

Freedom in the World 2014 - Jordan

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2014 Scores

Status: Not Free

Freedom Rating (1 = best, 7 = worst): 5.5

Civil Liberties (1 = best, 7 = worst): 5

Political Rights (1 = best, 7 = worst): 6

OVERVIEW

Jordan has largely avoided the massive popular upheavals seen in much of the Middle East; however, demonstrations have become prominent in the country. Calls to maintain economic subsidies and reduce unemployment have garnered strong support from a coalition of leftists, Islamists, the youth, and some tribal elites. Demands for the king to step down have been rare. In February 2011, the king was quick to calm growing dissent by sacking the prime minister and later passing a new constitution. Parliament was dissolved in October 2012 and fresh elections were held in January 2013 under a new electoral framework. Abdullah Ensour, a veteran politician and economist, was reappointed prime minister in March. He is the fifth prime minister to serve since early 2011.

Parliamentary elections in January preserved the status quo. Gerrymandering and the preponderance of the single non-transferable vote system have maintained the political dominance of powerful East Bank tribes and independent businessmen loyal to the regime. Jordan's Muslim Brotherhood has boycotted the past two elections citing the unfair electoral laws that give less weight to the large urban centers from which much of their support derives. The influx of over 500,000 refugees from the conflict in Syria has added to social and economic pressures.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 11 / 40 (+1)

A. Electoral Process: 2 / 12

King Abdullah II holds broad executive powers, appoints and dismisses the prime minister and cabinet, and may dissolve the bicameral National Assembly at his discretion. However, in a break

from previous practices, Prime Minister Abdullah Ensour and his 19-member cabinet were first nominated by the parliament before their appointment. Legislative representatives in the Chamber of Deputies, or lower house, are elected through universal adult suffrage. The Senate is appointed by the king and constitutes the upper house of the bicameral National Assembly. Regional governors are appointed by the central government and fall under the purview of the Ministry of Interior.

Parliamentary elections in January 2013 were the first under the newly adopted Election Law in which voters cast two ballots. One vote is cast for a party list where candidates are selected through proportional representation in a single nationwide constituency. Another candidate is selected through the old single non-transferable vote (SNTV) system based on local electoral districts. The Chamber of Deputies was expanded from 120 to 150 seats, of which 27 deputies are selected through closed party lists. The Senate was also enlarged to 75 seats.

The recently established Independent Electoral Commission administered the elections. International observers noted instances of vote buying and criticized the unfair electoral laws. Political campaigning was seen as noncompetitive and relatively absent in wide areas of the country due to the overall influence of tribal affiliations, a lack of financing, and boycotting by opposition groups. The elections were carried by East Bank tribal elites and independent businessmen loyal to the regime. Turnout was recorded at 56.5 percent of registered voters. Parliamentarians were inaugurated in February and held their first ordinary session in November. Municipal elections were also held in August with regime loyalists taking most seats. Violence and other irregularities were reported by local observers. Turnout was 37.3 percent and as low as 10.5 percent in Amman.

B. Political Pluralism and Participation: 6 / 16 (+1)

Jordanians are free to join political parties, although in practice, votes are cast along non-partisan and tribal lines. Changes to the Political Party Law in 2012 reduced many bureaucratic obstacles while increasing demographic and geographic requirements meant to ensure that new political parties enjoy nationwide support. In a change from previous practice, the new law resulted in the election of 27 out of 150 deputies from nationwide party lists. However, flaws within the electoral law, gerrymandering, and the small role of the nationwide constituency are not conducive to genuine political competition. Urban areas account for over two thirds of the population but less than one third of seats in the Chamber of Deputies. The Chamber of Deputies is heavily imbalanced in favor of rural districts, whose residents are generally of Transjordanian (East Bank) origin. Christian and Circassian minorities are guaranteed nine and three seats, respectively. Palestinian-Jordanians and supporters of the Muslim Brotherhood are heavily concentrated in larger cities. The Brotherhood's Islamic Action Front (IAF), seen as the country's strongest party, has boycotted the 2010 and 2013 parliamentary elections to protest inherent disadvantages in the system.

In a speech that reached headlines in November, King Abdullah promised to further devolve executive powers to elected officials and push the consolidation of the country's 23 political parties into two opposition coalitions. Progress on this matter has yet to be enacted.

C. Functioning of Government: 3 / 12

Key powers and decision-making abilities are ultimately vested in the king. The Chamber of Deputies may approve, reject, or amend legislation proposed by the cabinet, but it cannot enact laws

without the assent of the royally-appointed Senate. King Abdullah is empowered to dismiss parliament, as well as the prime minister and cabinet. The king can delay parliamentary elections for up to two years and may rule by royal decree during periods in which parliament is not in session. Civil society groups have complained over a lack of inclusion in policymaking, particularly in deliberations over the amendments to the Press and Publications Law. Disputes between parliamentarians have resulted in scuffles and in October a deputy was arrested for firing an assault rifle outside the chamber.

The government has recently undertaken several efforts to combat widespread corruption. The National Integrity Commission was formed in December 2012 to investigate allegations, while the Privatization Review Committee, formed in January 2013, will review the practice of privatizing state-run enterprises that has led to scandals in the past. Prime Minister Ensour also launched a five year anti-corruption strategy in June. While investigations and arrests rarely lead to serious punishment, recently there have been some high-profile cases. The former head of the Jordan Phosphates Mining Company, who is also the husband of the king's aunt, was sentenced in absentia to 37.5 years in prison and a fine of JOD 284.4 million (US\$401 million) for abuse of office. A former intelligence director was sentenced to a heavy fine and 13 years jail time in November 2012. Jordan ranked 66 out of 177 countries in the Corruption Perceptions Index, last compiled by Transparency International in 2013.

Civil Liberties: 24 / 60

D. Freedom of Expression and Belief: 7 / 16

Freedom of expression is restricted by numerous laws that criminalize defamation, the denigration of government, and the incitement of sectarian strife. In practice, this has resulted in the arrest of traditional and online journalists for criticizing the king, exposing corruption, and violating a vague requirement in the Press and Publications Law (PPL) mandating media objectivity. The government exerts political pressure on editors to control the media. Self-censorship is pervasive, particularly when discussing the royal family, foreign leaders, and certain societal taboos.

Most broadcast news outlets remain under state control, but satellite dishes and the internet give residents access to foreign media. While there are dozens of private newspapers and magazines, the government has broad powers to close them and often engages in pre-censorship of news stories. In June, journalists protested the blocking of nearly 300 news websites by the government over their failure to meet burdensome registration requirements introduced in September 2012. The majority of these remained inaccessible at year's end.

Islam is the state religion. Christians are recognized as religious minorities and can worship freely. Baha'is and Druze are allowed to practice their faiths, although a lack of state recognition has resulted in de facto discrimination. The government monitors sermons at mosques, and preachers cannot practice without written government permission. Only state-appointed councils may issue religious edicts, and it is illegal to criticize these rulings.

Academic freedom is generally respected, and Jordanians openly discuss political developments within established red lines. However, there have been reports of a heavy intelligence presence on some university campuses, as well as some violent incidents. In March, five students were attacked

by a mob after rumors circulated they had desecrated a Koran on campus. Police also intervened during violent clashes between tribes at a university in April.

E. Associational and Organizational Rights: 3 / 12

Restrictions on freedom of assembly remain in place. Under the recent changes to the Public Gatherings Law, prior permission is not required to stage a demonstration. Nonetheless, this year dozens of protestors in cities such as Amman, Tafilah, and Karak were detained on charges of "subverting the regime", "insulting the king", "vandalizing property", or "holding unlawful gatherings with the purpose of committing crime". After post-election protests turned deadly in January where one protester was killed in Mafraq and another in Ma'an, tear gas was used to disperse rioters in several cities.

Freedom of association is limited. The Ministry of Social Development has the authority to reject registration and foreign funding requests for nongovernmental organizations (NGOs) and can disband organizations it finds objectionable. In June 2012, the government denied US\$350,000 in foreign funds to the migrant workers and legal assistance group Tamkeen with no explanation. NGOs supporting associations with political purposes are prohibited and all board members must be vetted by state security.

Workers have collective bargaining rights but must receive government permission to strike. More than 30 percent of the workforce is organized into 17 unions. According to a 2013 study by the Phenix Centre for Economic and Informatics Studies, a total of 601 labor-related demonstrations took place in the first half of 2013, mainly in urban centers and on the initiative of individual workers.

F. Rule of Law: 6 / 16

The judiciary is subject to executive influence through the Justice Ministry and the Higher Judiciary Council, most of whose members are appointed by the king. Provincial governors can order administrative detention for up to one year under a 1954 Crime Prevention Law that leaves little room for appeal. Prison conditions are poor, and inmates reportedly experience severe beatings and other abuse by guards. In May, a man detained on drug charges died in Juweida prison in Amman; subsequent medical examinations revealed instances of torture. A public prosecutor charged six police officers under Article 208 of the penal code, which bans torture, but the case was referred to a special police court that lacks transparency and independence. Torture allegations are rarely prosecuted or result in little more than minor disciplinary penalties.

While most trials in civilian courts are open and procedurally sound, the quasi-military State Security Court (SSC) may close its proceedings to the public. Dozens of protestors, particularly those affiliated with *Al-Hirak*, a youth protest movement, as well as journalists, faced trials under the SSC this year for undermining the regime, damaging relations with a foreign state, or insulting the king. In September, King Abdullah instructed the government to make revisions to the SSC Law to ensure its use is limited to high crimes including espionage, drugs, terrorism, treason, and money counterfeiting.

Poor living conditions and restrictions on freedom of movement have resulted in repeated riots at the Zaatari camp in northern Jordan, home to over 100,000 Syrian refugees. The camp is the fifth-

largest population center in Jordan. The camp has been subject to riots in 2013 over poor living conditions. In October, the government announced plans to deport thousands of Syrians who had failed to obtain work permits. While the majority of Syrian refugees live and work in cities, they are only legally permitted to work inside the camps. There have been reported incidents of border authorities rejecting single Syrian men of military age or with refugees with Palestinian origins, against international norms on non-refoulement.

G. Personal Autonomy and Individual Rights: 8 / 16

Women enjoy equal political rights but face legal discrimination in matters involving inheritance, divorce, and child custody, which fall under the jurisdiction of Sharia (Islamic law) courts. In the recent elections, women constituted 52 percent of the electorate but represented 13 percent of all candidates. Ten percent of seats in the lower house of parliament are reserved for women and the upper house contains eight female senators. Christian and Circassian minorities are guaranteed nine and three seats, respectively, in the Chamber of Deputies. Jordanians of Palestinian origin are marginalized from jobs in the public sector and security forces, which are dominated by East Bank tribes. Jordan was ranked 119 out of 189 economies in the 2014 World Bank Ease of Doing Business study due to obstacles in obtaining credit, protecting investors, enforcing contracts, and resolving insolvency.

Under the new passport law passed in August, women are no longer required to obtain their husbands' permission when applying for a passport. Nonetheless, they are still unable to pass down citizenship to children from non-Jordanian fathers. Women that suffer domestic abuse are often detained in administrative detention and can only be released once a male member of her family gives his assurance that she will not be harmed. Men who commit "honor crimes" against women often receive lenient sentences. Women's rights activists have staged campaigns on these issues and more, including against an article in the penal code that allows alleged rapists to avoid prosecution by marrying their victims and to punish more severely those convicted of honor crimes.

There has been a recent rise in early and forced marriages of Syrian refugees as young as 12. Child marriages accounted for 25 percent of all marriages among Syrian refugees, up from 12 percent in 2011. Although the legal age of marriage is 18, girls can be married younger if a court deems it is in her best interest. Many parents take the decision to marry off their daughters, often to older men, due to financial difficulties or out of fear of sexual violence in the camps. Syrian refugees have also been turned away from public schools due to overcrowding despite their right to free education. Labor rights organizations have raised concerns about poor working conditions, forced labor, and sexual abuse in Qualifying Industrial Zones, where mostly female and foreign factory workers process goods for export. Jordan is a destination and transit country for human trafficking for forced labor and, to a lesser extent, prostitution.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year