

Translated from Arabic

The Public Security Directorate of the Hashemite Kingdom of Jordan recommends the following:

- Emphasis on cooperation between States and United Nations offices in respect of crimes committed in their territories by United Nations officials.
- Increased United Nations observation of the proceedings of the criminal trials of its officials in order to ensure that they are justly and impartially tried, in coordination with the States in the territories of which the crimes were committed.

Status of Jordanian legislation in respect of the criminal accountability of Jordanian nationals employed by the United Nations or serving as experts on its missions

1. In respect of personal jurisdiction, article 10 of the Penal Code (Law No. 16 of 1960), concerning the applicability of Jordanian law to crimes committed outside the country, states that the provisions of the Penal Code shall apply to any Jordanian who has committed, incited or been an accessory to the commission of a felony or misdemeanour outside the country that is punishable under Jordanian law; crimes committed outside the country by any Jordanian official during the performance of his duties or as a result thereof; and crimes committed outside the country by foreign service officials or Jordanian consuls who enjoy immunity under general international law. Therefore, in order for the Penal Code to apply to a Jordanian who has committed a crime abroad, that crime must be a felony or misdemeanour punishable under Jordanian law.

2. Article 4 of the Military Penal Code (Law No. 58 of 2006) provides that article 10 of the Penal Code (Law No. 16 of 1960) shall also apply to crimes committed by Jordanian soldiers serving in the Jordanian Armed Forces. Those who commit war crimes can be punished under article 41 of the Military Penal Code, while its article 44 addresses war crimes committed by civilians, in particular the killing of civilians, torture and hostage-taking. Article 42 of the Military Penal Code provides equal penalties for those who commit war crimes and those who incite or are accessory to the commission of such crimes. In addition, article 43 stipulates that the statute of limitations applies neither to war crimes nor to the penalties therefor.

3. In respect of legal cooperation between Jordan and other States in the extradition of criminals, and in requests for or the provision of mutual assistance in matters related to investigations and evidence, Jordan continually coordinates and cooperates with various States in order to combat crime. Such cooperation is facilitated by the fact that Jordan is a party to more than 17 bilateral and multilateral agreements that include provisions on mutual legal assistance. Jordan has also ratified the Rome Statute of the International Criminal Court. It cooperates with the United Nations and with units of the Jordanian Public Security Directorate participating in peacekeeping missions in order to facilitate the investigation of members of those units by the Public Security Directorate.
