

**MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE HASHEMITE KINGDOM OF JORDAN REGULATING THE PROVISION OF UNDERTAKINGS IN RESPECT OF SPECIFIED PERSONS PRIOR TO DEPORTATION**

**Application and Scope**

This arrangement will apply to any person accepted by the receiving state for admission to its territory following a written request by the sending state under the terms of this arrangement.

Such a request may be made in respect of any citizen of the receiving state who is to be returned to that country by the sending state on the grounds that he is not entitled, or is no longer entitled, to remain in the sending state according to the immigration laws of that state.

Requests under this arrangement will be submitted in writing either by the British Embassy in Amman to the Ministry of the Interior or by the Jordanian Embassy in London to the Home Office. Where a request is made under the terms of this arrangement, the department to which it is made will acknowledge receipt of the request within 5 working days.

A response to a request under the terms of this arrangement may be given verbally, but must be confirmed in writing within 14 days by the Home Secretary, in the case of a request made to the United Kingdom, or by the Minister of Interior in the case of a request made to the Hashemite Kingdom of Jordan before any return can take place.

To enable a decision to be made on whether or not to return a person under this arrangement, the receiving state will inform the sending state of any penalties outstanding against the subject of a request, and of any outstanding convictions or criminal charges pending against him and the penalties which could be imposed.

Requests under this arrangement may include requests for further specific assurances by the receiving state if appropriate in an individual case.

**Understandings**

It is understood that the authorities of the United Kingdom and of Jordan will comply with their human rights obligations under international law regarding a person returned under this arrangement. Where someone has been accepted under the terms of this arrangement, the conditions set out in the following paragraphs (numbered 1-8) will apply, together with any further specific assurances provided by the receiving state.

1. If arrested, detained or imprisoned following his return, a returned person will be afforded adequate accommodation, nourishment, and medical treatment, and will be

treated in a humane and proper manner, in accordance with internationally accepted standards.

2. A returned person who is arrested or detained will be brought promptly before a judge or other officer authorised by law to exercise judicial power in order that the lawfulness of his detention may be decided.

3. A returned person who is arrested or detained will be informed promptly by the authorities of the receiving state of the reasons for his arrest or detention, and of any charge against him.

4. If the returned person is arrested, detained or imprisoned within 3 years of the date of his return, he will be entitled to contact, and then have prompt and regular visits from the representative of an independent body nominated jointly by the UK and Jordanian authorities. Such visits will be permitted at least once a fortnight, and whether or not the returned person has been convicted, and will include the opportunity for private interviews with the returned person. The nominated body will give a report of its visits to the authorities of the sending state.

5. Except where the returned person is arrested, detained or imprisoned, the receiving state will not impede, limit, restrict or otherwise prevent access by a returned person to the consular posts of the sending state during normal working hours. However, the receiving state is not obliged to facilitate such access by providing transport free of charge or at discounted rates.

6. A returned person will be allowed to follow his religious observance following his return, including while under arrest, or while detained or imprisoned.

7. A returned person who is charged with an offence following his return will receive a fair and public hearing without undue delay by a competent, independent and impartial tribunal established by law. Judgment will be pronounced publicly, but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

8. A returned person who is charged with an offence following his return will be allowed adequate time and facilities to prepare his defence, and will be permitted to examine or have examined the witnesses against him and to call and have examined witnesses on his behalf. He will be allowed to defend himself in person or through legal assistance of his own choosing, or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require.

### **Withdrawal**

Either government may withdraw from this arrangement by giving 6 months notice in writing to the Embassy of the other government.

Where one or other government withdraws from the arrangement, the terms of this arrangement will continue to apply to anyone who has been returned in accordance with its provisions.

**Signature**

This Memorandum of Understanding represents the understandings reached between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hashemite Kingdom of Jordan upon the matters referred to therein.

Signed in duplicate at Amman on 10 August 2005 in the English and Arabic languages, both texts having equal validity

**For the Government of the  
United Kingdom of Great Britain  
and Northern Ireland**

**For the Government of the  
Hashemite Kingdom of Jordan**