



## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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### **Jordan: Investigate alleged torture of Amer Jubran**

As Amer Jubran, a Jordanian of Palestinian descent serving a 10-year prison sentence, awaits a ruling by Jordan's highest court on his case, Amnesty International and Human Rights Watch are calling on the Jordanian government to ensure a prompt, impartial and independent investigation into allegations that he made the "confession" that contributed to his conviction under torture and other ill-treatment.

Such an investigation should identify if torture and other crimes took place, and, if there is enough admissible evidence, lead to the individuals suspected of having ordered, carried out and otherwise participated in such acts being brought to justice, the two organizations said. Further, if such allegations are substantiated, the competent authorities should ensure that Amer Jubran is given a fair and prompt retrial in accordance with international standards, where confessions made under torture or other forms of ill-treatment are inadmissible.

Amnesty International wrote to the Jordanian government on 7 October 2015 seeking clarification in relation to allegations of torture and other ill-treatment and raising concerns that fair trial guarantees had been flouted in the trial that led to Amer Jubran's conviction. At the time of publication of this statement, the organization had not received a response.

Three military judges presiding over Jordan's State Security Court (SSC), a special court whose procedures [fail](#) to meet international fair trial standards, convicted Amer Jubran on 29 July of charges that included planning attacks against US soldiers in Jordan, membership in Hezbollah and possession of firearms and explosives, but acquitted him of harming relations with a foreign country. They sentenced him to 15 years' imprisonment, immediately reduced to 10 years' imprisonment with hard labour. However, the judges failed to respond to claims that he and his lawyer made during the trial that he was tortured and otherwise ill-treated in the custody of the General Intelligence Department

(GID) during some 56 days of incommunicado detention and forced to make his “confession” during this period.

The GID is a security agency under the control of the prime minister that is well-known for holding suspects in prolonged incommunicado detention. The SSC prosecutor, to whom Amer made his “confession”, maintains an office inside the GID headquarters in west Amman. Previous cases [documented](#) by Amnesty International and Human Rights Watch reveal a procedure by which GID detainees are shuttled back and forth between interrogators and the SSC prosecutor until a “confession” is obtained. Amer Jubran’s lawyer says he was forced to sign over 100 “statements” without reading them. A selection of these statements was brought as evidence against him in the trial.

The SSC’s ruling is pending appeal before the Court of Cassation on the basis that the conviction is unsubstantiated and based largely on a forced “confession”. In the meantime, Amer Jubran is being held in al-Balqa prison in Salt. His lawyer says he and six other men tried in the same case are being held in isolation from other inmates and in a cell measuring two by three metres. In what appears to be a punitive and unnecessary measure he says he is refused access to books.

Amnesty International and Human Rights Watch have a number of concerns about the SSC, including its proceedings in this case. The use of military judges subject to the military chain of command – in this particular trial all three individuals presiding in the case were military judges – raises serious concerns about the SSC’s independence and impartiality. The court does not restrict itself to trying terrorism-related crimes and has over many years prosecuted opposition activists and others on charges including insulting the monarch or the government or harming relations with foreign states when they appear to have done nothing more than peacefully participate in protests or exercise their right to freedom of expression. In addition, central to this case is the fact that it is not the first time that the court has accepted “confessions” allegedly made under duress as evidence against defendants without investigating the allegations of torture.

Amnesty International and Human Rights Watch reiterate their calls on the Jordanian government to ensure criminal jurisdiction is exercised by ordinary civilian tribunals complying with international fair trial standards.

### **Background**

Amer Jubran is one of eight men convicted in this case. His co-defendants received prison sentences of between two and three years. Some of them also say they were tortured into making “confessions”.

All eight men were tried under legislation including Jordan’s anti-terrorism law as amended in 2014, which has been criticized by local and international NGOs and activists for being vague and loosely worded and for criminalizing criticism of foreign leaders or states deemed to harm Jordan’s relations with foreign states.

Amer Jubran was arrested on 5 May 2014. His family said that over 30 security force officers, some masked, raided his house in Naour, west of Amman, blindfolded him and threw him into a cage inside a van, without presenting a warrant. They took him to the GID

headquarters in Amman where, according to his lawyer, he was subjected to torture and other forms of ill-treatment over a period of time of around 56 days: he was blindfolded and his life was threatened, and he was told he would be stripped of his Jordanian nationality and his business would be closed. According to Amer's family, the security officers also threatened to assault his wife and arrest his 80-year-old father if he did not co-operate with them. One officer told him that they would "hide [him] behind the sun" and that all Palestinians are "traitors because they want to free their country". He said his interrogations usually lasted for up to 72 hours while the interrogators alternated every eight hours; on more than one occasion the period was extended to up to 120 hours. When he fainted, he said they threw cold water over him or slapped his face. They forced him into painful positions for prolonged periods and made him witness the abuse of other men arrested in the same case. Amer Jubran's lawyer has said that in 2012 his client had previously refused a request from the GID to "work with them".

Amer Jubran's defence claim that the accusations against him are without basis. For example, the particularly heavy sentence against him relates to a Kalashnikov found at his home that his family say was non-functioning and which he never used or even knew how to use. The court refused the lawyers' request for an expert witness to illustrate that the gun had not worked for some time.

According to the [Jordan Times](#) on 16 August 2015, King Abdullah expressed his pride in Jordan's compliance with its human rights obligations in response to the publication of a report by the official National Centre for Human Rights (NCHR). Yet the report said it had found no improvement in conditions in the GID's detention centre in Amman, where it said detainees are held in prolonged solitary confinement and denied visits for up to a year, and that during 2014 authorities failed to inform detainees' families or the NCHR where they were held.

GID officers enjoy extensive powers and benefit from near total impunity, acting virtually as a law unto themselves. Amnesty International and Human Rights Watch have documented how the GID does not always disclose promptly the names, whereabouts or other details of detainees, who are frequently held incommunicado. GID can prolong such detentions for weeks or months at a time. Individuals passing through GID custody are frequently subjected to trial by the SSC.

In 2015 the Jordanian government announced plans to make comprehensive changes to the Penal Code but failed to amend Article 208 to ensure that the crime of torture is punishable by appropriate penalties that take into account its grave nature, in accordance with international standards.