

# JORDAN 2012 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Hashemite Kingdom of Jordan is a constitutional monarchy ruled by King Abdullah II bin Hussein. The constitution concentrates executive and legislative authority in the king. The multiparty parliament consists of the 60-member House of Notables (Majlis al-Ayan) appointed by the king and a 120-member elected lower house, the Chamber of Deputies (Majlis al-Nuwwab). Chamber of Deputies elections, which international observers deemed credible, took place in 2010. Security forces reported to civilian authorities.

The most significant human rights problems were: a) citizens' inability to peacefully change their government, reflected throughout the year in weekly demonstrations calling for various political and economic reforms; b) mistreatment and allegations of torture by security and government officials with impunity; and c) restrictions on freedom of expression that limited the ability of citizens and media to criticize government policies and officials.

Other human rights problems included poor prison conditions, arbitrary arrest and denial of due process through administrative detention, prolonged detention, and allegations of nepotism and the influence of special interests on the judiciary. The government continued to infringe on citizens' privacy rights. Government interference in the media and threats of fines and detention further encouraged self-censorship. The government continued to restrict freedom of assembly and association. Violence against women was widespread, and abuse of children persisted. Legal and societal discrimination and harassment remained a problem for women, religious minorities, religious converts, and members of the lesbian, gay, bisexual, and transgender community. Trafficking in persons remained a problem. Discrimination against persons with disabilities was a problem. Legal and societal discrimination against persons of Palestinian origin remained widespread. The government restricted labor rights and local and international human rights organizations reported high levels of abuse of foreign domestic workers.

Impunity remained widespread, and the government did not take steps to investigate, prosecute, or punish officials who committed abuses.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

**a. Arbitrary or Unlawful Deprivation of Life**

There were no reports of arbitrary or unlawful deprivation of life.

**b. Disappearance**

There were no reports during the year of politically motivated disappearances.

**c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits such practices; however, international and local nongovernmental organizations (NGOs) continued to report incidents of torture and widespread mistreatment in police and security detention centers. The constitution bans torture. The law also prohibits torture, including psychological harm, by public officials and provides penalties of as long as three years' imprisonment for the use of torture, with an increased penalty of up to 15 years if serious injury occurs. Human rights lawyers found the law ambiguous and supported amendments to better define "torture" and strengthen sentencing guidelines. The judicial system has never charged an official with committing torture against a detainee or inmate.

According to a July 30 National Center for Human Rights (NCHR) report for 2011, the center received 75 complaints of mistreatment and torture in police stations. On June 30, Laith al Qalalwah claimed that members of the Public Security Directorate (PSD) and the gendarmerie beat him and extinguished cigarettes on his body after he was arrested. In a July 5 press conference, the chief of the PSD, General Hussein Al-Majali, denied that his officers inflicted the cigarette burns. On July 2, Qalalwah filed a complaint against the PSD. The PSD closed the investigation citing a lack of evidence.

International and domestic organizations stated that security forces continued to practice torture and mistreatment, particularly in police stations. On March 6, two members of the proreform "Free Tafileh Movement" filed a complaint with the PSD ombudsman against the PSD chief, chief of the Amman Municipality Police Station, and a colonel, claiming that they were tortured while detained at the Amman police station following a demonstration. The case was under investigation at year's end.

On April 3, Human Rights Watch reported that police insulted, kicked, punched, and beat with truncheons approximately 30 demonstrators at the Fourth Circle in Amman and at the Central Amman Police Station. The report stated two of the demonstrators fainted from continued assaults while in detention, and a witness stated that guards waited five hours before calling a doctor. No security officials were investigated or prosecuted for alleged abuses. Thirteen demonstrators were charged the next day at the State Security Court with “insulting the king,” “unlawful gathering,” and “subverting the system of government in the kingdom or inciting to resist it.”

Throughout the year various individuals and local NGOs reported that in an effort to humiliate detainees, government agents at times sexually abused them during arrest or detention by making them remove their clothing and perform sexual acts.

A September 13 government report by an independent investigatory committee found that employees in orphanages and juvenile centers routinely punished residents by beating them or holding down their heads in toilets. The committee also documented the use of beatings and cages to punish persons with disabilities in government-run nonresident rehabilitation centers and institutions.

### **Prison and Detention Center Conditions**

Overall conditions in the country’s prisons were generally poor in six older prisons, while the eight new prisons met international standards.

Physical Conditions: Significant problems remained in prisons, including inadequate food and health care, poor sanitation and ventilation, extreme temperatures, inadequate access to potable water, and insufficient basic and emergency medical care. Some detainees reported abuse and mistreatment by guards during the year.

According to government statistics, there were approximately 25,200 inmates in 14 correctional and rehabilitation center facilities and approximately 220 women in the Women’s Correctional and Rehabilitation Center in the Jweideh detention facility. The Ministry of Social Development reported there were 2,400 juveniles in custody. Conditions for women were generally better than those for men; however, in Al Khansa Juvenile Detention Center, for part of the year conditions for boys were better than those for girls. Pretrial detainees often were held in the same detention facilities as convicted prisoners. The General Intelligence Department (GID) held some persons detained on national security charges in

separate detention facilities. According to human rights activists, GID detainees generally were held in solitary confinement and were prevented from meeting unsupervised with visitors, including their lawyers. Islamist prisoners in Jweideh were held in a separate wing and kept in small-group semi-isolation. International and domestic NGOs reported that in some instances Islamist prisoners faced harsher prison conditions than other inmates.

Administration: During the year no steps were taken to improve recordkeeping or systematically use alternatives to sentencing for nonviolent offenders; however, judges at times used alternative sentencing for juveniles. There were no prison ombudsmen. Prisoners and detainees had restricted access to visitors and were permitted religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship; however, authorities did not investigate allegations of inhuman conditions.

Monitoring: The government permitted local and international human rights observers to visit prisons and conduct private interviews. The International Committee of the Red Cross (ICRC) visited prisoners and detainees in all prisons, including those controlled by the GID, according to standard ICRC modalities.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention; however, the government did not always observe these prohibitions in practice. In particular the governors of the country's 12 governorates continued to use the law to detain individuals administratively without due process or detain individuals found not guilty in legal proceedings.

#### **Role of the Police and Security Apparatus**

The PSD controls general police functions. The PSD, GID, gendarmerie, Civil Defense Directorate, and military share responsibility for maintaining internal security. The PSD, Civil Defense Directorate, and gendarmerie report to the minister of interior with direct access to the king when necessary, and the GID in practice reports directly to the king. Civilian authorities maintained control over security forces. Some members of the PSD participated in human rights training during the year.

According to local and international NGOs, the government rarely investigated allegations of abuse or corruption, and there were widespread allegations of

impunity. Citizens may file complaints of police abuse or corruption with the PSD's Ombudsman Bureau or one of 16 police prosecutors stationed throughout the country. Complaints of abuse and corruption by the gendarmerie may be filed directly with the PSD's Ombudsman Bureau. A GID liaison officer receives complaints against the GID and refers them to GID personnel for investigation. Complaints against the PSD, gendarmerie, and GID may also be filed with the NCHR or several NGOs such as the Arab Organization for Human Rights. The PSD's Special Branch Unit is tasked with investigating allegations of police corruption. The PSD and GID try their personnel internally with their own courts, judges, and prosecutors; reports about the proceedings are not published. Nevertheless, trials rarely yielded substantive punishments for human rights violations.

The Ombudsman's Bureau within the PSD investigates allegations of police abuse; however, complaints rarely resulted in any disciplinary measures, thus continuing the culture of impunity. Human rights activists cited fear of official retribution as a reason for the overall lack of official complaints of human rights violations.

During the year there were several reported instances of security forces using excessive force with impunity or failing to protect demonstrators from societal violence. For example, on July 21, orphans and former wards of the state staged a peaceful sit-in at Fourth Circle in front of the Prime Minister's Office, calling for orphan rights. While dispersing the sit-in, police officers reportedly beat and arrested several orphans. On July 31, the leader of the sit-in, Alaa Al-Tibi, filed a complaint with the police prosecutor and alleged that police and gendarmerie repeatedly beat him for five hours at a police station; however, PSD reported having no record of the complaint.

In July 2011 during a proreform demonstration in Al-Nakeel Square in Amman, several members of the riot police wielding wooden bats and other instruments attacked protesters and journalists covering the demonstrations. A few days after the demonstration, the minister of interior announced that the committee tasked with investigating the incident found the PSD responsible for the attacks. The committee concluded that a number of PSD officers were responsible. According to the government, authorities imprisoned some members, dismissed some from their positions, imposed salary deductions on some, and forced others into retirement.

### **Arrest Procedures and Treatment While in Detention**

The law allows suspects to be detained for up to 24 hours without a warrant in all cases. The law requires that police notify authorities within 24 hours of an arrest and that authorities file formal charges within 15 days of an arrest. The period to file formal charges can be extended for as long as six months for a felony and two months for a misdemeanor. According to local NGOs, prosecutors routinely requested extensions and judges granted them. They alleged that authorities transferred suspects to the security court in order to extend the legal time from 24 hours to 10 days for investigation. Bail is allowed under the penal code and was used in some cases. Some detainees reported not being allowed to have timely access to a lawyer or to contact their relatives at the time of arrest, but authorities generally permitted family member visits, albeit sometimes up to a week after the arrest. Authorities appointed lawyers to represent indigent defendants charged with felonies, although legal aid services remained minimal. The law provides the right to be brought promptly before a judge or other judicial officer for a judicial determination of the legality of the detention. Suspects are not afforded the right to obtain compensation for unlawful detention. At times suspects were detained incommunicado for up to one week or under house arrest. A number of human rights activists alleged that arrestees were held incommunicado to hide evidence of physical abuse security forces.

The NCHR reported that detainees in police stations were subjected to beatings and torture during preliminary investigations, especially in the Criminal Investigation Department and the Anti-Narcotics Department in the PSD. The report also noted that authorities did not always afford detainees the right to notify a relative and to be informed of their rights and the charges against them at the time of detention. Officials also denied some detainees held in GID detention centers the right to receive family visits.

Arbitrary Arrest: The State Security Court gives judicial police the authority to arrest and keep persons in custody for 10 days while conducting criminal investigations. This authority includes arrests for alleged misdemeanors. In cases purportedly involving state security, security forces at times arrested and detained citizens without warrants or judicial review, held defendants in pretrial detention without informing them of the charges against them, and either did not allow defendants to meet with their lawyers or did not permit meetings until shortly before trial.

The law allows provincial governors to detain individuals suspected of planning to commit a crime or those who allegedly shelter thieves, habitually steal, or constitute a danger to the public, and they used this provision widely. Those

accused are subject to imprisonment or house arrest under “administrative detention” without formal charges, and governors may prolong detentions. During the year governors administratively detained 12,410 individuals. Several international and national NGOs noted that governors routinely abused the law, imprisoning individuals when there was not enough evidence to convict them and prolonging the detention of prisoners whose sentences had expired. The law also was used to incarcerate women to allegedly protect them from becoming potential victims of honor crimes.

Pretrial Detention: The common practice of judges granting extensions to prosecutors prior to filing formal charges unnecessarily lengthened pretrial detention. Lengthy legal procedures, a large number of detainees, judicial inefficiency, and judicial backlog added to the problem of pretrial detention. The length of the detention at times equaled or exceeded the sentence for the alleged crime. On April 22, the PSD arrested a domestic worker on fraud allegations that carry a maximum sentence of four months imprisonment and a fine of 100 dinars (\$140). She was detained awaiting trial for seven months and was released on October 10.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, but allegations by legal experts and human rights lawyers of nepotism and the influence of special interests raised concerns about the judiciary’s independence. In addition judicial inefficiency and a large case backlog delayed the provision of justice. Authorities did not always respect court orders.

#### **Trial Procedures**

The law presumes that defendants are innocent. According to the law, all civilian court trials, including state security court trials, are open to the public unless the court determines that the trial should be closed to protect the public interest. However, according to lawyers, state security court trials were closed to the public and at times even to families of the defendants. Juries are not used. Defendants are entitled to legal counsel, provided at public expense for the indigent in cases involving the death penalty or life imprisonment. Defendants do not enjoy the right to be informed promptly and in detail of the charges against them or to a fair and public trial without undue delay. In many cases not involving the death penalty, those whose punishment would be hard or temporary labor had no legal representation. Foreign residents were not uniformly aided with translations and

defense. Defendants may present witnesses and evidence and may question witnesses presented against them. Authorities generally granted defendants access to government-held evidence relevant to a case. Defendants can appeal verdicts; appeals are automatic for cases involving the death penalty. Defendants do not have the right to refuse to testify. The constitution prohibits the use of confessions extracted by torture. However, human rights activists noted that this provision had not been implemented and that the court routinely accepted confessions extracted under torture or mistreatment.

Defendants before the State Security Court frequently met with their attorneys at the start of a trial or only one or two days before. Defendants were not afforded adequate time and facilities to prepare their defense. A case may be postponed for more than 48 hours only under exceptional circumstances determined by the court. In practice cases routinely involved postponements of more than 10 days between sessions, with proceedings lasting for several months. In many cases the accused remained in detention without bail during the proceedings. In the State Security Court, defendants convicted of felonies or misdemeanors have the right to appeal their sentences to the Court of Cassation, which is authorized to review issues of both fact and law.

Civil, criminal, and commercial courts accord equal weight to the testimony of men and women; however, in Sharia courts, which have jurisdiction over Muslim marriage, divorce, and inheritance cases, the testimony of two women is equal to that of one man in most circumstances.

### **Political Prisoners and Detainees**

Citizens and NGOs alleged that the government continued to detain individuals for political reasons during the year and that governors continued to use administrative detention for what appeared to be political reasons. Throughout the year the government detained activists for political reasons, including for chanting slogans against the king.

On January 11, the State Security Court charged 18-year-old Udai Abu Issa with undermining the king's dignity when he burned the picture of the king in front of a government building in Madaba. On January 26, the State Security Court sentenced Abu Issa to two years' imprisonment; however, on February 29, the king pardoned him and he subsequently was released.

During the year authorities arrested and charged at least 200 proreform activists with insulting the king's dignity, unlawful gathering, attempting to change the state's constitution, and incitement to topple the regime following peaceful protests. According to the law, the punishments for some of the charges include life imprisonment and death; however, there were no trials during the year for these activists. According to Amnesty International, lawyers for the detainees claimed that they were denied full access to the case files, as well as adequate time to interview their clients. At year's end some activists had been released on bail, 35 remained in detention, and the charges remained pending.

### **Civil Judicial Procedures and Remedies**

Individuals may bring civil lawsuits related to human rights violations and did so during the year; however, the decisions cannot be appealed to an international court, and at year's end no lawsuits had resulted in financial compensation.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law prohibits arbitrary interference in private matters, but the government did not respect this prohibition in practice. Citizens widely believed that security officers monitored telephone conversations and Internet communication, read private correspondence, and engaged in surveillance without court orders. Citizens widely believed that the government employed an informer system within political movements and human rights organizations.

Some activists reported that GID officials threatened to bar their children from entering or graduating from university.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press; however, the government did not respect these rights in practice.

Freedom of Speech: The law permits punishment of up to three years' imprisonment for insulting the king, slandering the government or foreign leaders, offending religious beliefs, or stirring sectarian strife and sedition. During the year the government charged a number of activists with criticizing the king, and one journalist was fired from his newspaper for criticizing government officials. The

government monitored speech on university campuses. In a February 5 report, the activist student group Dhabahtuna criticized university bylaws that ban partisan activities on campuses.

On August 15, the public prosecutor charged Rula Hroub, Labib Kamhawi, Jafar Hourani, and Ghazi Abu Jneib Al Fayiz with undermining the ruling system, harming the king's dignity, and defaming an official entity, based on a July 25 television interview on JOSAT television station in which they questioned the king's reform efforts. The charges remained pending at year's end.

Freedom of Press: Independent print media existed, including several major daily newspapers; however, such publications must obtain licenses from the state to operate. The independent print and broadcast media largely operated without restriction, but media observers reported governmental pressure to refrain from criticizing the royal family, discussing the GID, or using language deemed offensive to religion, including the threat of large fines and prison sentences for slander of government officials and these other topics. Media organizations and journalists reported that the government influenced the appointment of editors in chief at some major publications, whether by virtue of officials' positions on the boards of directors of government-affiliated publications or through undisclosed contacts. The government has a majority of seats on the board for the leading semiofficial daily newspaper, *Al-Rai*, and a share of board seats for *Ad-Dustour* daily newspaper. The GID's Media Department must approve editors in chief.

The law states that the Prime Ministry has the authority to reject a broadcast license without a stated reason, based on the recommendation of the director of the governmental Audiovisual Commission. Media observers noted that when covering controversial subjects, government-owned Jordan Television, Jordan News Agency, and Radio Jordan reported only the government's position.

By law any book can be published and or distributed freely; however, if the Press and Publications Directorate deems that passages are religiously offensive or "insult" the king, it can request a court order to prohibit the distribution of the book.

Violence and Harassment: During the year journalists were subjected to harassment and intimidation due to their reporting. During a July 5 proreform demonstration in Irbid, photojournalist Gaith Al Tell claimed that the gendarmerie assaulted him, confiscated his camera, and deleted the photographs.

Censorship and Content Restrictions: The government directly and indirectly censored the media. Unlike in 2011, authorities censored what was produced on printing presses and edited articles deemed offensive before they could be printed. In addition journalists claimed that the government used informants in newsrooms and exercised influence over reporting and that GID officials censored reporting. Editors reportedly received telephone calls from security officials instructing them how to cover events or to refrain from covering certain topics or events, especially criticism of political reform. Government officials also reportedly bribed journalists to influence their reporting. Journalists reported that the threat of detention and imprisonment under the law for a variety of offenses, along with stringent fines of as much as 20,000 dinars (\$28,250) for defamation under the law, led to self-censorship. At times editors in chief censored articles to prevent lawsuits. The government's use of "soft containment" of journalists, including the withholding of financial support, scholarships for relatives, and special invitations, led to significant control of media content.

On July 26, Jordan-Media City cancelled the broadcast of JOSAT following its July 25 program that criticized the king and the government's reform efforts. Journalists claimed cancellation was due to criticism of the king. However, the director of the Audiovisual Commission, Amjad Qadi, stated the channel was shut down due to financial difficulties. Broadcast of the channel resumed under a different satellite provider later on July 26; however, on July 28, the station was again taken off the air and did not resume broadcast until October 10.

The government continued to enforce bans on the distribution of selected books for religious, moral, and political reasons. On April 17, author Hassan Blasim stated that for unspecified reasons the Department of Press and Publication banned the Arabic edition of his short story collection *The Madman of Freedom Square*. Citizens continued to use the Internet to purchase banned books.

Libel Laws/National Security: The government threatened to use libel and slander laws to suppress criticism. On December 3, prominent newspaper columnists offered to submit their resignation after the GID threatened the newspaper owner with libel and slander due to the columnists' criticism of the government's and royal court's reform efforts.

## **Internet Freedom**

There were government restrictions on access to the Internet. On September 18, the government amended the Press and Publication Law, which requires the

licensing and registration of online news Web sites, holds editors responsible for readers' comments on their Web sites, requires that Web site owners provide the government with the personal data of its users, and mandates that editors in chief be members of the Jordan Press Association. Amendments to the law give authorities explicit power to block and censor Web sites. Human rights activists believed the law was not clear as to whether social media sites were subject to its provisions and that the law infringed on freedom of expression. According to journalists, security forces reportedly telephoned Web sites demanding the removal of some posted articles. The government monitored electronic correspondence and Internet chat sites. Individuals were unable to express their views freely via the Internet, including by e-mail. During the year the Ministry of Interior continued to monitor Internet cafes via video cameras. The ministry also required cafe owners to register users' personal data, submit records of Web sites visited, and prevent access to "targeted" Web sites, as determined by the ministry.

On April 23, security forces arrested and charged the chief editor of *Gerasa News*, Jamal Al Mutassib, for antiregime incitement after he published an article that quoted an anonymous parliamentarian accusing the Royal Court of directing parliamentarians not to convict a former minister of corruption. Al Mutassib was released on May 13 on 5,000 dinars (\$7,100) bail, and the case remained pending at year's end. According to the Telecommunication Regulatory Commission, Internet penetration is 56 percent.

### **Academic Freedom and Cultural Events**

The government placed some limits on academic freedom. Some members of the academic community claimed that there was a continuing intelligence presence in academic institutions, including monitoring of academic conferences and lectures.

On September 2, the University of Jordan removed Rula Qawwas from her position as dean of the Faculty for Foreign Languages after she helped students publish a video about sexual harassment at the university. However, the president of the university called Qawwas' removal a routine administrative measure.

Some foreign films were edited prior to release due to sexual content or language deemed religiously offensive.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The constitution provides for freedom of assembly, but in practice the government limited this right. During the year there were several reported instances in which security forces used excessive force with impunity. Security forces generally permitted demonstrations and provided security prior to an announced demonstration. At times security officials blocked roads leading to a planned demonstration if the site of the demonstration would impede traffic.

On March 31, 200 persons protested at Fourth Circle, called for political reforms, and criticized the royal family. After two warnings from the PSD to halt chants considered disrespectful to the royal family, the gendarmerie violently dispersed the protest by beating and arresting a number of protesters. In a July 8 report, the NCHR stated the PSD overreacted and recommended an independent and transparent investigation into the incident. The NCHR report implied the PSD was unable to conduct an independent investigation. No such investigation into alleged abuses by the security forces was conducted by year's end.

On July 22, following a number of peaceful demonstrations in front of the Prime Ministry, the government fenced off the popular site for protests and sit-ins.

On November 13, both violent and peaceful protests erupted throughout the country in response to fuel price hikes. Security forces arrested more than 300 protesters, and the State Security Court charged 130 protesters with undermining the regime, unlawful gathering, rioting, or insulting the king. On December 10, the king ordered the detainees released on bail, and by year's end 35 remained detained. Members of the youth popular movements participated in protests throughout the year, calling for "real reforms, greater public liberties, justice and equality, and better opportunities for youth."

### **Freedom of Association**

The constitution provides for the right of association, but the government limited this freedom in practice. The law gives the Ministry of Social Development the right to reject applications to register an organization or receive foreign funding for any reason, and it prohibits the use of associations for the benefit of any political organization. The law also gives the ministry significant control over the internal management of associations, including the ability to dissolve associations, appoint new boards of directors, send government representatives to any board meeting, prevent associations from merging their operations, and appoint an auditor to examine an association's finances for any reason. The law requires associations to

inform the ministry of board meetings, submit all board decisions for approval, disclose members' names, and obtain Interior Ministry security clearances for board members. The law includes severe penalties, including fines up to 10,000 dinars (\$14,120).

Local and international NGOs claimed that the law severely restricted the work of independent human rights organizations. NGOs reported that while the government did not formally reject foreign funding requests or proposals, it at times refused to accept such requests or demanded unreasonable types and quantities of information.

On June 27, the Ministry of Political Development rejected the NGO Tamkeen for Legal Aid and Human Rights' request to receive foreign funding. The government provided no official reason for its decision. On September 6, Tamkeen filed a lawsuit with the Higher Court of Justice over the funding denial, and the court dismissed the case.

Citizens widely suspected that the government infiltrated civil society organizations, political parties, and human rights organizations and attended organizations' internal meetings.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation; however, there were some restrictions. The UN reported that the government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Foreign Travel: The Passport Law stipulates that women need a custodian to renew a passport. The GID sometimes withheld passports from citizens for alleged security reasons.

Citizenship: There were isolated cases in which Ministry of Interior officials arbitrarily withdrew citizenship from Jordanians of Palestinian descent.

### **Protection of Refugees**

Access to Asylum: The country's laws do not provide for the granting of asylum or refugee status, and the government lacks a formal system of providing protection to refugees. The government respected the UNHCR's eligibility determinations regarding asylum seekers, including those who entered the country clandestinely. A 1998 memorandum of understanding between the government and the UNHCR contains the definition of a refugee, confirms adherence to the principle of nonrefoulement, and allows recognized refugees a maximum stay of six months, during which period the UNHCR must find a durable solution. However, refugees often stayed beyond the time limit.

Refoulement: During the year the government returned without due process a number of Syrian refugees to Syria, especially those of Palestinian descent. The government turned away at the border crossing a number of Palestinians from Syria and at times did not allow the entry of Palestinian children of Jordanian female citizens. A July 4 Human Rights Watch report stated that on March 17, a Palestinian man who entered Jordan from Syria was immediately taken to Jordanian military security offices on the border and was forced twice to cross back into Syria, threatened with deportation a third time, and then allowed to stay in the country.

Employment: Syrian and Iraqi refugees had limited access to the official labor market. The government's practice of confiscating Syrians' identification documents at unofficial border crossings prevented them from obtaining work permits. As a result, Syrians sought employment in the unofficial labor market. A limited number of Iraqi refugees received approval for work permits from the Ministry of Labor. However, the government also requires refugees to obtain residency permits from the Ministry of Interior to issue a work permit, thereby limiting the number of work permits issued. Few Iraqi refugees received work permits due to bureaucratic hurdles and a desire to avoid significant overstay fines they would have to pay when applying for such permits. Because of the difficulties and expense involved, many Iraqi refugees worked in the unofficial labor market.

Access to Basic Services: Palestinian refugees from Gaza who entered the country following the 1967 war were excluded from services otherwise available to Palestinian refugees, such as access to public assistance, public higher education, or public medical services. However, they were eligible to receive UNRWA services.

The government provided health and educational services to registered Syrian and Iraqi refugees. Syrian and Iraqi refugees had equal access to justice regardless of their legal status; nevertheless, there was fear of retaliation from Jordanians. Iraqis and Syrians had equal access to housing, although they tended to pay higher rents than Jordanians.

Temporary Protection: The government generally recognized the UNHCR's requests to grant temporary protection for all Iraqi and Syrian asylum seekers, including new arrivals, and recognized refugees whose cases had been suspended by resettlement countries. By year's end there were 117,321 Syrians and 29,421 Iraqis registered with the UNHCR. The government tolerated the prolonged stay of many Iraqis beyond the expiration of the visit permits under which they entered the country.

### **Stateless Persons**

Citizenship is derived only through the father. Children of female citizens married to noncitizen husbands receive the nationality of the father and lose the right to attend public school or seek other government services if they do not hold legal residency, which must be applied for every year and is not assured. Married women do not have the legal right to transmit citizenship to their children. In practice this affected thousands of families in which the father was of Palestinian origin. By law the cabinet may approve citizenship for such children; however, this rarely occurred. The public was not widely aware of this mechanism. Women may not petition for citizenship for noncitizen husbands, who may apply for citizenship only after fulfilling a requirement of 15 years' continuous residency. Once a husband has obtained citizenship, he may apply to transmit citizenship to his children. However, in practice such an application could take years, and the government could deny the application. There were no estimates of the number of stateless persons. Discrimination against stateless persons continued in employment, education, housing, health services, marriage, birth registration, access to courts, and land ownership.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The law does not provide citizens the right to change their monarch or government. The king appoints and dismisses the prime minister, cabinet, and the House of Notables; dissolves parliament; and directs major public policy initiatives. Citizens may participate in the political system through their elected representatives in the Chamber of Deputies. The cabinet, based on the prime minister's recommendations, appoints the mayors of Amman, Wadi Musa (Petra), and Aqaba, a special economic zone. The mayors of the other 93 municipalities are elected. However, the cabinet-appointed municipal councils have been installed since March 2011.

#### **Elections and Political Participation**

Recent Elections: In November 2010 the country held parliamentary elections, which international observers considered “a clear improvement over the nation’s 2007 polls.” However, observers recommended future reforms, such as establishing an independent electoral management body, preprinting ballots to mitigate concerns over voting procedures for the illiterate, strengthening representation for all citizens, and introducing regulations to allow for systematic appeals of the election results. In September 2011 parliament approved a constitutional amendment to establish the Independent Electoral Commission, which was charged with organizing and supervising the 2013 and future elections. Gerrymandering districts was a significant problem and had the effect of minimizing the impact of votes by citizens of Palestinian origin in favor of tribal interests. On July 24, parliament amended the electoral law to grant voters two votes, one vote for a candidate for 123 district level seats and a second vote on the national level for 27 seats, thereby increasing the number of parliamentary seats from 120 to 150.

Political Parties: On June 6, parliament amended the political parties law to eliminate the previous requirement for security clearances for founding members of political parties. The law also removes the Ministry of Interior as the sole point of reference for political parties, instead replacing it with a joint governmental committee. The law also streamlines the bureaucratic process of registering political parties. The government continued to license political parties and other associations but prohibited membership in unlicensed political parties. Under the previous law, the High Court of Justice could dissolve a party; however, according to the new law only the Supreme Court is able to dissolve a party if it concludes

the party violated the law. There were more than 23 registered political parties; however, they were weak, generally had vague platforms, and were personality centered. The strongest political party was the Islamic Action Front.

Participation of Women and Minorities: Human rights activists cited cultural bias against women as an impediment to women participating in political life on the same scale as men. There is a 10 percent quota for women in the lower house of parliament and a 25 percent quota for women in municipal councils. In the 2010 elections, voters elected 13 women to parliament, exceeding the quota by one. There were no female governors during the year. One woman served in the appointed 27-member cabinet, as the minister of women's affairs. The amended electoral law increased the women's quota from 12 to 15.

Citizens of Palestinian origin were underrepresented at all levels of government and the military. The law reserves nine seats in the lower house of parliament for Christians and three seats for the Circassian and Chechen ethnic minorities combined, constituting an overrepresentation of these minorities. No seats are reserved for the relatively small Druze population, but its members may hold office under their government classification as Muslims. The law also stipulates that Muslims must hold all seats not reserved for specified minority religions. Christians served as cabinet ministers and ambassadors. The government traditionally reserves some positions in the upper levels of the military for Christians (4 percent); however, Muslims held all senior command positions.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively. Officials often engaged in corrupt practices with impunity. During the year the government investigated allegations of corruption; however, there were very few convictions. The use of family, business, and other personal connections to advance personal business interests was widespread. There were allegations of lack of transparency in government procurement, government appointments, and dispute settlement.

The Anti-Corruption Commission (ACC) is the main body responsible for combating corruption, although the Anti-Money Laundering Unit in the Central Bank is responsible for combating money laundering. Despite increased investigations some local observers questioned the ACC's effectiveness due to its limited jurisdiction, insufficient staff, legal obstacles, and the small number of investigations involving senior officials or large government projects. There were

credible allegations that the ACC failed to investigate cases involving high-level government officials, who were not afforded immunity in the constitution.

There was one high-profile corruption conviction during the year. On November 11, the State Security Court convicted former director of the General Intelligence Department Mohamed Dahabi of money laundering, misuse of office, and embezzlement and sentenced him to 13 years' imprisonment and a fine of 21 million dinars (\$30 million).

The law requires certain government officials (along with their spouses and dependent children) to declare their assets privately within three months of their assuming a government position. However, in practice officials rarely declared their assets. In the event of a complaint, the chief justice may review the disclosures. Under the law failure to disclose assets could result in a prison sentence of one week to three years or a fine of five to 200 dinars (\$7 to \$282). As of year's end no officials had been punished for failing to submit a disclosure.

The law provides for public access to government information that is a matter of legal record but allows requests to be denied for reasons of national security, public health, and personal freedoms. The government has 30 days to respond to requests for information. If a government official refuses to respond to a request, the requestor can appeal to the governmental Information Council; however, its decisions are nonbinding. The fees are not prohibitive and usually are associated with photocopy costs, if necessary. Journalists criticized the law, claiming that it permits the government to deny requests without justification.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A number of domestic and international human rights groups operated in the country with some restrictions. The law gives the government the ability to control NGOs' internal affairs, including acceptance of foreign funding. NGOs generally were able to investigate and report publicly on human rights abuses throughout the year, although government officials were not always cooperative.

Government Human Rights Bodies: The government-funded NCHR's reports were regarded as fairly objective and critical, albeit noncontroversial. Nevertheless, some observers questioned its effectiveness as a body, noting that the government seldom complied with its recommendations.

## Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution states that all citizens are equal under the law and prohibits discrimination based on race, language, and religion; however, discrimination on the basis of gender, disability, and social status is not specifically prohibited. The government did not effectively enforce these provisions, and the penal code does not address discrimination, thereby severely limiting judicial remedies. Women faced significant and widespread discrimination across society, especially in the economy and politics.

### Women

Rape and Domestic Violence: The law stipulates a sentence of at least 10 years of imprisonment with hard labor for the rape of a girl or woman 15 years of age or older. Spousal rape is not illegal. The law does not explicitly ban domestic violence. The government did not enforce the law against rape effectively, and violence and abuse against women was widespread. Violence against women was reported more frequently in rural areas than in major cities, but women's rights activists speculated that many incidents in cities went unreported because violence against women remained a taboo subject, due to societal and familial pressures. There were no statistics available regarding the number of abusers prosecuted, convicted, or punished. Human rights activists stated that girls and women with disabilities were particularly at risk of gender-based violence.

Women may file complaints of rape or physical abuse with certain NGOs or directly with judicial authorities. During the year the PSD's Family Protection Department (FPD) treated and investigated 681 cases of rape or sexual assault against women. The FPD actively investigated cases; however, there were some reports of pressure on families to settle disputes via mediation instead of the courts. The FPD also conducted awareness campaigns about domestic violence. Spousal abuse is technically grounds for divorce, but husbands can claim religious authority to strike their wives. Observers noted that judges generally supported a woman's claim of abuse in court; however, due to societal and familial pressure, few women sought legal remedies.

The FPD continued to operate a domestic violence hotline and received inquiries and complaints via the Internet and e-mail. The FPD provided public information and training for government employees on domestic violence and rape. The government-run shelter Dar al-Wafaq assisted approximately 700 female victims of domestic violence during the year. It provided reconciliation services to victims

and their families and worked with NGOs to provide services, such as legal and medical assistance. However, observers noted the lack of a comprehensive approach for victims, such as psychosocial assistance.

Harmful Traditional Practices: Judicial statistics indicated that 10 honor crimes were referred to the judicial system during the year. Activists reported that many such crimes went unreported. The Supreme Criminal Court's panel of judges dedicated to cases involving honor crimes routinely issued sentences of up to 15 years to perpetrators of such crimes. However, the Cassation Court, which reviews The Supreme Criminal Court rulings, generally decreased the sentences by half. During the year the courts issued four guilty verdicts ranging from two to 10 years' imprisonment. There were several cases during the year in which family members dropped the charges against perpetrators of honor crimes, and the 2011 General Amnesty Law resulted in the government dropping charges in cases where the family dropped the charges against the perpetrator. Instances of forced marriage as an alternative to a potential honor killing were reported during the year. Observers noted that if a woman marries her rapist, according to customary belief, her family members do not need to kill her to "preserve the family's honor."

Numerous honor crime cases were reported during the year. For example, on July 18, a 60-year-old man allegedly killed his 25-year-old divorced daughter in Amman, claiming "family honor" because she gave birth out of wedlock. He was arrested and charged with murder. The case remained pending at year's end.

Through their administrative detention authority, governors continued to place potential victims of honor crimes in involuntary protective custody in the Women's Correctional and Rehabilitation Center in Jweideh detention facility, where some women had remained for more than one year. Underage potential victims were held in the Al-Khansa Juvenile Center under unclear legal status. The government estimated that 24 women were placed in protective custody during the year. A number of women detained for more than one year were released during the year. A woman detained in protective custody can be released only after her family signs a statement guaranteeing her safety and both the local governor and the woman agree to the release. During the year there was at least one case of a woman being killed after release from protective custody. On November 13, a father killed his daughter in Al Ruseifa after signing a pledge to the governor not to kill her. The daughter left her husband's house for two days due to marital problems and the father reported the daughter missing. The police found her and transferred her to the governor, who summoned the father to collect his daughter after he signed a pledge not to kill her. One NGO continued to work for the release of these women

through mediation with their families. The NGO also provided a temporary but unofficial shelter for such women as an alternative to protective custody.

Sexual Harassment: According to the law sexual harassment is strictly prohibited. The law does not make a distinction between sexual assault and sexual harassment. Both carry a minimum prison sentence of four years with hard labor. The government did not enforce this law in practice. Women's groups stated that harassment was common, but many victims were hesitant to file a complaint and rarely did so because they feared blame for inciting the harassment or consequences such as losing their job, or because they faced social and cultural pressure to keep silent. NGOs reported that foreign migrant workers, including garment workers and domestic workers, were especially vulnerable to sexual harassment, including sexual assault, in the workplace.

Reproductive Rights: Couples have the basic right to decide freely and responsibly the number, spacing, and timing of their children, and individuals were able to make such decisions free from discrimination and coercion. Contraceptives were generally accessible to all men and women, both married and single, and provided free of charge in public clinics. Comprehensive essential obstetric, prenatal, and postnatal care was provided throughout the country in the public and private sectors. The Higher Council for the Affairs of Persons with Disabilities and civil society activists reported that forced sterilization of women and girls with intellectual disabilities was a common practice. The Higher Council estimated that the number of such cases during the year was comparable to the 64 hysterectomies documented in 2011.

Discrimination: Women do not have the same legal status and rights as men and experienced discrimination in a number of areas, including inheritance, divorce, ability to travel, child custody, citizenship, pension and social security benefits, the workplace, and, in certain circumstances, the value of their testimony in a Sharia court. Ten percent of women were illiterate. Women owned only 17 percent of property.

There is no specialized office or designated official to handle discrimination claims. The Jordanian National Commission for Women, a government-supported NGO, operated a hotline to receive discrimination complaints.

Under Sharia as applied in the country, female heirs receive half the amount that male heirs receive. A sole female heir receives only half of her parents' estate, with the balance going to designated male relatives, whereas a sole male heir

inherits all of his parents' property. Women may seek divorce without the consent of their husbands in limited circumstances such as abandonment, spousal abuse, or in return for waiving financial rights. The law allows retention of financial rights under specific circumstances, such as spousal abuse. Special courts for each Christian denomination adjudicate marriage and divorce.

The law allows fathers to prevent their children from leaving the country through a court order; however, this same court order is not available to mothers. Some mothers claimed that they were prevented from departing the country with their children because authorities enforced requests from fathers to prevent their children from leaving. However, authorities did not stop fathers from exiting the country with their children when the mother objected.

The government provided men with more generous social security benefits than women. The government continued pension payments of deceased male civil servants to their heirs, but it discontinued payments to heirs of deceased female civil servants unless they were the sole income earner in the family. Laws and regulations governing health insurance for civil servants under the Civil Service Bureau do not permit married women to extend their health insurance coverage to dependents or spouses unless they are the sole income earner in the family. However, divorced and widowed women may extend coverage to their children.

Union officials reported that sectors employing predominantly women, such as secretarial work, offered wages below the official minimum wage of 190 dinars (\$268) per month. Many women said that traditional social pressures discouraged them from pursuing professional careers, especially after marriage.

## **Children**

Birth Registration: Citizenship is derived only through the father. The government did not issue birth certificates to all children born in the country during the year. The government deemed some children--including children of unmarried women or of certain interfaith marriages involving a Muslim woman, and converts from Islam to another religion--illegitimate and denied them proper registration, making it difficult or impossible for them to attend school, access health services, or receive other documentation. Prior to 2010 illegitimate and abandoned children received a national identity number that clearly marked them as different; such numbers impeded these children as adults from obtaining employment, housing, and government benefits. On July 28, the Ministry of Social Development and the Ministry of Interior offered to issue new, nondiscriminatory national identity

numbers, and a small number of eligible orphans successfully changed their national numbers.

Education: Education is compulsory from ages six through 16 and free until age 18. However, no legislation exists to enforce the law or to punish guardians for violating it. Children without legal residency do not have the right to attend public school. Children of female citizens and noncitizen fathers, for example, must apply for and pay 30 dinars (\$42) for residency permits every year, and permission is not assured. Children with disabilities experienced extreme difficulty in accessing constitutionally protected early and primary education.

Child Abuse: The law specifies punishment for abuse of children. For example, conviction for rape of a child younger than age 15 potentially carries the death penalty. However, local organizations working with abused children pointed to gaps in the legal system that regularly resulted in lenient sentencing, particularly for family members convicted of abuse. For example, the penal code gives judges the ability to reduce a sentence when the victim's family does not press charges. In child abuse cases, judges routinely accorded leniency in accordance with the wishes of the family. During the year authorities investigated 333 cases of child sexual abuse. A 2010 Ministry of Education and UNICEF report stated that 38 percent of children were subjected to verbal abuse and 29 percent had experienced some form of physical abuse in school. On September 2, the Supreme Criminal Court convicted and sentenced a man and his wife to nine years of hard labor for sexually assaulting their 15-year-old daughter.

According to the NCHR, some juveniles in detention alleged torture and mistreatment.

The government continued to fund a child protection center that provided temporary shelter and medical care for abused children between the ages of six and 12. During the year the shelter housed 105 abused children. Observers noted that the shelter lacked qualified staff, psychosocial counselors, and a comprehensive approach to deal with victims of abuse. According to a May 29 government investigation of residential and day rehabilitation centers for children with disabilities, staff physically and verbally abused children with impunity.

Child Marriage: The minimum age for marriage is 18. However, with the consent of both a judge and a guardian, a child as young as 15, in most cases a girl, may be married. Judicial statistics indicated that in 2011, 12 percent of marriages involved at least one person between 15 and 18 years of age.

Sexual Exploitation of Children: The law stipulates that the penalty for the commercial exploitation of children is six months to three years of imprisonment. The law also penalizes individuals who traffic persons for the purpose of sexual exploitation with a maximum of 10 years of hard labor and a fine of 2,000-50,000 dinars (\$2,800-70,600). The law prohibits the distribution of pornography involving persons under the age of 18 and provides for a fine of 300-5,000 dinars (\$420-7,100) or at least three months' imprisonment. However, the law does not prohibit the possession of child pornography. The law penalizes those who use the Internet to post or distribute child pornography with a fine of 500-5,000 dinars (\$710-7,100) or at least six months' imprisonment. The minimum age of consensual sex is 18.

Institutionalized Children: According to a September 13 report by a government-appointed independent investigatory committee, the Ministry of Social Development failed to provide sufficient oversight for juvenile detention centers and private and government-run orphanages. The committee highlighted the pervasive use of physical discipline, physical and verbal abuse, unacceptable living conditions and a lack of educational, rehabilitative, or psychosocial services for wards and inmates. Activists for orphans' rights alleged that adult orphans and former wards of the state were especially vulnerable to forced and early marriage, labor trafficking, and sexual exploitation.

International Child Abduction: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [http://travel.state.gov/abduction/country/country\\_4797.html](http://travel.state.gov/abduction/country/country_4797.html).

## **Anti-Semitism**

Anti-Semitism was present in the media. Editorial cartoons, articles, and opinion pieces sometimes negatively depicted Jews without government response. Aside from expatriates, there was no resident Jewish community in the country. The national school curriculum, including materials on tolerance education, did not include mention of the Holocaust.

In October a journalist published an article on the nonmainstream Al-Hiwar Al Matamassin opinion Web site arguing that Jews owed Hitler a debt of gratitude for helping obtain a Jewish state in Palestine and that they only pretended he was hostile to them during the Second World War.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

## Persons with Disabilities

The law generally provides equal rights to persons with disabilities, but such legal protections were not upheld in practice. Activists noted that the law on the rights of persons with disabilities lacked implementing regulations. The Higher Council for the Affairs of People with Disabilities (HCAPD), a government body, works with ministries, the private sector, and NGOs to formulate and implement strategies to assist persons with disabilities. Citizens and NGOs universally reported that persons with disabilities faced problems in obtaining employment and accessing education, health care, transportation, and other services, particularly in rural areas.

Human rights activists reported that some persons with disabilities were subjected to cruel and inhuman treatment at institutions and rehabilitation centers. On June 4, the public prosecutor filed assault charges against a caretaker at the government-run Karak Rehabilitation Center for cutting both ears of a resident with a hearing impairment and intellectual disability. The case continued at year's end.

The electoral law directs the government to verify that voting facilities are accessible to persons with disabilities and allows such persons to bring a personal assistant to the polling station; the Independent Electoral Commission has responsibility for implementing this law.

The HCAPD reported that educational accommodations were more readily available at the university level than in elementary and secondary schools. At all levels of education, children with certain types of disabilities were excluded from studying certain subjects and often could not access critical educational support services, such as sign language interpretation. General education teachers were not trained to work with students with various disabilities. Families of children with disabilities reported that teachers and principals often refused to include children with disabilities in mainstream classrooms. During registration for the 2012-13 school year, the Ministry of Education refused to register children with mild and moderate intellectual or developmental disabilities who had previously attended private schools with HCAPD funding, which was withdrawn during the year. The

Ministry of Education provided accessible transportation to specialized centers for children with disabilities but not to mainstream schools. However, there remained insufficient capacity in specialized centers for all students who required accommodations. Students with significant intellectual disabilities fell under the authority of the Ministry of Social Development rather than the Ministry of Education.

The Special Buildings Code Department is tasked with enforcing accessibility provisions and oversees retrofitting of existing buildings to comply with building codes. The vast majority of private and public office buildings continued to have limited or no access for persons with disabilities. Municipal infrastructure such as streets, sidewalks, and intersections were not accessible.

The law mandates that public and private sector establishments with between 25 and 50 workers employ at least one person with disabilities and that establishments with more than 50 workers must reserve 4 percent of their positions for persons with disabilities. However, the law lacked implementing regulations and was rarely enforced. In addition employers who state the nature of the work is not suitable for persons with disabilities are exempt from the quota. Employers, including the government's Civil Service Bureau, frequently required potential employees with disabilities to present a medical letter certifying the bearer was competent to perform the job in question. Human rights activists considered the letter a large barrier to participation in public life because some medical professionals were not aware of the full range of accommodations available and thus certified individuals as not able to perform certain tasks. During the year the HCAPD documented four cases in which persons with disabilities were denied or suspended from work they were qualified to perform solely because of their disabilities. Banks commonly refused to allow visually impaired persons to independently open a bank account and required blind applicants to bring two male witnesses to certify each transaction. Banks commonly refused to issue visually impaired customers automated teller machine cards.

The forced sterilization of women and girls with intellectual disabilities was a common practice during the year. Girls and women with disabilities were particularly at risk for gender-based violence.

Human rights activists and the media reported that children and adults with disabilities were vulnerable to physical and sexual abuse while in institutions, rehabilitation centers, or other care settings, including their family homes. Some

of these institutions were government-operated, and some of the abusers were government employees.

### **National/Racial/Ethnic Minorities**

There were three groups of Palestinians residing in the country, many of whom faced some discrimination. Those who migrated to the country and the Jordan-controlled West Bank after the 1948 Arab-Israeli war received full citizenship, as did those who migrated to the country after the 1967 war and hold no residency entitlement in the West Bank. Palestinians still residing in the West Bank after 1967 were no longer eligible to claim full citizenship, but they could obtain temporary travel documents without national identification numbers, provided they did not also carry a Palestinian Authority travel document. These individuals had access to some government services but paid noncitizen rates at hospitals, educational institutions, and training centers. Refugees who fled Gaza after 1967 were not entitled to citizenship and were issued temporary travel documents without national numbers. These persons had no access to government services and were almost completely dependent on UNRWA services.

Several human rights organizations stated that the Ministry of Interior revoked national numbers of some longtime citizens of Palestinian origin during the year.

Palestinians were underrepresented in parliament and senior positions in the government and the military, as well as in admissions to public universities. They had limited access to university scholarships.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

Homosexuality is not illegal; however, societal discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons was prevalent. A number of citizens reported sporadic police mistreatment of suspected or actual LGBT persons. Some LGBT individuals reported reluctance to engage the legal system due to fear that their sexual orientation would become an issue. There were reports of individuals who left the country due to fear that their families would punish them because of their sexual orientation.

### **Other Societal Violence or Discrimination**

HIV/AIDS was a largely taboo subject. Lack of public awareness remained a problem; many citizens believed the disease exclusively affected foreigners and members of the LGBT community. HIV-positive individuals were socially stigmatized. The government continued its efforts to inform the public about the disease and eliminate negative attitudes about persons with HIV/AIDS; however, it also continued to test all foreigners annually for HIV/AIDS, hepatitis B, syphilis, malaria, and tuberculosis, and it deported those who tested HIV-positive.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutes, provides for the right to form and join independent unions and conduct legal strikes, but with significant restrictions. There is no right to collective bargaining, although the labor code provides for collective agreements. The law identifies specific groups of public and private sector workers who may organize and defines 17 industries and professions in which trade unions may be established. The establishment of new unions requires approval from the Ministry of Labor. The law requires that these 17 trade unions belong to the government-subsidized General Federation of Jordanian Trade Unions, the country's sole trade union federation. The law authorizes additional professions on a case-by-case basis to form professional associations. The constitution prohibits antiunion discrimination, and the law protects workers from employer retaliation due to union affiliation or activities. The law does not explicitly provide a worker fired due to antiunion views the right to reinstatement.

Conflicts during negotiations are referred first to a mediator appointed by the Minister of Labor. If the case is unresolved, it moves to the minister of labor, and then to a mediation council composed of an employee representative, a labor representative, and a chair appointed by the minister of labor. The minister of labor refers conflicts not settled by the council to a labor court. There are limits on the right to strike, including a requirement to provide a minimum of 14 days' notice to the employer. Strikes are prohibited if a labor dispute is under mediation or arbitration.

Foreign workers are allowed to join unions, but they are not permitted to create unions, head a union, or hold union office. It remained unclear whether domestic and agricultural workers were permitted to create or join unions or whether they were granted other protections in the labor code. Labor court judges were divided

over whether the entire labor code applied to domestic workers or only Regulation 90 of 2009 for Domestic Workers, Cooks, Gardeners, and Similar Workers. The government did not fully enforce applicable laws with effective remedies and penalties.

Freedom of association and the right to collective bargaining were not fully respected in practice. Many worker organizations were not independent of the government, and government influence on union policies and activities continued. The government subsidized and audited General Federation of Jordanian Trade Unions salaries and activities and monitored union elections. The government denied recognition to independent unions that were organized outside the structure of the government-approved federation. On April 1, the High Court of Justice ruled against an appeal filed by an independent union of phosphate workers against a Ministry of Labor decision to reject the union's application for registration.

There were no reports of threats of violence against union heads, although labor activists alleged that the security services pressured union leaders to refrain from activism that challenged government interests. In practice strikes generally occurred without advance notice, and the union or workers requested penalty waivers for the illegal strike as part of subsequent labor negotiations. There were no documented cases of excessive force used against striking workers, although government forces used tear gas to break up two protests by unemployed workers on January 29 in Tafileh and one protest by unemployed workers on June 11 in Ma'an.

Foreign workers in the garment sector, whose residency permits are tied to work contracts, were vulnerable to retaliation by employers for participating in strikes and sit-ins. Foreigners in the construction, services, and agricultural sectors were also subject to similar vulnerabilities. The law allows employers to consider employment contracts void if a worker is absent more than 10 consecutive days, as long as the employer provides written notice; participation in a nonrecognized strike counts as an unexcused absence for the purpose of this law. The Ministry of Labor sometimes prevented management from arbitrarily dismissing foreign workers engaged in labor or other activism, but its engagement was inconsistent. Observers reported it was common practice for management to refuse to renew foreign workers' contracts on the basis of "troublemaking" or attempting to organize in the workplace. Labor organizations reported that management representatives used threats to intimidate striking workers. Labor organizations and industry representatives reported that workers also sometimes used threats and

physical violence to retaliate against management officials or to coerce colleagues into participating in labor actions.

The Ministry of Labor received no complaints of antiunion discrimination during the year; however, observers noted that nonunionized workers were not explicitly protected in the labor code from retaliation. This was particularly the case for foreign workers in all sectors as well as citizens working in the public sector on short-term contracts (day laborers).

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor except in a state of emergency, such as war or natural disaster. The government did not effectively enforce the law. Labor activists noted that law enforcement and judicial officials did not consistently identify victims and open criminal investigations. Police investigated six cases of forced labor involving 23 potential victims. The police referred 30 potential victims of forced labor to shelter services.

The government made efforts to address forced labor through inspections and other means.

The government actively inspected garment factories and investigated allegations of forced labor. Reports of withholding of passports continued to decline during the year. The Ministry of Labor recommended to the labor courts the imposition of fines, when justified, for garment sector employers who withheld passports.

Labor inspectors did not regularly investigate reports of labor or other abuses of domestic workers in private homes and were not permitted to enter a private residence without the owner's permission except with a court order.

On August 7, the prime minister authorized the government to temporarily lift fines and other legal barriers that had prevented foreign migrant workers sheltering at their embassies and in detention centers from returning to their countries of origin. During the year 747 women, most of whom were judged by local and international human rights organizations to have been working under forced labor conditions, were repatriated to their countries under this directive.

Forced labor or conditions indicative of forced labor occurred in practice, particularly among migrant workers in the domestic work and agricultural sectors. Activists identified domestic workers as particularly vulnerable to exploitation due

to inadequate government oversight, social norms that excused forced labor, and workers' isolation within individual homes. Activists also highlighted the vulnerability of agricultural workers due to minimal government oversight. Forced labor or conditions indicative of forced labor occurred in the garment industry, although a November 14 Better Work Jordan report noted that there had been a significant decrease in the number of factories that restricted workers' movements through curfews. Indebtedness of migrant garment workers to third parties and involuntary or excessive overtime persisted.

Also see the Department of State's *Trafficking in Persons* Report at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law forbids employment of children younger than 16 years of age, except as apprentices in nonhazardous positions. The law bans those between the ages of 16 and 18 from working in potentially hazardous jobs, limits working hours for such children to six hours per day, mandates one-hour breaks for every four consecutive working hours, and prohibits these children from working after 8 p.m. on national or religious holidays and on weekends.

The government's capacity to implement and enforce child labor laws was not sufficient to deter the practice. The Ministry of Labor's three-person Child Labor Unit was responsible for coordinating government action regarding child labor; it oversaw the work of 20 child labor focal points within the Inspection Department. The Ministry of Labor Inspection Department's staffing was insufficient to address child labor effectively. The Child Labor Unit reported that labor inspectors found child laborers at 512 institutions and issued 187 warnings and 66 violations. Violators were referred to an administrative labor court; the Ministry of Justice had no information on any child labor cases referred to criminal courts. The law provides that employers who hire a child younger than age 16 pay a fine of as much as 500 dinars (\$710), which is doubled for repeat offenses. Observers did not believe the penalties were sufficient to deter child labor.

Labor inspectors reportedly attempted alternative approaches before issuing official warnings and violations, such as issuing advice and guidance, ensuring safe work conditions, and cooperating with employers to permit working children to attend school concurrently.

The government's National Steering Committee worked with NGOs to develop a database of child laborers; however, by year's end the project remained incomplete. The Ministries of Labor, Education, and Social Development collaborated with NGOs aiming to withdraw children from the worst forms of labor.

Child labor occurred in practice. Children worked in mechanical repair, agriculture, construction, and the hotel and restaurant industry; in the informal sector as street vendors, carpenters, blacksmiths, domestic workers, and painters; and in small family businesses. Child labor appeared concentrated in larger cities, such as Amman, Zarqa, and Irbid; however, the incidence of child labor was reportedly higher in some semirural communities, including Mafraq and Ma'an. The government lacked recent statistics on the problem. A 2008 Department of Statistics study estimated that more than 32,000 children between the ages of five and 17 were working in the country. Activists estimated the number to be significantly higher, as many businesses and families tended to hide the practice. Child protection advocates believed that Syrian refugee children increasingly entered the workforce and engaged in hazardous work but lacked data on the extent of the phenomenon.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

On February 1, the government raised the national minimum wage to 190 dinars (\$268) per month, and the poverty level was set at 366 dinars (\$517) per month for a family of five. The minimum wage increase excluded noncitizens and all workers in the garment industry. Citizen workers in the garment industry received a minimum wage of 170 dinars (\$240) per month; noncitizen workers in the garment industry received a minimum wage of 110 dinars (\$155) per month, although many had base wages slightly above the minimum wage. This exemption was granted in part because employers often provided room and board for noncitizen workers in this sector. However, some garment factories continued to deduct room and board from workers' already lower salaries.

The law sets a standard workweek of 48 hours, and requires overtime pay for hours worked in excess of that standard. The law provides for 14 days of paid annual leave per year, which increases to 21 days after five years of service. Workers are also provided additional national and religious holidays designated by the

government. Employees are entitled to one day off per week. The law permits compulsory overtime under certain circumstances such as conducting an annual inventory, closing accounts, preparing to sell goods at discounted prices, avoiding loss to goods that would otherwise be exposed to damage, and receiving special deliveries. In such cases actual working hours may not exceed 10 hours per day, the employee must be paid overtime, and the period may not last more than 30 days. There is no cap on the amount of consensual overtime.

The government set occupational health and safety standards. Employers are required to abide by all such standards set by the Ministry of Labor. The law requires employers to protect workers from hazards caused by the nature of the job or its tools, provide any necessary protective equipment, train workers on hazards and prevention measures, provide first aid as necessitated by the job, and protect employees from explosions or fires by storing flammable materials appropriately.

The Ministry of Labor is responsible for enforcement of labor laws and acceptable conditions of work. Ministry of Labor inspectors enforced the labor code but were unable to ensure full compliance; there were 120 inspectors for the entire country, an insufficient number to enforce the labor code effectively. Employees may lodge complaints regarding violations of the labor code directly with the Ministry of Labor or through organizations such as their union or the NCHR. The Ministry of Labor opens an investigation for each complaint. Labor inspectors conducted 49,463 inspections and issued 3,327 warnings and 13,106 violations nationwide.

Labor standards apply to the informal sector, but the Ministry of Labor lacked the capacity to detect and monitor informal work. Authorities did not consistently apply all the protections of the labor code to domestic and agricultural workers, as its applicability was not clear. Labor contacts stated that agricultural and domestic workers, cooks, and gardeners were not entitled to social benefits from the Social Security Corporation.

The government took action to prevent violations and improve working conditions during the year. The Ministry of Labor placed a special focus on enforcing compliance in the Qualifying Industrial Zones, which were populated largely by migrant garment workers. The ratio of labor inspectors to workers or places of employment were significantly higher in these zones than for the general population. The government required export garment manufacturers to take part in Better Work Jordan in order to improve labor standards. As of August 28, 53 of the 67 factories required by the government to join Better Work Jordan were active members of the program.

On August 7, the cabinet authorized the Residency and Border Control Department to lift flight notifications for 747 domestic workers housed at embassy shelters or in detention centers, allowing them to return to their home countries. The program briefly decreased the number of women at the Indonesian and Philippine shelters. However, the Residency and Border Control discontinued lifting flight notifications by year's end.

On December 6, the Ministry of Labor announced a rectification of status program for foreign nationals engaged in unauthorized employment. The program waived overstay fines and allowed unauthorized workers to apply for a residency permit and work permit. However, the program excluded "runaway" domestic workers with flight notifications, preventing a large population from benefiting from the program.

Wage, overtime, safety, and other standards often were not upheld in several sectors, including construction, mechanic shops, day labor, and the garment industry. Foreign workers faced hazardous and exploitative working conditions in a variety of sectors. Union leaders reported that female Jordanian workers were more likely to encounter labor violations; including wages below the minimum wage and harassment in the workplace. As there was no limit on consensual overtime, the Ministry of Labor permitted employees in some industries, such as the garment sector, to work excessive workweeks, reportedly as much as 80-100 hours per week.

In the garment sector foreign workers were more susceptible than their Jordanian counterparts to dangerous or unfair conditions, including mandatory overtime, delayed payment of wages, deductions for room and board, and unacceptable dormitory conditions.

Some workers in the agricultural sector, the vast majority of whom were Egyptian, were subject to exploitative conditions. According to a domestic NGO, agricultural workers usually were paid less than the minimum wage, worked excessive hours without adequate compensation, and lived in substandard housing. Some employers in the agricultural sector also reportedly confiscated passports. Egyptian migrant workers were also vulnerable to exploitation in the construction industry; they usually were paid less than the minimum wage and lacked basic training and equipment necessary to uphold occupational health and safety standards.

Domestic workers, overwhelmingly migrants, often faced unacceptable working conditions. Many domestic workers reported to local NGOs and their embassies that they received insufficient food, no private accommodations, no health care, no days off, and long delays in or nonpayment of wages. Domestic workers could file complaints in person with the Ministry of Labor's Domestic Workers Directorate or the PSD; however, many domestic workers complained there was no follow-up on their cases either from the ministry or from the PSD. Users of a Ministry of Labor domestic worker hotline reported that live operators were available only during government business hours, or seven hours a day during the workweek. Afterhours calls required the user to leave a message and a callback number, which posed particular difficulties for domestic workers who had access only to their employers' telephones.

Advocates for migrant domestic workers reported that domestic workers who sought government assistance or made allegations against their employers frequently faced counterclaims of criminal behavior from their employers. Employers could file criminal complaints or flight notifications against domestic workers with police stations. Even when domestic workers benefited from initiatives such as the general amnesty that waived immigration overstay fines, they could be prevented from leaving the country due to such alerts on file with the police.

During the year hundreds of domestic workers from the Philippines, Indonesia, and Sri Lanka sought shelter at their countries' embassies in Amman. Most reportedly fled some form of forced labor or abuse, including unpaid wages and, to a lesser extent, sexual or physical abuse. By law employers are responsible for renewing foreign employees' residency permits but often failed to do this for domestic employees. As a result most of the domestic workers sheltered by embassies were considered illegal residents, and many were stranded because they were unable to pay the daily overstay fees of 1.5 dinars (\$2) to depart the country.

As a result of poor working conditions experienced by some of their citizens, the Philippines and Indonesia prohibited their citizens from traveling to the country as domestic workers. Some human rights organizations argued that these bans heightened the vulnerability of foreign domestic workers, who turned to unscrupulous recruitment agencies to migrate illegally to the country. Reversing a long-standing policy, in January the government began to prevent the immigration of Indonesian workers until it negotiated a new memorandum of understanding with the Indonesian government. As a result, the Ministry of Labor halted the issuance of work permits for Indonesian domestic workers, although the Ministry

of Interior reportedly continued to issue residency permits. The government of the Philippines negotiated a new memorandum of understanding with the government in January and legal migration of Filipina domestic workers resumed.

On December 23, the Social Security Corporation reported that in 2011 there were 16,432 injuries on the job. The sectors with the greatest number of work injuries were construction, tourism, and light manufacturing.