

# JORDAN

HASHEMITE KINGDOM OF JORDAN

**Head of state:** King 'Abdallah II bin al-Hussein

**Head of government:** Faisal Fayeze (replaced 'Ali Abu al- Ragheb in October)

**Death penalty:** retentionist

UN Women's Convention: ratified with reservations

**Optional Protocol to UN Women's Convention:** not signed

**At least 15 women were reportedly victims of family killings for which leniency in sentencing of the perpetrators continued. At least 15 people were sentenced to death and seven executed. Restrictions continued to be imposed on the right to freedom of expression and on the press. Dozens of possible prisoners of conscience were arrested following demonstrations against the US-led war on Iraq; some were held incommunicado in the General Intelligence Department (GID) and released without charge days later. Dozens of political prisoners were arrested in connection with alleged involvement with Islamist groups and "terrorist" activities. There were reports of torture and ill-treatment of detainees. Political trials continued before the State Security Court (SSC) whose procedures failed to meet international fair trial standards. By the end of 2003 more than 1,500 people fleeing US-led military action on Iraq remained in refugee camps.**

## Background

In March AI's Secretary General met King 'Abdallah bin al-Hussein and raised concerns about the impending military intervention in Iraq and its potential humanitarian and human rights impact, including on refugee protection. The King gave assurances that Jordan would provide protection for refugees in the event of war on Iraq and give access to international organizations. AI's Secretary General also raised concerns about amendments made to Article 150 of the Penal Code after the dissolution of parliament in 2001. The amendments eroded the right to freedom of expression. The King pledged to look into the matter. In April the amendments to Article 150 were scrapped by a decree issued by the Council of Ministers.

Parliament was re-established after the June general elections and a new cabinet approved. A quota system was invoked which allowed six women with the largest number of votes to take seats in parliament. In October Faisal Fayeze replaced 'Ali Abu al-Ragheb as Prime Minister and a new cabinet was formed that included three women. Temporary amendments to the law banning public meetings, introduced in 2001 after the dissolution of parliament, remained in place.

## Violence against women and discrimination

At least 15 women were reported to have been victims of family killings. In September, Queen Rania condemned family killings and continued her support for amendments to Article 340 of the Penal Code, made in the absence of parliament. The amendments stipulate that men who murder their wives or female relatives on grounds of adultery are not exempt from penalty, and that women, like men, who kill their spouse found in an "adulterous situation" can also benefit from a reduced sentence on grounds of mitigating circumstances. However, after the re-establishment of parliament the Lower House twice rejected the amendments. Article 98, which was invoked more often than Article 340 in such cases, allows for a reduced sentence for crimes committed in a "fit of rage" caused by unlawful or dangerous acts on the part of the victim. At least five men benefited from Article 98 in 2003.

- In mid-2003 a man reportedly received a one-year prison sentence for killing his sister in 2002. The killing apparently took place after the man learned that his sister had been raped by a neighbour whom she later married on finding that she was pregnant. The Criminal Court found that he strangled his sister in a "fit of fury" as stipulated under Article 98 and that the killing was not premeditated because the woman had tarnished her family's "honour".

## Death penalty

At least 15 people were sentenced to death and seven executed during 2003.

- Jamal Darwish Fatayer, a Palestinian, was executed in August at Swaqa prison. He was convicted by the SSC on charges related to the killing of Jordanian diplomat Na'ib 'Umran al-Ma'aytah in Beirut in 1994, and membership of the unauthorized *Fatah* Revolutionary Council. The conviction was upheld in April by the Court of Cassation. Jamal Darwish Fatayer's trial fell seriously short of international standards; claims that he "confessed" under torture were ignored by both the SSC and the Court of Cassation.

### **Arrests of political prisoners**

Dozens of political prisoners were arrested during the year, some of whom may have been prisoners of conscience. Prior to the US-led war on Iraq, people expressing their opposition to the conflict and Jordan's role in it were arrested. Among them were about 19 people detained at the end of March and apparently held incommunicado in the GID. All were released without charge days later. Dozens of others were arrested on suspicion of involvement with Islamist groups or "terrorist" activity.

- Fawaz Zurayqat, a leading member of the National Mobilization Committee for the Defence of Iraq, a non-governmental organization which campaigned against the sanctions and war on Iraq, was arrested in March. He was held by the GID and denied access to a lawyer for three days and released without charge after one month. Fawaz Zurayqat was probably a prisoner of conscience and his detention was thought to be linked to his political activities, including those related to opposition to the imposition of sanctions on Iraq.

### **Trials before the State Security Court**

Political trials continued before the SSC whose procedures do not meet international fair trial standards. Cases referred to the SSC concerned allegations of "terrorist" activity and the publication of materials deemed to be "detrimental to the reputation of the state" and participation in unlicensed demonstrations. At least 20 defendants alleged that they had made "confessions" under duress.

- Journalist Muhannad Mubaidin served a six-month sentence in Jweidah prison after being convicted by the SSC in February in connection with an article he had written for *al-Hilal* weekly. Charges included publishing material defaming the Prophet Muhammad, insulting the dignity of the state and individuals leading to incitement, and publishing false information. Two other *al-Hilal* journalists were released following the trial after being in prison for over a month.

- In October the SSC began hearing the case of 15 men charged in relation to belonging to "terrorist" organizations. The organizations in question were *al-Qa'ida* and *Ansar al-Islam* (Partisans of Islam). According to reports, all were being tried *in absentia* except Ahmad al-Riyati who was reportedly arrested at the end of March by US troops in northern Iraq. During his trial, he said he had been tortured by US, Kurdish and Jordanian security forces. His defence lawyers argued that he was mentally unfit to stand trial. One of those being tried *in absentia* was apparently Mullah Najmuddin Fatih Krekar, said to be the founder of *Ansar al-Islam* and living in Norway. Jordan's requests for his extradition for drug offences were refused by the Norwegian authorities owing to lack of evidence.

### **Torture and ill-treatment**

Reports of torture and ill-treatment of detainees were received, mainly in relation to those being held by the GID in connection with "terrorism". There were also reports of "confessions" extracted under duress made by people held on murder charges by the Criminal Investigation Department.

- Three Jordanian and two Libyan men charged in connection with the killing of US diplomat Laurence Foley in 2002 claimed during their trial before the SSC that they had been tortured under interrogation in the GID. According to reports, five prison inmates gave evidence saying that the men bore signs of torture on their bodies. The National Institute of Forensic Medicine, which examined the case of Muhammad Du'mus, one of the five defendants, apparently concluded that he had suffered injuries, including a missing toenail. The five defendants denied the charges.

- In October Maher Arar, a dual Syrian/Canadian national who was forcibly returned to Syria from the USA via Jordan in 2002 on suspicion of involvement with "terrorist" groups, held a press conference in Canada following his

release from prison in Syria. He said that Jordanian officials had collected him from Amman airport in October 2002, held him blindfolded in a van, and beat him. He was then detained and questioned in Jordan before being sent to Syria. In Syria he was held incommunicado and tortured (see Syria entry).

### **Refugees**

More than 1,500 people fleeing Iraq during and after the war remained in refugee camps in Jordan and in the "neutral zone" between Jordan and Iraq. Around 500 people, including Somali and Sudanese nationals (some of them recognized refugees) and Palestinians, were in Ruweished refugee camp. There were apparently more than 1,000 people in a refugee camp in the "neutral zone" near Iraq and Jordan's al-Karama border crossing, many of whom were said to be Iranian Kurds who had been refused entry into Jordan. Reportedly, some had travelled there from al-Tash Camp in Iraq, which is administered by the UN High Commissioner for Refugees.

There were no reports of large numbers of Iraqi refugees fleeing the war. It appeared that from the beginning of 2003 the Jordanian authorities operated a policy of refusing entry to many Iraqis.

### **AI country reports/visits**

#### **Visit**

AI visited Jordan in February and March to assess the preparedness of humanitarian non-governmental organizations and UN agencies for the anticipated war on Iraq, and to look at the situation of Iraqi refugees and asylum-seekers in Jordan.\*\*\*\*\*