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Jordan

Country Reports on Human Rights Practices - 2005

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The Hashemite Kingdom of Jordan is a constitutional monarchy ruled by King Abdullah II bin Hussein, with a population of approximately 5.8 million. The constitution concentrates executive and legislative authority in the king. At his discretion the king may appoint and dismiss the prime minister, members of the cabinet, and upper house of parliament; dissolve parliament; and establish public policy. On April 7, King Abdullah approved a new cabinet under Prime Minister Adnan Badran; subsequently, on November 7, King Abdullah formed a new cabinet under Prime Minister Marouf al-Bakhit. The new cabinet under Bakhit won a vote of confidence from the lower house of parliament with 78 percent of the vote. The parliament consists of the 55-member House of Notables (Majlis al-Ayan), appointed by the king, and a 110-member elected lower house, the Chamber of Deputies (Majlis al-Nuwwab). The 2003 multiparty parliamentary elections were generally considered to be free and fair; however, the election law significantly underrepresented urban areas. In the wake of the August 19 and November 9 terrorist attacks, that latter of which killed more than 60 persons, the government announced that its priority would be to ensure public security while at the same time respecting civil liberties. Civilian authorities generally maintained effective control over the security forces, although there were some instances in which members of the security forces committed serious human rights abuses.

Although the government respected human rights in some areas, its overall record continued to reflect problems. The following human rights problems were reported:

- restrictions on the right of citizens to change their government
- allegations of torture
- continued police abuse and reported mistreatment of detainees
- arbitrary arrest and prolonged detention
- instances of impunity
- denial of due process of law
- limited judicial independence
- infringement on citizens' privacy rights
- harassment of members of opposition political parties
- restrictions on freedom of speech, press, assembly, association, movement, and on some religious practices
- legal and societal discrimination against women
- "honor" crimes
- child abuse
- discrimination against Palestinians
- restrictions on labor rights
- abuse of foreign domestic workers

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports during the year of arbitrary or unlawful deprivation of life by the government or its agents.

In recent years authorities have sometimes been willing to conduct transparent investigations and have, occasionally, disclosed results. However, there were instances of impunity where security services were reluctant to conduct transparent investigations into allegations of wrongful deaths that occurred during police detention in previous years.

In 2002 US Agency for International Development official Lawrence Foley was shot and killed in front of his home. In April 2004 five men accused in the killing were convicted, some in absentia. The government announced that one suspect, Muammar al-Jaghbir, convicted and sentenced to death in absentia, was in custody as of July 2004 and

would be retried in accordance with the law, which provides for a new trial in such circumstances. His retrial, which was postponed until June, included charges that al-Jaghbir was responsible for the 2003 bombing of Jordan's embassy in Baghdad. He pleaded not guilty to those charges as well as the charges related to Foley's assassination.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices; however, police and security forces allegedly abused detainees during detention and interrogation and reportedly also used torture. Allegations of torture were difficult to verify because the police and security officials frequently denied detainees timely access to lawyers. The most frequently reported methods of torture included beating, sleep deprivation, extended solitary confinement, and physical suspension. Defendants charged with security-related offenses before the State Security Court claimed they were tortured to obtain confessions and claimed to have been subjected to physical and psychological abuse while in detention.

Government officials denied many allegations of detainee abuse, pointing out that many defendants claimed abuse in order to shift the focus away from their crimes. During the year defendants in nearly every case before the Security Court alleged that they were tortured while in custody. At times the courts requested prison administrators to treat inmates in accordance with the law. A December 26 report issued by the National Center for Human Rights (NCHR) reported on allegations of mistreatment at prisons and detention centers, including that inmates were subjected to beatings.

NCHR's May 31 report, *The State of Human Rights in the Hashemite Kingdom of Jordan*, stated that the court system does not provide sufficient guarantees to prevent torture and other forms of abuse at the hands of the authorities.

In May, 15 men accused of planning terrorist attacks in the country claimed that their confessions were extracted under torture. The main defendant in that case, Abed Shehadeh Tahawi, claimed that security forces fabricated the case against him because he is an Islamist preacher. One of the defense lawyers claimed that the security forces used chemicals to hide evidence of torture. He also claimed that the prosecution did not read the defendants their indictment sheet when they were brought in for questioning.

In July four Islamist defendants standing trial for plotting to attack liquor stores retracted their confessions, claiming they were extracted under torture. Their attorneys claimed the men were denied their right to have an attorney present during their interrogations. Also in July relatives of seven men standing trial for plotting attacks on tourists testified that they believed the defendants had been tortured, because their imprisoned relatives looked weak and had told them they had confessed under duress.

On August 9, the Arabic daily *Al-Ghad* reported that a student claimed he was abused by police in Irbid. The police had intervened in a dispute between the accuser and another youth. The student claimed that police beat him on the head and that his eardrums burst as a result. The authorities opened an investigation into the claims, and the NCHR was following the case.

Affiliates of fugitive Abu Musab al-Zarqawi, convicted in absentia in April 2004 of killing Lawrence Foley in 2002 (see section 1.a.), claimed their confessions were extracted under duress. Muammar Jaghbir, who was sentenced to death in absentia for killing Foley and subsequently apprehended and retried, was detained by the security forces for six months of interrogation before appearing in court. Zarqawi's nephew, Omar al-Khalayleh, who was sentenced in May 2004 with two others for plotting against foreign tourists, also claimed torture during his trial.

During his trial in 2004, detained al-Zarqawi accomplice Miqdad al-Dabbas claimed that his confession was made under duress. He was sentenced in April to 15 years in prison for plotting attacks against Jordan's embassy in Baghdad.

In the continuing prosecutions of the 14 men accused of inciting the 2002 uprising in Ma'an--this time facing new charges during the year of illegal possession of automatic weapons, plotting subversive acts, illegal public assembly, and illegal importation and use of weapons--the defense alleged that prison officials mistreated and intimidated the defendants. The allegations included seizure of books and other property and denial of medical treatment to al-Shalabi. The head of the Public Security Directorate (PSD) press office denied these claims, stating that prison guards only removed illegal items during inspection tours. According to local media, PSD records showed that al-Shalabi was referred to a prison hospital when he complained of kidney pains, which hospital officials said were the result of a kidney stone.

Human rights activists reported a number of cases of beatings and other abuses of individuals in police custody during the year. Human rights activists also claimed that detainees were often held incommunicado for up to two months after arrest.

In December Human Rights Watch sent a letter to the prime minister asking him to investigate an apparent miscarriage of justice, in which two people were convicted in the murder of Najih Khayyat. The first defendant, Bilal Musa, confessed to killing 1 man in self defense, and later to killing Najih Khayyat and 9 others; he claimed that the latter 10 confessions were extracted under duress. Musa was executed in 2000. Later, Zuhair Khatib confessed to killing Najih Khayyat. On May 15, the same judges who tried and convicted Musa sentenced Zuhair Khatib to death for Khayyat's murder. The court subsequently reversed its verdict in Khatib's case and exonerated him.

Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted visits by independent human rights observers. Prisons were still overcrowded and understaffed with poor sanitary conditions and inadequate food and health care. There were reported instances of torture and harsh and inhumane treatment (see section 1.c.).

On December 26, NCHR, a quasi-governmental body with educational, protective, and reporting responsibilities, issued its third report on the condition of the country's prisons. The report noted that although the government has improved some facilities, more needed to be done. NCHR recommended that the government close Al Jafer prison, located in the desert 155 miles south of Amman. Since the prison is geographically isolated, NCHR contended that the inmates have limited access to lawyers. The report also mentioned high illiteracy rates among inmates overall in the country, which contributed to their ignorance of their rights to seek legal assistance.

The government held men, women, and juveniles in separate prison facilities. Although the general intelligence directorate (GID) held some persons detained on national security grounds in separate detention facilities, the government held other security detainees and prisoners in regular prisons. While security prisoners often were separated from common criminals, conditions for such prisoners did not differ significantly.

Local human rights monitors were allowed to visit prisons. NCHR made 11 visits to prisons between October 2004 and October of this year. The International Committee of the Red Cross (ICRC) was permitted access to prisoners and detainees, as well as to all prison facilities.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, the government did not always observe these prohibitions. The law provides that citizens are subject to arrest, trial, and punishment for the defamation of heads of state or public officials and dissemination of "false or exaggerated information outside the country that attacks state dignity." Criminal laws generally require warrants; however, in most cases suspects may be detained for up to 48 hours in the absence of a warrant. Police made several arrests during the year prior to obtaining warrants.

Role of the Police and Security Apparatus

The PSD controlled general police functions. The director of the PSD had access to the king when the seriousness or urgency of a matter demanded it. The PSD, GID, and the military shared responsibility for maintaining internal security, and had authority to monitor security threats. The PSD reports to the interior minister and the independent GID reports directly to the king. Thirteen different offices form the basic structure of the PSD. Two are Preventative Security and Complaints and Human Rights. Each of the 12 provinces has a police department that also falls under the authority of the PSD director. Security and policing activities were effective.

The PSD's Preventative Security Office investigates officers' performance. Incidents of poor officer performance ultimately are reported to the PSD director's office (see section 1.c.). Corruption within the PSD has not been a significant issue, and there are mechanisms in place to investigate police abuses. Citizens may file a complaint about police abuse or corruption to the Office of Complaints and Human Rights. Citizens filed 425 complaints during the year (see section 4). The head of this office reports directly to the PSD director. New officers in training receive special instruction on how to avoid corruption.

Arrest and Detention

The criminal code requires that police notify legal authorities within 48 hours of an arrest and that legal authorities file formal charges within 10 days of an arrest; however, the courts routinely granted requests from prosecutors for 15-day extensions as provided by law. This practice generally extended pretrial detention for protracted periods.

In cases involving state security, the security forces arbitrarily arrested and detained citizens. The authorities frequently held defendants in lengthy pretrial detention, did not provide defendants with the written charges against them, and did not allow defendants to meet with their lawyers until shortly before trial. Defendants before the State Security Court usually met with their attorneys only one or two days before their trial. The criminal code prohibits pretrial detentions for certain categories of misdemeanors.

On June 26, Jordanian extremist Issam al-Barqawi, also known as Abu Mohammad al-Maqdisi, was released six months after being acquitted of plotting subversive acts and possessing explosives as part of an alleged terrorism plot. On July 5, he was re-arrested for allegedly contacting terrorist groups, and charged on July 18 with plotting subversive acts.

On November 9, a group of Iraqis carried out suicide bombings at three hotels in west Amman. One of the attackers, a woman married to another of the bombers, failed to detonate her explosives and was eventually captured by authorities. At year's end she had not been charged.

In the past human rights activists reported that the government detained journalists (see section 2.a.) and Islamists, for varying amounts of time for what appeared to be political reasons. This year the engineers' professional association requested that the prime minister intervene to release members who it maintained were being held without charges. On September 27, the association issued a report covering June 2003 to June of this year, citing 17 cases in which members of the association were arrested and detained by the security services. Of the 17 cases, according to the report, only 4 were referred to court. The report said that the detainees were kept in solitary confinement and were denied access to lawyers.

In the past human rights groups also reported that there were a smaller number of long-term political detainees. At year's end at least 1 man, Samer Hilmi Al Barq, who taught at an Islamic school in Pakistan, remained in detention after approximately 18 months, without having been charged or referred to court.

Local governors have the authority to invoke the Preventing Crimes Law, which allows them to place citizens under house arrest for up to one year without formally charging them (see section 2.d.). House arrest may require persons to report daily to a local police station and impose a curfew. Persons who violate the terms of their house arrest may be imprisoned for up to 14 days.

The government used the threat of detention to intimidate journalists into practicing self-censorship (see section 2.a.).

e. Denial of Fair Public Trial

The law provides for an independent judiciary. In practice there was independent decisionmaking; however, the judiciary was not impervious to family and tribal influence. The Higher Judiciary Council, a committee led by the president of the court of cassation, and comprised of other high-ranking officials from the various courts and the Ministry of Justice, determines judicial appointments, assignments, and evaluations. The Higher Judiciary Council remains under the administration of the Ministry of Justice.

Unlike in previous years, there were no allegations that judges were "reassigned" in order to remove them from particular proceedings. However, judges were still temporarily assigned to other courts due to workflow.

The judicial system consists of civil, criminal, commercial, security, and religious courts. Most criminal cases are tried in civilian courts, which include the courts of appeal, the court of cassation, and the high court of justice. The State Security Court, composed of both military and civilian judges, has jurisdiction over offenses against the state and drug-related crimes.

The religious courts are subdivided into Shari'a (Islamic law) courts and tribunals for non-Muslim religious communities. Shari'a courts have jurisdiction over all matters relating to the personal status of Muslims, including marriage, divorce, and inheritance. Christian courts have jurisdiction over marriage and divorce cases among Christians, but apply Shari'a in inheritance cases (see section 5).

Trial Procedures

The law provides that all civilian court trials are open to the public unless the court determines otherwise. 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 is unable to hire legal counsel. All citizens are accorded these rights. Civil, criminal, and commercial courts accord equal weight to the testimony of men and women; however, in Shari'a court the testimony of two women is equal to that of a man's in most circumstances (see section 5). Defense attorneys are guaranteed access to government-held evidence relevant to their clients' cases.

The State Security Court consists of a panel of three judges, two military officers and one civilian. More than a dozen cases were tried or were ongoing in the State Security Court during the year. Like the civilian courts, proceedings of the court are open to the public. Defendants tried in this court were often held in lengthy pretrial detention and refused access to legal council until just before the trial. State Security Court judges inquired into allegations that defendants were tortured and allowed the testimony of physicians regarding such allegations (see section 1.c.). The court of cassation ruled that the State Security Court may not issue a death sentence on the basis of a confession obtained as a result of torture. Defendants in this court have the right to appeal their sentences to the court of cassation, which is

authorized to review issues of both fact and law, although defendants convicted of misdemeanors in the State Security Court have no right of appeal. Appeals are automatic for cases involving the death penalty.

The press and publications law permits journalists to cover State Security Court proceedings unless the court rules otherwise. The press routinely reported on cases before the court, including all cases heard during the year. Such reporting routinely covered defense arguments and allegations of torture.

Political Prisoners

There were no reports of political prisoners. However, throughout the year, there were reports of political detainees (see section 1.d.).

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

The law prohibits such actions; however, the government imposed limited restrictions on these rights in practice. The law requires that security forces obtain a warrant from the prosecutor general or a judge before conducting searches or otherwise interfering with these rights; however, in security cases, the authorities obtained preapproved warrants. Security officers officially monitored telephone conversations and Internet communication, read private correspondence, and engaged in surveillance of persons considered to pose a threat to the government or national security. The law permits these practices if the government obtains a court order.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government imposed significant restrictions on these rights in practice.

The Press and Publications Law and the Press Association Law (JPA) impose stringent restrictions on the operation of newspapers. The government also intimidated journalists to encourage self-censorship. Citizens may be prosecuted for slandering the royal family, the government, or foreign leaders, and for "sowing sedition." Citizens generally did not hesitate to criticize the government openly, but exercised caution with regard to the king, the royal family, and the GID. The JPA require membership in the JPA for persons to be considered "legal" journalists or editors, which can potentially exercise control over content or threaten disciplinary measures. The law gives the association the authority to hold disciplinary councils against any journalists that violate the rules or ethics of the profession.

During the year there were reported instances of arrest and government harassment of journalists. Several journalists interviewed by the Committee to Protect Journalists (CPJ) reported that authorities pressured printers to delay publication of several newspapers until editors agreed to remove critical articles. Editors received phone calls from security officials instructing them how to cover certain events.

On March 14, authorities detained for questioning and later released a reporter for Arabic daily *Al-Ghad* on suspicion that he fabricated his published news report that a citizen, Raed Mansour al-Banna, had carried out a suicide bombing in Iraq. Two *Al-Ghad* editors were also interrogated.

On April 10, security officials reportedly delayed publication of the weekly *Al-Wihda* until editors removed an article by journalist Muwaffaq Mahadin. Mahadin told CPJ that the article was critical of how the government of Prime Minister Adnan Badran was formed, claiming that its selection was undemocratic.

In June Fahd al-Rimawi, editor of the weekly *Al-Majd*, told CPJ that publication of his May 8 edition was delayed by the printer under pressure from security officials. Authorities objected to *Al-Majd's* planned interview with a member of parliament (MP) who supported the Iraqi insurgency and opposed the interim government of Iraqi Prime Minister Ibrahim al-Jaafari. According to al-Rimawi, the interview was removed from that week's edition after the MP was pressured to rescind his comments.

In June according to journalists, several newspaper editors received phone calls from security officials prior to Iraqi President Jalal Talabani's May visit to Jordan, instructing them to be careful not to support the insurgency in Iraq in their coverage.

On April 24, Ali Hattar, a member of the Jordan Engineers Association, was convicted of slandering the government in a public lecture in December 2004, and sentenced to either serve 3 months in jail or pay a \$254 (180 dinars) fine. Hattar chose to pay the fine to avoid the prison term. The charge stemmed from a speech in which he called for a boycott of American products and criticized American foreign policy.

The Press and Publications Law provides the government with limited ability to issue fines, transfers the power to withdraw licenses to the judiciary, limits significantly the government's power to order shutdowns, allows journalists to cover court proceedings unless the court ruled otherwise, and requires publications to be licensed. The law imposes strict limits on publications, which gave the government broad leeway to impose sanctions. The government used informants and censors at printing presses to inform it if particularly objectionable material was slated for print.

The penal code restricts free speech and allows for the prosecution of any person found to have written, published, or aired any statements that could be construed to harm or incite to harm or insult individuals or "the state's reputation and dignity." The punishment for defamation of the king or royal family is three years in prison.

Journalists also may be prosecuted before the State Security Court for criminal and security violations. Although a substantial number of cases were dismissed before trial, in the past some cases lingered in the courts for years. The government routinely used detention and prosecution or the threat of prosecution to generate journalistic self-censorship (see section 1.d.).

In May the Center for Defending Freedom of Journalists, a nongovernmental organization (NGO) based in Amman, conducted a random survey of 100 practicing journalists. The majority of respondents judged press freedom as low in 2004. Additionally 40.6 percent responded that the government had interfered in their work while 59.4 percent said that the government interfered in the media in general.

The Press and Publications Department continued to enforce bans on the publication of selected books. Books were banned for religious, moral, and political reasons. On April 26, political activist Ali Sanid reported that the Press and Publications Department refused to grant him a license to publish his book *80 Days in the Jawida Prison*, which asserted that conditions in the country's prison system were deplorable and that inmates were tortured. In June the department banned the publication of a novel written by Saddam Hussein, on the grounds that it could harm ties with Iraq.

High taxes on media and tariffs on paper caused journalists to reduce the size of their publications. Journalists also criticized the government for advertising predominantly in newspapers in which the government owned shares.

The law provides foreign media operations freedom of expression.

Radio and television news broadcasts, more restricted than the print media, did not undergo any liberalization during the year. However, in 2004 the government licensed a new radio station and a satellite television broadcaster. Its projected starting date was deferred twice during the year, and is now scheduled for June 2006. Under commercial agreements with each entity, the government rebroadcasts the regional programs of the BBC, the London-based Middle East Broadcasting Center, Radio Monte Carlo, and Radio Sawa. Jordan Television reported only the government's position on controversial matters. International satellite television and Israeli and Syrian television broadcasts were available and unrestricted.

In the past the government opened investigations attempting to determine who was responsible for Internet sites that allegedly libeled the king; however, no one was known to have been prosecuted in such cases during the year. In the past there were reports of government interference with Internet access, including several Web sites that appear to have been blocked. During the year the government allowed Internet news sites to operate in the country, including those presenting news critical of the government.

The government limited academic freedom. Some academics claimed that they received frequent threats of dismissal. During the year sources in the academic community claimed that there was an ongoing intelligence presence in academic institutions.

During the year the University of Jordan continued to grant its president authority to appoint half of its 80-member student council, including the chair. This measure was viewed widely as an effort to curb the influence of campus Islamists. Many students, including non-Islamists, continued to object to the university's policy.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, the government restricted this right. Citizens must obtain permits for public gatherings. The government generally granted permits for protests it finds objectionable only after extensive negotiations with the organizers. The law requires the organizers of rallies and demonstrations request permission from provincial governors at least three days prior to any event. Under the law no protest may be held without the governor's consent, and violators face imprisonment from 1 to 6 months and a fine not to exceed \$4,230 (3 thousand dinars). In some cases the government granted approval at the last moment, making it difficult for organizers to plan the demonstrations.

On March 7, the government banned a planned demonstration of professional unions against a draft law barring professional associations from engaging in politics and deployed security forces to prevent the protest.

On August 19, approximately one thousand citizens marched to protest alleged threats to the Al Aqsa Mosque in Jerusalem. The governor of Amman initially refused the event organizers a permit on technical grounds, but a second request was approved the day before the march was scheduled to occur.

There were peaceful marches and protests against terrorism for several days following the November 9 Amman hotel bombings, which killed 60 persons.

In March 2004 the government detained protestors at the al-Wihdat refugee camp in the southern suburbs of Amman, claiming that the demonstration was not licensed. According to media reports, more than 60 persons were detained for burning the national flag and destroying property. Human rights activists claimed more than 200 demonstrators were detained. The demonstration began after Friday prayers in reaction to the killing of Hamas leader Sheikh Ahmed Yassin. The government claimed it filed formal charges against some of the detainees while releasing those under 18. MP Tayseer al-Fitiani alleged that riot police beat him with clubs upon his arrival at the al-Wihdat police station after demonstrators had dispersed.

Freedom of Association

The constitution provides for the right of association; however, the government limited freedom of association by law. The law prohibits the use of associations for the benefit of any partisan organization. The government required and routinely granted approval for nonpolitical conferences, workshops, and seminars.

The government prohibits membership in unlicensed political parties but routinely licensed political parties and other associations. There were 31 licensed political parties. The government may deny licenses to parties that it decides do not meet a list of political and other criteria contained in the Political Parties Law. The High Court of Justice may dissolve a party if it violates the constitution or the law.

c. Freedom of Religion

The constitution provides for freedom of religion, provided that religious practices are consistent with "public order and morality;" however, the government continued to impose some restrictions on freedom of religion. The state religion is Islam. The government does not officially recognize all religious groups. Groups obtain recognition with the approval of the prime minister. In order to be recognized, the group must have citizens among its constituency, and the Ministry of the Interior must also conduct a background investigation. Recognition allows a religious group to purchase land with a tax exemption.

Members of unrecognized religious groups and converts from Islam faced legal discrimination and bureaucratic difficulties in personal status cases. The government prohibits non-Muslims from proselytizing Muslims.

Persons enjoy freedom of belief, and there were no reports that the practice of any faith was prohibited. Some religious groups, while allowed to meet and practice their faith, complained of societal and official discrimination. In addition not all Christian denominations have been accorded legal status.

The government did not accord the Druze or Baha'i Faiths the status of officially recognized religions but did not prohibit the practice of these faiths. Druze faced official discrimination but did not complain of social discrimination. Baha'is faced both official and social discrimination. The government did not record the bearer's religion on national identity cards issued to Druze or Baha'is.

The government did not recognize Jehovah's Witnesses, the Church of Christ, or the Church of Jesus Christ of Latter-day Saints, but each of these denominations conducted religious services and activities without interference.

The Jordan Evangelical Theological Seminary (JETS), a Christian training school for pastors and missionaries, had not been accredited as an educational institution by year's end, although the government granted it "registration," allowing it to operate. Due to the lack of accreditation, JETS students and faculty coming from abroad were unable to obtain student/work visas. Students traveled on tourist visas and applied for residency permits once they arrived in the country. During the year the government denied residency permits to 12 noncitizen students for reasons including insufficient funds.

Shari'a prohibits non-Muslims from proselytizing Muslims. Conversion to the Muslim faith by Christians was allowed; however, a Muslim may not convert to another religion. Muslims who convert to other faiths complained of social and government discrimination. Under Shari'a converts are regarded as apostates and legally may be denied their property and other rights. In November 2004 the Amman Shari'a court found a convert from Islam to Christianity guilty of apostasy, stripped him of many of his civil rights, and annulled his marriage. A Shari'a appellate court upheld the

conviction in January. Converts to and from Islam are considered Muslims under Shari'a on matters of personal status.

The constitution provides that religious community trusts and matters of personal status fall within the exclusive jurisdiction of the Shari'a courts for Muslims, and separate non-Muslim tribunals for each religious community recognized by the government. There is no civil marriage. The head of the department that manages Shari'a court affairs (a cabinet-level position) appoints Shari'a judges, while each recognized non-Muslim religious community selects the structure and members for its own tribunal. All judicial nominations are approved by the prime minister and commissioned officially by royal decree. The Protestant denominations registered as "societies" come under the jurisdiction of one of the recognized Protestant church tribunals. There are no tribunals assigned for atheists or adherents of unrecognized religions. These persons must request one of the recognized courts to hear their personal status cases.

Converts from Islam to Christianity faced possible loss of civil rights, loss of child custody, and economic hardship. However, courts have shown a willingness to decide mixed religion child custody cases in the best interests of the child.

In 2002 the Shari'a and civil court systems adjudicated a child custody case and transferred legal custody of two minors who were raised as Christians from their Christian mother to her Muslim brother. However, the judgment was never executed and the children remained in the mother's physical custody pending the result of a countersuit filed against the Muslim brother, accusing him of lack of interest in the children and misuse of the children's trust funds. In April the court found that the Muslim brother was negligent and was misusing the children's trust funds. The judge awarded legal custody of the children to their Christian mother. Her brother filed an appeal in May, but the appellate court rejected his petition.

Men may divorce their spouses more easily than women; however, since 2001 Shari'a courts have granted over 500 divorces sought by women (see section 5).

The legal system regards minor children of a male Muslim who converts to another religion to be Muslims. Adult children of a male Christian who has converted to Islam become ineligible to inherit from their father if they do not themselves convert to Islam. Muslim converts to Christianity and minor children of male converts to Christianity are not recognized legally as Christians and continue to be treated as Muslims in matters of family and property law.

The government noted individuals' religions (except for Druze, Baha'is, and other unrecognized religions) on the national identity card and "family book" (a national registration record issued to the head of every family that serves as proof of citizenship) of all citizens. Atheists must associate themselves with a recognized religion for official identification purposes.

Government policy requires that foreign missionary groups refrain from public proselytizing for their own safety from members of society that oppose such practices. The government has taken action against some Christian proselytizers in response to the complaints of recognized Christian groups who charge that the activities of these missionaries "disrupt the cohesiveness and peace between religious groups in society."

In August two foreign missionaries were expelled from the country after a MP complained to the minister of the interior that they were proselytizing among children without the permission of the parents.

Societal Abuses and Discrimination

Relations between Muslims and Christians generally were amicable. However, Muslims who convert to other religions often faced social ostracism, threats, and abuse from their families and Muslim religious leaders. Families usually strongly discouraged interfaith romantic relationships, which ultimately may lead to conversion. Such relationships may lead to ostracism and, in some cases, violence against the couple or feuds between members of the couple's families. Baha'is faced some societal discrimination.

Private broadcast media occasionally showed anti-Semitic programs. During the year the private satellite television Memnou'a broadcast a program based on the *Protocols of the Elders of Zion*. Memnou'a is based in what the government calls a "free media zone." The government attempted to halt the broadcast. Editorial cartoons, articles, and opinion pieces critical of Israel sometimes employed anti-Semitic images and stereotypes and were published in the newspapers *Al-Rai* and *Al-Dustur*. There was no government response to these pieces. Aside from expatriates and diplomats, there was no resident Jewish community in the country.

For a more detailed discussion, see the [2005 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2005/61691.htm).

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

The law provides for these rights; however, there were some restrictions. The law requires that all women obtain written permission from a male guardian to apply for a passport; however, women do not need a male relative's

permission to renew their passports. In the past there were several cases when mothers reportedly were prevented from departing with their children because authorities enforced requests from fathers to prevent their children from leaving the country (see section 5). The GID sometimes withheld passports from citizens on security grounds.

Local governors may use the Preventing Crimes Law to place citizens under house arrest for up to a year without formally charging them (see section 1.d.). House arrest may involve requiring persons to report daily to a local police station while under curfew. Persons who violate the terms of house arrest may be imprisoned for up to 14 days.

Persons with full citizenship receive passports that are valid for five years. Most persons of Palestinian origin living in the country were citizens and received passports; however, the government estimated that there were 150 thousand Palestinian refugees, mostly of Gazan origin, who do not qualify for citizenship. They received three-year passports valid for travel but which do not connote citizenship. West Bank residents without other travel documentation are eligible to receive five-year passports which do not connote citizenship.

Human rights activists continued to charge that the government did not apply consistently citizenship laws, especially in cases in which passports were taken from citizens of Palestinian origin. The government claimed this policy was in line with its efforts to implement the government's disengagement from its former claims to the West Bank. However, activists complained that the process is not transparent and the appeal process virtually nonexistent. Claimants or families filed appeals with the Ministry of Interior (MOI), which were not resolved to their satisfaction. The government asserted that all cases it closed involved persons without valid claims to citizenship or travel documents.

Human rights activists reported that approximately 1,200 citizens of Palestinian origin remained outside the country, due to the government's refusal to renew their passports at embassies overseas. The government asserted that only nonresident Palestinians who sought to renew travel documents, which required proof of residence in the country, have been refused.

The law prohibits forced exile, and the government did not use forced exile in practice.

Protection of Refugees

The government is not a party to the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. It generally cooperated with the office of the UN High Commissioner for Refugees (UNHCR) and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in assisting refugees and asylum seekers. The government respected the UNHCR's eligibility determinations regarding asylum seekers, including those who entered the country clandestinely. The UNHCR continued to train law enforcement officials and judges in international refugee law, including training for instructors from the NCHR who conducted a course for entry-level government officials during the year. However, the UNHCR reported that approximately 200 Iranian refugees formerly resident in a UNHCR camp in Ramadi, Iraq, were refused entry. It also reported in several instances that it intervened to prevent the deportation of persons issued UNHCR asylum seeker cards.

As of October 1, approximately 1.8 million Palestinian refugees were registered with the UNRWA. The UNRWA and the government continued to provide assistance to these Palestinian refugees during the year. Approximately 700 thousand persons displaced from former Jordanian territories during the 1967 war have been granted nationality. An additional 120 thousand persons displaced during the 1967 war hold temporary residency permits. A further 200 thousand Palestinian refugees were also estimated to be living in the country without any direct assistance.

Since 1991 thousands of Iraqis have applied for refugee status and received legal and material assistance from the UNHCR. It was estimated that between 400 and 600 thousand Iraqis were living in the country. The government generally recognized UNHCR's request that states continue to grant temporary protection for all Iraqi asylum seekers, including new arrivals, rejected cases, and recognized refugees whose cases had been suspended by resettlement countries. However, UNHCR reported that a significant number of Iraqis were refused entry into the country. It also reported that it intervened to prevent the deportation of persons issued UNHCR asylum seeker cards in several instances. The government also continued its policy of denying children of Iraqi asylum seekers admittance to public and private schools unless their families were able to establish legal residency in the country.

According to UNHCR figures, during the year, 966 persons from Iraq, Russia, Somalia, Sudan, Syria, and Egypt recognized as refugees awaited resettlement. An additional 90 Chechens were allowed to remain indefinitely pending repatriation. By year's end approximately 17 thousand persons, primarily Iraqis, were seeking asylum. UNHCR received new applications for refugee status from 5,758 persons, including 5,568 Iraqis, 50 Sudanese, 31 Syrians, 11 Egyptians, 10 Russians and 45 stateless persons during the year.

The government also continued to provide temporary protection to recognized refugees formerly resident in Iraq who fled Iraq in 2003, including 151 Palestinians and 464 Iranian Kurds formerly resident in a UNHCR camp in Ramadi. In May the government closed the reception camp UNHCR established in the "No Man's Land" between the Jordanian and Iraqi borders, relocating the residents to the refugee camp UNHCR established in Ruweished in 2003. The government refused entry to approximately 200 Iranian refugees formerly resident in the UNHCR camp in Ramadi who attempted to flee Iraq in January.

According to the International Organization for Migration (IOM) statistics, between January 1 and November 30, the government granted temporary protection to 638 third country nationals fleeing Iraq en route to Sudan, Bangladesh, Nigeria, and Turkey. The government also facilitated the transit of 907 Iraqis voluntarily returning to Iraq from third-

countries, primarily from Europe. IOM verified that all repatriations to Iraq and to third-countries were voluntary.

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

Citizens do not have the right to change their government. Citizens may participate in the political system through their elected representatives in parliament; however, the king may at his discretion appoint and dismiss the prime minister, cabinet, and upper house of parliament; dissolve parliament; and establish public policy.

Elections and Political Participation

After being appointed by the king, a prime minister is required to submit his cabinet to a parliamentary vote of confidence, if there is a seated parliament. Executive power is vested in the king (or, in his absence, in the regent), who exercised his power through his ministers in accordance with the provisions of the constitution. The June 2003 multiparty parliamentary elections were generally considered to be free and fair; however, the election law significantly underrepresented urban areas. Some losing candidates claimed that voter fraud was a problem. The Islamic Action Front boycotted the elections in all districts outside greater Amman to protest the provisional law on appointing municipal officials.

The law allows voters to choose one candidate in multiple-seat districts. In the largely tribal society, citizens tended to cast their vote for family members. Observers believed that the law continued to give greater proportional representation to electorates in the rural and southern part of the country, as well as in regions with populations known for their traditional, pro-Hashemite views, resulting in significant underrepresentation of urban areas. In practice nontribal candidates' chances for election in tribal areas were limited. Many observers considered electoral districting unfair because of a lack of balance between the population and the number of seats per district and claimed that it was intended to reduce the representation of areas heavily populated by Jordanians of Palestinian origin.

The 2001 election law increased the number of electoral districts by redrawing district boundaries and redistributing seats among districts, required judiciary verification of polling results, raised the number of lower house seats from 80 to 104, and lowered the voting age to 18 years. A 2003 amendment included a 6-seat quota for women in the House of Deputies, raising the number of lower-house seats to 110. Citizens may freely nominate themselves and register as candidates as long as they do not have a criminal history.

The king proposes and dismisses extraordinary sessions of parliament and may postpone regular sessions for up to 60 days. 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, such "provisional" laws do not expire and, while technically subject to action by parliament when it returns to session, may in practice remain in force without legislative approval.

According to a 2002 provisional law, the king approves the appointments of all mayors, who are nominated by the Ministry of Municipalities. The law also reduced the number of municipalities from 299 to 99.

Women have the right to vote, and were encouraged to vote and be active in the political process. There were four female ministers for part of the year, although at year's end, following two cabinet shake-ups, there were only two. There were six female senators at year's end. There were seven before March; however, one was chosen to be a minister in the cabinet reshuffle that month. In the lower house, there were six female deputies, which is the minimum required under quota provisions of the electoral law.

Of the 110 seats in the lower house, the quota provisions reserve 9 for Christians, 9 for Bedouins, and 3 for either the Circassian or Chechen ethnic minorities.

Citizens of Palestinian origin, estimated to be more than half of the total population, comprised 6 of 28 ministers. In the parliament, 7 of 55 senators and 17 of 110 lower house deputies were of Palestinian origin. There were no Palestinians in any of the country's 12 governorships. The electoral system gives greater representation to areas that have a majority of inhabitants of non-Palestinian origin.

Government Corruption and Transparency

Corruption is a crime. The GID has an anticorruption department that is responsible for combating bribery, extortion, and other similar crimes. Attempts to establish similar, transparent entities outside the security service were not successful. There was a public perception of corruption in the executive and legislative branches. Influence peddling and a lack of transparency have been alleged in government procurement and dispute settlement. The use of family, business, and other personal connections to advance personal business interests, was widespread.

In January Haider Mahmoud, a respected poet, wrote a thinly-veiled poem to the king warning him of the corruption surrounding him. Mahmoud was vilified in the press as a traitor, and then-prime minister Faisal al-Fayez called for the

mayor of Amman to fire Mahmoud from his position as head of the Al Hussein cultural center; Mahmoud resigned. Mahmoud's son also resigned from his job with the Ministry of Foreign Affairs.

MP Ghazi Zaben opened an investigation in May into *awqaf* funding, and into allegations that a former minister of *awqaf* and Islamic affairs, Ahmad Hilayel, was illegally profiting from travel packages to Mecca for the annual Muslim pilgrimage. Zaben stopped short of calling the ministry corrupt. His investigation lost steam after Hilayel was replaced during the April cabinet reshuffle.

On June 26, the king instructed the prime minister to form an independent anticorruption committee, charged with drafting a law designed to provide for transparency in the public sector. On July 12, the cabinet endorsed the commission's draft law, and it was under review by the lower house's legal subcommittee at year's end.

The law provides for public access to government information once it becomes a matter of legal record, and the government enforced this law in practice.

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

A number of domestic and international human rights groups generally operated with restricted permission from the government, investigating and publishing their findings on human rights cases alleging torture and other abuses committed by the security forces. Within these limits government officials were cooperative and responsive to their views. The Press and Publications Law removed restrictions on the publication of information about the military and security forces, which had prevented the publication by domestic groups of reports alleging torture and other abuses committed by the security forces; however, similar restrictions still exist in the penal code and other laws (see section 2.a.).

The local chapter of the Arab Organization for Human Rights and the Jordanian Human Rights Organization continued to operate with the permission of the government.

In July 2004 the Jordanian Society for Citizens' Rights applied for registration with the MOI under the new name of the Jordan Organization for Citizen Rights, after having been shut by the MOI in 2002. The MOI officially denied the application in October 2004. The founder of both organizations claimed that the assistant governor of Amman told him in April that the government would find pretexts for further legal or administrative action against him if he persisted in his agitation for Palestinian rights. The founder complained of this alleged harassment in a letter to King Abdullah later that month. At year's end he has reported no retaliation against him.

The NCHR began operations in 2003. Its activities included training government and international organization personnel on human rights standards and conditions in the country and collection and analysis of citizens' complaints. The government cooperated with and funded the center; some human rights activists complained that it was too influenced by the government. On May 31, the NCHR issued its first annual report on the state of human rights in the country, covering an 18-month period from June 2003 through December 2004. In the 87-page report, the NCHR ranked Jordan "good" at the planning and policy level; "acceptable" in economic, social, and cultural rights; and "poor" in civil and political rights. A ministerial committee was formed after the report's release to study the report and formulate a response. At year's end that committee has not produced a response.

The PSD, which opened its first human rights complaints offices in 1996, had opened offices in each of its eight regional directorates by 2003. Persons charging police misconduct may submit complaints to the relevant office, and the government reported that cases backed by sufficient evidence can result in police officers being tried under the public security law. Plaintiffs may file compensation claims for damages, and convicted officers reportedly also were subject to disciplinary action. During the year citizens filed 425 complaints against PSD personnel. Of those, 221 were validated: 43 resulted in trials and disciplinary measures; 25 were referred to the special police courts; and 153 were under consideration at year's end. The remaining 204 complaints were ruled invalid. Of those 7 complainants dropped their cases, 145 cases lacked evidence, and 52 were dismissed by the courts.

The government generally cooperated with international NGOs, but human rights observers claimed that some security detainees were held incommunicado. The ICRC was permitted full access to all detainees and prisoners, including those held by the GID and the military intelligence directorate (see section 1.c.).

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law does not distinguish between citizens on the basis of race, disability, language, or social status; however, women were treated differently under the law, and some minorities faced discrimination in employment, housing, and other areas. Some private political groups such as the Anti-Normalization Committee, which is opposed to ties with Israel, acted through various professional organizations to pressure individuals who have had dealings with Israel, at the same time that the government took measures to restrict the committee's activities (see sections 2.a and 2.b.).

Women

Violence against women continued, although the full extent of the problem was difficult to determine. In rural areas violence against women was reported frequently than in major cities; however, women's rights activists speculated that many incidents in cities went unreported. Although in recent years the government has taken steps to increase the resources available to help abused women, cultural norms continued to discourage victims from seeking medical or legal assistance.

Abused women have the right to file a complaint in court against their spouses for physical abuse; however, in practice familial and societal pressures discouraged them from seeking legal remedies. Marital rape is not illegal. NGOs such as the Jordanian Women's Union, which had a telephone hot line for victims of domestic violence, provided assistance in such matters. The Family Protection Unit of the Public Security Directorate also offered a comprehensive support program for victims of domestic violence and sexual assault. Wife-battering technically is grounds for divorce, but a husband may seek to demonstrate that he has authority from the Koran to correct a perceived irreligious or disobedient wife by striking her.

The phenomenon of so-called "honor crimes" derives from customary notions of family honor among some traditional communities, both Muslim and Christian. Authorities prosecuted all reported such crimes. During the year, 15 honor crimes, all killings, were reported. According to women's rights activists, there was some evidence of a societal trend toward condemnation of honor crimes. The police regularly placed potential victims of honor crimes in protective custody. Activists estimated that more than 25 women were in protective custody. At least one NGO was working in conjunction with the government to establish a shelter where the women could live in relative anonymity as an alternate to protective custody.

In ordinary cases the maximum penalty for first-degree murder is death, and the maximum penalty for second-degree murder is 15 years in prison. Article 340 of the penal code provides for lenient treatment in cases where the accused personally witnessed the victim of an honor crime engaging in sexual relations or in bed with a nonspouse. Article 98 of the penal code specifically states that "An extenuating justification can be invoked by anyone who commits a crime in a fit of rage as a result of an unrightfully and dangerous act carried out by [the] victim," and as a result, may significantly reduce murder charges. Although the defendants are almost universally found guilty, a successful Article 98 defense results in the defendants receiving token sentences.

For example, on May 16, a 19-year-old Ramtha man identified in the media as "Mohammad M.," surrendered to police after stabbing to death his 24-year-old sister, who he believed had committed adultery. In its August 27 verdict, the Ramtha tribunal of the criminal court system accepted the defendant's Article 98 defense and reduced the charges from premeditated murder to manslaughter. He was sentenced to a six-month prison term.

In June the courts accepted the Article 98 defense of a 20-year-old man identified as "Musa J.," who had been charged in October 2004 with killing his 21-year-old sister, a mother of two. The charge against him was reduced to manslaughter; he was sentenced to the six months he had already served and was immediately released. Musa J. leveled several contradictory allegations of immorality against his sister. The prosecutor general of the criminal court announced that he would appeal the court's June decision.

On May 12, a South Shouneh man was given a seven-and-a-half-year prison sentence for murdering his 17-year-old married daughter in November 2004. She had gone missing for a week in early August 2004 until the police found her and put her in protective custody. She was released when relatives signed a pledge that she would not be harmed. Shortly after her release, she and her husband went to her father's home, where they told him that she was in love with another man. After asking her husband to leave the house, the father shot his daughter in the head three times. The tribunal of the criminal court rejected the defendant's Article 98 defense.

In a widely reported case, the brothers Bilal and Raed al-Ajouri received in May 7 ½ and 10 year sentences for murdering their pregnant sister in April 2004. The woman had become pregnant out of wedlock with an Egyptian man. She confronted her family with the pregnancy and received her father's blessing to marry in Egypt. Upon her return to the country to give birth, her brothers killed her and her unborn child.

There were no official reports of female genital mutilation (FGM) during the year, although international observers believed this practice was still occurring in Wadi Araba, in the south of the country. Due to the isolation of the area where FGM is likely to occur, official data was very hard to obtain. The last reported case of FGM was in 2003.

According to the law, sexual harassment is strictly prohibited and subject to criminal penalties including fines and imprisonment. Sexual harassment, assault, and unwelcome advances of a sexual nature against women did not appear to be widespread problems. Prostitution is illegal. In an effort to combat prostitution, the government made it a crime for licensed masseurs or masseuses to sell services to opposite sex clients.

Women experienced legal discrimination in pension and social security benefits, inheritance, divorce, ability to travel, child custody, citizenship, and the value of their Shari'a court testimony in certain limited circumstances (see section

1.e.). The government provided men with more generous social security benefits than women. The government continued pension payments of deceased male civil servants but discontinued payments of deceased female civil servants to their heirs. Laws and regulations governing health insurance for civil servants do not permit women to extend their health insurance coverage to dependents or spouses. However, divorced and widowed women may extend coverage to their children.

Under Shari'a as applied in the country, female heirs receive half the amount that male heirs receive, and non-Muslim widows of Muslim spouses have no inheritance rights. A sole female heir receives half of her parents' estate; the balance goes to designated male relatives. A sole male heir inherits both of his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. Men were able to divorce their spouses more easily than women, although a provisional law introduced in 2002, which was in effect at year's end, permitted women to initiate divorce on any grounds, provided they give up the financial settlement normally granted in divorce cases. The existing permanent divorce law allows women to seek divorces and retain their financial rights only under specific circumstances, such as spousal abuse. In these cases there is a burden of proof that the women must overcome (see section 2.c.). Special courts for each denomination adjudicate marriage and divorce matters for Christians (see section 2.c.). There were 25 female judges during the year, an increase of 6 from 2004.

In 2003 the passport law was amended to state that women and their minor children may obtain passports without the written permission of their husbands (see section 2.d.). Married women do not have the legal right to transmit citizenship to their children; however, since 2002 the government has permitted Jordanian women married to non-Jordanian men to pass citizenship to their children upon the permission of the council of ministers. In practice this permission was usually granted, except in cases where the father was Palestinian. Furthermore women may not petition for citizenship for their noncitizen husbands. The husbands themselves must apply for citizenship after fulfilling a requirement of 15 years of continuous residency. Once the husbands 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 still may be denied to the husband and children. Such children become stateless and, if they do not hold legal residency, lose the right to attend public school or seek other government services.

Civil law grants women equal pay for equal work; however, in practice this law sometimes was ignored.

Traditional social pressures discouraged many women from pursuing professional careers, especially after marriage. Nonetheless, women had employment opportunities in many professions, including government, engineering, medicine, education, the military, and law. Women's groups stressed that the problem of discrimination was not only one of law but also of women's lack of awareness of their rights or unwillingness to assert them. A professional women's association, the royal family, and the government promoted improvements for women's civil and economic life. Official figures at year's end show that 48 percent of students enrolled in higher education institutions were female, and in some disciplines, females comprised 80 percent of the student body.

At year's end, while unemployment for the population as a whole reached 13.4 percent, for females the number was 19.7 percent.

Children

The government was committed to children's rights and welfare in the areas of education and health; however, government efforts in these areas were constrained by limited financial resources. Education is compulsory from ages 6 through 16; however, no legislation exists to enforce the law or punish guardians for violating it, and absence from school goes without penalty. Currently a student may be absent from school for up to two years and the Ministry of Education will still allow the student to return to school. Public education was free from age 6 through completion of high school (age 18). The overall school attendance and total secondary school attendance rates remained at 92 percent. Several domestic and foreign religious groups operated private schools throughout the country. Since 1999 the government denied Iraqi children admittance to public schools unless they were legal residents of the country or recognized as refugees by the UNHCR. In September the MOI decided to bar enrollment of Iraqi children at private schools in the country unless their parents have residency permits (see section 2.d.).

The government attempted to address the issues of educational development and quality and the relevance of education to job-market demand, with few concrete results. The government did not charge tuition for public education and it granted food and transportation supplements to families with many children or to very poor families.

Students must obtain a good behavior certificate from the GID to be admitted under the university quota system. Activists reported that the GID sometimes withheld these certificates from deserving students due to a family member's allegedly problematic record.

The government provided free inoculation programs typically administered through the school system for children. In addition children had access to government-subsidized public clinics, which offer reduced fees for most services.

The National Team for Family Protection coordinated all issues concerning family safety. The government-funded "Dar

al Amman," the country's first child protection center, provided temporary shelter, medical care, and rehabilitation for children age 6 to 12 who have suffered abuse. In September, the National Council for Family Affairs launched an eight-tier national strategy for families.

During the year the authorities received complaints of 97 cases of physical abuse and 640 cases of sexual abuse of children. Social and health workers believed that there was a significant incidence of child abuse in families, and it is likely that the incidence of child sexual abuse was 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.

The Family Protection Unit of the PSD worked with victims and perpetrators of domestic and sexual violence and has launched an awareness campaign on domestic violence. The unit believes that increased awareness during the year led to greater reporting of these cases, and therefore higher numbers.

The current minimum age for marriage is 18 years. However, with the consent of a judge and a guardian, children as young as 15 may be married. In most cases the guardian made the decision that the child should be married and it was not the child's choice. One partner, almost exclusively the male, is most times significantly older than the 15-year-old. Observers at Freedom House reported that in rural, tribal areas, and in some parts of the major cities, girls as young as 14 were entered into marriage contracts, either with the acquiescence of the responsible authorities or by using falsified documents. A 2000 study showed that in 26 percent of domestic violence cases, the victims were wives younger than 18. During the year 379 cases of physical and sexual assault on girls under the age of 18 were reported; the marital status of these women was not reported.

The government attempted to safeguard some other children's rights, especially regarding child labor (see section 6.d.). Although the law prohibits most children under the age of 16 from working, child vendors worked on the streets of Amman. Economic conditions and social disruption have caused the number of these children to increase over the last 10 years. Child vendors sold newspapers, tissues, small food items, or gum, and other children who picked through trash dumpsters to find recyclable cans to sell, sometimes were the sole source of income for their families. Generally these children were not subjected to the worst forms of child labor, including prostitution. However, experts agree that children working on the street were more vulnerable to becoming victims of these sorts of crimes.

Trafficking in Persons

The law prohibits trafficking in children; however, it does not specifically prohibit trafficking in other persons. Other criminal statutes prohibit slavery and indentured servitude. In October Western mediareported the August 2004 killing of 12 Nepali migrant workers in Iraq. According to the reports, an employment agency in Nepal colluded with Morning Star, a recruiting agency in Amman, to bring the men through Jordan to Iraq to work. Several of the men were told that they would be working for a hotel in Amman, but instead they were taken to Iraq, where they were captured and killed by insurgents. The government subsequently closed Morning Star. In 2004 to reduce the potential for abuse of foreign domestic workers (FDWs), the government adopted new and stricter procedures that regulate the importation of such labor (see section 6.e.). While these changes improved the legal framework to protect FDWs, lack of awareness among employers and employees remained a problem. The government has undertaken a cooperative program with the UN Development Fund for Women (UNIFEM) to raise the awareness of FDWs on the new protections afforded them. The Ministry of Labor (MOL) regularly visits the employment agencies that hire and import FDWs to ensure compliance with the law.

Persons with Disabilities

There was no reported discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law mandates access to buildings for persons with disabilities, and the government generally enforced these provisions, although many private and public office buildings still have limited or no accessibility for persons with disabilities. High unemployment restricts job opportunities for persons with disabilities, who officially numbered 220 thousand, though UN averages placed the number closer to 500 thousand. Thirteen percent of citizens with disabilities received monetary assistance from the government. Since 1993, the law required future public buildings to accommodate the needs of persons with disabilities and to retrofit existing public buildings; however, implementation has been slow. A Special Building Code Department was established in 1997, to oversee the retrofitting of existing buildings.

The law requires that 2 percent of available public sector jobs be reserved for persons with physical disabilities. Private organizations and members of the royal family actively promoted programs to protect and advance the interests of persons with disabilities. Experts worried that the country still approached disabilities issues from a charitable approach, as opposed to from a rights approach. However, Landmine Survivors Network hosted a "training of trainers" program over two weeks in September, designed to build capacity and to advocate for the rights of persons with disabilities in the country and the region.

National/Racial/Ethnic Minorities

There are three groups of Palestinians residing in the country. Those that migrated to the country and the Jordan-controlled West Bank after the 1948 Arab-Israeli war were given full citizenship. Those still residing in the West Bank after 1967 were no longer eligible to claim citizenship, but were allowed to obtain temporary passports without national numbers, provided they did not also carry a Palestinian Authority travel document. In 1995 then King Hussein announced that West Bank residents without other travel documentation would be eligible to receive full-validity passports, although still without national numbers. Refugees who fled Gaza after 1967 were not entitled to citizenship and were issued temporary passports without national numbers.

Human rights activists maintained that despite the codified passport issuance procedures, many citizens of Palestinian origin have had their Jordanian national numbers revoked at the whim of the interior ministry employees. Others claimed that their temporary passports have been confiscated after spending time in the West Bank. Invisible ceilings for appointments to positions in the government and the military persist, and admittance to public universities and the granting of university scholarships is regulated by a quota system. Citizens of Palestinian origin complain of underrepresentation in parliament, and even socially well-situated Palestinian-Jordanians claimed that their national origin results in dismissive and discriminatory attitudes from East Bank Jordanians (see section 2.d.).

During the year there were reports of societal discrimination against Iraqis living in the country. According to a December 7 UN Integrated Regional Information Networks report, the number of reports of discrimination against Iraqis living in the country rose following the November 9 Amman hotel suicide bomb attacks (see section 1.d.). The Iraqi Association for Nationals Living in Jordan received hundreds of complaints from Iraqis living in Amman of discrimination in the streets, in shops, and in public places. Beatings of Iraqis were reported in the days immediately following the bombings.

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 and dominated in senior military, security, and civil service positions, as well as in the parliament. Nevertheless, many Bedouin in rural areas were disadvantaged economically.

Other Societal Abuses and Discrimination

Societal discrimination against homosexuals existed.

Section 6 Worker Rights

a. The Right of Association

Workers in the private sector, in some state-owned companies, and in certain professions in the public sector have the right to form and join unions without excessive requirements and did so in practice. Unions must be registered to be legal. The labor law limits membership to citizens, effectively excluding the country's more than 218 thousand registered foreign workers. However, some unions represented the interests of foreign workers informally. According to official figures, more than 30 percent of the workforce was organized into 17 unions. Although the Solidarity Center, a global nonprofit organization, put the actual number closer to 10 to 15 percent, the number approaches 30 percent when the professional associations are included. Unions are required by the government to be members of the General Federation of Jordanian Trade Unions (GFJTU), the sole trade union federation. The government subsidizes and audits the GFJTU's salaries and activities. Union officials are elected by secret ballot to five-year terms, when elections actually take place. More often than not, the number of candidates equals the number of seats. Members have three days to file a nomination application, which is reviewed by the union. Elections are only held if there are more candidates than seats. In recent election cycles, when the number of candidates exceeded the number of seats, some candidates were persuaded to withdraw. The government monitors the elections in the event of a complaint to ensure compliance with the law.

The constitution prohibits antiunion discrimination, but the International Confederation of Free Trade Unions (ICFTU) claimed that the government did not protect adequately employees from antiunion discrimination. Workers may lodge complaints of anti-union discrimination with the MOL, which is authorized to order the reinstatement of employees discharged for union activities. There were no complaints of antiunion discrimination lodged with the MOL during the year.

b. The Right to Organize and Bargain Collectively

Unions have and exercise the right to bargain collectively. Labor laws mandate that workers must obtain government permission to strike. Unions generally did not seek approval for a strike, but workers used 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 MOL may refer the dispute to an industrial tribunal with agreement of both parties. In August 7 trade unions threatened to stage a general strike if the Social Security Corporation made changes to early retirement regulations, which currently provide incentives for workers to retire as early as age 45. The unions dropped

the threat to strike after further talks with the government. Also in August the General Trade Union of Workers in Mining and Metal Industries issued a list of demands of 1,350 workers from the Jordan Phosphate Mines Company. Chief among their demands was that 100 housing units built by the company be distributed to them prior to the privatization of the company. At years end the company had not privatized.

The tribunal is an independent arbitration panel of judges appointed by the MOL. The decisions of the panel are legally binding. If only one party agrees, the MOL 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 are no special laws or exemptions from regular labor laws in export processing zones.

c. Prohibition of Forced or Compulsory Labor

The constitution prohibits forced or compulsory labor, except in a state of emergency such as war or natural disaster. It generally was not practiced. Some foreign domestic servants, almost exclusively female, were subject to coercion and abuse and, in some cases, worked under conditions that amounted to forced labor (see section 6.e.). The law does not prohibit specifically forced or compulsory labor by children; however, such practices were not known to occur.

d. Prohibition of Child Labor and Minimum Age for Employment

Labor law forbids children under the age of 16 from being employed, except as apprentices; however, there were reports of child labor. Children under the age of 18 may not work for more than 6 hours continuously between the hours of 8 p.m. and 6 a.m., or during weekends, religious celebrations, or national holidays. Children under 18 may not work in hazardous occupations. Provisions in the labor laws do not extend to children in the informal sector, which consists of agriculture, domestic labor, and small family businesses.

The law provides that employers who hire a child under the age of 16 must pay a fine ranging from \$140 to \$710 (100 to 500 dinars). The fine is doubled if the offense is repeated. The government, however, provided little training on child labor to the 72 MOL inspectors responsible for enforcing the relevant laws. When investigating child labor, inspectors generally acted to ameliorate the situation of the involved families, including directing some adult family members toward job training programs. In the past some government officials claimed that if children were barred from working, they would lose important income on which their families depended, and might turn to more serious activities, such as drug trafficking and prostitution, for income.

The MOL's Child Labor Unit received, investigated, and addressed child labor complaints (although it has no formal mechanism for doing so) and coordinated government action regarding child labor. Anecdotal evidence suggested that child labor, especially of street vendors, was more prevalent during the year than it was 10 years ago. Despite the difficulty in accurately measuring the extent of child labor, child labor is particularly noticed in big cities, where children work in mechanical workshops or as peddlers at traffic lights. A 2001 official study estimated that 38 thousand children were working.

On December 10, the International Labor Organization, in cooperation with the Jordan Chamber of Industry, held a training session titled "international and national legislation mechanisms to fight child labor." The session assembled several chambers of industry and commerce throughout the country, many government-sponsored programs, and coordinators of the National Program to Combat Child Labor from several ministries.

The law does not specifically prohibit forced or bonded labor by children; however, such practices were not known to occur (see section 6.c.).

e. Acceptable Conditions of Work

In July the government increased the national minimum wage by 5.88 percent, from \$119 to \$127 (85 to 90 dinars) per month. Previously, the last minimum wage increase occurred in January 2003, when the government increased it from \$113 to \$120 (80 to 85 dinars) per month. The minimum wage applies to all workers except domestic servants, those working in small family businesses, and those in the agricultural sector. Inspectors from the MOL enforced the minimum wage, but due to limited resources were unable to ensure 100 percent compliance. Although the increase exceeded the 2002 1.8 percent cost of living increase, the national minimum wage did not provide a decent standard of living for a worker and family. The government estimated that the poverty level was at a monthly wage of approximately \$47 (33 dinars) per month per capita.

The law requires overtime pay for hours worked in excess of the standard workweek, which generally is 48 hours. Workers may not work more than 10 hours in any continuous period or more than 60 hours of overtime per month. Employees are entitled to one day off per week. Labor law does not apply to small family businesses, domestic servants, and nonprofessional and nontechnical workers in the agriculture sector. However, it does apply to citizens and noncitizen workers in other sectors. There is a separate civil service law. The law specifies a number of health and safety requirements for workers, which the MOL is authorized to enforce. The law requires employers to report industrial accidents to the ministry within 48 hours. Although employers are not required to report occupational

diseases to the ministry, the law stipulates that if the medical authority determines that a worker suffers an occupational disease as a result of his work, the employer is liable for compensation. The ministry mediates disputed amounts of compensation in cases of occupational disease. Workers do not have a statutory right to remove themselves from hazardous conditions without risking the loss of their jobs.

According to the MOL, there were 218,756 registered noncitizen workers in the country. The majority of whom were engaged in low-wage, low-skill activities in the agriculture, construction, and industrial sectors. According to the government and independent surveys, approximately 26 thousand of these workers were employed in the Qualifying Industrial Zones (QIZs). Foreign workers in the QIZs were recruited through a vetted process involving registered recruitment agencies. The embassies for a number of the major source countries of this labor sent officers to the QIZ factories to track labor conditions.

Domestic servants have no legal redress for labor grievances and cannot sue in court for nonpayment of wages. Abuse of domestic servants, most of whom were foreign, was widespread, though not thoroughly documented. Employers routinely limited their domestic employees' freedom of movement, and often illegally confiscated travel documents. Victims, who feared losing their employment and being returned to their home country, generally did not report complaints to government officials. In 2003 the MOL instituted a number of new requirements for employment agencies that provide ministry oversight of FDWs' recruitment and employment. The ministry actively closed unlicensed recruiting agencies, but the lack of awareness among FDWs of their legal protections remained an impediment that the ministry worked to address. In cooperation with UNIFEM and several source country embassies, the government also introduced a new standard work contract with greater protections that applied to all FDWs arriving since July 2003.



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