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Jordan: Decision to release two government critics welcomed as a positive first step

Amnesty International welcomes the decision to release prisoners of conscience, Dr Oweidi Abbadi and 'Uday Abu 'Isa. Both were arrested for criticizing the Jordanian monarchy. The organization also calls for the repeal of Article 195 of the Penal Code which criminalizes *lèse majesté* and for the authorities to uphold the right to freedom of expression.

While Dr Oweidi Abbadi was released on 1 March, 'Uday Abu 'Isa is expected to be released in the coming days following a special pardon by the King in which, according to his lawyer, all charges against him were dropped. The organization calls for all charges against Dr Abbadi to also be dropped immediately.

Dr Abbadi, aged 66 and the Chair of the Jordanian National Movement, was released from Juweideh prison on bail of 10,000 Jordanian Dinars on 1 March by the State Security Court (SSC), a military court whose procedures fail to meet international fair trial standards. He was arrested by security forces on 2 February apparently for a recent media interview he gave where he called for a Jordanian republic and on another occasion at a rally for retired military personnel where he said if the King and his family continue not to solve the pensioners' "problems" the "revolution [would] begin."

Dr Abbadi was charged by the State Security prosecutor on 3 February under Article 149/1 of the Penal Code which penalizes "[a]nyone ... who incites [against the political system] and ... commits an individual or collective act with the intention of changing ... the basic structures of society" which carries a three to 15 year prison sentence with hard labour. Amnesty International believes he should not have been charged or detained in the first place as in his calls for a republic, he did not say anything which could be construed as inciting or advocating violence.

In 2007, Dr Abbadi was sentenced to two years' imprisonment by the SSC on charges which were reportedly connected to an open letter he wrote regarding alleged corruption by the then Minister of interior which as far as Amnesty International is aware did not advocate violence or constitute any threat to public security.

'Uday 'Isa, an 18-year-old member of the Youth Movement for Reform, whose demands include enhanced public freedoms in Jordan, served seven weeks of a two-year prison sentence for "undermining the dignity" of the King after setting fire to a banner bearing the King's picture as an act of protest. He was arrested on 11 January after he took the banner from the local government building in Madaba and set it on fire on the roof of the building. According to information obtained by Amnesty International, the fire was extinguished by government employees seconds later.

According to a friend, 'Uday 'Isa used fire to draw attention to the case of Ahmad al-Matarneh, who died after setting himself on fire on 9 January outside the Royal Court in Amman in protest at

losing his local-government job. He was protesting against the authorities' alleged failure to respond to Ahmad al-Matarneh's earlier letter to the King which complained about the loss of his job, economic hardship and government corruption. After the arrest, 'Uday 'Isa was taken to Madaba Public Security Directorate, where – as he told a judge to whom he was presented later - he was beaten by police officers.

'Uday 'Isa was sentenced by the SSC for “undermining the dignity of the sovereign” (Article 195 (1B)) carrying a sentence of up to three years. Other accusations against him under Article 368 relating to causing a fire were pending before the Criminal Court. In addition, he was detained for four days in December for “insulting” the sovereign after allegedly chanting slogans against the King during an apparently peaceful protest. This case was also pending before the SSC but according to his lawyer, all the charges have been dropped as part of the pardon.

After he was sentenced in January, 'Uday 'Isa was transferred to Muwaqqar prison, and held in solitary confinement prompting him to hunger-strike for up to 12 days. According to a friend who visited him he was protesting against his conviction and his trial by a military – and not a civilian - court.

Although, the Public Security Department reportedly said he was isolated to protect him from other prisoners, Amnesty International is concerned that the solitary confinement was imposed as a further, arbitrary punishment for his act. If there was an actual threat to his safety, the prison authorities should have provided appropriate protection without resorting to an extreme and potentially very harmful measure.

Amnesty International has continued to raise concerns that Article 195 or *lèse majesté*, insulting the dignity of the sovereign, is incompatible with Jordan's obligations, under Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to uphold the right to freedom of expression. It is used to silence political opponents and critics of government policy who, even where they have criticised the King, have not advocated violence or gone beyond acceptable criticism in line with principles of freedom of expression.

Restrictions on rights to criticize the authorities or state institutions persist in Jordan and journalists, activists and others continue to face arrest and prosecution. These particular cases appear to represent a pattern which contradicts the Jordanian government's assertions that it is undertaking reforms to enhance respect for freedom of expression and other human rights.

Amnesty International calls on the government to implement measures to bring legislation into line with its obligations under international human rights law, guaranteeing the right to hold and express opinions without interference and the right to freedom of assembly.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: press@amnesty.org

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org