

## HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA: REVIEW OF 2018

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# JORDAN

### Hashemite Kingdom of Jordan

Head of state: **King Abdullah II bin al-Hussein**

Head of government: **Omar Al-Razzaz (replaced Hani Al-Mulki in June)**

People were subjected to prolonged pre-trial detention, solitary confinement and torture and other ill-treatment. Freedom of expression was curtailed: journalists and activists critical of the government or King Abdullah were detained; access to the internet was restricted; and online content was censored. Proposed amendments to the cybercrime law that would further threaten freedom of expression stalled after demonstrations against the legislation. The authorities opened a shelter for women at risk of family violence in the name of “honour”. However, women’s rights continued to be restricted in law and practice, including in relation to abortion, guardianship, marriage and inheritance. The rights of migrant workers continued to be violated and insufficiently protected in law. Jordan continued to offer sanctuary to around 2.7 million refugees, though the rights of some of them were violated. Death sentences were passed; there were no executions.

## BACKGROUND

Jordan remained part of the US-led military coalition fighting in Iraq and Syria against the armed group calling itself Islamic State (see Iraq and Syria entries), and of the Saudi Arabia-led coalition engaged in the armed conflict in Yemen (see Yemen entry).

The UN Human Rights Council held the third Universal Periodic Review of Jordan on 8 November. Jordan accepted 131 recommendations, agreed to examine another 21 and rejected 74 others related to, among other issues, ratification of human rights treaties, abolition of the death penalty, “honour” killings, repeal of the Crime Prevention Law, nationality rights, prevention of torture in detention and protection of migrant workers.

On 30 May, trade unions called a strike to protest against amendments to the 2014 tax law presented by the government of Hani Al-Mulki and supported by the International Monetary Fund. The next day, the government raised fuel and electricity prices, triggering further protests. On 1 June, King Abdullah ordered a freeze on price hikes, but protests continued. On 4 June, Al-Mulki resigned and the next day King Abdullah appointed Omar Al-Razzaz as prime minister. The protests ended after Al-Razzaz announced that the new government would withdraw the amendments. In September, the government presented an amended tax law; it exempted lower-paid individuals from filing tax returns, but still prompted strong public criticism.

## DETENTION

The General Intelligence Directorate (GID) continued to subject people to prolonged pre-trial detention, solitary confinement and torture and other ill-treatment, according to the National Centre for Human Rights (NHRC) and other organizations. Detainees held in GID prisons were not allowed unsupervised visits, even by lawyers.

Administrative governors continued to issue thousands of administrative detention orders under the 1954 Crime Prevention Law, which allows detention of up to one year without charge or trial or any means of legal remedy.

## FREEDOM OF EXPRESSION

The authorities continued to harass, intimidate, detain and imprison activists and journalists who voiced criticism of the government or King Abdullah. Several journalists were summoned for interrogation and detained for days without charges being brought against them. The authorities also enforced bans on the distribution of selected books for religious, moral and political reasons; restricted or disrupted access to the internet; and censored online content.

In September, the House of Representatives, the lower house of parliament, referred a number of draft amendments to the cybercrime law to its legal committee for review. They included provisions that threatened freedom of expression. One contained an overly broad definition of online “hate speech”, which would criminalize statements that spread rumours against people with the aim of damaging their reputation in the absence of incitement to violence and carry harsh sanctions. In December, following demonstrations against the law, the government suspended the process to subject the amendments to further examination.

## **WOMEN’S RIGHTS**

Following a long-standing campaign by Jordanian women’s rights organizations, including Mizan – Law Group for Human Rights, the Ministry of Social Development opened Amneh House shelter for women at risk of family violence in the name of “honour”. By the end of the year, 16 women were living in the shelter. The shelter’s regulations, published in May, guaranteed that no one could be held in the shelter against their will. Civil society organizations were still debating whether the shelter would end the long-standing practice of imprisoning women at risk in “protective custody” through the (mis)use of powers set out under the Crime Prevention Law of 1954.

While celebrated reforms had been made to the Penal Code in 2017, no further action was taken to modify discriminatory provisions. Articles 321 and 322 continued to criminalize abortion, even in cases of rape, and Article 282 criminalized adultery. As of 27 October 2018, seven women were in prison on adultery charges.

Some provisions of the Penal Code also contributed to other forms of discrimination against women in practice. According to the women’s rights organization Sisterhood Is Global International (SIGI) – Jordan, a provision penalizing the failure to pay back contractual debts has led to the prosecution of women who were being pressured or deceived by family members to take loans. SIGI also reported that, among the 17 women on death row at the end of 2018, some had been sentenced for killing their abusive husband in self-defence.

The Personal Status Law continued to discriminate against women and girls, including in the areas of guardianship, marriage, divorce, common marital property and inheritance. In practice, guardianship established was interpreted widely to restrict women’s autonomous decision-making on issues of marriage and residence until the age of 30. The police continued to act on demands by guardians to forcibly return women “absent” from their guardian’s home.

In the context of poor enforcement of alimony payments following decisions of Shari’a courts, an alimony fund provided for in a 2010 amendment to the Personal Status Law became available in early 2018 and benefited at least 400 divorced women whose former husbands had not made maintenance payments.

## **MIGRANTS’ RIGHTS**

While positive measures were adopted in 2017 to combat human trafficking and improve occupational safety, they remained insufficient to ensure the protection of migrant workers’ rights. Migrant domestic workers continued to be inadequately protected from abuse by their employers and agents, and remained at risk of arbitrary detention by the state. According to activists with access to detention facilities, scores of women migrant domestic workers were administratively detained in 2018, mostly because they had been unable to pay visa overstay fees.

Non-Jordanian domestic workers who were not married reported giving birth at home to avoid losing custody of their children and faced barriers registering their children or travelling with them to their home countries. It is illegal in Jordan to give birth outside of wedlock and migrant women were less able than their Jordanian counterparts to access family or community support to circumvent legal threats.

## **CHILDREN’S RIGHTS**

In September, the government cancelled the requirement of five years’ uninterrupted residence for women married to non-Jordanians as a condition for their children to access certain rights and benefits, and took the positive step of accepting as official ID the card issued to these children by the Department of Civil Status and Passports. The rights and benefits were related to education, health care, employment, investment, property ownership and obtaining driving licences, in addition to permanent residence.

Citizenship laws continued to discriminate against children of Jordanian mothers and non-Jordanian fathers, who unlike children of Jordanian fathers married to non-Jordanians, were denied Jordanian citizenship.

## **REFUGEES AND ASYLUM-SEEKERS**

Jordan hosted over 670,000 Syrian refugees registered by UNHCR, the UN refugee agency, of whom some 125,000 lived in camps, in addition to over 13,000 Palestinian refugees from Syria and over 2 million long-term Palestinian refugees, among others.

Of 37,000 Syrian refugees in Azraq camp, nearly 9,500 remained in Village 5, an area fenced off from the rest of the camp. Most people in this area had been transferred there in 2016 on the basis that they would be screened and then relocated outside Village 5. Their status remained unclear. Unlike refugees in other parts of the camp, those in Village 5 were not allowed to leave the area, visit relatives in other parts of the camp, obtain temporary leave permits or access work outside the camp.

In March, the Ministry of Interior launched a campaign to rectify the status of Syrian refugees living informally in urban areas. The campaign targeted Syrians who had left refugee camps without permission to settle in host communities or who had arrived in Jordan across informal border crossings and not registered with UNHCR. The rectification allowed them to benefit from the protection and assistance provided by UNHCR and to receive a Ministry of Interior service card.

The NCHR stated in August that Syrian refugees had been facing an increasing risk of deportation since the beginning of 2017 and that authorities were returning refugees to Dara'a governorate despite the lack of infrastructure and security there.

## **INTERNATIONAL JUSTICE**

In September, Jordan appealed against the International Criminal Court (ICC) ruling that Jordan had failed to comply with its obligations as a state party to the Rome Statute of the ICC for not executing the court's request for the arrest and surrender of Sudanese President Omar Al-Bashir when he visited Jordan in 2017. The ICC had issued two arrest warrants for Al-Bashir on charges of genocide, war crimes and crimes against humanity in Darfur, Sudan.

## **DEATH PENALTY**

Courts continued to hand down death sentences; no executions were carried out.