

Jordan (30)

73



Jordan

23/3-04

Country Reports on Human Rights Practices - 2003

Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

The Hashemite Kingdom of Jordan is a constitutional monarchy ruled by King Abdullah II bin Hussein. The Constitution concentrates executive and legislative authority in the King. A regent, whose authority is outlined in the Constitution, assumes many responsibilities in the King's absence. The King appoints the Prime Minister and other members of the Cabinet who manage the daily affairs of the Government. The Parliament consists of the 55-member Senate, appointed by the King, and a 110-member elected lower house, the Chamber of Deputies. In 2001 the King dissolved Parliament and elections were not held until June. In February, an amendment to the election law increased the size of the lower house from 80 seats to 110. The June parliamentary and July municipal elections were generally free and fair; however, the election law significantly under-represented urban areas. In October, the King accepted the resignation of the Prime Minister, appointed a new Prime Minister, swore in a new 21-member Cabinet and, in November, appointed a new 55-member Senate. The Constitution provides for an independent judiciary; however, in practice, it remained susceptible to political pressure and interference by the executive.

The Public Security Directorate (PSD) controlled general police functions. The PSD, the General Intelligence Directorate (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. The civilian authorities generally maintain effective control of the security forces. Members of the security forces committed human rights abuses.

Foreign assistance, remittances, exports of minerals and manufactured goods, and tourism were the mainstays of the country's economy. The Government has made substantial progress in implementing market-based reforms, such as deregulation, privatization of state owned companies, trade liberalization, and opening up to foreign investment. During the year, the economy grew by 3.1 percent in real terms, with a 2.3 percent increase in the cost of living index. However, high unemployment and persistent poverty, especially in rural areas, coupled with political uncertainty in the region and limited water and energy resources, negatively affected the economy.

Although many problems remained, the Government's respect for human rights improved in some areas during the year. Citizens did not have the right to change their government. Citizens may participate in the political system through their elected representatives to Parliament; however, the King has discretionary authority to appoint and dismiss the Prime Minister, Cabinet, and upper house of Parliament, to dissolve Parliament, and to establish public policy. Reported continuing abuses included police abuse and mistreatment of detainees, allegations of torture, arbitrary arrest and detention, lack of transparent investigations and of accountability within the security services, denial of due process of law stemming from the expanded authority of the State Security Court and interference in the judicial process, infringements on citizens' privacy rights, harassment of members of opposition political parties, and significant restrictions on freedom of speech, press, assembly, and association. The Government imposes some limits on freedom of religion, and there was official and societal discrimination against adherents of unrecognized religions. There were some restrictions on freedom of movement. Violence against women, restrictions on women's rights, and societal discrimination against women persisted. "Honor" crimes continued. Child abuse remained a problem, and discrimination against Palestinians persisted. Abuse of foreign domestics was a problem that began to be addressed this year, and child labor occurred.

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 of arbitrary or unlawful deprivation of life by the Government or its agents. On January 12 police shot and killed a man in Ruseifa whom the Government claimed had clashed with the police; his family asserted the killing was intentional. The Government formed an investigative committee

after the family sought traditional reconciliation; however, at the end of the year, the incident had not been resolved.

The security services promoted a climate of impunity by their continued reluctance to conduct transparent investigations into allegations of wrongful deaths that occurred during police detention in previous years. In recent years, authorities have been more willing to conduct transparent investigations and have, from time to time, disclosed results.

In January 2002, a youth from Ma'an sustained fatal injuries and died while in police custody. The Government reported that he was injured in a fall while attempting to flee. At year's end, the case remained under investigation.

In February 2002, two bystanders were killed in an unsuccessful attempt to assassinate a senior government official and his family with a car bomb. On April 29, the State Security Court gave seven citizens sentences ranging from death to 1-year imprisonment for their involvement.

In October 2002, USAID official Lawrence Foley was shot and killed in front of his home. In December 2002, the Government arrested some suspects who confessed to the act. On October 15, five men accused in the assassination of Foley proclaimed their innocence, and claimed that security officials had tortured them to elicit their confessions (see Section 1.c.). At year's end, the court case was ongoing.

In November 2002, a challenge to government authority by an armed group in Ma'an led to the deaths of five persons, including two police officers and three militants. On September 27, the man accused of fomenting riots in Maan, Mohammed Shalabi, was arrested and put on trial by the State Security Court. Shalabi (known as Abu Sayyaf) claimed he had been tortured and initially denied a lawyer during his investigation (see Section 1.c.). Shalabi and 12 other defendants were charged with conspiracy to carry out terrorist acts and possession of explosives.

By year's end, the Government had made no arrests in the 2001 case in which assailants shot and killed an Israeli businessman in Amman.

Women continued to be victims of honor killings (see Section 5).

b. Disappearance

There were no reports of politically motivated disappearances or kidnappings.

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

The law prohibits such practices; however, the police and security forces sometimes abused detainees during detention and interrogation, and allegedly 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 beatings; sleep deprivation, extended solitary confinement, and physical suspension. Defendants in high-profile cases before the State Security Court claimed to have been subjected to physical and psychological abuse while in detention. Government officials denied allegations of torture and abuse. The Government does not interpret Shari'a as providing for exceptionally harsh punishment such as mutilation.

In June, the Court of Cassation overturned the death sentence of convicted terrorist Raed Hijazi. On December 8, the State Security Court convicted Hijazi and sentenced him to death for the third time. At year's end, he continued to proclaim his innocence and vowed to appeal the verdict again.

On October 14, Mohammad al-Shalabi (see Section 1.a.) claimed during his first court appearance that his interrogators tortured him and denied him access to an attorney. The court adjourned the session until October 19 to appoint a lawyer for Shalabi. In a December court appearance, he repeated his claim and proclaimed his innocence. Several other co-defendants retracted their previous confessions, stating that they were extracted under duress. On December 24, Shalabi's lawyers brought four prison inmates to testify before the court that they noticed marks on Shalabi's legs suggesting he had been tortured. Based on his attorneys' request, the court referred Abu Sayyaf to the National Institute of Forensic Medicine (NIFM) for medical evaluation. The NIFM physicians' report indicated that Abu Sayyaf had not been tortured and noted no torture marks on his body.

On October 15, five men accused in the assassination of USAID official Lawrence Foley claimed innocence in court and asserted that security forces had tortured them to elicit their confessions (see Section 1.a.). Bin Suwayyid, one of the defendants, told reporters that interrogators made him sign a confession that he was not allowed "to read or check". Another defendant, Yasser Freihart, reported that interrogators told him that if he did not sign the confession, he "would go back to the cell for more torture

and beating." The trial was ongoing at year's end.

In April 2002, a local newspaper reporter covering anti-Israeli demonstrations in Sweileh claimed that he was detained, threatened and "manhandled" by government security forces (see Section 2.c.). Human rights activists believed that there were many incidents that were not documented.

Police on several occasions used force to disperse demonstrations during the year (see Section 2.b.).

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 claim that detainees are often held incommunicado for up to 2 months after arrest.

Prison conditions generally met international standards, and the Government permitted visits by independent human rights observers. Prisons and local police detention facilities were spartan, and on the whole were severely overcrowded and understaffed. Human rights groups and prisoners complained of poor food and water quality, inadequate medical facilities, and poor sanitation in certain facilities.

The Government held men, women, and juveniles in separate prison facilities. The GID held some persons detained on national security grounds in separate detention facilities. The Government held other security detainees and prisoners in regular prisons. Conditions in GID detention facilities were significantly better than general police detention facilities. 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, but complained that the authorities required them to undertake a lengthy and difficult procedure to obtain permission for such visits. The International Committee of the Red Cross (ICRC) was permitted access to prisoners and prison facilities. The ICRC's access to GID facilities was limited to 1 day a week and it visited these facilities every 2 weeks.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, the Government did not always observe these prohibitions. The Constitution 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 required warrants; however, in most cases suspects may be detained for up to 48 hours in the absence of a warrant. Police obtained many warrants after making arrests.

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 of time.

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 1 or 2 days before their trial. The Criminal Code prohibits pretrial detentions for certain categories of misdemeanors.

Human rights activists reported that the Government detained hundreds of persons, including journalists (see Section 2.a.) and Islamists, for varying amounts of time for what appeared to be political reasons. Human rights sources also reported that at least several hundred persons were detained for security reasons and subsequently released within a short period of time throughout the year. In the past, human rights groups reported that there were a smaller number of long-term political detainees.

The local press reported that the King ordered the release of 245 detainees in November, including those held on administrative charges and security detainees not considered a threat to public security. No criminals were included in the release. These releases are an annual Eid (end of Ramadan) tradition.

Local governors had the authority to invoke the Preventing Crimes Law, which allowed them to place citizens under house arrest for up to 1 year without formally charging them (see Section 2.d.). House arrest may involve requiring persons to report daily to a local police station and the imposition of 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. In 2001, the Government adopted a series of amendments to Penal Code provisions dealing with the press (see Section 2.a.).

The Constitution prohibits forced exile and the Government did not use forced exile. In 2001 the Government permitted the return of Ibrahim Ghosheh, one of four leaders of the terrorist organization HAMAS allegedly expelled in 1999. The three other allegedly expelled HAMAS leaders remained outside the country at year's end (see Sections 1.e. and 2.d.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary was not independent in practice and remained subject to pressure and outside interference. The King appoints the Higher Judiciary Council, a committee that determines judicial appointments, advancement, and dismissal. In 2001, Parliament passed a law giving the Council increased independent jurisdiction over the judicial branch and limiting the Ministry of Justice's administrative control over judges. There were numerous allegations in previous years, and some this year, that judges were "reassigned" temporarily to another court or judicial district to remove them from a particular proceeding. The Government claimed that the Higher Judiciary Council's new independence made such tampering much more difficult. Despite constitutional prohibitions against such actions, judges complained of government monitoring of their telephones (see Section 1.f.).

The judicial system consists of civil, criminal, commercial, security, and religious courts. Most criminal cases are tried in civilian courts, which include the appeals courts, the Court of Cassation, and the Supreme Court. Cases involving sedition, armed insurrection, financial crimes, drug trafficking, and offenses against the royal family are tried in the State Security Court.

Shari'a (Islamic law) courts have jurisdiction over marriage and divorce among Muslims. Christian courts have jurisdiction over marriage and divorce cases among Christians, but apply Shari'a law in inheritance cases (see Section 5).

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. Civil, criminal, and commercial courts accord equal weight to the testimony of men and women; however, in Shar'ia court, the testimony of two women is equal to that of a man's in most circumstances (see Section 5).

The State Security Court consists of a panel of three judges, two military officers and one civilian. Most sessions are open to the public, though some are limited to the press only. Defendants tried in the State Security Court often were held in pretrial detention without access to lawyers, although they were permitted visits by representatives of the ICRC. State Security Court judges have inquired into allegations that defendants were tortured and have 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 the State Security Court have the right to appeal their sentences to the Court of Cassation, which is authorized to review issues of both fact and law. Appeals are automatic for cases involving the death penalty.

The Press and Publications Law permits journalists to cover State Security Court proceedings unless the court rules otherwise. The press routinely reports on cases before the Court, including all cases heard during the year. Such reporting routinely covers defense arguments and any allegations of torture.

In 2001, the Government passed a provisional law that removed the right of appeal for defendants convicted of misdemeanors in the State Security Court. In 2002, several defendants were convicted in the State Security Court without the right to appeal, the most notable being Toujan Faisal (see Section 2.a.).

In 2002, former parliamentarian Faisal was arrested and charged with acts of sedition via libel and incitement of violence against the Government. The State Security Court sentenced Faisal to 18 months in prison. Since Faisal was convicted of misdemeanors, she had no right to appeal. Many contended that Faisal's arrest and sentence were the result of a political vendetta. In May 2002, the King pardoned Faisal and she was released in late June 2002 (see Section 3).

In the past, defense attorneys have challenged the appointment of military judges to the State Security Court to try civilian cases as contrary to the concept of an independent judiciary. According to human rights activists, military judges appeared to have received adequate training in civil law and procedure.

There were no reports of political prisoners; however, the Government detained persons for varying periods of time for political reasons (see Section 1.d.).

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

The Constitution prohibits such actions, and the Government generally respected these prohibitions 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, at times in violation of the law, the authorities obtained warrants retroactively or obtained pre-approved 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. In the past, judges complained of unlawful telephone surveillance (see Section 1.e.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government imposed some restrictions on these rights in practice. The Government detained and restricted journalists based on the provisions of a 2001 law broadening its authority; however, in April the Government repealed some of these amendments.

The Press and Publications Law and the Press Association Law imposed 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 Press and Publications Law and the law governing the Jordan Press Association (JPA) require membership in the JPA for persons to be considered "legal" journalists or editors, thus potentially excluding dozens of practicing journalists from the profession. During the year, the Government selectively enforced this provision, allowing several journalists and editors who are not members to work in their respective fields.

In November, the Government allegedly censored a political cartoon in the weekly newspaper Al-Wahda. The Government denied the charge, and some commentators accused Al-Wahda's editor, Mowaffaq Mahadeen, of trying to get the Government to shut down his publication to suit his own needs. In September, the general prosecutor of the State Security Court reportedly banned the September 23 issue of Al-Wahda.

The Press and Publications Law granted the Government wide discretionary powers to issue fines, withdraw licenses, order shutdowns, and control the editorial content of newspapers. However, the 1999 amendments to the Press and Publications Law limited to some extent the Government's discretion to issue fines, transferred the power to withdraw licenses to the judiciary, limited significantly the Government's power to order shutdowns, allowed journalists to cover court proceedings unless the court ruled otherwise, and required publications to be licensed. The Law imposed strict limits on publications, which gave the Government broad leeway to impose sanctions. The law also requires that the editor in chief of a newspaper be a citizen who permanently resides in the country and a member of the JPA for at least 4 years. Journalists allege that the Government uses informants and censors at printing presses to inform the Government if particularly objectionable material is slated for print in the news media.

The 2001 amendments to the Penal Code reinforced existing restrictions on free speech and allowed 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." Imprisonment of 3 years is punishment for defamation of the King or Royal Family. In April, the Government repealed the amendments giving the State Security Court the authority to temporarily or permanently close any media outlet that published or aired any such statements, and providing for the automatic subsection of the laws' violators to trial before the Court.

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, some cases lingered in the courts for years. The Government routinely used detention and prosecution or the threat of prosecution to intimidate journalists into self-censorship (see Section 1.d.).

On February 17, three journalists were sentenced for "blaspheming the Prophet Mohammad" in an article that insulted the Prophet Mohammad and contained "false rumors," "insulted the dignity of the state," and caused instability--all of which are crimes under the penal code. The article drew strong criticism from Islamist politicians. The court closed the publication for 2 months and the three were sentenced to prison terms ranging from 2 to 6 months. The journalists had been detained since January 16. On February 18, two of the journalists, Nasser Qamash and Roman Haddad, were released. After serving his sentence, the article's author, Mohannad Mubaidin, was released and continued to practice journalism.

In 2002, the editor and publisher of the weekly Al-Bilad were detained for publishing "false news" and later released.

In April 2002, Al-Jazeera correspondent Mahmoud Al Housa was detained for 3 days, apparently under the provisions of the Press law. In the same month a local newspaper reporter covering demonstrations in Sweileh claimed that he was detained, threatened, and "manhandled" by government security forces (see Section 1.c.). In August 2002, he claimed that government authorities seized his passport and threatened him with prosecution.

In August 2002, the Government closed the local office of Al Jazeera network and suspended the media credentials of local correspondents. The office reopened in March.

Also in August 2002, journalist Mamoun Al Rousan, editor-in-chief of the weekly Al Jazeera, was arrested and detained. Both Al Roussan and his publisher, Sakher Abu Anzeh, were held for 1 week.

In 2001, the Government arrested seven members of the Anti-Normalization Committee, a group that opposes the country's relations with Israel, on charges of belonging to an illegal group (see Section 2.b.). The State Security Court also charged two of the seven with possession of explosives and with terrorist activities. All seven detainees were released on bail while awaiting trial. The trials had not yet begun by year's end. The related trial of journalists Ma'moun Al Roussan and Abdel Naser Hourani was still ongoing.

The Press and Publications Department continued to enforce bans on the publication of a number of books within the country. Books were banned based on religious, moral and political objections.

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 and the Government did not block the entry of foreign publications during the year.

Radio and television news broadcasts were more restricted than the print media. The Government was the sole broadcaster of radio and television programs. Under commercial agreements with each entity, the Government broadcasts the regional programs of the British Broadcasting Corporation, the London-based Middle East Broadcasting Center, Radio Monte Carlo, and Radio Sawa. Jordan Television (JTV) reported only the Government's position on controversial matters. International satellite television and Israeli and Syrian television broadcasts were available and unrestricted.

The GID actively investigated Internet reports of "crimes against the King." In 2002, the Government restored access to two overseas websites that it had blocked within the country. There were additional reports of government interference with Internet access this year, including several websites that appear to have been blocked.

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. In June 2002, three universities dismissed eight professors without explanation, although most suspected that the Saudi-educated professors were dismissed because of their political views or background. During the same year, four of the professors were reinstated.

During the year, Jordan University continued its policy of granting the president of the University the authority to appoint half of its 80-member student council, including the chair. The amendment 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 decision.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricts this right. Citizens must obtain permits for public gatherings. The Government generally grants 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 3 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 (3,000 dinars).

In some cases, the Government granted approval at the last moment, making it difficult for organizers to plan effective demonstrations. In addition, sources reported this year that the Government denied permission for several protests in the months preceding the war in Iraq. In 2002, media reports indicated that security forces used tear gas in peaceful protests at refugee camps and detained some protestors.

In March 2002, there were media reports that the Government used tear gas to disperse approximately

1,500 protestors in Irbid when they attempted to march from a local university to the city's center. The demonstrators had been denied a permit to demonstrate by the Government. Unconfirmed press reports indicated that some of the demonstrators were beaten.

There were numerous anti-Israeli protests and demonstrations in 2002. On some occasions, police used tear gas, water cannons, and dogs to disperse protestors.

Also in 2002, four members of the outlawed Liberation Party were sentenced to 1 year in prison. Reportedly, the four were arrested while obtaining signatures on a memorandum to the Prime Minister that demanded, among other things, military aid to the Palestinians.

In 2001, riot police protecting the Prime Ministry used physical force to disperse a sit-in by 25 academics protesting the absence of employment opportunities at local universities. No one was seriously injured; however, press reports claimed that at least 10 demonstrators briefly were detained. The Government denied that it detained any of the demonstrators.

The Constitution provides for the right of association. The Government limited freedom of association by law. Several university students, mostly Islamists, were taken before academic disciplinary councils during the year for political activities unrelated to their studies and punished with dismissal or the inability to sit for exams. The Government required and routinely granted approval for conferences, workshops, and seminars.

The Government prohibits membership in an unlicensed political party and routinely licensed political parties and other associations. There are 30 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 Political Parties Law.

In 2001, security officials arrested seven members of the Anti-Normalization Committee, on charges of belonging to an illegal group. The State Security Court also charged two of the seven persons with possession of explosives and with terrorist activities. All seven detainees were released on bail while awaiting trial. By year's end, the trials had not yet begun.

c. Freedom of Religion

The Constitution provides for the 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 during the period covered by this report. According to the Constitution, Islam is the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Members of unrecognized religious groups and converts from Islam face legal discrimination and bureaucratic difficulties in personal status cases. The Government prohibits non-Muslims from proselytizing Muslims.

The Ministry of Religious Affairs and Trusts manages Islamic institutions and the construction of mosques. It also appoints imams, provides mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain activities sponsored by mosques. The Government loosely monitors sermons at mosques and requires that speakers refrain from criticizing the Royal Family or instigating social or political unrest.

Religious institutions that wish to receive official government recognition must apply to the Prime Ministry for registration. Recognized non-Muslim religious institutions did not receive subsidies; however, they were financially and administratively independent from the Government and were tax-exempt. Some churches were registered with the Ministry of Justice as "societies," rather than churches.

Persons enjoy freedom of belief, and there were no reports that the practice of any faith was prohibited. The Government does not officially recognize all religious groups. Some religious groups, while allowed to meet and practice their faith, complained of societal and/or official discrimination. In addition, not all Christian denominations have been accorded legal recognition as religions. The Prime Minister unofficially conferred with an interfaith council of bishops representing local churches on all matters relating to the Christian community, including the registration of new churches in the country. The Government used the following criteria when considering recognition of Christian churches as separate official religions: the faith does not contradict the nature of the Constitution, public ethics, customs, or traditions; the faith is recognized by the Middle East Council of Churches; the faith does not oppose the national religion; and the group includes some citizen followers.

The Government states that its role in religious affairs is limited to supervision and prohibits groups whose

practices violate the law; however, there were no cases of religious groups being banned in practice.

The Government did not recognize the Druze or Baha'i faiths as religions but did not prohibit the practice of the 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 small Druze and Baha'i communities did not have their own courts to adjudicate personal status and family matters; such matters are heard in Shari'a courts. The Government did not officially recognize the Druze temple in Azraq, and four social halls belonging to the Druze were registered as "societies." The Government did not permit Baha'is to register schools or places of worship.

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 was allowed to conduct religious services and activities without interference.

The Government did not interfere with public worship by the country's Christian minority, and the majority of Christians were allowed to practice freely.

The Jordan Evangelical Theological Seminary (JETS), a Christian training school for pastors and missionaries, had not been accredited by year's end. As a result, students and faculty from the U.S. and elsewhere wishing to attend JETS were still unable to obtain student visas. JETS continued its operations with students studying on tourist visas and broke ground for a new building in August.

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. However, in practice, this principle was not applied. According to the Government, it neither encourages nor prohibits apostasy. Converts from and to Islam are considered Muslims under Shari'a law on matters of personal status. Shari'a prescribes the death penalty for Muslims who convert to another religion; however, there is no corresponding statute under national law, and such punishment has never been applied.

Government policy requires that foreign missionary groups refrain from public proselytizing "for the sake of their own personal 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 March, two members of the evangelical community complained that lower-level government officials investigating a criminal issue threatened to cancel their residency permits for inappropriate activities. When the Government became aware of this at higher levels, it dropped the matter. The two evangelicals remained in the country and have reported no subsequent problems.

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 of 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.

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 Christian from their Christian mother to her Muslim brother. At year's end, the children remained in her physical custody, but the case had not been resolved.

Shari'a is applied in all matters relating to family law involving Muslims or the children of a Muslim father. All citizens, including non-Muslims, are subject to Islamic legal provisions regarding inheritance. Men may divorce their spouses more easily than women; however, a 2001 provisional law allows women to divorce their husbands in Shari'a Court. Since 2001, Shari'a courts have granted over 500 divorces brought by women (see Section 5). The new lower house of parliament rejected the law in August, but the upper house approved it. The law remains in effect until parliament takes final action.

All minor children of a male Muslim who converts to another religion are automatically considered to be Muslim. 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, and minor children of male converts to Christianity are not recognized legally as Christians and continue to be treated as Muslim in matters of family and property law.

Some Christians are unable to divorce legally because they are subject to their faith's religious court system, which does not allow divorce. Many of these individuals convert to another Christian denomination or the Muslim faith to divorce legally.

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

Despite efforts by religious extremists, in 2001 the criminal and Shari'a courts acquitted poet Musa Hawamdeh of charges that he had "insulted religious values and defamed prophets" in his poetry. After his acquittal, the Shari'a court subpoenaed Hawamdeh again because of technicalities in his previous case and sentenced him to 3 months in prison for apostasy. The Court of First Instance found that Hawamdeh had denied "undeniable facts from the Holy Koran." Hawamdeh remains free pending the result of his appeal.

In June 2000, the Government closed an Arab Orthodox church that was aligned with the Antioch Patriarch in Damascus. The church remained closed at year's end.

Non-Jordanian Christian missionaries operated in the country but were subject to restrictions. During the year, Christian mission groups in the country continued to complain of bureaucratic difficulties, including refusal by the Government to renew residence permits.

For a more detailed discussion, see the 2003 International Religious Freedom Report.

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

The law provides for these rights; however, there are 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 in which 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 1 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 their house arrest may be imprisoned for up to 14 days.

Persons with full citizenship receive passports that are valid for 5 years. Most Palestinians living in the country were citizens and received passports; however, the Government estimated that there are 150,000 Palestinian refugees who do not qualify for citizenship. They receive 3-year passports valid for travel but which do not connote citizenship. Following the country's administrative and legal disengagement from the West Bank in 1988, Palestinians residing in the West Bank received 2-year passports valid for travel only. In 1995, King Hussein announced that West Bank residents without other travel documentation again would be eligible to receive 5-year passports; however, the Government emphasized that these passports are for travel only and do not connote citizenship, citizenship may be proven only by presenting one's "national number," a civil registration number accorded at birth or upon naturalization to persons holding citizenship. The national number is recorded on national identity cards and in family registration books, which are issued only to citizens.

Human rights activists report that the Government did not consistently apply citizenship laws. Since 2001, they have reported 109 cases in which passports were taken in efforts to implement the Government's disengagement from its former claims to the West Bank; however, human rights activists estimate there are many more such cases, which go unreported. Persons or families disputed the Government's claim that they were ineligible for citizenship under the regulations. Many have filed appeals with the Ministry of Interior, which have not been resolved to their satisfaction. The Government asserted that the cases it has closed have all involved persons without valid claims to citizenship or travel documents.

In 2001, there were reports that immigration officials confiscated Jordanian passports of some citizens who carried both Jordanian and Palestinian Authority travel documents. The Government stated that this was consistent with laws forbidding dual citizenship in Arab League states. Observers claimed that there are only informal agreements on this subject, not laws.

Human rights activists reported that approximately 1,200 citizens of Palestinian origin remained outside the country at year's end, due to the Government's refusal to renew their passports at embassies overseas. The majority of such persons now live in Syria, Lebanon, and Libya as stateless persons. The Government

asserts that no Jordanian citizens are refused passports, only non-resident Palestinians who seek to renew travel documents, which require proof of residence in Jordan, have been refused.

The Constitution specifically prohibits the deportation of citizens. In 2001, the Government permitted the return of Ibrahim Ghosheh, who had allegedly been expelled in 1999. Three other expelled HAMAS leaders remained outside the country at the year's end (see Sections 1.d. and 1.e.).

Although the law does not include provisions for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, there were no reports of the forced return of persons to a country where they feared persecution. The Government generally cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR), although the UNHCR must resettle refugees in other countries. In 1998, the Ministry of Interior signed a memorandum of understanding with the UNHCR concerning the status and treatment of refugees. Under the agreement, the Government respects the UNHCR's eligibility determinations regarding asylum seekers, including those who have entered the country clandestinely. The agreement provides protection against the forcible return of refugees from the country, and recognizes the legal definition of a refugee as set forth in the U.N. Convention. The UNHCR regularly trains law enforcement officials in international refugee law, including specialized courses for policewomen.

In April, the Government agreed to admit persons displaced by the hostilities in Iraq. Between March 1 and December 31, the Government granted protection to 2,773 third country nationals en route to their countries of origin, while approximately 1,200 Palestinian refugees were granted protection at the UNHCR camp at Ruweished. An additional 1,200 refugees, mostly Iranian Kurds, were granted temporary protection in the no-man's-land at the Jordanian and Iraqi borders. However, the UNHCR reports that a significant number of Iraqis were refused entry into the country during this period.

The UNHCR also received reports that some asylum-seekers were required to sign documents pledging that they would return to Iraq upon the cessation of hostilities but has not been able to verify these claims.

According to human rights groups, the International Organization of Migration (IOM), and the UNHCR, some non-citizens fled Iraq through the country and returned to their countries of origin. In March, Government officials allowed Sudanese Government representatives access to a group of Sudanese who had been reluctant to return to Sudan. The IOM verified that all third-country national repatriations were voluntary.

Prior to the war, the Government estimated that over 300,000 Iraqis resided in the country. Since 1991, thousands of Iraqis have applied for refugee status and received legal and material assistance from the UNHCR. In addition to applications from Iraqis during the year, the UNHCR also received applications for refugee status from Sudanese, Russians from Chechnya, Somalis, and Eritreans. According to UNHCR figures, at the end of the year 4,420 persons previously admitted to the country were seeking asylum, another 961 persons recognized as refugees were awaiting resettlement, and 76 Chechnyans were allowed to remain indefinitely pending repatriation.

For the 2002-2003 school year, the Government continued its policy of denying Iraqi children admittance to school unless they are legal residents of the country or recognized as refugees by the UNHCR.

Almost 1.7 million Palestinian refugees were registered in the country with the U.N. Relief and Works Agency for Palestine Refugees (UNRWA). The UNRWA counts another 800,000 Palestinians as either displaced persons from the 1967 war, arrivals following the 1967 war, or returnees from the Gulf between 1990 and 1991.

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

Citizens do not have the right to change their government. Citizens may participate in the political system through their elected representatives in Parliament; however, the King has discretionary authority to appoint and dismiss the Prime Minister, Cabinet, and upper house of Parliament, to dissolve Parliament, and to establish public policy.

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. In practice, Parliament routinely grants its confidence. Executive power is vested in the King (or, in his absence, in the Regent), who exercises his power through his ministers in accordance with the provisions of the Constitution. In October, the King accepted the prime minister's resignation and named a new 21-member cabinet, including 9 first-time ministers, 3 of whom were women.

June 17 parliamentary elections were generally regarded as free and fair. Diplomatic observers saw no evidence of irregularities, though citizens registered 54 complaints with the Parliament for its review. The

complaints included vote buying, persons voting more than once, and voting by improperly registered voters. Post-election unrest in Naur, the only major public protest related to the outcome, was tied to conflicts between supporters of the winning and losing candidates.

The Parliament is composed of a 55-member Senate appointed by the King, and a popularly elected 110-member Chamber of Deputies. The Constitution provides authority to the Parliament to initiate legislation, and to approve, reject, or amend legislation proposed by the Cabinet. A group of 10 senators or deputies may submit draft bills for consideration; however, in practice legislation is initiated and drafted by the Cabinet of Ministers and submitted by the Government to Parliament for consideration.

On November 17, the King appointed a new Senate, and reappointed Zeid Rifai as President. Fourteen senators were carried over from the previous 40-member Senate. In line with tradition, the Senate contains a large number of former government officials, including 24 former ministers and 4 former prime ministers. The number of women members increased from three to seven, while the number of senators of Palestinian origin decreased from nine to seven (see Section 5).

The law allows voters to choose only one candidate in multiple-seat districts. In the largely tribal society, citizens tend to cast their first vote for family members, and any additional votes in accordance with their political leanings. Observers believed that the law continues 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, and to result in significant under-representation of urban areas. In practice, the chances of non-tribal candidates, including women, Islamists, and other opposition candidates, to be elected were limited.

The 2001 election law increased the number of electoral districts by redrawing district boundaries and redistributing seats among districts, required verification of polling results by members of the Judiciary, and lowered the voting age to 18 years. A February amendment included a six-seat quota for women in the House of Deputies. 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.

In 2001, the Government initiated a series of consolidations to merge the country's 328 municipalities into 99. The Ministry of Municipal Affairs stated that these mergers were taken to reduce municipal operating costs and to improve local services. A 2002 provisional law gives the King the power to appoint up to half of the mayors and municipal councils. Opponents of these measures claimed that the consolidations were an attempt to undermine the strength of Islamist parties in local Government, and that they will weaken the democratic process at the municipal level by reducing the number of locally elected officials. The IAF sought to enjoin the Government from making the consolidations, but the courts held that the IAF had no standing to initiate action against the consolidation.

The June 26 municipal elections were regarded as generally free and fair, although some losing candidates claimed that voter fraud was a problem. The IAF boycotted the elections in all districts outside of greater Amman to protest the provisional law on appointing municipal officials.

Women have the right to vote, and women's groups encouraged women to vote and to be active in the political process. There are three female ministers. In the current Parliament there are seven female senators, up from three in the previous Senate, and six female members of the Chamber of Deputies, up from one in the previous Chamber.

In May, the Government rejected former parliamentarian Toujan Faisal's application to run as a candidate in June because she had previously been convicted of a non-political offense (see Section 1.e.).

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

The Palestinian community, estimated at more than half of the total citizen population, contributed 7 of 21 ministers. In the Parliament, 7 of 55 senators and 16 of 110 lower house deputies were of Palestinian origin. There were no Palestinians in any of the 12 governorships throughout the country. The electoral system gives greater representation to areas that have a majority of inhabitants of non-Palestinian origin.

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

Domestic and international human rights groups investigated allegations of human rights abuses and published and disseminated findings critical of government policy. The Press and Publications Law removed restrictions on the publication of information about the military and security services, which had prevented the publication by domestic groups of reports alleging torture and other abuses committed by the security services; 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 (AOHR) and the Jordanian Human Rights Organization (JHRO) continued to operate with the permission of the Government. In October 2002, the Ministry of Interior dissolved the Jordanian Society for Citizens' Rights (JSCR), one of the few human rights groups not affiliated with any political movements or the Government. The Government reported that it closed the JSCR because of legal infractions and internal disputes related to finances. However, the JCSR claimed the closure was for political reasons, including the JCSR's reporting of Palestinian citizens losing their passports as a result of the 1988 disengagement laws. At year's end, the Society remained closed.

The National Center for Human Rights, a quasi-governmental body with educational, protective, and reporting responsibilities, began operations in June. 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 the center; some human rights activists complained that it was too closely affiliated with the Government.

In March, the Ministry of Foreign Affairs created a Human Rights Directorate, focused on ensuring government compliance with international agreements and cooperation with international organizations.

In May, the Public Security Department (PSD) opened human rights complaints offices at each of its regional directorates. Persons charging police misconduct may submit complaints to the relevant office, and the Government reports 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 are reportedly also subject to disciplinary action.

The Government controlled the Parliamentary Public Freedoms Committee and the Human Rights Office at the Prime Ministry.

The Government generally cooperated with international nongovernmental organizations (NGOs). The ICRC usually was permitted full access to detainees and prisoners, including those held by the GID and the military intelligence directorate (see Section 1.c.).

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

The law does not distinguish between citizens on the basis of race; however, women and some minorities were treated differently under the law and 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 restrict the freedoms of individuals who have had dealings with Israel. The Government opposed the activities of the Committee.

Women

Violence against women was common; however, reported incidents of violence against women did not reflect the full extent of the problem. Medical experts acknowledged that spousal abuse occurred frequently. However, cultural norms discouraged victims from seeking medical or legal help, thus making it difficult to assess the extent of such abuse.

Abused women have the right to file a complaint in court against their spouses for physical abuse but, in practice, familial and societal pressures discouraged them from seeking legal remedies. Marital rape is not illegal. NGOs such as the Jordanian Women's Union, which had a telephone hotline for victims of domestic violence and provided assistance in such matters. Wife-battering technically was grounds for divorce, but a husband may seek to demonstrate that he has authority from the Koran to correct an irreligious or disobedient wife by striking her.

The Criminal Code provides for leniency for a person found guilty of committing an "honor crime," a violent assault with intent to commit murder against a female by a relative for her perceived immodest behavior or alleged sexual misconduct. Law enforcement treatment of men accused of honor crimes reflected widespread unwillingness to recognize the abuse involved or to take action against the problem. Although the press was in the past reluctant to report on honor crimes, 15 honor crimes committed during the year were reported. In 2002, 21 cases were reported. The actual number of honor crimes was most likely higher. Human rights observers believed that many more killings occurred but were not documented as

honor crimes. According to women's rights activists, there was some evidence of a societal trend toward condemnation of honor crimes; however, in 2001, one forensic medical examiner estimated that 25 percent of all murders committed in the country were honor crimes. The police regularly imprisoned women who are potential victims of honor crimes for their own protection. Activists estimate that more than 25 women were detained in such "protective" custody.

The Penal Code provides that a "crime of honor" defense may be invoked by a defendant accused of murder who "surprises his wife or any close female relative" in an act of adultery or fornication, and the perpetrator of the honor crime is judged not guilty of murder. Although few defendants are able to meet the stringent requirements for a crime of honor defense (the defendant personally must have witnessed the female victim engaging in sexual relations), most avoided trial for the crime of murder, and were tried instead on the charge of manslaughter. Even those convicted of murder rarely spent more than 2 years in prison. In contrast to honor crimes, the maximum penalty for first-degree murder is death, and the maximum penalty for second-degree murder is 15 years. Such defenses also commonly relied on the male relative having acted in the "heat of passion" upon hearing of a female relative's alleged transgression, usually without any investigation on the part of the assailant to determine the veracity of the allegation before committing the assault. Defenses in such cases fall under Article 98 of the Penal Code. In 2001 the Government passed a provisional law amending Article 340 to apply equally to men and women; however, this legal change did not substantially affect the sentencing of perpetrators of honor crimes, as no defendant in an honor crime invoked Article 340 during the year. The Parliament actively debated the amendments during the year, but the provisional law remains in effect. Most activists believe that even if Article 340 were repealed, honor crimes likely would persist, with sentences continuing to be reduced under Article 98.

On February 4, a 28-year-old woman was strangled to death by her younger brother. Her brother, who turned himself in to the police after committing the murder, told them he killed his sister to save his family's honor. The victim, who was single, left the country, allegedly with the man she loved. She returned to the country a few weeks later without telling her family about her travels and the next day had an argument with her brother about her conduct. He attempted three methods of killing her before succeeding. At trial, the original manslaughter charge was reduced to a misdemeanor under Article 98 and his (and the victim's) family dropped the charges. He was released after the trial at the end of December.

In late July, a 16 year-old girl went missing from her home for 3 days and was then found by authorities. She told them that, because her family was opposed to her relationship, she left home to be with a man she loved and wanted to marry. The National Institute of Forensic Medicine confirmed her virginity and the girl was taken to the administrative governor for protective custody. He released her after securing bail from her father with the promise she not be harmed. Minutes after returning to the family home her 18 year-old brother shot her several times, then went to a nearby police station and cited family honor as his motive for the killing. The case has not yet gone to trial.

In September, three brothers were arrested for hacking their two sisters to death with an axe. The older sister married without her family's consent and the younger victim was living with her sister at the time. According to press reports, in their confession the brothers stated that they acted to "cleanse the family's honor." At year's end the case is ongoing.

On September 11, the Criminal Court freed a man convicted of stabbing his sister to death for disappearing from the family home on two occasions in 2001. As he was drunk at the time of the killing and the victim had made "harsh and vulgar statements to her brother," the Court of Cassation previously found that "the crime did not fall under the premeditated murder charge category." The Criminal Court reduced the 2002 sentence of 10 years to 6 months and he was immediately released.

In 2002, a 39-year-old man was formally charged with the premeditated murder of his wife. After shooting her, he subsequently surrendered to local authorities. His wife had just finished serving a 2-year prison sentence for adultery and allegedly had returned to her Egyptian lover after her release from prison. On January 22, the man was sentenced to death, which was immediately reduced to 10 years' imprisonment by the court after the victim's mother dropped charges against him.

Female genital mutilation (FGM) was rarely practiced. However, one southern tribe of Egyptian origin in the small village of Rahmah near Aqaba reportedly practiced FGM. In 2001, one local Mufti issued a fatwa stating that FGM "safeguards women's chastity and protects them against malignant diseases by preventing fat excretions." However, the Mufti also stated that since FGM is not a requirement of Islam, women who do not undergo this procedure should not be embarrassed.

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.

Women experienced legal discrimination in matters of 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. Current 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 the 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 are able to divorce their spouses more easily than women, although a provisional law passed in 2002 and currently under debate in Parliament adds to the circumstances under which a woman may file for divorce (see Section 2.c.). At year's end, the issue remained unresolved. Marriage and divorce matters for Christians are adjudicated by special courts for each denomination (see Section 2.c.). There were 19 female judges in the country, up from 11 in 2002.

The law requires a married woman to obtain her husband's permission to obtain, but not to renew, a passport (see Section 2.d.). Married women do not have the legal right to transmit citizenship to their children. Furthermore, women may not petition for citizenship for their non-citizen husbands. The husbands themselves must apply for citizenship after fulfilling a requirement of 15 years of continuous residence. 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, lack the rights of citizen children, such as the right to attend school or seek other government services.

Civil law grants women equal pay for equal work, but in practice this law was sometimes ignored. Press and union leaders reported during the year that a small number of employers in the private sector paid their female employees less than the legal minimum wage, despite the fact that the women were under contract, and that wage disparity increased with salary.

Social pressures discouraged many women from pursuing professional careers. Nonetheless, women had employment opportunities in many professions, including government, engineering, medicine, education, the military, and law. According to 2002 government statistics, women constituted 14.7 percent of the work force and 49.8 percent of university students. While female employees held approximately 52 and 39 percent of jobs in the education and health sectors respectively, they held only 7.5 percent of managerial posts and 10 percent of all jobs in the private sector. 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 those rights. The Business and Professional Women's Club held seminars on women's rights and assisted women in establishing small businesses. The chapter was also one of the organizations providing programs for potential female voters and candidates leading up to the parliamentary elections. Members of the royal family worked actively to improve the status of women.

Children

The Government is committed to children's rights and welfare in the areas of education and health; however, government efforts in these areas were constrained by limited financial resources. Education is compulsory until the age of 16; however, no legislation exists to enforce the law or punish guardians for violating it, and absence of children from school is without penalty. The overall school attendance and total secondary school attendance rates remained at 92 percent. Several domestic and foreign religious groups run private schools throughout the country. Since the beginning of the 1999-2000 school year, the Government denied Iraqi children admittance to public school unless they were legal residents of the country or recognized as refugees by the UNHCR (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 does not charge tuition for public education and it grants 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 qualify for admission 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 (NTFP) coordinates all issues concerning family safety. The Government-funded "Dar al Amman," the nation's first child protection center, provides temporary shelter, medical care, and rehabilitation for children ages 6 to 12 years who have suffered abuse.

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

The Family Protection Unit of the Public Security Department (PSD) works with victims and perpetrators of domestic and sexual violence. The Unit deals primarily with child and spousal abuse, providing multiple in-house services, including medical treatment for patients. The Unit cooperates with police to apprehend perpetrators of domestic violence, facilitates participation in education and rehabilitation programs, and refers patients to other facilities.

Illegitimate children are entitled to the same rights under the law as legitimate children; however, in practice, they suffered severe discrimination in a society that does not tolerate adultery or premarital sex. Most illegitimate children become wards of the State or live a meager existence on the fringes of society. In either case, their prospects for marriage and gainful employment are limited. Furthermore, illegitimate children who are not acknowledged legally by their fathers are considered stateless and are not given passports or identity numbers.

The Government attempts 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. The Ministry of Social Development has a committee to address the problem and in some cases removes the children from the streets, returns them to their families or to juvenile centers, and may provide the families with a monthly stipend; however, the children often return to the streets. Stagnant economic conditions and social disruption have caused the number of these children to increase over the last 10 years. Child vendors sell newspapers, tissues, small food items, or gum, and other children who pick through trash dumpsters to find recyclable cans to sell, sometimes were the sole source of income for their families.

Persons with Disabilities

High unemployment restricts job opportunities for persons with disabilities, who numbered 220,000. Thirteen percent of citizens with disabilities received monetary assistance from the Government. The Government passed legislation in 1993, reinforced in 2000, requiring future public buildings to accommodate the needs of persons with disabilities and to retrofit existing public buildings; however, implementation has been slow.

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.

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 are represented disproportionately in senior military, security, civil service jobs, and in the Parliament. Nevertheless, many Bedouin in rural areas were severely disadvantaged economically. Many persons of East Bank origin complained that the dynamic private sector largely is in the hands of the Palestinian majority.

National/Racial/Ethnic Minorities

Palestinians residing in the country suffered discrimination in appointments to positions in the Government and the military, in admittance to public universities, and in the granting of university scholarships. The Government granted citizenship to all Palestinians who fled to the country in the period after the 1948 Arab-Israeli war, and to a large number of refugees and displaced persons who arrived as a result of the 1967 war. However, most refugees who fled Gaza after 1967 were not entitled to citizenship and were issued 3-year passports valid for travel only. In 1995, then-King Hussein announced that West Bank residents without other travel documentation would be eligible to receive 5-year passports. However, the Government emphasized that these passports are for travel only and do not connote citizenship (see Section 2.d.).

Section 6 Worker Rights

a. The Right of Association

Workers in the private sector, some state-owned companies, and in certain professions in the public sector have the right to form and join unions. Unions must be registered to be considered legal. Union by-laws limit membership to citizens, effectively excluding the country's more than 125,000 registered foreign workers. However, some unions represented the interests of foreign workers informally. Over 30 percent of the work force was organized into 17 unions. 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 4-year terms. The Government cosponsors and approves the timing of these elections and monitors them to ensure compliance with the law. Union leaders complained about the requirement for government oversight of their elections.

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

b. The Right to Organize and Bargain Collectively

Unions have and exercise the right to bargain collectively. The Constitution prohibits antiunion discrimination, but the ICFTU claimed that in the past that the Government did not protect adequately employees from anti-union discrimination. Workers may lodge complaints of anti-union discrimination with the Ministry of Labor, which is authorized to order the reinstatement of employees discharged for union activities. There were no complaints of anti-union discrimination lodged with the Ministry of Labor during the year.

Labor laws mandate that workers must obtain Government permission to strike. Unions generally do not seek approval for a strike, but workers use the threat of a strike as a negotiating tactic. Strikes are prohibited if a labor dispute is under mediation or arbitration. If a settlement is not reached through mediation, the Ministry of Labor may refer the dispute to an industrial tribunal with agreement of both parties. After mediation attempts met with limited success, the Ministry referred a dispute between the Arab Potash Company and its workers to a tribunal at the end of December.

The tribunal is an independent arbitration panel of judges appointed by the Ministry of Labor. The decisions of the panel are legally binding. If only one party agrees, the Ministry of Labor refers the dispute to the Council of Ministers and then to Parliament. Labor law prohibits employers from dismissing a worker during a labor dispute.

During the year, there were more than 10 strikes reported in the textile sector. These employees went on strike claiming that, among other issues, the employers had failed to pay wages in a timely manner. There were other labor incidents during the year in the construction and cement sectors. In most cases, labor and management reached agreements quickly, and the Government assisted in mediating disputes.

The national labor laws apply in the free trade zones in Aqaba and Zarqa. The Qualified Industrial Zones (QIZs), export zones which produced manufactured goods with at least 8 percent Israeli input, applied national labor laws as well.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded 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. Status of Child Labor Practices and Minimum Age for Employment

Child labor is not a major problem, and the worst forms of child labor are virtually nonexistent. Labor law forbids children under the age of 16 from being employed, except as apprentices; however, there were reports of child labor. In February, the Government raised from 17 to 18 the minimum age for working with hazardous materials. 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. 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 89 Ministry of Labor inspectors responsible for enforcing the relevant laws. In 2002, the Ministry reported that it investigated the cases of over 3000 child laborers. No fines were levied as a result, and none of the employers were taken to court. The inspectors acted to ameliorate the situation of the involved families when appropriate, 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 depend, and might turn to more serious activities, such as drug trafficking and prostitution, for income.

Since 2001, financial assistance from the International Labor Organization (ILO) and increases in Government funding have supported Ministry of Labor efforts to implement the provisions of ILO Convention 182 on the Elimination of the Worst Forms of Child Labor. Government policy also facilitated the work of NGOs in this area. The Ministry of Labor established a Child Labor Unit in 2001 to receive, investigate and address child labor complaints, although it has no formal mechanism for doing so, and to coordinate Government child labor activities. Anecdotal evidence suggests that child labor, especially of street vendors, is more prevalent now than it was 10 years ago due to declining economic conditions.

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

e. Acceptable Conditions of Work

In January the Government increased the national minimum wage by 6.25 percent from \$113 (80 dinars) to \$121 (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. 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 about \$125 (89 dinars) per month for a family with 7.5 members. A 2002 United Nations Development Program survey found that 12 percent of the population lived at or below the poverty level and that 2 percent lived in abject poverty. Poverty was defined as income of \$1.20 per person per day or less. The Government estimated that 193,000 persons received some form of welfare assistance during the year.

The law requires overtime pay for hours worked in excess of the standard workweek, which generally is 48 hours. Hotel, restaurant, and cinema employees may work up to 54 hours per week. 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 1 day off per week. Labor law does not apply to small family businesses, domestic servants, and non-professional and non-technical workers in the agriculture sector. However, it does apply to citizens and non-citizen 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 Ministry of Labor is authorized to enforce. The law requires employers to report industrial accidents to the Ministry of Labor within 48 hours. Although employers are not required to report occupational diseases to the Ministry of Labor, 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 of Labor 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 Government's Department of Statistics, there are approximately 127,000 registered non-citizen workers in the country. The majority of these were engaged in low-wage, low-skill activities in the agriculture, construction and industrial sectors.

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 and many of whom were working without legal status in the country, was widespread. Imprisonment of maids occurred, and illegal confiscation of travel documents by employers was common. Victims, who fear losing their employment and being returned to their home country, generally did not report complaints to Government officials. Domestic servants often were not given days off and frequently were called upon to work at any hour of the day or night. However, during the reporting period the Ministry of Labor instituted a number of new requirements for employment agencies that provide Ministry oversight of foreign domestic workers' recruitment and employment. In cooperation with the U.N. Development Fund for Women and several source country embassies, the Government also introduced a new standard work contract with greater protections that has applied to all newly arriving foreign domestic workers since July 1.

f. 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. To reduce the potential for abuse of foreign domestic workers, the Government adopted new and stricter procedures during the reporting period that regulate the importation of such labor (see Section 6.e.).

