



### Flygtningenævnets baggrundsmateriale

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# Amnesty International

## JORDAN

### HASHEMITE KINGDOM OF JORDAN

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

**Head of government:** Ma'arouf Bakhit (replaced Adnan Badran in November, who replaced Faisal al-Fayez in April)

**Death penalty:** retentionist

**International Criminal Court:** ratified

**UN Women's Convention:** ratified with reservations

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

Overview - Covering events from January - December 2005

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**Scores of people were arrested for political reasons, including on suspicion of terrorism. Many were brought to trial before the State Security Court (SSC), whose procedures fall short of international fair trial standards, and alleged that they had been tortured to "confess". There were continuing restrictions on freedom of expression and assembly. Women were still subject to legal and other discrimination and inadequately protected against violence within the family. At least 11 people were sentenced to death and 11 were executed. Bomb attacks, apparently carried out to protest against Jordanian government policy on Iraq, targeted civilians.**

### Background

Suicide bombings at three Amman hotels in November, claimed by an armed Iraqi-based group led by Jordanian national Abu Mus'ab al-Zarqawi, killed 60 people and injured many others. Sajida Mubarak Atrous al-Rishawi, an Iraqi national arrested in connection with the attacks, stated on television that she had sought unsuccessfully to blow herself up with her husband at one of the hotels. After the attacks the government announced its intention to introduce new anti-terror laws that would include holding suspects under interrogation for indefinite periods. The authorities said that 12 Iraqi nationals were arrested in connection with the bombings but unofficial sources reported that scores of people were detained for questioning.

In November King 'Abdallah announced that the Director of National Security, Ma'arouf Bakhit, would replace Adnan Badran as Prime Minister and form a new government that would tackle Islamist "militants" and proceed with reforms including enhancing democracy in Jordan.

In August, Jordan finalized a Memorandum of Understanding with the UK according to which Jordanian authorities provided assurances that any people suspected of terrorism who were forcibly returned to Jordan from the UK under the terms of the agreement would not be treated inhumanely or tortured.

A separate bilateral agreement between Jordan and the USA, under which Jordan would undertake not to surrender US nationals on its territory to the International Criminal Court to face charges of genocide, crimes against humanity or war crimes, was ratified by parliament.

King 'Abdallah told an Italian newspaper in November that Jordan could soon abolish the death penalty.

### Restrictions on freedom of expression and assembly

The authorities continued to censor newspapers and other publications that criticized the government. Under the Public Assemblies Law, they reportedly denied permission for demonstrations against Israel, the war in Iraq and rising oil prices.

The government proposed a new law that would restrict the activities of the Professional Associations Council (PAC), an umbrella organization representing members of 12 professional bodies which has criticized government policies. The law would require the PAC to restrict its discussions to "professional" issues and to obtain advance written approval from the Interior Ministry before it could hold public gatherings or meetings. The draft law was pending before parliament.

- 'Ali Hattar, a PAC member, lost his appeal in May against a three-month prison sentence imposed on 24 April. He was prosecuted for slandering the government after he delivered a lecture in December 2004 entitled "Why We Boycott America". The sentence had not been enforced by the end of the year.
- Three men were charged in September with belonging to the outlawed Islamist group Hizb al-Tahrir al-Islami (Islamic Liberation Party) and distributing leaflets. They were arrested in July, apparently

while at a conference on Islam in Amman. In all, 28 members were reported to have been arrested during the year and remained in detention, two of them for trying to organize a demonstration in a Palestinian refugee camp.

### **Abuses in the context of the 'war on terror'**

There were persistent reports that Jordan permitted the US government to maintain a secret detention and interrogation centre on its territory. The Jordanian authorities denied this.

Scores of people were arrested on suspicion of involvement in terrorism. Most were detained incommunicado by the General Intelligence Department (GID), the main security service responsible for the arrest of political detainees. More than a hundred people appeared before the SSC, whose proceedings fall far short of international fair trial standards and whose judges are invariably military officers, even when the accused are civilians.

Dozens of security-related or political cases were heard by the SSC in 2005. In many of these, defendants reportedly told the court that they had been tortured to extract "confessions". In no case known to AI did judges instigate an independent investigation into allegations of torture.

- Sheikh Abu Muhammad al-Maqdisi was rearrested in July, four days after he was released from six months' detention without charge or trial, on suspicion of contacting "terror" groups. By the end of the year he reportedly remained in detention apparently without charge.
- AI was informed in 2005 by two Yemeni nationals that they had been detained and tortured for several days each by the GID in October 2003 before being flown out of Jordan in a military airplane to a secret detention camp run by US officials. Muhammad Faraj Bashmilah said he was arrested when he travelled to Amman from Indonesia to meet his mother. Salah Nasser Salim was arrested in Indonesia, where he lived, then flown to Jordan and tortured by the GID, including by being hung upside down and beaten on the soles of his feet.

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

In June the government-funded National Centre for Human Rights said it had received 250 reports of torture between June 2003 and December 2004. It also pointed to the difficulties faced by criminal and SSC defendants in proving torture allegations. However, in one case, 10 police officers were sentenced in March to prison terms of up to 30 months after they were convicted of involvement in the death of 'Abdallah al-Mashaqbeh, who died in September 2004 in Jweideh prison.

### **Discrimination and violence against women**

Amendments to the Personal Status Law, which would give women rights to divorce without their husband's consent, remained pending before parliament.

Article 98 of the Penal Code continued to be invoked as a defence by men being tried for killing female relatives. The Article allows for reduced sentences where killings are committed in a "fit of rage" caused by "unlawful" or "dangerous" acts on the part of the victim. In July 2004 the Justice Ministry proposed raising the minimum sentence for crimes committed in a "fit of rage" to five years' imprisonment, but no progress on this was evident in 2005. At least five men who said they had committed killings in defence of their family's "honour" benefited from Article 98 during the year, and at least 12 women and one man were reported to have been victims of family killings.

Dozens of women were administratively detained without charge or trial. Some of them, including victims of rape, women who had become pregnant outside marriage and women accused of extramarital sexual relations or of being prostitutes, were believed to be held to protect them from their family and community members. Some were detained after serving prison sentences; others had not been convicted of any offence. In the past, women have been killed by relatives after they were released from "protective" custody, including in cases where their relatives had signed a guarantee not to harm them.

In June, activists launched the Jordanian Coalition to Help Women in Protective Custody, which the Interior Minister promised to support.

### **Death penalty**

At least 11 people were sentenced to death and 11 were executed. On 16 November an Italian newspaper quoted King 'Abdallah saying that "Jordan could soon become the first country in the Middle East without capital punishment."

- In May, Zuheir Ahmed al-Khatib was sentenced to death for three murders including one for which another man, Bilal Musa, was executed in 2000. Bilal Musa had also been convicted of 10 other murders but alleged at his trial that he was tortured while held incommunicado by the Criminal Investigation Department (CID). His wife, who received a 15-year prison sentence but subsequently

died, had also alleged that she was tortured. No judicial investigation was conducted into their torture allegations. Zuheir Ahmed al-Khatib was executed by hanging at Swaqa prison on 8 November for two murders – his conviction and sentence for the third murder had been overturned on appeal in September.

Jordan

Archive information

USA/Jordan/Yemen: Torture and secret detention – Testimony of the “disappeared” in the “war on terror”  
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