



January 2011

country summary

## Jordan

King Abdullah dissolved parliament on November 24, 2009, halfway through its four-year term, setting political rights back in 2010. The government ruled by decree through most of 2010, pending new elections scheduled for November 9.

In a missed opportunity for reform, the government on May 18, 2010, issued a new election law that maintained higher parliamentary representation for sparsely populated rural areas—where mainly tribes loyal to the government live—at the expense of urban population centers, where most Jordanians of Palestinian origin live.

A new law decreed on June 16 increased the powers of the Ministry of Justice and diminished judicial independence, over 100 judges said in a protest.

For the first time, a Jordanian court accepted a civil case by an alleged victim of torture demanding compensation, but at this writing has not yet ruled on it. Jordan retains the death penalty but since 2006 has observed a moratorium on its use.

Jordan's General Intelligence Department (GID) continued to influence decisions in most aspects of Jordanian public life, including academic freedom, government appointments, and the issuing of residency permits to non-Jordanians and "good conduct" certificates required for Jordanians seeking work abroad. The GID harassed citizens, including one former senior government advisor, over their criticism of government policies by summoning them for interrogation and threatening them with unspecified harm.

On April 25 the GID re-arrested Jordanian citizen Samir al-Barq, and detained him until summarily deporting him to the Israeli-occupied West Bank on July 11, where Israeli intelligence forces immediately arrested him. On July 18 al-Barq was charged by an Israeli military court with membership in and training with an enemy organization and planning terrorist attacks. The GID had previously detained al-Barq for over two years between 2006 and 2008 without charge.

## **Deprivation of Nationality**

In violation of Jordanian and international law, Jordan continued to arbitrarily withdraw Jordanian nationality from Jordanians of Palestinian origin, rendering them stateless and without rights to education, health care, property, or residency in Jordan. Children of men stripped of their nationality automatically lost theirs too, even if they were adults. The Interior Ministry said it withdrew the nationality of 2,700 Jordanians between 2004 and 2008, but did not discuss numbers for 2009 or 2010.

## **Torture, Arbitrary Detention, and Administrative Detention**

Torture, routine and widespread in recent years, continues, in particular at police stations, where complaints about ill-treatment increased in 2009 and again in 2010, according to the National Center for Human Rights (NCHR).

Perpetrators of torture enjoy near-total impunity, because the police run the system for accountability in places of detention. The process for redress begins with a deficient complaint mechanism, continues with lackluster investigations and prosecutions, and ends in Police Court, where two of three judges on the panel are police officers appointed by the police (in 2010 a change in law added one judge from the regular courts, where judges are more independent). Police Court tends to impose lenient sentences, if any.

Under the Crime Prevention Law, provincial governors can detain people administratively. The law requires governors to have evidence of criminal conduct, but in practice, this is not always the case. Administrative detention is frequently used to circumvent the obligation to present persons suspected of crimes, usually theft or disorderly conduct, to the prosecutor within 24 hours. It is also used to overrule judges who have released suspects on bail. In January 2010, the NCHR reported 16,000 administrative detentions in 2009, up from 14,000 in 2008, and adding up to around one in five prison inmates over the year.

## **Freedom of Expression and Assembly**

Criticism of the king, defamation of government officials and institutions, and comments deemed to offend Islam or diminish the prestige of the state or harm international relations carry heavy penalties under the penal code. A June 1 revision of the penal code increased the penalties for some speech offenses. The August 29 Law on Information System Crimes extends these provisions to online expression. Article 5 of the 2007 Press and Publications Law requires publications to adhere to "Islamic values."

On July 28 the military prosecutor at the state security court detained university student Hatim al-Shuli and charged him with insulting King Abdullah and “causing national strife,” on the basis of a poem al-Shuli denied writing. On September 8 al-Shuli was released and the charges dropped. In July, the state security court sent Imad al-'Ash to prison for two years for insulting the king in electronic messages sent to a jihadist website.

Under the Public Gatherings Law of 2008, the governor may deny permission—without providing a justification—to hold any meeting on public affairs, including demonstrations. On July 25, police briefly arrested Amina Tariq under the Public Gatherings Law for conducting an unlicensed peaceful street protest to promote vegetarianism by covering herself in lettuce. Article 164 of the penal code also prohibits unlawful gatherings of seven or more persons with the intention to commit a crime or to disturb public order. The State Security Court on July 27 used that provision to sentence Muhammad al-Sunaid, head of the Committee of Day Laborers at Government Offices, to three months in prison for peacefully demonstrating against the dismissal of day laborers at the Agriculture Ministry and heckling the minister at a May 10 event in Madaba.

On December 16, 2010, the grace period ends for civic organizations of any type to comply with a restrictive 2009 Law on Charitable Societies requiring groups registered as nonprofit companies under the less restrictive Companies Law to incorporate as charities under the new law, which grants the government discretionary power to reject applications for new NGOs and to deny their requests for foreign funding, and wide powers to close existing NGOs.

## **Women's and Girls' Rights**

A new draft personal status law introduced in April abolishes a 2001 law providing women with the right to divorce their husbands without having to show fault (khul). It also continues to allow the marriage of girls as young as 15, if a committee of Islamic judges approves. In the two years prior to July 2010, 14,000 Jordanian girls under 18 were married, Agence France-Presse reported.

On May 3, 2010, the government decreed amendments to the penal code to ensure that perpetrators of so-called “honor” crimes receive the full penalty of the law for killing female relatives suspected of illicit relationships. The new article 345 *bis* excludes consideration of mitigating circumstances for committing crimes in a “state of fury” (art. 98) if the victim is under 15 or female. According to Rana Hussein of *The Jordan Times*, there were 12 recorded “honor” killings in Jordan from January to November of 2010.

Changes to the penal code also stiffened penalties for rape from 10 to 15 years in prison and, in a new provision, stipulated 20 years of hard labor if the victim was between 15 and 18 years old. New penalties for physical assaults that result in the death of minors or women were set at a minimum of 12 years in prison.

## **Labor Rights**

Unionized Jordanians may only strike with government permission; non-Jordanians, although allowed to join unions since 2008, are not allowed to strike.

New regulations on migrant domestic workers, issued in August 2009 following the inclusion of domestic workers in the Labor Law in July 2008, restricted essential rights, such as freedom of movement. A Ministry of Labor committee charged with solving labor disputes failed to secure unpaid salaries of domestic workers, or adequately protect workers from working long hours and from remaining trapped in abusive households.

Investigators pursued 34 cases under Jordan's Anti-Human Trafficking Law of March 2009 not all of which were prosecuted. The courts had not yet adjudicated the five cases filed by the Amman prosecutor as of July.

## **Key International Actors**

The United States concluded a five-year agreement, starting in 2010, to provide Jordan with US\$360 million in economic assistance annually, and \$300 million in foreign military financing. This represents an increase over previous annual requests by the US administration for aid to Jordan, but in the past those were often supplemented with ad hoc aid, which raised actual US aid to over \$1 billion in 2008 (compared with the European Union's €265 million, or \$369 million for 2007 to 2010).

The EU in November 2009 affirmed its commitment to upgrade relations with Jordan and in May 2010 signed a €223 million (\$310million) aid package over three years from 2011 to 2013. One of four priority areas is to address democracy, human rights, media, and justice. This 12 percent increase in EU aid comes despite a lack of progress, and a number of reverses during 2010, in these areas.