



JORDAN

Amnesty International's campaign to stop torture and ill-treatment in the "war on terror"

Human rights are under threat. The absolute ban on torture and other cruel, inhuman or degrading treatment – one of the most universally accepted human rights – is being undermined. In the "war on terror", governments are not only using torture and other ill-treatment, they are seeking to justify it. They argue that interrogation methods which amount to torture or ill-treatment, and detention conditions which constitute ill-treatment, are both justifiable and necessary.

Amnesty International is urging the widest possible network of people to join it in reasserting the absolute ban on torture and ill-treatment. No euphemisms can justify the unjustifiable. Amnesty International wants to stop the torture and ill-treatment that is being inflicted in the name of the "war on terror". It also wants the prohibition on such treatment to emerge all the stronger from its campaign.

Torture and other cruel, inhuman or degrading treatment in Jordan

Torture and other ill-treatment of political detainees has been a longstanding problem in Jordan. There is a persistent failure on the part of the authorities to take effective action to prevent torture and other ill-treatment or to punish those responsible for carrying out such acts. On the contrary, the Jordanian authorities maintain practices which facilitate torture and other ill-treatment, in particular by regularly holding detainees incommunicado (without access to the outside world, including family, lawyers or doctors), and allowing as evidence in court "confessions" extracted through torture or other ill-treatment.

The General Intelligence Department (GID), the state agency responsible for internal security and detaining those suspected of political offences, uses torture and other ill-treatment "systematically" according to a June 2006 UN report.

Methods of torture and other ill-treatment used by the GID include "*falaqa*", – beating the soles of the feet of a prone, restrained victim with a stick – extensive beatings, sleep deprivation, humiliations, and threats of extreme violence.

Torture and other ill-treatment in GID detention centres is allowed to flourish by virtue of the agency's wide powers of arrest and detention, and its practise of detaining suspects incommunicado. Prolonged incommunicado detention, can itself be a form of ill-treatment.

The "confessions" extracted by GID officials appear to be regularly used as evidence before a special court, the State Security Court (SSC). Trials before the SSC are frequently unfair. Some suspects have even been executed on the basis of "confessions"

allegedly extracted under torture. Over the past 10 years, more than one hundred defendants have alleged before the SSC that they were tortured to make them “confess”, usually while held incommunicado in pre-trial detention by the GID, but the court has failed adequately to investigate the defendants’ claims.

The Jordanian authorities introduced harsh new measures in the wake of the attacks on the USA on 11 September 2001. Arguing that these measures were necessary to fight terrorism, they expanded the definition of terrorism under Jordanian law and increased the number of offences punishable by death or life imprisonment. More recently, the government introduced draft anti-terrorist legislation law which is currently before the parliament and will strengthen these laws at the continuing expense of human rights. Amnesty International has received numerous reports of individuals who, arrested in connection with their Islamist beliefs, have been subjected to torture and periods of prolonged detention without trial.

The use of torture and other ill-treatment in Jordan is not limited to those who are suspected of political offences or those suspected of involvement in terrorism. Indeed, some of the most serious reports of torture received by Amnesty International have been of ordinary criminal suspects by law enforcement personnel.

Jordan and the USA: Cooperation in rendition and other human rights violations

The close diplomatic relationship between Jordan and the USA deepened after 11 September 2001. Jordan took a key role in the US-led “war on terror”. This close cooperation has seen Jordan become a major hub in the “rendition”, torture and secret detention of individuals in the “war on terror”.

A former senior official at the CIA has stated that “Jordan is at the top of the list of our foreign partners... they are willing to help in anyway they can”. Another former CIA official stated “[i]f you send a prisoner to Jordan you get a better interrogation”.

Amnesty International has documented 10 cases of victims of rendition and enforced disappearance who have been detained in Jordan at some point. The organization has discovered that these individuals had been arrested, or abducted in countries as far afield as Mauritania, the USA, Pakistan and Afghanistan. Some of these detainees were subsequently transferred to secret detention centres, or “black sites”, in Afghanistan and Europe. Still others resurfaced at the US detention facility at Guantánamo Bay Naval Base, Cuba. The fate and whereabouts of some of those who have been detained in Jordan and subjected to torture or other ill-treatment remain unknown.

- Canadian national **Maher ‘Arar** was flown from the USA in a civilian plane to Jordan, where he was held for around 10 hours before being driven across the border to Syria. In Syria he was tortured and otherwise ill-treated while held, in appalling conditions, for 10 months and 10 days in incommunicado detention. He was then released without charge and returned to Canada.
- Yemeni national **Hassan Salah bin Attash** was arrested in Pakistan and held in a US-run secret prison in Afghanistan before being transferred to Jordan. Held for around 16 months, he was repeatedly tortured by Jordanian officials, particularly in an area known as “the courtyard”, believed to be within the GID detention centre in the capital, Amman. In January 2004 he was transferred back to Afghanistan, then to Guantánamo Bay.

The secret nature of the US rendition programme, the unavailability of full flight records relating to Jordan, and the testimonies of former detainees suggest that the real number of individuals who have been unlawfully transferred into and from, and detained, in Jordan is likely to be far higher than the 10 corroborated cases documented by Amnesty International. A number of so-called high value detainees such as Kuwaiti national Khalid Sheikh Mohammed, are believed also to have been held in Jordan. Media reports

suggest that others have been held at a secret detention centre at al-Jafr, reportedly run in coordination between the Jordanian and US authorities.

Flawed agreement on torture

On 10 August 2005 Jordan signed a Memorandum of Understanding (MoU) with the UK government. The MoU allows the UK government to transfer Jordanian nationals from the UK, under the Jordanian authorities' assurances that they will not be subjected to torture or other ill-treatment. Jordan's record of compliance with its international obligations suggests this "guarantee" will be worthless - the UK government has effectively acknowledged this serious risk of torture or other ill-treatment by the very act of seeking such "diplomatic assurances".

The UK government has provided support to a Jordanian non-governmental organisation which is authorised to monitor the treatment of any individual returned to Jordan under the MoU who is subsequently arrested, detained or imprisoned. However, the monitoring arrangement has a number of flaws. The monitoring body reports back confidentially to the UK government, so there are no provisions for publicising any breaches of the MoU. Neither is there an incentive for the UK to acknowledge any breaches, as this could lead to the UK authorities being considered complicit in such human rights violations. The UK authorities also do not have any power to ensure the implementation of recommendations made by the monitoring body.

Instead of flawed bilateral arrangements, Jordan should ratify the Optional Protocol to the Convention against Torture and authorise independent organisations, both national and international, to carry out unannounced and unrestricted visits to all places of detention to monitor the treatment of all detainees. However, monitoring alone is an insufficient safeguard to prevent torture and ill-treatment. It should be part of an overall strategy that encompasses legislative, administrative, judicial – including investigative and other preventive measures.

What you can do

- Take action as part of AI's campaign – see www.amnesty.org and the campaign home page at <http://web.amnesty.org/pages/stoptorture-300805-news-eng>
- Contact your national section/structure to get involved in their work on the campaign: see <http://web.amnesty.org/contacts/engindex> for contact details.
- Please write to the King of Jordan, His Majesty **Abdullah II bin al-Hussein**, calling on him to use his authority to:
 - End incommunicado detention: all detainees should have prompt and regular access to the outside world, including relatives, lawyers and doctors;
 - Ensure that prompt and independent investigations into all allegations of torture or other ill-treatment are carried out and those found responsible are brought to justice;
 - Cease Jordan's participation in renditions and ensure that the authorities publicly disclose all relevant details of those who have been detained in or transferred through Jordan in this context;
 - Cancel the Memorandum of Understanding with the UK and authorise regular and effective independent monitoring of all places of detention in Jordan to safeguard all detainees from torture or other ill-treatment.

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