain Foundation – 2012

11. Through the Karama programme hundreds of legal professionals (lawyers, prosecutors, judges, law enforcement officials) and health professionals were trained:

A. Workshops by the Ministry of Justice and the Public Prosecution Office:

- I. The Karama Working Group trained Public Prosecutors and Magistrate Judges in the North, Central, and South governorates on the two manuals on investigating complaints of torture and on the use of PTD.



- II. The Institute of Family Health in cooperation with the Karama Working Group delivered training sessions on the psychological and social effect of torture and its effect on the litigation of cases.



- III. The Karama Working Group trained Jordanian lawyers on the PTD manual at the Prosecution Office and the Jordanian Bar Association.



B. Workshops by Mizan for Law:

- I. Trainings for lawyers
- II. 3 Training workshops for governors in 2013 in cooperation with the Ministry of Interior
- III. Trainings for healthcare professionals
- IV. Training of trainers in the field of anti-torture



C. Training sessions by the National Center for Human Rights:

Intensive training sessions on the monitoring of places of detention delivered to NCHR staff and the NMT members



12. Consultative meetings/participation in high-level workshops held during the programme:

- A. Consultative meetings between the Karama Working Group and Administrative Governors on PTD and administrative detention, where participants expressed interest in attending lengthier more specialized sessions on the same topic in the future
- B. Consultative meetings between the Karama Working Group, the Military Courts Directorate, the Police Courts and the office of the Human Rights Coordinator in the Prime Ministry on PTD and administrative detention to exchange experience and discuss ways to combat torture





- C. Several consultative meetings between members of the Karama Working Group and the Tunisian and Danish experts to exchange experiences



- D. Dialogue between the Jordanian Bar Association and the Public Prosecution Office on the role of lawyers before Public Prosecutors during PTD



- E. Consultative meetings to exchange experience between the Karama Working Group and Danish lawyers on PTD and the drafting of the lawyers' manual



- F. Mizan for Law: several workshops and round tables on documenting cases of torture, standards for a fair trial, strategic litigation in cases of torture, the use of international human rights standards before national courts, the role of doctors in detecting, reporting, and documenting cases of torture and ill-treatment



The activities that are taking place in the fifth phase regarding the issue of pre-trial detention are:

1. The Judicial Council, Ministry of Justice, the Public Prosecution Office, Jordanian Bar Association under the Ministry of Justice umbrella:

- A.** Produce baseline studies on PTD through:
 - I.** Obtaining statistics and figures from Mizan Case Management System
 - II.** Obtain examples: Jurisprudence on PTD
- B.** Produce a study on three pilot courts (North and Center): studying the status quo of the PTD practice by the Karama working group and a legal expert
- C.** Update the manual on reducing the use of PTD for Public Prosecutors and set up consequent training workshops for Public Prosecutors and Magistrate Judges
- D.** Training of Trainers for lawyers by the Jordanian Bar Association and Danish experts from the Danish Bar Association, Those lawyers will in turn train other young lawyers around the Kingdom on the lawyers' manual on their role during the PTD phase
- E.** Training of the young lawyers on the lawyers' manual on their role during the PTD phase
- F.** Coordination meetings with Danish lawyers on how to ensure that the defense lawyers play a stronger role during the PTD phase.

2. Judicial Institute:

- A.** Digitalizing the manual on reducing the use of PTD for Public Prosecutors for the purpose of e-learning and distant learning and upload it on the Institute's e-learning platform
- B.** Enlist the manual on reducing the use of PTD for Public Prosecutors in the continuous training program for Prosecutors and Judges.

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