

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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### Annual reports

Events of 2012

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The Human Cost of Environmental Neglect

When "Values" Trample Over Rights

A Failed Approach to Corporate Accountability

Jordanian authorities increasingly resorted to force, arrests, and politicized charges to respond to continuing demonstrations for political and economic reform. The fifth prime minister to serve since the protests started in January 2011, Abdullah Ensour, took over in October 2012. King Abdullah II has called for early parliamentary elections in January 2013 under a 2012 electoral law that opposition groups complain favors loyalist candidates.

Jordan criminalizes speech that is critical of the king, government officials and institutions, Islam, as well as speech deemed defamatory to other persons. In 2010, a revision of the penal code increased penalties for some speech offenses and the 2010 Law on Information System Crimes extended these provisions to online expression. In September, amendments to the Press and Publications Law broadened speech restrictions on online publications, also holding website managers responsible for user comments.

In 2012, the legal aid unit of the Amman-based Center for Defending Freedom of Journalists assisted journalists with 10 ongoing criminal cases for speech in violation of articles 5 and 7 of the Press and Publications Law requiring journalists to be objective.

In April, military prosecutors charged Jamal al-Muhtasab, editor of *Gerasanews* website, with subverting the system of government for an article concerning the king's supposed intervention in a corruption investigation. Al-Muhtasab spent several weeks in detention before being released on bail. The case was pending at this writing. In February, military prosecutors also charged Ahmad Oweidi al-Abbadi, a former member of parliament, with subverting the system of government because he had peacefully advocated making Jordan a republic. He was also released on bail with the case pending. In January, the State Security Court (SSC) sentenced protester Uday Abu Issa to two years in prison for undermining his majesty's dignity because he had set fire to a poster with the king's picture in Madaba. The king pardoned Abu Issa in February.

Under the amended Public Gatherings Law, which took effect in March 2011, Jordanians no longer required government permission to hold public meetings or demonstrations. However, during 2012 prosecutors began resorting instead to charging protesters with unlawful gatherings, under article 165 of the penal code.

Hundreds of protests demanding political and economic reforms occurred in urban and rural areas throughout the kingdom. Groups calling themselves the Popular Youth Movement in many towns protested against corruption, the government's economic policies, and the new election law, and called for an end to military-dominated trials of civilians in the SSC.

The government's decision to lift gas and fuel subsidies in November fueled protests, some of them violent and featuring once-rare calls for the king's ouster. Security agencies arrested an estimated 250 people within the first two weeks of the protests; 89 of them were

summoned to appear before the military prosecutor on charges that included unlawful gathering. Authorities dispersed protesters using teargas and rubber bullets.

Authorities continue to try protesters in SSCs, which under the Jordanian Constitution have jurisdiction only over high treason, espionage, terrorism, and drug charges. In March, security forces arrested at least eight protesters from the southern town of Tafila in one such protest, referring them to the SSC for unlawful gathering. At a March 31 protest in Amman for their release, police detained 13 protesters whom the military prosecutor at the SSC charged with insulting the king, unlawful gathering, and subverting the system of government in the kingdom or inciting to resist it. They were released on bail in mid-April. In a series of arrests in early September, security forces arrested well over a dozen peaceful reform activists, including eight from Tafila, two from Karak, and seven from Amman. All were charged under terrorism provisions, which place them under the purview of the military-dominated State Security Court. All remained in detention at this writing.

For the first time under the amended 2008 Nongovernmental Organization Law, the Council of Ministers on June 27 denied the local NGO Tamkeen funding from foreign foundations for programs to assist migrant workers in Jordan. In August, Tamkeen challenged the decision in court, but the case remained pending at this writing.

Over 100,000 persons from Syria have sought refuge in Jordan. In July, the government took all newly arriving Syrian refugees to al-Zatari camp near the Syrian border, which very few have been able to leave. The change ended the previous policy under which Syrians fleeing the conflict could move freely in Jordan if they had a Jordanian guarantor. By October, the more than 30,000 refugees in the camp had rioted several times over the closure and harsh conditions.

Since April 2012, Jordan confined Palestinians who arrived from Syria in separate facilities: Cyber City and King Abdullah Park, in Ramtha, and denied them freedom of movement. Jordanian authorities forcibly returned at least nine Palestinians from Syria and threatened others at gunpoint with deportation, in an apparent display of discriminatory treatment of refugees according to their national origin.

In May, Jordan stopped the extradition to Eritrea of nine recognized Eritrean refugees, allowing them to leave for Italy.

Hundreds of foreign migrants working in the duty-free Qualified Industrial Zones and in agriculture and domestic work complained about labor violations, including unpaid salaries, confiscation of passports, and forced labor. Government inspections and judicial redress remained lax.

In November 2011, the government ordered police stations to follow a protocol when receiving migrant domestic workers who left their employers. On the positive side, they may no longer send the worker back without her written consent. However, migrant domestic workers are not free to leave the station without a Jordanian guarantor, even if they have been a victim of abuse. In March, the government passed a regulation that would establish a shelter for victims of human trafficking, but had not yet opened one at this writing.

NGOs repeatedly referred domestic workers who had suffered a range of abuses to investigators. However, investigators rarely classified them as victims of the crime of trafficking. Instead they treated each aspect of abuse, such as non-payment of salaries, separately, sometimes even detaining workers for escaping employers. In September, 50 female migrant workers were in administrative detention awaiting their return home, although many had claims of abuse against their employers and were not themselves facing any charge, Tamkeen reported.

NGOs won modest judicial precedents for migrant workers. In October 2011, a court ordered, apparently for the first time, employers of a domestic worker to pay her fines for being in the country without documented residency status. The employers had failed to apply for a residency permit, a common problem, but the law holds the migrant responsible. Other court victories included verdicts against employers for confiscating workers passports.

On August 29, parliament approved amendments to the passport law, removing a stipulation that a woman must obtain her husband's consent before she can obtain a Jordanian passport.

Jordan's personal status code remains discriminatory despite a 2010 amendment. Marriages between Muslim women and non-Muslims are not recognized. A non-Muslim mother forfeits her custodial rights after the child reaches seven years old.

Article 9 of Jordan's nationality law denies women married to foreign-born spouses the ability to pass on their nationality to their husbands and children.

Perpetrators of torture enjoy near-total impunity. The redress process begins with a deficient complaint mechanism, continues with lackluster investigations and prosecutions, and ends in a police court, where two of three judges are police-appointed police officers.

In March, police officers beat close to 30 demonstrators in an anti-government rally with truncheons, kicked them, and slammed their heads into the walls at a police station; two fainted from the ill-treatment. The results of a reported internal police inquiry were not made public. Lawyers for and relatives of peaceful anti-government protesters detained and charged under terrorism laws in January and September also reported physical ill-treatment at police stations in addition to prolonged solitary confinement in pre-trial detention.

On November 16, 2011, Najm al-Din Azayiza, a 20-year-old man from Ramtha, died from asphyxiation on his third day in detention at the Military Intelligence offices in the Rashid suburb of Amman. The government did not adequately investigate his death.

A royally appointed commission of inquiry in May found numerous instances of ill-treatment in several state-run and private homes for the disabled, including persons being placed in a closed home in Karak under the governors' orders. An undercover video capturing scenes of cruel treatment of residents by staff had previously aired on the BBC.

The government did not submit to parliament changes it proposed in 2011 to the Crime Prevention Law that would limit provincial governors' authority to detain people administratively. The National Center for Human Rights reported that 11,345 persons were

administratively detained, some for longer than one year, in 2011.

The United States has a memorandum of understanding to provide Jordan with a minimum of \$360 million in economic assistance, and \$300 million in foreign military financing annually. In October 2010, the US Millennium Challenge Corporation committed a total of \$275 million grants to Jordan over the coming five years.

The European Commission on September 18 announced 9 million (about US\$11.5 million) to foster dialogue between Jordanian civil society and media and the government one day after the king promulgated a new law censoring online media that the European Union failed to publicly criticize.

The European Bank for Reconstruction and Development Technical Assessment for Jordan concluded in 2011 that Jordan is moving in a direction of more democratic governance within the framework of a constitutional monarchy. Despite the worsening human rights climate in 2012, the bank saw no risks to its commitment to the fundamental principles of multiparty democracy, the rule of law, [and] respect for human rights by operating in Jordan.

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