

Jordan (30)

57

U.S. Department of State

Jordan Country Report on Human Rights Practices for 1998

Released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999.

JORDAN

The Hashemite Kingdom of Jordan is a constitutional monarchy that was ruled by King Hussein bin Talal from 1952 until his death in February 1999. On February 7, 1999, King Hussein's eldest son, Crown Prince Abdullah bin Hussein, acceded to the throne. The Constitution concentrates a high degree of executive and legislative authority in the King, who determines domestic and foreign policy. In the King's absence, a regent, whose authority is outlined in the Constitution and in royal decrees, assumes many of these responsibilities. The Prime Minister and other members of the Cabinet are appointed by the King and manage the daily affairs of government. The Parliament consists of the 40-member Senate, appointed by the King, and the 80-member Chamber of Deputies, which is elected every 4 years. Since the 1989 elections and the lifting of most aspects of martial law in 1991, the lower house has asserted itself only intermittently on domestic and foreign policy issues. Over 500 candidates competed in the November 1997 parliamentary elections, despite a boycott by Islamist and other parties. The election was marred by reports of registration irregularities, fraud, and restrictions on the press and on campaign materials. According to the Constitution, the judiciary is independent of other branches of government; however, in practice it is susceptible to political pressure and interference by the executive.

General police functions are the responsibility of the Public Security Directorate (PSD). The PSD, the General Intelligence Directorate (GID), and the military share responsibility for maintaining internal security and have authority to monitor the activities of persons believed to be security threats. The State Security Court and broad police powers are vestiges of martial law, which was in place from 1967 to 1991. The security forces continue to commit human rights abuses.

Jordan has a mixed economy, with significant government participation in industry, transportation, and communications. The country has few natural resources and relies heavily on foreign assistance and remittances from citizens working abroad. The economy has suffered from chronically high unemployment since the late 1980's. As part of a structural adjustment program, the Government in recent years has removed subsidies on several staple goods and lifted price controls on others. During the year the Government maintained price controls on bread, while controls on soft drinks, fruits, and vegetables were lifted. Wages have remained stagnant, which is continuing to erode the purchasing power of most citizens. Exporters have not yet found adequate replacement markets for those lost as a result of United Nations sanctions against Iraq. Additional trade with Iraq under the "oil for food" resolution has not affected the economy significantly. High expectations that significant markets would develop in the West Bank, Gaza and Israel following the 1994 signing of the Jordan-Israel peace treaty have not been realized. Per capita gross domestic product in 1997 was approximately \$860.

The Government's human rights record was uneven, and significant problems remain, including: Allegations of instances of extrajudicial killings; abuse and mistreatment of detainees; arbitrary arrest

and detention; lack of accountability within the security services; prolonged detention without charge; lack of due process of law and interference in the judicial process; infringements on citizens' privacy rights; harassment of members of opposition political parties and the press; and significant restrictions on freedom of speech, press, assembly, and association. Amendments to the Press and Publications Law that were enacted and promulgated in September place major restrictions on the ability of journalists and publications to function and report freely. The Government imposes some limits on freedom of religion, and there is official and societal discrimination against adherents of the Baha'i faith. There are some restrictions on freedom of movement. Citizens do not have the right to change their government, although they may participate in the political system through political parties and municipal and parliamentary elections. Restrictions on women's rights, violence against women and children, and abuse of foreign servants are problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

The security services continue to be reluctant to conduct transparent investigations into allegations of wrongful deaths during police detention.

On September 26, 1997, security forces from the GID detained 29-year-old Ismail Suleiman Ajarmeh, who then was held incommunicado for nearly 5 months following his arrest. Neither his family nor the International Committee of the Red Cross (ICRC) was allowed to see him during that time. The Minister of the Interior reported that on February 11 Ajarmeh had committed suicide while in detention by "throwing himself down a stairwell." Two members of Parliament requested that an investigation be conducted into his death, but none has been announced. Newspapers also quoted the Minister of the Interior as saying that Ajarmeh had been a suspect in the September 1997 attack on Israeli security personnel in Amman. Ajarmeh's family stated publicly that he had died as a result of torture in detention.

In February riots took place in the southern city of Ma'an after police attempted to stop a demonstration. The city was placed under curfew for 1 week, and house-to-house searches were conducted (see Sections 1.d and 2.b.). During altercations between security forces and the demonstrators, one citizen, Mohammad Al-Khattab, was shot and killed. A government investigation concluded that Al-Khattab had been shot by a demonstrator rather than by a member of the security forces and cited as proof the type of ammunition that was used in the shooting. A suspect was arrested after the incident. The Government did not allow an independent autopsy to be conducted to verify the Government's claim that 7mm instead of vice 9mm ammunition had been used. The press cited alleged witness accounts that Al-Khattab had been shot in the back by security forces while fleeing the conflict.

On March 12, a police operation in Um Jamal to arrest two Masaseed tribesmen resulted in the death of both suspects and led to a later clash on March 17 in which automatic gunfire was exchanged and three more Masaseed killed. Reports indicated that heavy handed behavior by security forces was partly to blame for the violence.

There were no developments in the investigation of the police officers involved in the alleged wrongful deaths of Samer Muhammad Ziyad, who died in June 1997, Younis Mahmoud Abu Dawlah, who died in December 1996, or Mahmoud Khalifah, who died in June 1995. All three men died while in police custody.

b. Disappearance

There were no reports of politically motivated disappearance.

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

Although the law provides prisoners with the right to humane treatment, the police and security forces sometimes abuse detainees physically and verbally during detention and interrogation. Allegations of torture are difficult to verify because security officials frequently deny detainees timely access to lawyers. The most frequently alleged methods of torture are sleep deprivation, beatings, and extended solitary confinement. Defendants in high-profile cases before the state security court have claimed to have undergone physical and psychological abuse while in detention. Government officials deny allegations of torture and abuse.

Human rights organizations reported that there were 18 complaints of persons who were beaten while in police custody. There are believed to be many more undocumented incidents that were not documented. The family of Ismail Suleiman Ajarmeh, who died in police custody, claimed that he died as a result of torture (see Section 1.a.).

In February police detained journalist Abd Al-Hadi Al-Majali and subjected him to verbal threats, sleep deprivation, and other forms of abuse intended to intimidate him (see Sections 1.d. and 2.a.).

In late September and early October, Filipino and other foreign workers allegedly were abused physically after being arrested at their homes in Amman (see Sections 1.d. and 6.c.).

Prisons and local police detention facilities are Spartan, and on the whole are severely overcrowded and understaffed. In a section of one detention center, for example, there are three times as many inmates as beds, and medical supplies and treatment appear inadequate. In July authorities transferred 46 detainees to the remote Al-Jafr prison in eastern Jordan, a facility that had not been in use since the 1970s. Prisoners detained on national security grounds often are kept in separate prisons maintained by the GID, where conditions are similar to other facilities.

With some exceptions, the ICRC is permitted unrestricted access to prisoners and prison facilities, including GID facilities. However, for 2 months during the year and for 3 months at the end of 1997, the ICRC suspended visits to facilities where security detainees were being held because the authorities refused to give the ICRC access to two detainees. One of the detainees, Ismail Suleiman Ajarmeh, died on February 11 after nearly 5 months in detention (see Section 1.a.). Local human rights monitors are allowed to visit prisons, but complain that they are required to go through a lengthy and difficult procedure with the authorities to obtain permission for such visits.

d. Arbitrary Arrest, Detention, or Exile

The security forces arbitrarily arrest and detain citizens. Under the Constitution, citizens are subject to arrest, trial, and punishment for the defamation of heads of state, dissemination of "false or exaggerated information outside the country which attacks state dignity," or defamation of public officials.

The Criminal Code requires that legal authorities file formal charges within 10 days of an arrest. However, the courts routinely grant requests from prosecutors for 15-day extensions as provided by law. This practice generally extends pretrial detention for protracted periods of time. In cases involving state security, the authorities frequently hold defendants in lengthy pretrial detention, do not provide defendants with the written charges against them, and do not allow defendants to meet with their lawyers until shortly before trial. Defendants before the state security court usually meet with their attorneys only 1 or 2 days before their trial.

The Government detains persons, including journalists, for varying amounts of time for what appear to be political reasons. During the year, most such detainees were released within 90 days. However, one detainee was held for 4 months, and some for as little as 3 days. Approximately 300 persons, including many Iraqi nationals, are known to have been detained for security reasons during the year. Many of the Iraqis are believed to have been deported subsequently. However, this number apparently represents only a small proportion of the total number of security detainees; many more are believed to have been detained during the year.

The Government uses the threat of detention to intimidate journalists into practicing self-censorship (see Section 2.a.). Typically, a journalist who has criticized a government official or policy is detained for 5 to 10 days. While in detention, the journalist may experience abuse (see Section 2.a.). Charges are filed rarely. Convictions are rare, but proceedings may last several years, with defendants required to appear in court regularly, only to be informed that another in a series of continuances has been issued in their case.

Following February demonstrations in Ma'an (see Section 1.a.), security forces conducted house-to-house searches for weapons and detained more than 140 persons. All of the suspects were released over a period of months, except opposition figure Laith Shubaylat, who was tried and convicted of inciting the riots and sentenced to 9 months in prison. In May the King offered to pardon Shubaylat, but Shubaylat rejected the pardon on the grounds that he was appealing his conviction and that only an individual who had been finally convicted of a crime or made an admission of guilt could benefit from a royal pardon.

In February police detained journalist Abd Al-Hadi Al-Majali for 5 days during which time he was subjected to psychological abuse. He was detained for authorizing the printing of a caricature mocking the Government's response to the Ma'an demonstrations (see Sections 1.c. and 2.a.).

On the evening of September 30, 105 Filipino workers were arrested at their homes by security forces in Amman. Similar arrests continued over the next 2 weeks. Although 90 of those originally arrested attempted to show the police their residence cards attesting to their legal status in Jordan, all were transported to jail where they were refused access to telephones to contact their employers and access to the facility's toilets. Some of those arrested allegedly were abused physically by the arresting officers. Several were private maids employed by foreign embassy personnel. Foreign workers of other

nationalities, including Sri Lankans, Egyptians, and Iraqis also were arrested in the raids, but the exact numbers of these groups is not known (see Sections 1.c. and 6.c.).

During the year, human rights organizations reported more than 20 cases of arbitrary detention. They believe that there were many more such cases that were not documented. In one case, a 21-year-old man, Basil Abu Ghoshe, was detained late in the year despite already having served his 5-year sentence for murder. The authorities claimed that they had to detain him for his own protection because of threats from a rival tribe.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for the independence of the judiciary; however, the judiciary is subject to pressure from the executive branch. A judge's appointment to, advancement within, and dismissal from the judiciary are determined by a committee whose members are appointed by the King. The Ministry of Justice has great influence over a judge's career and often subverts the judicial system in favor of the executive branch. There have been numerous allegations that judges have been "reassigned" temporarily to another court or judicial district in order to remove them from a particular proceeding. In one instance, the Minister of Justice allegedly formed a special appeals court panel to try several counts related to an influential member of society who had been charged with the sale of children to foreign adoptive parents in order to avoid a trial before the regular court of appeals. In February Judge Farouk Al-Kilani was forced to retire from the Supreme Court, to which he had been appointed recently. Kilani alleged that he was asked to step down because of his involvement in the High Court of Justice's decision that rejected the legality of the May 1997 amendments to the Press and Publications Law. (The Court ruled that the amendments had been approved in an unconstitutional manner on an emergency basis.) Judges also complain of unlawful telephone surveillance.

The judicial system consists of several types of courts. Most criminal cases are tried in civilian courts, which include the appeals courts, the Court of Cassation, and the Supreme Court. Cases involving sedition, armed insurrection, financial crimes, drug trafficking, and offenses against the King are tried in the State Security Court. In January 1997, the Parliament passed amendments to the law governing the State Security Court that effectively extended its mandate indefinitely. The amendments had been rejected earlier by the lower house's judicial committee as "undemocratic" and contrary to the principle of judicial independence. Islamic, or Shari'a, courts, have jurisdiction over marriage and divorce among Muslims and inheritance cases involving both Muslims and non-Muslims (see Section 5).

Most trials in the civilian courts are open. Defendants are entitled to legal counsel, may challenge witnesses, and have the right to appeal. Defendants facing the death penalty or life imprisonment must be represented by legal counsel. Public defenders are provided if the defendant in such cases cannot afford to hire legal counsel. Shari'a regards the testimony of one man to be equal to the testimony of two women. This technically applies only in religious courts but in the past has been imposed in civil courts as well, regardless of religion.

The State Security Court consists of a panel of three judges who may be either civilians or military officers. Sessions frequently are closed to the public. Defendants tried in the State Security Court

often are held in pretrial detention without access to lawyers, although they are visited by representatives of the ICRC. In the State Security Court, judges have inquired into allegations that defendants were tortured and have allowed the testimony of physicians regarding these allegations. To date the Court has not invalidated a confession obtained under duress, but on review, the Court of Cassation has ruled that the State Security Court cannot issue a death sentence on the basis of such a confession alone. Defendants in the State Security Court have the right to appeal their sentences to the Court of Cassation, which is authorized to review issues of both fact and law. Appeals are automatic for cases involving the death penalty.

In the past, defense attorneys have challenged the appointment of military judges to the State Security Court to try civilian cases as contrary to the concept of an independent judiciary. Military judges appear to receive adequate training in civil law and procedure and State Security Court decisions are subject to review by the Court of Cassation.

In the past, the press routinely has carried details of cases tried before the State Security Court. However, provisions of the amended Press and Publication Law prohibit press coverage of any case that is under investigation without explicit permission from the authorities.

There were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution requires that security forces obtain a warrant from the Prosecutor General or a judge before conducting searches or otherwise interfering with privacy, family, home, or correspondence. The security services generally respect these constitutional restrictions; however, in security cases, the authorities sometimes--in violation of the law--obtain warrants retroactively or obtain pre-approved warrants. Security officers reportedly monitor telephone conversations, read correspondence, and engage in surveillance of persons who are considered to pose a threat to the Government or national security. While these practices are not believed to be widespread, the law permits them if the Government obtains a court order. Judges complain of unlawful telephone surveillance (see Section 1.e.).

On occasion the Government blocked the entry of foreign publications (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press; however, the Government imposes some restrictions on these rights. Restrictive amendments to the Press and Publications Law promulgated in September, combined with a new Press Association Law passed in July, impose stringent restraints on the operation of newspapers. The Government also intimidates journalists to encourage self-censorship. Private citizens may be prosecuted for slandering the royal family, the Government, or foreign leaders and for sowing sedition. Citizens generally do not hesitate to criticize the Government openly, but are more circumspect in regard to the King and the royal family.

The Press Association Law limits the practice of journalism to Jordan Press Association (JPA) members, potentially excluding dozens of practicing journalists from the profession, and forbidding publishers from hiring non-journalists. By year's end, no publishers or journalists had been cited for violating the law.

The Press and Publications Law grants the Government wide discretionary powers to issue fines, withdraw licenses, and order shutdowns to control the editorial content of newspapers. The law forbids reporting on criminal cases at any stage of the investigation into any case or crime without prior authorization from the public prosecutor. Details of court proceedings may not be published without a court's permission. Violations of this section of the Press and Publications Law entail a fine of between \$7,000 and \$14,000 (5,000 and 10,000 dinars). The publication of a newspaper or periodical without a license entails the same fine.

It is illegal under the Press Law to publish news, opinion, information, reports, caricatures, or photos that disparage the King or the royal family, pertain to the armed forces or security services, harm national unity, disparage religion, offend an individual or harm his reputation, disparage the heads of friendly states, harm the country's relations with other nations, promote perversion or lead to moral corruption, shake confidence in the national currency, or feature false news or rumors.

The Press and Publications Law also provides that those who seek to obtain a newspaper license must show proof of capital of \$700,000 (500,000 dinars) for a daily, \$140,000 (100,000 dinars) for most other publications, and \$7,000 (5,000 dinars) for specialized publications. Furthermore, the editor-in-chief of a newspaper now is required under the law to be a citizen and to have 8 years of experience as a full-time journalist.

Persons accused of violating the Press and Publications Law are tried in a special court for press and copyright cases. Journalists also are prosecuted for criminal and security violations in connection with their work. Although many cases are dismissed before trial, many other cases linger on for years. No one has been charged under the Law, but the Government routinely has used detention and prosecution or the threat of prosecution to intimidate journalists and to encourage self-censorship (see Section 1.d.).

The Penal Code authorizes the State to take action against any person who incites violence, defames heads of state, disseminates "false or exaggerated information outside the country which attacks state dignity," or defames a public official.

In October 1997, 500 copies of the nongovernmental organization (NGO) Article 19's report on press freedoms in Jordan arriving by airfreight from London were confiscated at Queen Alia airport. The publications were to be distributed at an Article 19-sponsored conference in Amman on freedom of expression in Jordan. Article 19 later distributed other copies of the report at its workshop without incident.

In September 1997, the Government shut down 13 weekly newspapers for not meeting the arbitrary capitalization standard (\$420,000-300,000 dinars) required in the May 1997 Press and Publications Law amendments. The weeklies resumed publication in February after Jordan's High Court of Justice nullified the amendments on constitutional grounds.

In February security forces detained journalist Abd Al-Hadi Al-Majali for 5 days at the GID facility, where police subjected him to verbal threats against his person and his family, sleep deprivation, and other forms of abuse designed to intimidate him. Al-Majali was detained for authorizing the printing of a caricature mocking the Government's response to demonstrations in Ma'an (see Sections 1.c. and 1.d.).

On April 9, the day of the murder of a prominent Jordanian lawyer, his son, and his psychiatrist, police from the general security department entered the offices of the daily newspaper Al-Arab Al-Yawm and physically blocked the entrance so that copies of the newspaper could not be distributed until that day's issue was reviewed and approved by the press authority. On April 10, journalists Nabil Ghishan and Linda Ma'aya were charged with violation of an order of non-publication, although the publication had occurred before the newspaper had received an order. Since its founding in May 1997, journalists from Al-Arab Al-Yawm have been indicted in 12 separate cases for violation of the Press and Publications Law, 10 of the cases remain open and 2 others were suspended.

In April journalist Youssef Ghishan was arrested at his home at midnight. During the course of the arrest, his home was searched and police accused Ghishan of issuing a pro-Islamist bulletin. In May Ghishan was called before the GID about a parody he had written entitled "The Dog and the Gazelle." Security agents there insulted and threatened him. He also has been required to appear in court weekly, along with journalist Omar Nadi, in a case brought against them in January 1997 for slandering a Member of Parliament and a government minister.

Journalist Hussein El Arnoush was arrested three times during the year.

At year's end, the Government dropped all pending charges against journalists that previously had been brought under the Press and Publications Law. However, suits brought by individual plaintiffs under the same law still are pending.

The Government is the sole broadcaster of radio and television programs. The Government has commercial agreements with the British Broadcasting Corporation (BBC), the London-based Middle East Broadcasting Center (MBC), and Radio Monte Carlo that allow them to simulcast their regional programs using local radio transmitters. Radio and television news broadcasts are more restricted than the print media. Jordan Television (JTV) reports only the Government's position on controversial matters. International satellite television and Israeli and Syrian television broadcasts are available and unrestricted.

Despite a March 1997 government announcement ending the predistribution censorship of publications entering the country, in October 1997, the Government blocked the distribution of 54 issues of imported Arabic-language publications and 16 issues of British newspapers. During 1998 the Government also barred 12 issues of Al Quds Al Arabi and 35 issues of Al Hayat from entering the country.

No university professors were dismissed for their political views during the year. However, intellectuals believe that there are no safeguards to prevent such dismissals.

b. Freedom of Peaceful Assembly and Association

The Government restricts freedom of assembly. Citizens must obtain permits for public gatherings. The Government granted almost no permits for peaceful demonstrations during the year. The Government denies permits for public protests and rallies that it determines pose a threat to security. During the U.N.-Iraq crisis in February, the Government denied all requests for permits to demonstrate in connection with the crisis. Also in February riots took place in Mafian after police attempted to stop a demonstration. One citizen was killed and more than 140 persons later were detained (see Sections 1.a. and 1.d.). In April the Government also denied permits to members of Palestinian communities in the region to hold a series of protests to mark the 50th anniversary of the creation of the state of Israel. Public demonstrations were prohibited in August after U.S. missile strikes in Sudan and Afghanistan.

The Government restricts freedom of association. The Government requires but routinely grants approval for conferences, workshops, and seminars.

The Government routinely licenses political parties and other associations. There are currently 20 licensed political parties. Membership in an unlicensed political party is illegal. The Government may deny licenses to parties that it decides do not meet a list of political criteria contained in the Political Parties Law. The High Court of Justice may dissolve a party if it violates the Constitution or the Political Parties Law.

c. Freedom of Religion

The Constitution prohibits discrimination on the basis of religion and provides for "personal freedom," however, the Government imposes some restrictions on the freedom of religion. According to the Constitution, Islam is the state religion. Sunni Muslims constitute over 90 percent of the population. Islamic institutions are managed by the Ministry of Religious Affairs and Trusts, which appoints imams and subsidizes certain activities sponsored by mosques. The Political Parties Law prohibits houses of worship from being used for political party activity. The law was designed primarily to prevent Islamist parliamentarians from preaching in mosques. Religious instruction is mandatory for all Muslim students in public schools. Christian and Baha'i students are not required to attend courses in Islam.

The Government does not interfere with public worship by the country's Christian minority. Established religious groups, which include Islam, Roman Catholicism, Armenian Orthodoxy, and Greek Orthodoxy, as well as the Baptist Church, the Anglican Church, the Presbyterian Church, and the Assyrian Church, enjoy official government recognition. The Government does not recognize the Baha'i faith as a religion but does not prohibit the practice of the faith. However, Baha'is face both official and societal discrimination. The Government does not record the bearer's religion on national identity cards issued to Baha'is, nor does it register property belonging to the community. Unlike Christian denominations, the Baha'i community does not have its own court to adjudicate personal status and family matters. Baha'i personal status matters are heard in Islamic law courts.

The Government does not recognize Jehovah's Witnesses, the United Pentecostal Church, the Church of Christ, the Assembly of God, or the Church of Jesus Christ of Latter-Day Saints, but each denomination is allowed to conduct religious services and activities without interference.

The law prohibits non-Muslims from proselytizing Muslims. Muslims who convert to other faiths complain of social and government discrimination. The Government does not fully recognize the legality of such conversions. Under Shari'a converts are regarded as apostates and legally may be denied their property and other rights. However, this principle is not applied. Converts from Islam do not fall under the jurisdiction of their new religion's laws in matters of personal status and still are considered Muslims under Shari'a, although the reverse is not true. Christians are subject to aspects of Shari'a that designate how inheritances are distributed.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for the right of citizens to travel freely abroad and within the country except in designated military areas; however, there are some restrictions on freedom of movement. The law requires that all women, including foreign women married to citizens, obtain written permission from a male guardian--usually their father or husband--to apply for a Jordanian passport. A woman traveling abroad with children also may be required to show written authorization from her spouse before departure. Authorities enforce requests from fathers to prevent their children from departing the country, even when the children are traveling with their mothers.

Jordanians with full citizenship receive passports that are valid for 5 years. Most Palestinians living in Jordan are citizens and receive passports that are valid for 5 years. However, approximately 150,000 Palestinian residents--most refugees or children of refugees who arrived from Gaza after 1967--do not qualify for citizenship. They receive 2-year passports valid for travel only. Following the country's administrative and legal disengagement from the West Bank in 1988, Palestinians residing in the West Bank received 2-year passports valid for travel only, instead of the 5-year Jordanian passport that they had received previously. In October 1995, King Hussein announced that West Bank residents without other travel documentation would again be eligible to receive 5-year passports. However, the Government has stressed that these passports are for travel only and do not connote citizenship, which only can be shown by presenting one's "national number," a civil registration number recorded at birth or upon naturalization to persons holding citizenship. The national number is recorded on national identity cards and in family registration books, which are issued only to Jordanian citizens. Following a successful lawsuit in December 1997 by a West Bank resident who, prior to 1988, had held a Jordanian passport (the authorities had refused to issue the plaintiff a new passport), the authorities have begun to issue 5-year Jordanian passports to those who are deemed to be noncitizens of Palestinian origin. However, such residents do not enjoy the rights of citizens because they have no national number. All Palestinians must obtain permits from the Ministry of the Interior for travel between Jordan and the Israeli-occupied territories. Such permission is granted routinely.

The Constitution prohibits the deportation of citizens. The Government respects this prohibition, but has deported Palestinians from the West Bank and Gaza who hold Jordanian passports but do not enjoy the rights of citizens.

In December the Government prevented a substantial number of the 70 Jordanians invited to a conference for Palestinian opposition groups in Damascus from attending. According to the Jordan Times, Minister of Interior Nayef Al Qadi stated that if the Government had information that a particular person's travel would "endanger Jordan's interests and its relations" with certain countries, the Government would "never hesitate" to bar such travel.

The Government generally cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR). There is no law or statute that provides for the grant of refugee status to asylum seekers. The UNHCR must resettle refugees in other countries. However, in April the Ministry of Interior signed a memorandum of understanding with the UNHCR concerning the status and treatment of refugees. Under the agreement, the Government admits asylum seekers, including those who have entered the country clandestinely, and respects the UNHCR's eligibility determinations under the refugee definitions set forth in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The agreement provides protections against refoulement (the forcible return of refugees) from the country, and recognizes the legal definition of a refugee as set forth in the U.N. Convention. Since 1996 the UNHCR has held regular seminars to train law enforcement officials in international refugee law, including specialized courses for policewomen. The Government provides first asylum. Since 1991 17,131 persons have sought asylum through the UNHCR, and in approximately 5,000 cases (approximately 30 percent) applicants have been accorded refugee status.

According to unconfirmed reports, in February several hundred Iraqi nationals attempting to enter the country clandestinely were refused entry. In addition, persons have been deported involuntarily to Syria.

The Government estimates that over 180,000 Iraqis reside in the country. Since 1991 thousands of Iraqis have applied for refugee status and received legal and material assistance from the UNHCR. During the year, 10,214 persons applied for, and 790 were accorded, refugee status. The UNHCR also received applications for refugee status during the year from Sudanese, Syrian, and Libyan asylum seekers.

Although the children of asylum seekers previously were not allowed to attend public schools, the Government now allows all Iraqis to enroll in school, regardless of their status. However, the requirement that children provide copies of their Iraqi school certificates in order to enroll still places impediments in the way of many refugee children.

During the U.N.-Iraq crises in February and November, the Government announced that it would not accept a large-scale influx of Iraqi refugees in the event of hostilities, but said that it would facilitate assistance for potential Iraqi refugees on the Iraqi side of the border.

Over 1.35 million Palestinian refugees are registered in Jordan with the United Nations Relief and Works Agency (UNRWA). The UNRWA counts another 800,000 Palestinians as either displaced persons from the 1967 war, arrivals following the 1967 war, or returnees from the Gulf between 1990 and 1991.

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

Citizens do not have the ability to change their government. The King has sole discretionary authority to appoint and dismiss the Prime Minister and the Cabinet, to dissolve Parliament, and to establish public policy. Appointments made by the King to high government posts do not require legislative approval. Executive power is vested in the King (or, in his absence, in the Regent), who exercises his power through his ministers in accordance with the provisions of the Constitution. A range of these

authorities were ceded to former Crown Prince Hassan while he was Regent during the summer and fall.

The Parliament is composed of the 40-member Senate, appointed by the King, and the popularly elected 80-member Chamber of Deputies. The Parliament is empowered by the Constitution to approve, reject, and amend legislation proposed by the Cabinet. A group of 10 senators or deputies may submit draft bills for consideration; however, in practice Members of Parliament ask the Government to initiate legislation for consideration. Opposition Members of Parliament have complained that attempts by members of the lower house to initiate legislation receive no response from the Government. The King proposes and dismisses extraordinary sessions of Parliament and may postpone regular sessions for up to 60 days. By law, if the Government amends or enacts a law when Parliament is not in session, it must submit the law to Parliament for consideration during the next session. However, this does not always occur.

The Electoral Law and the distribution of parliamentary seats deliberately favor regions with populations known for their traditional, pro-Hashemite views, i.e., rural and southern Jordan.

Over 500 candidates competed in the November 1997 parliamentary elections, despite a boycott by Islamist and other parties. There were many reports of registration irregularities and fraud on the part of candidates. Restrictions on the press and on campaign materials also had a negative effect on the campaign, which elicited much debate over the fairness of the Electoral Law and its implementation. Voter turnout was significantly lower in most urban areas than in rural areas. Centrist candidates with ties to major tribes dominate the new Parliament.

The so-called one-man, one-vote amendment to the Electoral Law was ratified by Parliament in January of 1997, nearly 4 years after it was first proposed by royal decree. The amendment allows voters to choose only one candidate in multiple-seat districts. In the largely tribal society, citizens tend to cast their first vote for family members, and any additional votes in accordance with their political leanings. Hence, the amendment limits the chances of some nontribal candidates, including women, to be elected.

Women have the right to vote, and women's groups encourage women to vote and to be active in the political process. There are no women in the Cabinet, although there was one female minister in the previous government. Fifteen women were elected to municipal posts in 1997, bringing the total number of women in such posts to 28, including one as mayor of Khirbet Al Wahadneh, near Ajloun. None of the 17 female candidates won seats in the November 1997 parliamentary elections. Of the 80 seats in the lower house, 9 are reserved for Christians, 6 for Bedouins, and 3 for the Circassian or Chechen ethnic minorities.

The Palestinian community, estimated to be slightly over half of the total population, is not represented proportionately in the Government. Only 4 of 23 ministers, 5 of 40 senators, and 10 of 80 lower house deputies are of Palestinian origin. The electoral system gives greater representation to areas that have a majority of inhabitants of non-Palestinian origin.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Local and international human rights groups investigate allegations of human rights abuses and publish and disseminate findings critical of government policy. However, the Press and Publications Law restricts the publication of information about the military and security services, which, in effect, prevents the publication by local groups of reports alleging torture and other abuses committed by the security services.

The local chapters of the AOHR and the Jordanian Human Rights Organization (JHRO) are registered with the Government. The AOHR has drawn public attention to alleged human rights abuses and a range of other political issues and has pressed the Government to bring charges against political detainees or to release them promptly. It asserts that the Government responds to only about 10 per cent of the complaints that it submits on behalf of individuals alleged to have suffered human rights violations by the authorities.

The ICRC generally is permitted full and unrestricted access to detainees, including those held by the GID and the military intelligence directorate. However, beginning in September 1997, the ICRC was not allowed to visit prisoner Ismail Ajameh, who was detained by the GID (see Section 1.a.). As a result, the ICRC suspended its visits to GID detention facilities during the last 3 months of 1997 and the first 2 months of 1998. After Ajameh's reported suicide, the ICRC resumed visits to GID detainees. In May the ICRC suspended visits to a GID facility for 3 weeks when its representatives again were refused access to a prisoner.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Although the law does not distinguish between citizens on the basis of race, women and minorities are treated differently under the law and may face discrimination in employment, housing, and other areas.

Women

Violence against women over the age of 15 is common. Reported incidents of violence against women do not reflect the full extent of the problem. Medical experts acknowledge that spousal abuse occurs frequently. However, cultural norms discourage victims from seeking medical or legal help and frustrate an objective assessment of the extent of such abuse.

Abused women have the right to file a complaint in court against their spouses for physical abuse, but, in practice familial and societal pressures discourage them from seeking legal remedies. Marital rape is legal. NGOs such as the Jordanian Women's Union, which has a telephone hot line for victims of domestic violence, provide assistance in such matters. Wife beating is technically grounds for divorce, but the husband may seek to demonstrate that he has authority from the Koran to correct an irreligious or disobedient wife by striking her.

The Criminal Code allows leniency for a person found guilty of committing a "crime of honor," a euphemism that refers to a violent assault against a female by a male relative for alleged sexual misconduct. Law enforcement treatment of men accused of "honor crimes" reflects widespread unwillingness to condemn or take action against the problem. More than 20 such murders were reported during the year in which the victims were shot, strangled, stabbed, bludgeoned, and burned to

death. Human rights monitors believe that many more such crimes were committed but not documented as honor crimes. Moreover, most "crimes of honor" are not reported by the press. The actual number of "honor crimes" is believed by a local expert to be four times as high. One forensic medical examiner estimates that 25 percent of all murders committed in the country are "honor" crimes. The police regularly imprison women who are potential victims of "honor crimes" for their own protection. There were up to 50 women involuntarily detained in this form of "protective custody" during the year.

According to the law, a "crime of honor" defense may be invoked by a defendant accused of murder who "surprises his wife or any close female relative" in an act of adultery or fornication, in which case the perpetrator of the "honor crime" is judged not guilty of murder. Although few defendants can meet the stringent requirements for a "crime of honor" defense (i.e., the defendant personally must have witnessed the female victim engaging in sexual relations), they are not tried for the crime of murder, and convicted offenders rarely spend more than 2 years in prison. (In contrast to "honor crimes," the maximum penalty for first-degree murder is death, and the maximum penalty for second-degree murder is 15 years.) Such defenses commonly rely on the male relative having acted in the heat of passion upon hearing of a female relative's alleged sexual transgression, usually without any investigation on the part of the assailant to determine the veracity of the allegation before committing the assault. Women may not invoke this defense for murdering a male relative under the same circumstances, nor may they use it for killing men who attempt to rape, sexually harass, or otherwise threaten their "honor."

In January the Criminal Court sentenced a 22-year-old man, Mohammad Abed, to just 6 months in prison after he was found guilty of murdering his younger sister in March 1997. Abed pleaded not guilty to shooting his 19-year-old sister, Hanan, on the grounds that he had committed the crime in a "fit of fury" to "cleanse the family honor" after he heard that she had been "going out to eat with another man, and was receiving gifts and money from him."

Yasmine Abdullah, age 20, was shot to death by her 32-year-old brother Sirhan in March. According to the defendant's court testimony, Yasmine had been raped by a member of her family, thereby " tarnishing the family's honor." The victim originally had sought the protection of the police, but returned to her family's home after her father signed a statement promising that he would not harm his daughter. The same day that she was released, Yasmine's brother shot her four times in the chest, killing her instantly. Sirhan Abdullah was originally sentenced to 1 year in prison for the murder, but served only 6 months and was released in October.

Also in March the Criminal Court dismissed murder charges against Salih Salam and Mariam Salamah. They had been accused of murdering a 5-day-old baby that they had conceived out of wedlock. The child's father confessed to killing his daughter in order to "protect his honor."

In June two cousins, Ahmad Salem and Hussein Faleh, had their sentences for the murder of their aunt reduced to 15 years in prison. The court found that the crime had not been premeditated. The charges were amended after the court concluded that the defendants had not meant to kill their aunt, but rather thought that they were shooting their 17-year-old cousin, who had become pregnant out of wedlock.

Women experience legal discrimination in matters of pension and social security benefits, inheritance, divorce, and the value of court testimony. A woman's testimony is worth only half that of a man's (see Section 1.c.). The Government provides men with more generous social security benefits than women. The Government continues pension payments of deceased male civil servants to their heirs but discontinues payments of deceased female civil servants.

Under Shari'a female heirs receive half the amount of a male heir's inheritance, and the non-Muslim widows of Muslim spouses have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. Under Shari'a men are able to divorce their spouses more easily than women. Marriage and divorce matters for Christians are adjudicated by special courts for each denomination. Married women are ineligible for work in the diplomatic service, and, until recently, most women in the diplomatic corps automatically were assigned to administrative positions. There are five female judges in the country. The law requires a married woman to obtain her husband's permission to obtain a passport (see Section 2.d.). Married women do not have the legal right to transmit citizenship to their children. Furthermore, women may not petition for citizenship for their non-Jordanian husbands. The husbands themselves may apply for citizenship after fulfilling a requirement of 15 years continuous residence. Once they have obtained citizenship, they may apply to transmit the citizenship to their children. However, in practice such an application may take years, and in many cases citizenship ultimately still may be denied to the husband and children. Such children become stateless and lack the rights of citizen children, such as to attend school or seek other government services. Civil law grants women equal pay for equal work, but in practice this law often is ignored.

Social pressures discourage many women from pursuing professional careers. Nonetheless, women have employment opportunities in many professions, including engineering, medicine, education, and the law. Women constitute approximately 14 percent of the work force and 45 percent of university students. Women's groups stress that the problem of discrimination is not only one of law, but also of women's lack of awareness of their rights or unwillingness to assert those rights. The United Nations Food and Agriculture Organization reported in 1995 that women who work in agriculture average 15-hour days and earn less than men. The Jordanian chapter of the Business and Professional Women's Club gives seminars on women's rights and assists women in establishing small businesses. Members of the royal family work actively to improve the status of women.

Children

The Government is committed to children's rights and welfare in the areas of education and health. However, government efforts in these areas are constrained by limited financial resources. Education is compulsory to age 15, but children who do not attend school or attend infrequently are not considered truant. The law prohibits corporal punishment in schools. The children of Iraqi citizens living in Jordan without residence permits now are permitted to attend school, however, many still are unable to do so (see Section 2.d.).

The Government safeguards some children's rights, especially regarding child labor. Although the law prohibits children under the age of 16 from working, child peddlers work the streets of Amman. The Ministry of Social Development has a committee to address the problem and in some cases rem-

oves the children from the streets, returns them to their families or to juvenile centers, and may provide the families with a monthly stipend. However, the children often return to the streets.

Although the problem is difficult to quantify, social and health workers believe that there is a significant incidence of child abuse in families, and that the incidence of child sexual abuse is significantly higher than reported. The law specifies punishment for abuses against children. Rape or sodomy of a child under 15 years of age carries the death penalty.

Illegitimate children are entitled to the same rights under the law as legitimate children. However, in practice they suffer severe discrimination in a society that does not tolerate adultery. Most illegitimate children become wards of the State or live a meager existence on the fringes of society. In either case, their prospects for marriage and gainful employment are limited.

People With Disabilities

High unemployment in the general population restricts job opportunities for disabled persons, estimated by the Ministry of Social Development to number 100,000. Eighty percent of disabled citizens receive monetary assistance from the Government. The Government passed legislation in 1993 requiring future public buildings to accommodate the needs of the disabled and to retrofit existing public buildings, but implementation has been slow. Since 1993 the Special Education Department of the Ministry of Social Development has enrolled approximately 10,000 mentally and physically disabled persons in public and private sector training courses. It has placed approximately 400 disabled persons in public and private sector jobs. The law requires that 2 percent of the available jobs be reserved for the physically disabled. Private organizations and members of the royal family actively promote programs to protect and promote the interests of the disabled.

Indigenous People

The country's indigenous people, nomadic Bedouin and East Bank town dwellers, traditionally have been the backbone of popular support for the Hashemite monarchy. As a result, they generally have enjoyed considerable influence within the political system. They are represented disproportionately in senior military, security, and civil service jobs. Nevertheless, many Bedouin in rural areas are severely disadvantaged economically.

Religious Minorities

In general Christians do not suffer discrimination. Christians hold government positions and are represented in the media and academia approximately in proportion to their presence in the general population, which is estimated at 6 percent. Baha'is face some societal and official discrimination. Their faith is not recognized officially, and Baha'is are classified as Muslims on official documents, such as the national identity card. Christian and Baha'i children in public schools are not required to participate in Islamic religious instruction.

National/Racial/Ethnic Minorities

The Government granted citizenship to all Palestinians who fled to Jordan in the period after the 1948 Arab-Israeli war, and to a large number of refugees and displaced persons who arrived as a result of the 1967 war. However, most refugees who fled Gaza after 1967 are not entitled to citizenship and are issued 2-year passports valid for travel only. In October 1995, King Hussein announced that West Bank residents without other travel documentation would be eligible to receive 5-year Jordanian passports. However, The Government has stressed that these passports are for travel only and do not connote citizenship (see Section 2.d.). Palestinians residing in Jordan suffer discrimination in appointments to positions in the Government and the military, and in the granting of university scholarships.

Section 6 Worker Rights

a. The Right of Association

Workers in the private sector and in some state-owned companies have the right to establish and join unions. Unions must be registered to be considered legal. The law prohibits union membership for noncitizens. Over 30 percent of the work force is organized into 17 unions. Although union membership in the General Federation of Jordanian Trade Unions (GFJTU), the sole trade federation, is not mandatory, all unions belong to it. The Government subsidizes and audits the GFJTU's salaries and activities. Union officials are elected by secret ballot to 4-year terms. Although the Government cosponsors and approves the timing of these elections, it does not interfere in the choice of candidates.

Labor laws mandate that workers must obtain permission from the Government in order to strike. Unions generally do not seek approval for a strike, but workers use the threat of a strike as a negotiating tactic. Strikes are prohibited if a labor dispute is under mediation or arbitration. If a settlement is not reached through mediation, the Ministry of Labor may refer the dispute to an industrial tribunal by agreement of both parties. The tribunal is an independent arbitration panel of judges appointed by the Ministry of Labor. The decisions of the panel are binding legally. If only one party agrees, the Ministry of Labor refers the dispute to the Council of Ministers and then to Parliament. Labor law prohibits employers from dismissing a worker during a labor dispute. There were no reported strikes during the year.

The GFJTU belongs to the Arab Labor Organization, the International Confederation of Arab Trade Unions, and to the International Confederation of Free Trade Unions (ICFTU).

b. The Right to Organize and Bargain Collectively

Unions have, and exercise, the right to bargain collectively. The Constitution prohibits antiunion discrimination, but the ICFTU claims that the Government does not protect adequately employees from antiunion discrimination and that the Government has dismissed public-sector employees for political reasons. Workers may lodge complaints of antiunion discrimination with the Ministry of Labor, which is authorized to order the reinstatement of employees discharged for union activities. There were no complaints of antiunion discrimination lodged with the Ministry of Labor during the year.

The national labor laws apply in the free trade zones in Aqaba and Zarga. Private sector employees in these zones belong to one national union that covers both zones and have the right to bargain collectively.

c. Prohibition of Forced or Compulsory Labor

The Constitution forbids compulsory labor except in a state of emergency such as war or natural disaster. Compulsory labor is not practiced. The law does not prohibit specifically forced or compulsory labor by children, but such practices are not known to occur.

d. Status of Child Labor Practices and Minimum Age for Employment

Labor law forbids children under the age of 16 from working full time except as apprentices. At age 13, children may begin part-time training for up to 6 hours a day, with night work prohibited. Ministry of Labor inspectors attempt to enforce the law on child labor, but in practice, enforcement often does not extend to some small family businesses that employ underage children. Education is compulsory to age 15. Families in remote areas frequently keep school-age children at home to work. Child peddlers work on the streets of Amman (see Section 5). The law does not prohibit specifically forced or compulsory labor by children, but such practices are not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work

There is no national minimum wage. The Government periodically adjusts a minimum wage schedule for various trades, based on the recommendations of an advisory panel representing workers, employers, and the Government. The lowest minimum wage rate on the schedule is about \$112 (80 dinars) per month, including allowances. Workers earning the lowest wages find it difficult to provide a decent standard of living for their families. The Government estimates that the poverty level is at a monthly wage of about \$91 (65 dinars) per month for a family of three. A study conducted by the Ministry of Social Development found that 150,000 families, or 21 percent of citizens, live at or below the poverty level. Nine percent live in "abject" poverty. The Government provides some, but often minimal, assistance to 33,000 indigent families.

The law prohibits most workers from working more than the customary 48 hours per week. Hotel, restaurant and cinema employees may work up to 54 hours per week. Workers may not work more than 16 hours in any continuous period or more than 60 hours of overtime per month. Employees are entitled to 1 day off each week.

The law does not apply to domestic servants, who do not have a legal forum to address their labor grievances and have no standing to sue in court for nonpayment of wages. Abuse of domestic servants, most of whom are foreign, is widespread. Imprisonment of maids and illegal confiscation of travel documents by employers is common. Complaints of beatings, insufficient food, and rape generally are not reported to officials by victims, who fear losing their work permits and being returned to their country. Domestic servants generally are not given days off and frequently are required to work around the clock.

On September 30, 105 Filipino workers were arrested at their homes by security forces in Amman. Similar arrests occurred over the next 2 weeks. Although 90 of those arrested attempted to show police their residence cards attesting to their legal status in Jordan, all were transported to jail where they were refused access to telephones to contact their employers. Foreign workers of other nationalities, including Sri Lankans, Egyptians, and Iraqis, also apparently were arrested in the raids, but the exact number of these groups is unknown (see Sections 1.c. and 1.d.). In November a 21-year-old Sri Lankan, Subramaniam Kanagarani, was admitted to Al Bashir hospital in Amman after she had been "deposited" at her agent's doorstep by her employer with lesions on her body, including infected burns, bloody and blackened eyes, welts on her stomach and back, and unusual swelling on her hands and feet. According to the Jordan Times, she appeared to be severely underweight and to have been tied up for long periods of time. The authorities released no information about whether charges would be filed against the alleged perpetrators of the abuse.

The law specifies a number of health and safety requirements for workers, including the presence of bathrooms, drinking water, and first aid equipment at work sites. The Ministry of Labor generally enforces health and safety standards. The law does not require employers to report industrial accidents or occupational diseases to the Ministry of Labor. Workers do not have a statutory right to remove themselves from hazardous conditions without risking the loss of their jobs.

[end of document]

