

## **State Security Court Law**

**No. (17) of Year 1959**

**And**

**No. (30) of Year 1959**

### **And Amended Law no. (11) of Year 1997**

By which Article (3) of the original Law was amended by adding sections (H) and (I). Article (8) of the original Law was also amended by considering its text as section (A) and adding a section (B) thereto. This amendment is valid as of 16/03/1997.

### **And Amended Law no. (44) of Year 2001**

By which the text of Article (3) of the original law was cancelled and replaced by the current text. Article (6) of the original Law was also cancelled and replaced by the current text. Article (7) of the original Law was amended by considering its text as section (A) and adding a section (B) thereto. This amendment is valid as of 16/03/1997.

#### **Article (1):**

This Law shall be called "**The State Security Court Law of Year 1950**" and shall enter into effect as of the date of its publication in the Official Gazette (*last amendment was published in 28/8/2001*).

#### **Article (2):**

In special cases and for public interest, the Prime Minister has the right to form one special court or more called the State Security Court (SSC), each consisting of three civil judges and/or military judges appointed by the Prime Minister. The civil judges shall be recommended to the Prime Minister by the Minister of Justice, while the military judges shall be recommended by the Chairman of the Joint Chiefs-of-Staff. The Court formation decision shall be published in the Official Gazette.

#### **Article (3):**

**a-** The State Security Court shall have the jurisdiction to look into the crimes mentioned below, committed in violation of the laws stated thereafter or their amendments or replacements:

1. Crimes against the internal and external security of the State as stipulated in Penal Law no. (16) of Year 1960.
2. Crimes of banknote and coin forgery as stipulated in Articles (239) until (252) of Penal Law no. (16) of Year 1960.
3. Any other crime related to the economic security and the Prime Minister decides to bring before this Court.
4. Crimes against the Law for the Protection of the State's Secrets and Documents no. (50) of Year 1971.
5. Crimes against the Law of Narcotics and Mental Stimulants no. (11) of Year 1988.
6. Crimes against Article (12) of the Explosives Law no. (13) of Year 1953.
7. Crimes against sections (A) and (B) of Article (11) of the Firearms and Munitions Law no. (34) of Year 1952.

8. Crimes against the public safety as stipulated in Articles from (157) until (168) of Penal Law no. (16) of Year 1960.
9. Breaching the Provisions of Article (195) of Penal Law no. (16) of Year 1960.
10. Crimes stipulated in Articles (160) and (162) and sections (b), (c), and (d), and (e) of Article (177), and sections (b) and (c) of Article (179) of Civil Aviation Law no. (50) of Year 1985.
11. Concealing the crimes and felonies stipulated in Article (206) of Penal Law no. (16) of Year 1960.

**b-** If the Attorney General of the State Security Court discovered specific accusations (among the main charges) that do not fall under the jurisdiction of the State Security Court, he would still have the right to refer them to the State Security Court in correlation with the other accusations.

**Article (4):**

The following individuals shall fall under the jurisdiction of the State Security Court and not another Court: anyone who conspires, instigates, or assists in committing any of the crimes mentioned in this law, or who tries to commit any of them, or tries to urge, instigate, or encourage another person to commit them, or helps in any other way in facilitating the performance of the crime, and anyone in general who is connected to the performance of these crimes.

**Article (5):**

The State Security Court formed for the sake of judging cases under the provisions of this Law shall be obliged to observe the legal texts indicated in Article (3) of this Law, and to apply the penalties stated therein.

**Article (6):**

The Provisions of this Law shall not be applicable to cases already submitted to other courts before the date in which this Law became effective, and such cases shall continue to be considered by the competent court until a verdict is issued.

**Article (7):**

**a)** The Chairman of the Joint Chiefs-of-Staff shall appoint the president of the Military Judiciary or one of the latter's assistants as an Attorney General for the State Security Court, and he may appoint an assistant or more from the military judges. He shall also appoint one military judge or more to act as a Prosecutor General, in accordance with the competencies stipulated to each of them in the Law on the Rules of Criminal Procedures.

**b)**

1. The Prosecutor General or any of his assistants in the Judicial Police shall practice the authority given to them in accordance with the provisions of the valid Law on the Rules of Criminal Procedures, and shall have the right to detain the defendant(s), whenever necessary, for a period not exceeding **seven days** before referring him (them) to the Prosecutor General.
2. Notwithstanding the text of the valid Law of the Rules of Criminal Procedures, the Prosecutor General has the right to issue an arrest warrant against the defendant in felonies that fall under the

jurisdiction of the State Security Court, for a period not exceeding **fifteen days**, renewable if the welfare of the investigation so required, provided that the renewal period does not exceed **two months**.

**Article (8):**

- a) The trial of the persons accused of any crimes under this Law shall be public (open), unless the Court decides for the public interest to have it in private. The defendant has the right to appoint an attorney to defend him.
- b) The Court shall begin looking into any case that is referred to it within a period not exceeding **ten days** as of the date of its referral. The sessions for this purpose shall be held in consecutive days and the trial shall not be adjourned for more than (48) hours, unless for very pressing reasons which should be stated in the adjournment decision.

**Article (9):**

- a) The State Security Court shall issue its verdicts unanimously or by majority of opinion.
- b) While observing the provisions of section (C) of this Article, the verdicts issued by the State Security Court in *crimes* shall be **subject to appeal** at the Cassation Court within **thirty days** of their pronouncement if the verdicts were *in presence*, and as of the date of their issuance if the verdicts were *in absentia*. This is applicable to the Attorney General and the defendant.
- c) The death sentence or the sentence for a criminal punishment that is not less than ten years' detention are also subject to appeal, even if the defendant did not request so. The Attorney General in this case shall submit the case's file to the Cassation Court within thirty days of the verdict's issuance, along with his own remarks thereon.

**Article (10):**

- a) The Cassation Court shall hold its sessions to consider the cassation submitted to it under sections (b) and (c) of Article (9) of this Law, and shall comprise at least five judges. In this case the Cassation Court is considered to be a *subject court*\* that has the right to endorse the verdict on basis of the evidence presented in the case file, or to refute the verdict and hence find the defendant either innocent or guilty. This court also has the right to issue the same verdict the State Security Court would have issued.
- b) If the State Security Court found the defendant to be innocent, the Cassation Court would not have the right to convict the defendant, unless the evidence of the case was heard all over again.
- c) If the Cassation Court discovered a fault in procedure or a violation of the law, it has the right to refute the verdict and return the case to the State Security Court to carry on with it in accordance with instructions.
- d) In any case, the verdict of the Cassation Court shall be final.

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\* *Translator's note:* i.e. the Cassation Court would have the right to look into the *subject* of the case itself, as opposed to its usual status of a *follow up* court whose duty is merely to verify the proper implementation of the law.

**Article (11):**

The *Law of the Special Court for Prosecuting Persons who Disrupt the Internal or External Security of the State* no. (7) of Year 1952, and the *Law for Prosecuting Committers of Espionage Crimes before Military Councils* no. (54) of Year 1953 shall both be void and no longer applicable.

**Article (12):**

The Prime Minister and the competent Ministers shall be responsible for the implementation of this Law's Provisions.

Al-Hussein Bin Talal  
27/6/1959

Al-Hussein Bin Talal  
25/2/1997

Abdullah II Ibn Al-Hussein  
21/8/2001