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Human rights in the Middle East and North Africa: Review of 2019; Jordan

The authorities detained over a dozen journalists and activists critical of the government or the King, as well as demonstrators demanding their and others' release, and blocked a website of activists abroad. A new government shelter for women at risk of being killed by family members helped dozens of women, but others were administratively detained under discriminatory charges and unmarried women were forcibly separated from their newborn children. The minimum age for girls to be married “in special cases” was raised from 15 to 16. Migrant domestic workers were granted permission to return home without paying a fine if they did not have valid permits, but continued to be inadequately protected from abuse by their employers and agents. Jordan continued to offer sanctuary to over 2.8 million refugees, but many Syrian refugees were prevented from entering the country and the number of professions barred to non-Jordanian nationals was increased. Death sentences were passed; there were no executions.

Background

In March, the UN Human Rights Council adopted the outcome of Jordan's Universal Periodic Review at a session in which Jordan accepted 149 out of 226 recommendations received. Jordan argued that the 77 others were already implemented within its legal framework or would be difficult to implement because of the challenges of security and hosting refugees. In April, Prime Minister Omar Al-Razzaz issued a memorandum to all ministries and governmental associations with instructions to implement the 149 recommendations accepted.

Jordan remained a member of the coalition led by Saudi Arabia and the United Arab Emirates (UAE) in the armed conflict in Yemen.

Freedom of expression and assembly

In February, parliament's lower house refused to enact a draft cybercrime law presented by the government on the basis that the definitions were vague and that some provisions contradicted the penal code; the definition of hate speech was overly broad and risked severely curtailing freedom of expression. Between 17 and 31 March,

the authorities blocked local access to alurdunyya.net, a website set up by Jordanian activists abroad seeking to document political developments and arrests of activists in Jordan

The authorities continued to harass and detain activists and journalists who criticized the government or King Abdullah. Between March and June, the authorities arrested two journalists and over a dozen activists, most of them linked to al-Hirak al-Shaabi (Popular Movement), a coalition of political activists. Some were charged with offences such as online slander and undermining the King and brought to trial before Jordan's State Security Court. Between September and November, at least seven activists were arrested over social media posts that showed them participating in protests or criticizing the government. Media reports indicated that dozens of those arrested during the year remained detained at the end of it.

In June, the authorities arrested at least 20 demonstrators demanding the release of those detained, on the grounds that they had not obtained a permit to hold a public protest. The demonstrators were released a few hours later after they were made to sign pledges that they would refrain from participating in actions that would “disrupt public security”.

In May, the authorities had arrested at least 20 other demonstrators who were demanding the release of detainees they considered to be “political prisoners” and better living conditions for Jordanians as a whole. They were accused of “working to change the structure of the state” and “foul language”. Some remained in prison at the end of the year, charged with “blasphemy”.

In September, thousands of teachers went on strike for a month over pay. The Minister of Interior banned a protest by them on the grounds that it would disrupt traffic. When thousands of teachers gathered nonetheless, security forces used tear gas and, in some cases, batons to disperse the protesters. The strike ended with an agreed pay deal. On 5 October, the Prime Minister publicly apologized to the teachers and expressed cabinet's commitment to implementing the recommendations of an investigation opened by the National Centre for Human Rights, Jordan's national human rights institution, into alleged violations.

Women's rights

Dar Amneh, a shelter for women at risk of being killed by family members that was established by Jordan's Ministry of Social Development in July 2018, had helped 86 women by the end of October 2019. The shelter provides an alternative to the administrative detention of women at risk in “protective custody”. However, women were not allowed to leave the shelter without the approval of a provincial governor. Concerns remained about the lack of protective orders issued or prosecutions initiated in response to threats of violence by family members.[1]

Provincial governors continued to use the Crime Prevention Law to administratively detain women, often for months and for discriminatory reasons, such as for being “absent from home” without a male guardian’s permission, or for having sex outside marriage (*zina*), begging or homelessness. On 14 October, the Prime Minister’s office reported that 85 women had been administratively detained after being accused of *zina* in 2019.

Women who became pregnant outside marriage faced arbitrary detention and the forcible removal of their newborn child. Amnesty International documented cases where Family Protection Department police came to the hospital soon after an unmarried woman had given birth and took the baby. The child was then handed to the care of the Ministry of Social Development without the mother’s consent or any individual assessment of risk.

Children's rights

In April, the Senate passed an amendment to the Personal Status Code raising the minimum age for girls to be married “in special cases” from 15 to 16. The “special cases”, which include situations in which the “marriage is necessary” and in “the interest” of both parties, require court approval and apply only to girls. The standard minimum age of marriage continued to be 18 for both boys and girls.

Citizenship laws continued to discriminate against children of Jordanian mothers and non-Jordanian fathers, who, unlike children of Jordanian fathers married to non-Jordanians, were denied Jordanian citizenship.

The Family Protection Department and the Ministry of Social Development continued to forcibly remove newborn children from unmarried mothers, without consideration of the best interests of the child.[2]

Migrants' rights

In March, the Ministry of Labour announced it would be reviewing the *kafala* (sponsorship) system, which ties migrant domestic workers to their employers, and addressing violations by agencies and employers. In September, new Ministry of Labour measures came into effect, giving migrant workers without valid permits a grace period during which they could return to their country of origin without paying a fine and reducing the fee paid by employers for the work permit of a migrant domestic worker from 600 to 500 Jordanian dinars (from US\$846 to 705).

Migrant domestic workers continued to be inadequately protected from abuse by their employers and agents, and remained at risk of arbitrary detention by the state. Around 600 women migrant domestic workers were released from administrative detention in the first half of the year; they had been detained for leaving their employer’s residence without permission or not paying fines for overstaying their visas.

Refugees and asylum-seekers

Jordan continued to host around 655,000 Syrian refugees, more than 10,000 Palestinian refugees from Syria, over 2 million long-term Palestinian refugees, the vast majority of whom have Jordanian nationality, and more than 87,000 refugees of other nationalities and. Based on Jordanian government lists, UNHCR, the UN Refugee Agency, reported that 28,889 Syrian refugees had voluntarily returned to Syria during 2019. Jordan is not a party to the 1951 Refugee Convention and continued to apply strict criteria for the entry of new Syrian refugees, preventing many from entering.

On 14 October, the Ministry of Labour raised from 11 to 39 the number of professions barred to non-Jordanian nationals seeking employment. Among them were long-term Palestinian refugees not holding Jordanian citizenship, most of whom were from the Gaza Strip; they continued to be denied other basic rights and services, too.

Death penalty

Death sentences continued to be passed; no executions took place.

[1] Amnesty International, *Imprisoned women, stolen children: Policing sex, marriage and pregnancy in Jordan* (Index: MDE 16/0831/2019): <https://www.amnesty.org/en/documents/mde16/0831/2019/en/> (<https://www.amnesty.org/en/documents/mde16/0831/2019/en/>)

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Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

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