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## U.S. Department of State

### Jordan Report on Human Rights Practices for 1997

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#### JORDAN

The Hashemite Kingdom of Jordan is a constitutional monarchy that has been ruled by King Hussein since 1952. The Constitution concentrates a high degree of executive and legislative authority in the King, who determines domestic and foreign policy. The Prime Minister and the Cabinet manage the daily affairs of government. The Parliament consists of the 40-member Senate appointed by the King and the 80-member Chamber of Deputies, which is elected by the people every 4 years. After the 1989 elections and the lifting of martial law in 1991, the lower house began to assert itself on domestic and foreign policy issues. The Parliament elected in 1993, however, was less assertive than its predecessor. Over 500 candidates competed in the October parliamentary elections, despite a boycott by the Islamist and other parties. The election was marred by reports of registration irregularities, fraud, and restrictions on the press and on campaign materials. According to the Constitution, the judiciary is independent of other branches of government; however, in practice, it is susceptible to outside influences.

General police functions are the responsibility of the Public Security Directorate (PSD). The PSD, the General Intelligence Directorate (GID), and the military share responsibility for maintaining internal security and have authority to monitor the activities of persons believed to be security threats. The State Security Court and broad police powers are vestiges of martial law, which was in place from 1967 to 1991. The security forces continue to commit human rights abuses.

Jordan has a mixed economy, with significant government participation in industry, transportation, and communications. The country has few natural resources and relies heavily on foreign assistance and remittances from citizens working abroad. The economy has suffered from chronically high

unemployment since the late 1980's. As part of a structural adjustment program, the Government has removed subsidies on several staple goods and lifted price controls on bread, soft drinks, fruits, and vegetables. While consumer prices and interest rates have risen, wages have remained stagnant, eroding the purchasing power of most citizens. Exporters have not yet found adequate replacement markets for those lost as a result of United Nations sanctions against Iraq. Additional trade with Iraq under "food for oil" arrangements has not significantly affected the economy. High expectations that significant markets would develop in the West Bank, Gaza, and Israel following the 1994 signing of the Jordan-Israel peace treaty have not been realized. Per capita gross domestic product in 1996 was \$1,632.

Since the revocation of martial law in 1991, there has been noticeable improvement in the human rights situation, however, problems remain, including: abuse and mistreatment of detainees; arbitrary arrest and detention; lack of accountability within the security services; prolonged detention without charge; lack of due process; infringements on citizens' privacy rights; harassment of opposition political parties; and restrictions on the freedom of speech, press, assembly, and association. Citizens do not have the right to change their form of government, although they can participate in the political system through political parties and municipal and parliamentary elections. New restrictions on the press decreed by the King in May shutdown many smaller publications and led the others to practice increased self-censorship. In reaction to these limitations and to the "one-man, one-vote" change in the election process, the Islamist and other parties boycotted the October parliamentary elections. Abuse of foreign servants is a problem. Restrictions on women's rights, violence against women, and abuse of children are also problems. The Government imposes some limits on freedom of religion, and there is official discrimination against adherents of the Baha'i faith.

## **RESPECT FOR HUMAN RIGHTS**

### **Section 1 Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Political and other Extrajudicial Killing**

There continues to be a reluctance on the part of the security services to transparently investigate allegations of wrongful death in police custody. In one incident, family members accused police of killing Samer Mohammed Ziyad on June 23. The 29-year-old man was wanted for theft, fraud, and arson. According to relatives, police first assaulted Samer's brother outside of the family home. After the injured brother left to seek medical attention, two police officers entered the house, found Samer, and escorted him to a bedroom. There, according to the family members who witnessed events, a policeman struck Samer twice on the head with a heavy wooden baton causing him to collapse, unconscious, to the floor. Samer was instructed to get up by police. When he remained motionless, the same policeman sprayed a mace-like substance into his face. The fumes were so strong that the policemen and family members left the house and remained outside for approximately 90 minutes. At that time an officer arrived and, after assessing the situation, instructed family members to take Samer to the hospital. Samer was pronounced dead on arrival. Police officials claim that Ziyad had already collapsed when police arrived to arrest him. A government autopsy reported the cause of death to have been a heart attack caused by blockage in the coronary arteries. Family members countered that Ziyad had no history of medical problems and demanded a second autopsy. A second autopsy was performed by a panel of five independent physicians. While the second autopsy did not directly contradict the first autopsy's stated cause of death, it did describe two severe wounds to the victim's head and surrounding brain tissue. Police officials claim to have conducted an investigation of the incident and the allegation of wrongful death but have refused to release any findings. The policemen involved in the incident have not been censured and remain on active duty.

In March a member of the army border guard member, Ahmed Daqamseh, shot and killed seven Israeli

schoolgirls and wounded three others on Naharayim Island in the Jordan River. In June he was tried in military court, convicted, and sentenced to life in prison. The Government immediately condemned the act and the King made an unprecedented trip to visit the schoolgirls' families.

There were no developments in the investigation of police officers involved in the alleged wrongful deaths of Younis Mahmoud Abu Dawlah, who died in December 1996, and Mahmoud Khalifah, who died in June 1995. Both men died while in police custody.

#### b. Disappearance

There were no reports of politically motivated disappearance.

#### c. Torture And Other Cruel, Inhuman, Or Degrading Treatment Or Punishment

Although the legal code provides prisoners with the right to humane treatment, security and police forces sometimes abuse detainees physically during interrogation. Torture allegations are difficult to verify because security officials frequently deny detainees timely access to lawyers. The most frequently alleged methods of torture are sleep deprivation, beatings, and extended solitary confinement. Defendants in high-profile cases before the state security court occasionally claim to have undergone physical and psychological abuse while in detention. Government officials reject allegations of abuse.

In May Fahd Rimawi, editor of the weekly tabloid Al Majd, publicly alleged that he was slapped in the face, insulted, and threatened by officers of the General Intelligence Directorate. Rimawi had been called in for questioning after publishing an editorial in which he stated that it was "unfortunate" that an Israeli stabbing victim in Jordan survived the attack. The Minister of State for Information Affairs said that Rimawi was summoned and interrogated for publishing "erroneous news" about changes in the security forces' leadership. The Government denied that Rimawi was abused and said that he was released with a warning.

During the June military trial of Ahmed Daqamseh, an army border guard convicted of killing seven Israeli schoolgirls and wounding three others (see Section 1.a.), the defendant displayed bruises to his face and back. Daqamseh's lawyer claimed that Daqamseh was beaten by the soldiers guarding him. The director of the military prosecutor's office alleged that Daqamseh beat himself against his cell door "in an attempt to escape from captivity." Court was adjourned for 3 days so Daqamseh could be examined and the source of the injuries determined, but the results of the examination were not made available to Daqamseh's attorneys.

Montasser Abu Zaid was hanged in June for murder. Abu Zaid was convicted in 1996 on the basis of a confession that he claimed was extracted under duress. He alleged that he and his wife were beaten and deprived of sleep in pretrial detention. These allegations were made during the course of the trial, but no investigation was conducted.

In May police used force to disperse demonstrating journalists, striking protesters (see Section 2.b.).

Prisons and local police detention facilities are Spartan but generally meet minimum international standards. Prisoners detained on national security grounds are often kept in separate prisons maintained by the GID, where conditions are much the same as other incarceration facilities.

There were reports in April of a hunger strike staged by prisoners at Suwaqah prison after they were not included in a royal amnesty. Relatives of prisoners told the Parliament's Public Freedoms Committee

that personnel from the PSD entered the prison and beat those inmates who were participating in the hunger strike.

The International Committee of the Red Cross (ICRC) is permitted unrestricted access to prisoners and prison facilities, including GID facilities.

#### d. Arbitrary Arrest, Detention, Or Exile

Security forces arbitrarily arrest and detain citizens. Under the Constitution citizens are subject to arrest, trial, and punishment for the defamation of heads of state, dissemination of "false or exaggerated information outside the country which attacks state dignity," or defamation of public officials.

The Criminal Code requires legal authorities to file formal charges within 10 days of arrest. The courts routinely grant requests from prosecutors for 15-day extensions as provided by law. This practice generally extends pretrial detention for protracted periods of time. In cases involving state security, the authorities frequently hold defendants in lengthy pretrial detention, do not provide defendants with the written charges against them, and do not allow defendants to meet with their lawyers until shortly before the trial. Security defendants usually meet with their attorneys 1 to 2 days prior to the trial.

The Government detains persons, including journalists, for varying amounts of time for what appear to be political reasons. During the year all such detainees were released within 3 months; most were released immediately after questioning. Approximately 350 people, including journalists, were detained for national security reasons during the year.

The Government does not use forced exile.

#### E. Denial Of Fair Public Trial

The Constitution provides for an independent judiciary, and court rulings against the Government in past years indicate that the judiciary can function independently. However, the judiciary is susceptible to outside pressure, because a judge's appointment to, and advancement within the judiciary, is determined by a committee whose members are appointed by the King.

There are several types of courts. Most criminal cases are tried in the civilian courts, which also include appeals courts, the Court of Cassation, and the Supreme Court. Cases involving sedition, armed insurrection, financial crimes, drug-trafficking, and offenses against the King are tried in the State Security Court, a remnant of the pre-1991 martial law period. In January Parliament passed amendments to the law governing the State Security Court effectively extending its jurisdiction indefinitely. The amendments had been rejected earlier by the lower house's judicial committee as "undemocratic" and contrary to the concept of an independent judiciary. Islamic, or Shari'a, courts, have jurisdiction over marriage and divorce among Muslims and inheritance cases involving both Muslims and non-Muslims (see Section 5). Under Shari'a, a woman's testimony is only equal to half that of a man (see Section 5).

Most trials in the civilian courts are open. Defendants are entitled to legal counsel, may challenge witnesses, and have the right to appeal. Defendants facing the death penalty or life imprisonment must be represented by legal counsel. Public defenders are provided if the defendant cannot afford to hire legal counsel.

The State Security Court consists of a panel of three judges, who may be either civilians or military officers. Sessions are frequently closed to the public. Defendants tried in the State Security Court are

often held in pretrial detention without access to lawyers, although they are visited by representatives of the ICRC. In the State Security Court, judges have inquired into allegations of that defendants were tortured and have permitted the testimony of physicians regarding these allegations. To date the Court has not invalidated a confession obtained under duress, but on review, the Court of Cassation has ruled that the State Security Court cannot issue a death sentence on the basis of such a confession alone. Defendants in the State Security Court have the right of appeal to the Court of Cassation, which is authorized to review testimony, evidence, and judgment. Appeals are automatic for cases involving the death penalty.

In the past, defense attorneys have challenged the appointment of military judges to the State Security Court to try civilian cases as contrary to the concept of an independent judiciary. Military judges appear to receive adequate training in civil law and court procedure and State Security Court decisions are reviewed by the Court of Cassation.

Journalists Nahed Hattar and Abdullah Abu Roman were charged with offenses against the King in August 1996. The State Security Court dropped charges during the summer of 1997, but the state prosecutor is appealing the decision. Hattar is accused of slandering King Hussein and Crown Prince Hassan. The evidence against him includes published articles that criticize the permanent settlement of Palestinian refugees in Jordan. Abu Roman is accused of slandering the King. The evidence against him is based on articles seized when police raided his office. The two are also being tried in civil court on charges including propagating material that "harms relations between Jordan and Palestine, sows sectarianism and ethnicism, instigates violence, terror, and hatred, and undermines national unity."

The press routinely carries details of the security court cases.

There were no reports of political prisoners.

#### F. Arbitrary Interference With Privacy, Family, Home, Or Correspondence

The Constitution dictates that security forces must obtain a warrant from the Prosecutor General or a judge before conducting searches or otherwise interfering with privacy, family, home, or correspondence. The security services generally respect these constitutional restrictions; however, in security cases, authorities sometimes--in violation of the law--obtain warrants retroactively or obtain preapproved warrants. Security officers reportedly monitor telephone, read correspondence, and engage in surveillance of persons who may pose a threat to the Government or national security. While these practices are not believed to be widespread, the law permits them if the Government obtains a court order.

### **Section 2 Respect For Civil Liberties, Including:**

#### A. Freedom Of Speech And Press

The Constitution provides for freedom of speech and of the press; however, the Government imposes some restrictions on these rights. Freedom of the press was curtailed by restrictive new amendments to the Press Law. The Government also intimidates journalists to encourage self-censorship. Private citizens can be prosecuted for slandering the royal family, the Government, or foreign leaders and for sowing sedition. Citizens generally do not hesitate to criticize the Government openly, but are more circumspect in regard to the King and the royal family.

The Press and Publications Law was amended by royal decree--i.e., without parliamentary approval--in

May. The amendments gave daily and weekly newspapers 3 months to meet greatly increased capitalization requirements, ranging from \$70,000 to \$840,000 and \$21,000 to \$420,000, respectively. The amended law further prohibits the publication of news, opinion, information, reports, caricatures, or photos that: offend the King or the royal family; pertain to the armed forces or security services; harm national unity; disparage religion; offend an individual or harm his reputation; disparage the heads of friendly states; harm the country's relations with other nations; promote perversion or lead to moral corruption; shake confidence in the national currency; or feature false news or rumors. Fines for violations of the law were raised from a maximum of \$1,400 to between \$21,000 and \$35,000. Newspapers deemed to be in violation of the law can be shut down until all fines are paid.

The Press and Publications Law amendment also mandates that editors must be citizens, resident in the country, and have 10 years of full-time experience as journalists. In September chief editor Nabil Al-Sharif of the nation's second largest daily, Al-Dustur, received a letter from the Ministry of Information ordering him to resign because he had less than 10 years full-time experience as a journalist. The Al-Sharif family and the Government each control three seats on the paper's nine-member board. Mr. Al-Sharif said that the Government was unhappy with Al-Dustur's editorial policy and that it had been trying use the board of directors to oust him for some time.

The Government exercises control over the daily print media through its ownership of 61 percent of the Jordan Press Foundation, and 32 percent of the Jordan Press and Publications Company, which together publish three of the country's five dailies. The amended Press Law dropped an earlier clause requiring the Government to reduce its shares in press establishments to a maximum of 30 percent. The Government also requires licenses for newspapers and periodicals, but the Press Law does not prescribe penalties for publishing without a license. Specialized publications may not publish material other than that for which they are licensed. The Government may revoke the licenses of periodicals that repeatedly violate the Press and Publications Law or which fail to publish for an extended period of time. The Government licensed one new publication in 1997. No licenses were revoked.

The Government also requires licenses for journalists, editors, and publishers. Journalists have long complained about the requirement that they must join the government-sponsored Jordan Press Association (JPA). However, the Government has not taken legal action against journalists who refuse to join the association. Foreign journalists and Jordanians working for foreign news agencies must register with the Ministry of Information. The Press Law offers limited protection for the confidentiality of a journalist's sources.

Persons accused of violating the Press and Publications Law are tried in a special court for press and copyright cases. Journalists are also prosecuted for criminal and security violations in connection with their work. Most such cases result in acquittal or are dismissed before coming to trial. No guilty verdicts have been handed down since the May amendment to the Press and Publications Law. Nevertheless, the Government routinely uses detention and prosecution or the threat of prosecution of press and publications cases as a means to intimidate journalists and to encourage self-censorship.

Credible observers expect the broad definition of punishable offenses in the amendments to the Press Law to encourage increased self-censorship. The first newspaper to close following the press amendments was the satirical weekly *Abed Rabbo*, which printed its final issue on June 14. The paper cited the decree's broad definition of prohibited reporting and the severity of fines as the reasons for its closure. Two of the paper's editors, Omar Nadi and Yousef Gheishan, had been detained in January, charged with slandering a Member of Parliament and a government minister. The paper had called the parliamentary deputy a hypocrite and printed a cartoon depicting the minister stealing cars.

As a direct result of the new capitalization requirements promulgated in the Press and Publication Law

amendments, 14 of 23 weeklies were forced to cease publication. Of the nine weeklies still publishing, four are considered party publications which are not yet subject to the same restrictions. Regarding the new senior editor qualifications contained in the law, two of the five senior editors of daily newspapers--i.e., all but one of the dailies not completely controlled by the Government--and one of the weekly senior editors have been asked to resign.

In January Abdullah Bani Issa, editor of the weekly Al Hiwar, was sentenced to 6 months in prison and fined \$700 for publishing an interview in which Ata Abu Rishtah, leader of the illegal Tahrir Party, allegedly slandered the King and the Crown Prince. The sentence cited the Press and Publications Law in imposing the fine and the Penal Code in passing the jail sentence. The decision was overturned in April by the Court of Appeals, which ruled that the content of the interview was neither criminal nor slanderous. Abu Rishtah is currently in jail for an earlier 1996 State Security Court conviction for slandering the King.

Also in January, Na'el Salah, editor of the weekly Al Haqiqa, was sentenced to 9 months in prison and fined \$21,000 for "spreading false news and publishing pornographic material" for reporting on prostitution in Amman. Salah had been detained for 4 days in 1996 in connection with the case.

The editor in chief of the Al-Ahali weekly newspaper Jamil Nimri, and reporters Basel Tallouzi and Ramadan Rawashdeh were acquitted in February of charges of "instigating the masses" against the Jordan-Israel peace treaty and harming national security. The Al-Ahali newspaper is linked to the Jordan People's Democratic Party. In May Osama Rantisi, editor of the Al-Ahali, was detained for 10 days before being charged with lack of accuracy and objectivity in reporting, and slandering individuals. The arrest came after Rantisi published a story alleging that one of Amman's private hospitals was failing financially and was going to be purchased by a group of Israeli investors.

Zarqa mayor Mustafa Fayyad was detained for 3 days in February for slandering members of parliament. The Speaker of the lower house of Parliament requested mayor Fayyad's arrest after he said in an interview that "three quarters of the Members of Parliament are liars."

Journalists Nahed Hattar and Abdullah Abu Roman faced charges in the State Security Court, Hattar for slandering the King and the Crown Prince, and Abu Roman for slandering the King (see Section 1.e.).

The Penal Code authorizes the State to take action against any person who incites violence, defames heads of state, disseminates "false or exaggerated information outside the country which attacks state dignity," or defames public officials. Ahmed Oueidi Abbadi was charged with undermining national unity, inciting people to criminal acts, and fueling bigotry, for a 1996 editorial in which he called for government confiscation of the property of Palestinians living in Jordan. The case was postponed in April and eventually dismissed. Abbadi was elected to Parliament in the October elections.

The Government is the sole broadcaster of radio and television programs. Radio and television news broadcasts are more restricted than the print media. Television news airs reports critical of the Government but rarely covers alleged human rights abuses. Opposition parties have complained that Jordan Television (JTV) reports only the Government's position on controversial matters. International satellite television and Israeli and Syrian television broadcasts are available and unrestricted.

In March the Government announced an end to pre-distribution censorship of publications entering the country. Previously, imported magazines and newspapers were subject to a pre-distribution check for violations of the press and publications law. In October, in the period leading up the parliamentary elections, the Government resumed pre-distribution censorship of foreign publications, blocking the

distribution of 54 Arabic language publications and 16 issues of British newspapers.

There were no dismissals of university professors for their political views in 1997. However, intellectuals believe that there are no safeguards to prevent such dismissals.

#### b. Freedom Of Peaceful Assembly And Association

The Government restricts freedom of assembly. Citizens must obtain permits for public gatherings. Since 1989 the Government has granted some permits for peaceful demonstrations. The Government denies permits for public protests and rallies that it determines pose a threat to security.

In January the Government permitted a demonstration at the site of an Israeli trade fair on the outskirts of Amman. Water cannons were fired over the heads of the 500 demonstrators to maintain order, and security forces prevented demonstrators from approaching the entrance to the site. Organizers of the demonstration alleged that members of the security forces prevented buses full of people arriving from outside Amman to reach the demonstration site.

The Government issued permits for a large gathering in March "in solidarity with the Palestinian people." Opposition figures from political parties, professional associations, women's groups, and grass roots organizations took part and addressed the crowd. Some would-be participants did not make it to the rally site, however, when police stopped buses hired for the event that had not obtained the appropriate permit for changing their routes. The drivers were fined and the buses were impounded, leaving passengers without transportation. The usual penalty for this infraction is a small fine.

Police used force on May 20 during an unlicensed demonstration at the offices of the Prime Minister by approximately 50 journalists to protest amendments to the Press and Publications Law. As the demonstrators dispersed, security forces became involved in a dispute with journalists over the filming of an interview with prominent opposition figure Layth Shubaylat. In the ensuing fracas several people were pushed, shoved, and struck by police. At least one demonstrator was kicked and hit several times with batons. Nine people were detained for several hours following the demonstration. The Government said the police actions were justified because the protest was unlicensed. The demonstration and the police response were reported in the print media.

The Government restricts freedom of association. The Government requires and routinely grants approval for conferences, workshops, and seminars. In January the Ministry of Culture announced its decision to require Ministry approval, in writing, for any cultural, scientific or artistic activity. The decision was revoked 3 weeks later after public complaints.

The Government routinely licenses political parties and other associations. There are currently 17 licensed parties. Membership in an unlicensed political party is illegal. The High Court of Justice may dissolve a party if it violates the Constitution or the Political Parties Law. The Government can deny licenses to parties that it decides do not meet a list of political criteria contained in the Political Parties Law.

In a July statement to the Minister of Interior, 11 opposition parties complained that during a government-ordered audit of parties' finances, some parties were asked to submit unrelated information, including party members' names and addresses. The Minister responded that the audit was being conducted in accordance with the law, and that all parties were being treated equally.

#### c. Freedom Of Religion

According to the Constitution, Islam is the state religion. The Constitution prohibits discrimination on the basis of religion and provides for "personal freedom." Sunni Muslims constitute over 90 percent of the population. Islamic institutions are managed by the Ministry of Religious Affairs and Trusts, which appoints imams and subsidizes certain activities sponsored by mosques. The Political Parties Law prohibits houses of worship from being used for political party activity. The law was primarily designed to prevent Islamist parliamentarians from preaching in mosques; however, enforcement of the law has not been consistent. Religious instruction is mandatory for all Muslim students in public schools. Christian and Baha'i students are not required to attend courses in Islam.

The Government does not interfere with public worship by the country's Christian minority. Established religious groups, which include Islam, Roman Catholicism, Greek Orthodoxy, the Baptist Church, the Anglican Church, the Presbyterian Church, the Assyrian Church, and Armenian Orthodoxy, require official government recognition in order to register property in the name of the church, but members may practice their religion without government recognition. The Government does not recognize the Baha'i faith as a religion but does not prohibit the practice of the faith. The Government does not record the bearer's religion on national identity cards issued to Baha'is, nor does it register property belonging to the community. Unlike Christian denominations, the Baha'i community does not have its own court to adjudicate personal status and family matters. Baha'i personal status matters are heard in Islamic law courts.

The Government does not recognize Jehovah's Witnesses, the United Pentecostal Church, the Church of Christ, and the Church of Jesus Christ of Latter-Day Saints, but each denomination is allowed to religious services and activities without interference.

The law prohibits non-Muslims from proselytizing Muslims. Muslims who convert to other faiths complain of social and government discrimination. The Government does not fully recognize the legality of such conversions. Under Shari'a, converts are regarded as apostates and may be legally denied their property and other rights. In Jordan this principle is not applied. Converts from Islam do not fall under the jurisdiction of their new religion's laws in matters of personal status and are still considered Muslims under Shari'a, although the reverse is not true. Christians are also subject to aspects of Shari'a designating how inheritances should be distributed.

#### d. Freedom Of Movement Within The Country, Foreign Travel, Emigration, And Repatriation

The law provides for the right of citizens to travel freely abroad and within the country except in designated military areas. The law requires that all women and foreign women married to Jordanians obtain written permission from their male guardian--usually their fathers or husbands--to apply for a passport. A woman traveling abroad with children may also be required to show written authorization from her spouse before departure. Legal authorities enforce requests from fathers to prevent their children from departing the country, even when traveling with their mothers.

Following the shooting in March of seven Israeli girls by an army border guard Ahmed Daqamseh, security forces closed the entrance to Daqamseh's home village of Ibdir to all except the village's inhabitants. A delegation from a neighboring tribe coming to inquire about the Daqamseh family's welfare and opposition figures attempting to deliver the family material support were prevented from doing so by security forces. Foreign diplomats were also denied entry.

Jordanians with full citizenship receive passports valid for 5 years. Most Palestinian living in Jordan are citizens and receive passports valid for 5 years. However, approximately 150,000 Palestinian residents--most refugees or children of refugees, who arrived from Gaza after 1967--do not qualify for Jordanian

citizenship. They receive 2-year passports valid for travel only. Following Jordan's administrative and legal disengagement from the West Bank in 1988, Palestinians residing in the West Bank received 2-year passports valid for travel only, instead of the 5-year Jordanian passports they had received previously. In October 1995, King Hussein announced that West Bank residents without other travel documentation would again be eligible to receive 5-year Jordanian passports. However, the Government has stressed that these passports are for travel only and do not connote citizenship. All Palestinians must obtain permits from the Ministry of the Interior for travel between Jordan and the Israeli-occupied territories. Such permission is routinely granted.

The Constitution prohibits the deportation of citizens; the Government respects this prohibition.

The Government generally cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides for first asylum. Since 1991 thousands of Iraqis have sought asylum in Jordan and been given assistance by the UNHCR. There were two reports of forced expulsion of Iraqis to Iraq. The Government forcibly deported Iraqi national Adnan Karam Tu'ma to Iraq on March 25 despite his plea that he be granted temporary political asylum based on his claim that he was a member of the Iraqi opposition. In the second instance, the Jordanian chapter of the Arab Organization for Human Rights (AOHR) alleged that Iraqi national and opposition figure Samir Al-Sa'di was detained and then deported to Iraq by security services in June without having had the chance to file for refugee status with the UNHCR.

Over 1.35 million Palestinian refugees are registered in Jordan with the United Nations Relief and Works Agency. The Agency counts another 800,000 Palestinians as either displaced persons from the 1967 War, arrivals following the 1967 War, or returnees from the Gulf.

### **Section 3 Respect For Political Rights: The Right Of Citizens To Change Their Government**

Citizens do not have the ability to change their system of government. The King has sole discretionary authority to appoint and dismiss the Prime Minister and the Cabinet, to dissolve Parliament, and to establish public policy. Appointments made by the King to high government posts do not require legislative approval. Executive power is vested in the King, who exercises his powers through his ministers in accordance with the provisions of the Constitution.

The Parliament is composed of a 40-member Senate appointed by the King and a popularly elected 80-member Chamber of Deputies. The Parliament is empowered by the Constitution to approve, reject, and amend legislation proposed by the Cabinet. A group of 10 senators or deputies may submit draft bills for consideration, however, in practice, Members of Parliament ask the Government to initiate legislation for consideration. Opposition members of Parliament have complained that attempts by members of the lower house to initiate legislation receive no response from the Government. The King proposes and dismisses extraordinary sessions of Parliament and may postpone regular sessions up to 60 days. By law, if the Government amends or enacts a law when Parliament is not in session, it must submit the law to Parliament for consideration during the next session. However, this does not always occur.

The Electoral Law and the distribution of parliamentary seats deliberately favor regions with populations known for their traditional, pro-Hashemite views, i.e., rural and southern Jordan.

Over 500 candidates competed in the October parliamentary elections, despite a boycott by Islamist and other parties. There were many reports of registration irregularities and fraud on the part of candidates. Restrictions on the press and on campaign materials also had a negative effect on the campaign, which elicited much debate over the fairness of the Electoral Law and its implementation. Voter turnout was

significantly lower in most urban areas than in rural areas. Centrist candidates with ties to major tribes dominate the new Parliament.

The so-called one-man, one-vote amendment to the Electoral Law was ratified by Parliament in January, nearly 4 years after it was first promulgated by royal decree. The amendment allows voters to choose only one candidate in multiple-seat districts. In the largely tribal society, citizens tend to cast their first vote for family members, and any additional votes in accordance with their political leanings. Hence, the amendment limits the chances of some non-tribal candidates, including women, to be elected.

Women have the right to vote, and women's groups encourage women to vote and to become active in the political process. There is one woman in the cabinet. She and two other women were appointed to the Senate. Fifteen women were elected to municipal posts in 1997, bringing the total number of women in such posts to 28, including one as mayor of Khirbet Al Wahadneh, near Ajloun. None of the 17 female candidates won seats in the October parliamentary elections.

Of the 80 seats in the lower chamber, 9 are reserved for Christians, 6 for Bedouins, and 3 for the Circassian or Chechen ethnic minorities.

The Palestinian community, estimated to be slightly over one-half the total population, is not proportionately in the Government. Only 7 of 24 ministers, 6 of 40 senators, and 11 of 80 lower house deputies are of Palestinian origin. The electoral system gives greater representation to areas that have few inhabitants of Palestinian origin.

#### **Section 4 Governmental Attitude Regarding International And Nongovernmental Investigation Of Alleged Violations Of Human Rights**

Local and international human rights groups investigate allegations of human rights abuses and publish and disseminate findings critical of government policy. However, the Press and Publications Law restricts the publication of information about the military and security services, which, in effect, prevents the publication by local groups of reports alleging torture and other abuses committed by the security services.

The ICRC is permitted to visit prisoners and assess the condition of security detainees, including those held by the General Intelligence Directorate.

The local chapter of the Arab Organization for Human Rights and the Jordanian Human Rights Society (JHRS) are registered with the Government. The AOHR has drawn public attention to alleged human rights abuses and has pressed the Government to bring charges against political detainees or to release them promptly. In February the AOHR released its annual report detailing human rights abuses in 1996. The Minister of Information called it "more of a political statement than a factual, realistic, and objective report." The JHRS was licensed in November 1996. It released a statement in May calling on the Government to expand the freedom of the press.

In June Human Rights Watch/Middle East issued a report on the amendments to the Press and Publications Law entitled, A Death Knell for Free Expression?. The report was covered in the Arabic and English press.

#### **Section 5 Discrimination Based On Race, Sex, Religion, Disability, Language, Or Social Status**

Although the law does not distinguish between citizens on the basis of race, women and minorities are

treated differently under the law and may face discrimination in employment, housing, and other areas.

## Women

Violence against women over the age of 15 is common. Reported incidents of violence against women do not reflect the full extent of the problem. Medical experts acknowledge that spouse abuse occurs frequently. However, cultural norms discourage victims from seeking medical or legal help and frustrate an objective assessment of the extent of such abuse.

Abused women have the right to file a complaint in court against their spouses for physical abuse, but in practice, familial and societal pressures discourage them from seeking legal remedies. Marital rape is legal. Nongovernmental organizations (NGO's) such as the Jordanian Women's Union's, which has a hot-line for victims of domestic violence, provide assistance in such matters. Wife beating is technically grounds for divorce, but the husband may seek to demonstrate that he has authority from the Koran to correct an irreligious or disobedient wife by striking her.

The Criminal Code allows leniency for a person found guilty of committing a "crime of honor," a euphemism that refers to a violent assault against a female by a male relative for alleged sexual misconduct. Law enforcement treatment of men accused of "honor crimes" reflects widespread unwillingness to condemn or take action against the problem. The press reported 24 such cases in 1997. However, these figures likely understate the actual number of cases, as most "crimes of honor" are not reported by the press. The actual number of "honor crimes" is believed by a local expert to be *4 times* as high. The police regularly imprison women who are liable to become victims of "honor crimes" "for their own protection."

According to the law, a "crime of honor" defense may be invoked only by the defendant who "surprises his wife or any close female relative" in the act of adultery or fornication, in which case the male perpetrator of the "honor crime" is not guilty of murder. Though few defendants can meet the stringent requirements for a "crime of honor" defense, which require that the defendant must personally have witnessed the female victim engaging in sexual intercourse, they are not tried for murder and convicted offenders rarely spend more than 2 years in prison. In contrast to "honor crimes," the maximum penalty for first-degree murder is death, and the maximum penalty for second degree murder is 15 years. More commonly, such defenses rely on the male relative having acted in the heat of passion upon hearing of a female relative's alleged sexual transgression, usually without any investigation on the part of the assailant to determine the veracity of the allegation before committing an act of violence, and murdering his wife, sister, niece, or cousin. Women may not invoke this defense for murdering a male relative under the same circumstances; nor may they use it for killing men who attempt to rape, sexually harass, or otherwise threaten their "honor."

In May a man who killed his sister invoked an "honor crime" defense and received a 3-month sentence. In contrast, two women, Amira Salem and Eidah Hussein, who killed Salem's husband for physically and emotionally abusing her, were sentenced to death and hanged. In January a man was sentenced to 12 years imprisonment for killing a man who had harassed and made unwanted sexual advances toward his sister over a long period of time.

Women experience legal discrimination in matters of pension and social security benefits, inheritance, divorce, and the value of testimony in court (see Section 1.e.). The Government provides men with more generous social security benefits than women. The Government continues pension payments of a deceased male civil servant to his heirs but discontinues payments of a deceased female civil servant.

Under Shari'a, female heirs receive half the amount of a male heir's inheritance, and the non-Muslim widows of Muslim spouses have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. Shari'a regards the testimony of two women to be equal to the testimony of one man. This technically applies only in religious courts but in the past has been imposed in civil courts as well, irrespective of religion. Under Shari'a, men are able to divorce their spouses more easily than women. Marriage and divorce matters for Christians are adjudicated by special courts for each denomination. The Government bans married women from applying for diplomatic posts. There are two female judges.

The law requires a married woman to obtain her husband's permission to obtain a passport (see Section 2.d.). Married women do not have the legal right to transmit Jordanian citizenship to their children. They may obtain citizenship for their non-Jordanian husbands who may then confer citizenship on the children. However, in practice, such an application can take years, and in many cases citizenship may still ultimately be denied to both husband and children. Civil law grants women equal pay for equal work, but in practice this law is often ignored.

Social pressures discourage many women from pursuing careers. Nonetheless, women have employment opportunities in many professions, including engineering, medicine, education, and the law. Women constitute approximately 14 percent of the work force. Women's groups stress that the problem of discrimination is not only one of law but also of women's lack of awareness of their rights or unwillingness to assert those rights. The United Nations Food and Agricultural Organization reported in 1995 that women who work in agriculture average 15-hour days and earn less than men. The Jordanian chapter of the Business and Professional Women's Club gives seminars on women's rights and assists women in establishing small businesses. Members of the royal family work actively to improve the status of women.

## Children

The Government is committed to children's rights and welfare in the areas of education and health. However, government efforts in these areas are constrained by limited financial resources. Education is compulsory to age 15. The children of Iraqi citizens living in Jordan without residence permits are not permitted to attend school.

The Government safeguards some children's rights, especially regarding child labor. Although the law prohibits children under the age of 16 from working, child peddlers work the streets of Amman. The Ministry of Social Development has a committee to address the problem and in most cases removes the children from the streets, returns them to their families or to juvenile centers, and may provide the families with a monthly stipend. However, the children often return to the streets. The law prohibits corporal punishment in schools.

Although the problem is difficult to quantify, social workers believe that there is a significant incidence of child abuse in families. The law specifies punishment for specific abuses against children. Social workers believe that the incidence of sexual crimes is significantly higher than reported. Rape or sodomy of a child under 15 years of age carries the death penalty.

Illegitimate children are entitled to the same rights under the law as legitimate children. In practice, however, they suffer severe discrimination in a society that does not tolerate adultery. Most illegitimate children become wards of the state or manage a meager existence on the fringes of society. In either case, their prospects for marriage and other than menial employment are extremely limited.

## People with Disabilities

High unemployment in the general population restricts job opportunities for the disabled, estimated by the Ministry of Social Development to number 100,000. Eighty percent of disabled citizens receive monetary assistance from the Government. The Government passed legislation in 1993 requiring future public buildings to accommodate the needs of the disabled and the retrofitting of existing public buildings, but implementation has been slow. Since 1993 the Special Education Department of the Ministry of Social Development has enrolled approximately 10,000 mentally and physically disabled persons in public and private sector training courses. It has placed approximately 400 disabled persons in public and private sector jobs. The law requires that 2 percent of the available jobs be reserved for the physically disabled. Private organizations and members of the royal family actively promote programs to protect and promote the interests of the disabled. Jordan participates in the Special Olympics with the active encouragement of the royal family.

## Indigenous People

The country's indigenous people, nomadic Bedouin and East Bank town dwellers, have traditionally been the backbone of popular support for the Hashemite monarchy. As a result, they have generally enjoyed considerable influence within the political system. They are disproportionately represented in senior military, security, and civil service jobs. Nevertheless, the Bedouin face some social and economic discrimination.

## Religious Minorities

In general Christians do not suffer discrimination. Christians hold government positions and are represented in the media and academia approximately in proportion to their presence in the general population, which is estimated at 6 percent. Baha'is face some societal as well as official discrimination. Christian and Baha'i children in public schools are not required to participate in Islamic religious instruction.

## National/Racial/Ethnic Minorities

The Government granted citizenship to all Palestinians who fled to Jordan in the period after the 1948 Arab-Israeli war and to a large number of refugees and displaced persons who arrived as a result of the 1967 War. However, most refugees who fled Gaza after 1967 are not entitled to citizenship and are issued 2-year passports valid for travel only. Following Jordan's administrative and legal disengagement from the West Bank in 1988, Palestinians residing in the West Bank received 2-year passports valid for travel only, rather than the 5-year Jordanian passports they had received previously. In October 1995, King Hussein announced that West Bank residents without other travel documentation would again be eligible to receive 5-year Jordanian passports. The Government has stressed, however, that these passports are for travel only and do not connote citizenship (see Section 2.d.) Palestinians residing in Jordan suffer discrimination in appointments to positions in the Government and the military, and in the awarding of university scholarships.

## Section 6 Worker Rights

### A. The Right Of Association

Workers in the private sector and in some state-owned companies have the right to establish and join unions. Unions must be registered to be considered legal. The law prohibits union membership for non-

citizens. Over 30 percent of the work force is organized into 17 unions. Although union membership in the General Federation of Jordanian Trade Unions (GFJTU), the sole trade federation, is not mandatory, all unions belong to it. The Government subsidizes and audits the GFJTU's salaries and activities. Union officials are elected by secret ballot to 4-year terms. Although the Government cosponsors and approves the timing of these elections, it does not interfere in the choice of candidates.

Labor laws mandate that workers must obtain permission from the Government in order to strike. Unions generally do not seek approval for a strike, but workers use the threat of a strike or wildcat action as a negotiating tactic. Strikes are prohibited if a labor dispute is under mediation or arbitration. If a settlement is not reached through mediation, the Ministry of Labor may refer the dispute to an industrial tribunal by agreement of both parties. If only one party agrees, the Ministry of Labor refers the dispute to the Council of Ministers and then to Parliament. The tribunal is an independent arbitration panel of judges appointed by the Ministry of Labor. The decisions of the panel are legally binding. Labor law prohibits employers from dismissing a worker during a labor dispute. There were no reported strikes in 1997.

The GFJTU belongs to the Arab Labor Organization, the International Confederation of Arab Trade Unions, and to the International Confederation of Free Trade Unions (ICFTU).

#### B. The Right To Organize And Bargain Collectively

Unions have, and exercise, the right to bargain collectively. The Constitution prohibits antiunion discrimination, but the ICFTU claims that the Government does not adequately protect employees from antiunion discrimination and that the Government has dismissed public-sector employees for political reasons. Workers may lodge complaints of anti-union discrimination with the Ministry of Labor, which is authorized to order the reinstatement of employees discharged for union activities. There were no complaints of antiunion discrimination lodged with the Ministry of Labor in 1997.

The national labor laws apply in the free trade zones in Aqaba and Zarqa. Private sector employees in these zones belong to one national union that covers both zones and have the right to bargain collectively.

#### C. Prohibition Of Forced Or Compulsory Labor

The Constitution forbids compulsory labor, except in a state of emergency such as war or natural disaster. Compulsory labor is not practiced. The law does not specifically prohibit forced or compulsory labor by children, but such practices are not known to occur.

#### d. Status of Child Labor Practices and Minimum Age for Employment

Labor law forbids children under the age of 16 from working except as apprentices. At age 13 children may begin part-time training for up to 6 hours a day, with night work prohibited. Ministry of Labor inspectors attempt to enforce the law on child labor, but in practice enforcement often does not extend to some small family businesses that employ underage children. Education is compulsory to age 15. Families in remote areas frequently keep some school-age children at home to work. Child peddlers work on the streets of Amman (see Section 5). The law does not specifically prohibit forced or compulsory labor by children, but such practices are not known to occur (see Section 6.c.).

#### E. Acceptable Conditions Of Work

There is no national minimum wage. The Government periodically adjusts a minimum wage schedule for various trades, based on the recommendations of an advisory panel representing workers, employers, and the Government. The lowest minimum wage rate on the schedule is about \$112 (80 dinars) a month, including allowances. Workers earning the lowest wage find it difficult to provide a decent living for their families. The Government estimates the poverty level at a monthly wage of about \$91 (65 dinars) per month for a family of three. A study conducted by the Ministry of Social Development found that 150,000 families, or 21 percent of citizens, live at or below the poverty level. Nine percent live in "abject" poverty. The Government provides assistance to 33,000 indigent families.

The law prohibits most workers from working more than the customary 48 hours a week, and 54 hours for hotel, restaurant, and cinema employees. Workers may not work more than 16 hours in any continuous period or more than 60 hours of overtime per month. Employees are entitled to 1 day off each week.

The law does not apply to domestic servants, who do not have a legal forum to address their labor grievances and have no standing to sue in court for nonpayment of wages. Abuse of domestic servants, most of whom are foreign, is widespread. Imprisonment of maids and illegal confiscation of travel documents by employers is common. Complaints of beatings, underfeeding, and rape generally are not reported to officials by victims, who fear losing their work permits and being sent back to their nation of origin should they file a complaint. Domestic servants are generally not given a day off.

The law specifies a number of health and safety requirements for workers, including the presence of bathrooms, drinking water, and first aid equipment at work sites. The Ministry of Labor makes an effort to enforce health and safety requirements but is hampered by the lack of qualified inspectors. The inspectors do not have the power to order firms to comply with health and safety standards. The law does not require employers to report industrial accidents or occupational diseases to the Ministry of Labor. Workers do not have a statutory right to remove themselves from hazardous conditions without risking the loss of their jobs.

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