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## 2009 Human Rights Report: Jordan

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### 2009 Country Reports on Human Rights Practices

March 11, 2010

The Hashemite Kingdom of Jordan is a constitutional monarchy ruled by King Abdullah II bin Hussein. It has a population of approximately six million. The constitution concentrates executive and legislative authority in the king. The multiparty parliament consists of the 55-member House of Notables (Majlis al-Ayan), appointed by the king, and a 110-member elected lower house, the Chamber of Deputies (Majlis al-Nuwwab). The 2007 Chamber of Deputies and municipal elections by and large went smoothly; however, local observers alleged some irregularities. Authorities effectively controlled the security forces, but there were some instances in which domestic and international nongovernmental organizations (NGOs) accused members of the police and security forces of using unnecessary force and committing human rights abuses.

The government respected human rights in some areas, but its overall record continued to reflect problems. The government restricted citizens' right to change their government, and the electoral law led to significant underrepresentation of urban areas and citizens of Palestinian origin in the Chamber of Deputies. Domestic and international NGOs reported cases of arbitrary deprivation of life, torture, poor prison conditions, impunity, arbitrary arrest and denial of due process through administrative detention, prolonged detention, and external interference in judicial decisions. Citizens continued to describe infringements on their privacy rights. Restrictive legislation and regulations limited freedom of speech and press, and government interference in the media and threats of fines and detention led to self-censorship, according to journalists and human rights organizations. The government also continued to restrict freedoms of assembly and association. Religious activists and opposition political party members reported a decline in government harassment; however, legal and societal discrimination remained a problem for women, religious minorities, converts from Islam, and some persons of Palestinian origin. Local human rights organizations reported widespread violence against women and children. The government restricted labor rights, and local and international human rights organizations reported high levels of abuse of foreign domestic workers.

On March 31, a new trafficking-in-persons law came into effect, followed on August 25 by new domestic worker regulations; the government used both during the year to investigate and prosecute a limited number of trafficking-in-persons cases. On July 28, the judiciary established a special honor crime tribunal that subsequently sentenced two perpetrators to 15 year murder sentences in both cases tried before the court. These were the first honor killing cases in which the judge did not significantly reduce the sentence due to claims of mitigating circumstances.

#### 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 reports during the year that the government or its agents committed unlawful killings.

On November 8, Saddam Al Saoud died of injuries allegedly sustained in police custody at the Al Hussein Police Station. On October 17, police arrested Al Saoud during a fight between street vendors in Amman. On October 18, authorities transferred an unconscious Al Saoud to a private hospital. Al Saoud's family said police caused Al Saoud's injuries when they hit him on the head with a gun. The Public Security Department (PSD) investigated the case, arrested six police officers, and charged them with two felonies: death caused by hitting and abuse of PSD regulations. At year's end cases against the officers were ongoing.

On November 14, Fakhri Kreishan died of injuries sustained during an altercation with police two days earlier in the southern city of Ma'an. A police officer reportedly hit Kreishan in the head with a baton as he prevented the arrest of a fugitive wanted for theft by worthless check who had taken refuge in his house. Police prosecutors investigated the case, arrested the police officer, and charged him with two felonies: death caused by hitting and abuse of PSD regulations. At year's end the case before the police court was ongoing.

##### b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices; however, international NGOs continued to allege that torture and mistreatment in police and security detention centers remained widespread. Nevertheless, some domestic NGOs claimed that recent reform efforts had reduced cases of torture and mistreatment in police and security detention centers.

Article 208 of the penal code prohibits torture by public officials, including psychological harm, and provides penalties of as long as three years' imprisonment for the use of torture, with hard labor if serious injury occurs. The PSD interpreted hard

labor to mean a three- to 15-year sentence. Human rights lawyers found the law ambiguous and supported amendments to better define "torture" and strengthen sentencing guidelines. During the year there were no prosecutions for torture under this article.

Local and international NGOs criticized the use of special police prosecutors and courts to try PSD personnel accused of torture and police misconduct. As part of the reform process, the government gave civilian prosecutors authority to assist in investigation of torture allegations, although such cases were tried in a police court.

The February 9 report by the National Center for Human Rights' (NCHR) on prison conditions cited a decrease in the number of complaints of torture and mistreatment in the country's correctional and rehabilitation centers (CRCs). The NCHR reported nine complaints in 2008 of mistreatment or torture in CRCs. One complaint was stayed at the plaintiff's request, one was closed for lack of evidence, one was referred to the police court, four resulted in administrative punishment, and two were pending. As of September 1, the PSD's human rights office had received 28 complaints of mistreatment in CRCs. Six complaints were stayed at the request of the plaintiffs, six were referred to the unit commander, and 16 were referred to the police court.

International organizations continued to claim that torture remained a widespread practice. On April 15, the Arab Organization for Human Rights (AOHR) released its 2008 report on the country, describing continued beating and torture of prison inmates. An October 2008 report by Human Rights Watch (HRW) cited interviews with prisoners alleging mistreatment, which HRW concluded often amounted to torture. Treatment detailed in the interviews included beatings with cables and sticks and suspension in metal cuffs for hours at a time. Political prisoners, including Islamists convicted of crimes against national security, reportedly received greater abuse than other prisoners. The report also documented the severe lack of punishment and failure to investigate abusive guards. The 2007 report by the UN special rapporteur on torture described police and security forces as practicing "widespread" torture based on "consistent and credible allegations."

Three prominent local organizations claimed reductions in cases of torture and mistreatment in the country's prisons, crediting government efforts to create incentives to attract qualified prison personnel, provide personnel with human rights and antitorture training, and increase investigation of complaints. However, the organizations maintained that the government should undertake additional reforms, including stronger antitorture legislation, increased monitoring, and eliminating police courts.

On February 9, Islamist prisoners and their families alleged that prison guards tortured and abused the prisoners in the Swaqa and Jweideh Prisons. Two reputable local human rights organizations found no evidence that such beatings or other harsh treatment occurred and claimed that the prisoners had alleged torture to stop transfers based on prisoner classification. The PSD reportedly conducted an investigation and agreed with this assessment.

Unlike in prior years, there were no new public claims of torture by defendants before the State Security Court. On April 15, three of five men who claimed to have been tortured from 2007 to May 2008 received five-year sentences. The other two men were acquitted due to lack of evidence. The government found their torture claims baseless, as they also found the January 2008 torture claims of two men accused of exporting weapons to the West Bank whose criminal cases were ongoing at year's end.

On May 14, the State Security Court sentenced Nidal Momani, Tharwat Draz, and Sattam Zawahra to death for plotting to kill a foreign leader while visiting the country in 2006, but it immediately commuted their sentences to 15 years' imprisonment. In 2007 and 2008, the defendants claimed they had been beaten and psychologically pressured to confess.

A police investigation of Ali Utoum's alleged 2007 abduction and beating concluded that no such abduction or beating occurred.

#### Prison and Detention Center Conditions

Local NGOs maintained that prison and detention center conditions improved during the year but concluded that significant problems remained, including overcrowding, understaffing, inadequate food and health care, and ineffective prerelease and postrelease programs. During the year the PSD increased the number of visits prisoners can receive. In an August 21 statement, HRW cited prisoner complaints about small cell size, extreme heat, seizure of books and personal belongings, and lack of a mosque or exercise area. Some detainees reported abuse and mistreatment at the hands of guards during the year. Hunger strikes remained common, but prison riots and allegations of mistreatment reportedly decreased. The PSD and the NCHR were two organizations that received prisoner complaints of poor prison conditions.

The PSD reported that some prisoners went on hunger strike during the year to protest mistreatment, poor prison conditions, and a prisoner classification system under which some prisoners had been moved to different wards or prisons based on the type of crime, number of offenses, and other factors. According to HRW authorities sometimes denied water to hunger strikers, placed them in solitary confinement, and prevented family visits; however, domestic human rights organizations that met with the prisoners contradicted the HRW reports.

On February 24, the Institute of Forensic Medicine, part of the Ministry of Health, issued a report stating that prison clinic conditions were unsuitable and deteriorating and that inmates did not have access to basic health services. The report also criticized the lack of psychiatric treatment and follow-up.

An investigation committee, led by the PSD and including a civilian prosecutor, found no evidence of wrongdoing by prison personnel during the April 2008 Muwaggar Prison riot in which three inmates died when rioters set mattresses on fire.

As of December 1, there were approximately 8,500 inmates in CRC facilities roughly estimating full capacity. The government generally held men, women, and juveniles in separate prison and detention facilities; however, pretrial detainees were often held in the same detention facilities as convicted prisoners. The General Intelligence Directorate (GID) held some persons detained on national security grounds in separate detention facilities. According to the NCHR, GID detainees are generally held in solitary confinement and are not allowed to meet unsupervised with visitors. Islamist prisoners in Jweidah were held in a separate wing and kept in small-group isolation. International and domestic NGOs also reported that in some instances Islamist prisoners faced harsher prison conditions than other inmates.

The government permitted local and international human rights observers to visit prisons and to conduct private interviews in prisons. During the year the International Committee of the Red Cross (ICRC) visited prisoners and detainees in all prisons, including those the GID and the military intelligence directorate held, according to standard ICRC modalities. The NCHR conducted routine and unannounced prison inspections during the year, including visits to GID facilities. In July parliament passed an amendment enabling all Ministry of Justice (MOJ) personnel to visit detention centers at any time.

The government initiated a process of large-scale prison reform during the year and started the process to transfer CRC management from the PSD to the MOJ. The PSD also instituted an incentive program, including additional leave and financial incentives, to attract the best potential candidates for a range of CRC personnel, and it worked with the NCHR and ICRC to develop a training program for all CRC staff. At year's end the government was constructing five new CRCs with cells that meet international standards, raising the number of prisons from 13 to 18. The government also began providing minimum wage and social security benefits for inmates working in prison, no-cost medical days with a range of specialists, a rehabilitation program for newly incarcerated high-risk prisoners, and increases in frequency of family visits. In 2008 the NCHR noted the GID had begun providing better psychological care to detainees.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention. According to local and international human rights groups, the government did not always observe these prohibitions in practice. The governors of the country's 13 provinces continued to use the Crime Prevention Law routinely to detain individuals administratively without due process.

#### Role of the Police and Security Apparatus

The PSD controls general police functions. The PSD, GID, gendarmerie, Civil Defense Directorate, and military share responsibility for maintaining internal security. The gendarmerie, established in 2008 from elements of the PSD, assists police in emergencies, provides diplomatic security, and responds to riots, protests, and demonstrations. The Civil Defense Directorate is responsible for public safety during natural disasters and civil disturbances. The PSD and gendarmerie report to the interior minister with direct access to the king when necessary, and the GID in practice reports directly to the king.

Civilian authorities maintained control over security forces. The government uses mechanisms to investigate abuse and corruption, but some allegations of impunity remained.

Citizens may file complaints of police abuse or corruption with the PSD's human rights office or with one of 50 police prosecutors stationed throughout the country. Complaints of abuse and corruption by the gendarmerie may be filed directly with the gendarmerie. A GID liaison officer receives complaints against the GID and refers them to GID personnel for investigation. Complaints against the PSD, gendarmerie, and GID may also be filed with the NCHR or several other NGOs. The PSD's preventive security office is tasked with investigating allegations of police corruption. The PSD and gendarmerie tries their personnel internally with their own courts and prosecutors.

Allegations of torture and mistreatment continued, according to numerous credible observers. From January 1 to December 20, citizens filed 376 complaints against PSD personnel, of which 42 related to police abuse. Of the 42 cases, 12 were sent to the police court for prosecution and 22 resulted in internal discipline. In 2008 citizens filed 454 complaints against PSD personnel, of which 91 related to police abuse. Of the 91 cases, 18 were sent to the police court for prosecution, and nine resulted in internal discipline such as firing, demotion, or leave without pay.

#### Arrest Procedures and Treatment While in Detention

The law allows suspects to be detained for up to 24 hours without a warrant in most cases. The criminal code requires that police notify authorities within 24 hours of an arrest and that authorities file formal charges within 15 days of an arrest. Human rights observers claimed that police continued to make arrests before obtaining warrants and prosecutors did not file charges or seek extensions in a timely manner. The period to file formal charges can be extended as long as six months for a felony and two months for a misdemeanor. Local NGOs stated that prosecutors routinely requested extensions and judges granted them. This practice generally lengthened pretrial detention for protracted periods. At year's end approximately 800 persons were reportedly being held in prison without formal charge. Bail is allowed under the penal code and used in some cases. Some detainees reported not being allowed timely access to a lawyer, but authorities generally permitted family member visits. Authorities appointed lawyers to represent indigent defendants charged with felonies although legal aid services remained minimal. There were allegations of long periods of incommunicado detention

in GID facilities; however, in 2008 the NCHR noted the GID had improved its practices in informing families of detentions and detainees' whereabouts.

The State Security Court gives judicial police, charged with conducting criminal investigations, authority to arrest and keep persons in custody for 10 days; this authority includes arrests for alleged misdemeanors. In cases purportedly involving state security, the security forces arrested and detained citizens without warrants or judicial review, held defendants in lengthy pretrial detention without informing them of the charges against them, and did not allow defendants to meet with their lawyers, at times until shortly before trial. Defendants before the State Security Court usually met with their attorneys at the start of a trial or only one or two days before. A case may be postponed for more than 48 hours only under exceptional circumstances determined by the court. In practice cases routinely involved postponements of more than 10 days between sessions with proceedings lasting for several months. In most cases the accused remained in detention without bail during the proceedings. Several inmates were in detention without charge at year's end.

Under the Crime Prevention Law, provincial governors may detain individuals suspected of planning to commit a crime or those who allegedly shelter thieves, habitually steal, or constitute a danger to the public; those accused are subject to imprisonment or house arrest as "administrative detention" without formal charges. A detention order may be for as long as one year, but governors can impose new orders to prolong detentions. Governors routinely abused the law, imprisoning individuals when there was not enough evidence to convict them, prolonging detentions of prisoners whose sentences had expired, and incarcerating women at risk of being honor crime victims. The NCHR and other human rights organizations called for the abolishment of the Crime Prevention Law, noting that 16,050 administrative detentions occurred during the year.

#### e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, the judiciary's independence in practice was compromised by allegations of nepotism and the influence of special interests. An international organization also reported interference by senior judges in junior judges' cases. The Judicial Council, a committee led by the president of the Court of Cassation, comprises other high-ranking judges from various courts and the MOJ. The council approves judicial appointments after initial nominations by the MOJ, and it assigns and evaluates judges. The executive branch, through the MOJ, controls most judicial functions, giving the government the ability to influence judicial decisions. The Judicial Council continued to lack the internal capacity to effectively manage judicial administrative and financial matters that would ensure its independence. There were allegations during the year that the former council's head reassigned judges or forced them to retire early for personal instead of policy reasons.

The judicial system consists of civil, criminal, commercial, police, security, military, and religious courts. Most criminal cases are tried in civilian courts, which include administrative courts; courts of first instance; courts of appeal; the High Court of Justice, convened for specific cases; and the Court of Cassation, the highest court. The State Security Court, headed by two military officers and one civilian as judges, has jurisdiction over offenses against the state and drug-related crimes by civilians and military personnel. Defendants convicted in the Security Court may, in some instances, appeal the verdict to a civilian appellate court. The PSD and gendarmerie have internal police courts that have jurisdiction over all cases involving their personnel. Either party in a police court verdict may appeal the decision to a civilian appellate court. The religious courts are subdivided into Shari'a courts and tribunals for non-Muslims. Shari'a courts have jurisdiction over all matters relating to the personal status of Muslims, including marriage, divorce, and inheritance. Christian courts have jurisdiction over marriage and divorce cases among Christians, but Shari'a is applied in inheritance cases.

#### Trial Procedures

The law presumes that defendants are innocent. All civilian court trials, including state security court trials, are open to the public unless the court determines otherwise. Juries were not used. Defendants are entitled to legal counsel (at public expense for the indigent only in cases involving the death penalty or potential life imprisonment). In July the government passed an amendment that made court rulings legally binding without the presence of the defendant, although an attorney for the defendant must be present for the verdict to be valid. The law was being implemented at year's end. Defendants could present witnesses on their behalf and question witnesses presented against them. Defense attorneys were generally granted access to government-held evidence relevant to their clients' cases. Defendants can appeal verdicts; appeals were automatic for cases involving the death penalty. In the State Security Court, defendants convicted of felonies had the right to appeal their sentences to the Court of Cassation, which is authorized to review issues of both fact and law. All citizens were accorded these rights. Civil, criminal, and commercial courts accord equal weight to the testimony of men and women; however, in Shari'a courts the testimony of two women was equal to that of a man in most circumstances.

#### Political Prisoners and Detainees

Citizens and NGOs alleged that the government continued to detain a few individuals during the year, including political opposition members, for political reasons, and that governors continued to use administrative detentions for what appeared to be political reasons. In a few cases, the media or human rights organizations reported that authorities kept detainees in solitary confinement and denied them access to lawyers.

On September 9, the court of conciliation acquitted Hassan Abu-Shawar of his remaining charge of dishonoring the flag. In 2007 police arrested Abu-Shawar, a 19-year-old student, during a protest by the Islamic Action Front (IAF), the political

wing of the Muslim Brotherhood. In April 2008 the State Security Court acquitted him of "fueling national discord" and released him two months later.

Authorities released the five IAF members arrested in Zarqa and Aqaba in 2007 without charge shortly after their arrest.

#### Civil Judicial Procedures and Remedies

There is an independent judiciary in civil matters. Individuals may bring lawsuits related to human rights violations and did so during the year. The High Court of Justice hears administrative complaints. The courts are open to all residents. Courts also have jurisdiction over any person in a civil or criminal matter, including lawsuits in which the government is a plaintiff or a defendant.

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

The law prohibits arbitrary interference in private matters. In practice the government did not respect this prohibition. Citizens widely believed that security officers monitored telephone conversations and Internet communication, read private correspondence, and engaged in surveillance without court orders of persons deemed threats to national security.

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. During the year foreign migrant workers with valid work and residency permits reported police forcibly entered their homes without warrants as part of a joint police and labor inspection campaign to verify the legal status of workers.

A few religious activists reported that the GID withheld certificates of good behavior required for job applications or to open a business, or threatened not to allow their children to enter or graduate from university.

#### 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, in practice the government imposed some restrictions on these rights. Journalists reported that the threat of detention and imprisonment under the penal code for a variety of offenses and stringent fines of as much as 20,000 dinars (\$28,000) under the press and publications law for defamation led to self-censorship. The government's use of "soft containment" of journalists, such as financial support, scholarships for relatives, and special invitations, led to significant control of media content.

Citizens generally were able to criticize the government, although they reported exercising caution in regard to the king, the royal family, the GID, and other topics deemed sensitive, such as religion.

On October 25, a group of men beat opposition figure Layth Shbeilat in an Amman bakery. Shbeilat and many local observers connected the assault to a lecture he presented at the Socialist Thought Forum two days earlier in which he called for increased efforts to fight government corruption and the need to question and hold officials accountable. The government denied the linkage and the alleged involvement of security forces in the assault. The PSD reportedly initiated an investigation; no findings had been released by year's end.

In December 2008 authorities prevented Egyptian citizen Gamal Eid, executive director of the Arabic Network for Human Rights Information, from entering the country, detained him for six hours at the airport, and returned him to Cairo. Eid claimed he was targeted for his 2006 criticism of the government.

The government restricted media freedom. Media organizations and journalists reported that the government influenced the appointment of editors in chief at some major publications, whether by virtue of officials' positions on the boards of directors of government-affiliated publications or through undisclosed contacts. The government has a majority share on the board of directors for one major daily newspaper and a minority share in another. Independent print media existed, including several major daily newspapers; however, such publications must obtain licenses from the state to operate.

To work legally for government-affiliated publications, journalists must be members of the Jordan Press Association (JPA), which reportedly has denied membership to some practicing journalists. The JPA prevented several leading columnists from establishing an independent columnists' club during the year. The JPA sued the club, stating it violated the JPA law, which grants the JPA sole authority to regulate and oversee media affairs. Club founders, some of whom were not JPA members, stressed that the club was not regulatory in nature but would instead serve as a forum for members to discuss news developments and engage with political figures. The JPA dropped the lawsuit after the columnists agreed to come under the JPA umbrella, but the columnists subsequently ceased to pursue the club's formation.

According to a survey during the year, 70 percent of journalists thought the government used "soft containment" to control the media at a medium to high degree.

The governmental Audiovisual Commission has authority to recommend rejection of a broadcast license without a stated reason. When covering controversial subjects, government-owned Jordan Television and Radio reported only the government's position.

International satellite television and Israeli and Syrian television broadcasts were available and unrestricted. On June 30,

the government closed the Arabic-language Al-Alam and English-language Press TV satellite television stations, both of which were funded by a foreign government. The government claimed it closed the stations due to lack of accreditation and registration.

The law provides foreign media operations freedom of expression; however, there was at least one report of government violence against foreign journalists during the year, as well as reported instances of government harassment and court actions against journalists and other writers based on their work.

On January 9, gendarmerie officers reportedly attacked an Al Jazeera television crew of citizens, including Amman bureau chief Abu Hilala, and cameramen Malik al-Laham, Muhammad al-Huwaiti, and Safwan al-Awawida. According to the journalists, after police dispersed a crowd protesting near the Israeli embassy, a group of plainclothes men assisting with dispersing the demonstration threatened Hilala when he attempted to interview them. Hilala allegedly sought protection from a nearby group of uniformed officers, but they responded by beating him and the other journalists with their batons. The government condemned the attack and established an investigation committee, headed by the PSD; however, the government had not released any investigation results by year's end.

On June 21, a court sentenced poet and *Al Arab Al Yawm* reporter Islam Samhan to one year in prison and a fine of 10,000 dinars (\$14,200) on charges of slandering Islam and insulting "religious sentiment" for his use of Koranic verses and prophets in his poetry. Samhan was arrested in October 2008, two weeks after the Grand Mufti, the country's highest religious authority, issued a fatwa (religious opinion) calling him an "infidel" and an "apostate." At year's end Samhan was free on bail pending an appeal of the court's ruling.

Journalists claimed the government used informants in newsrooms and that intelligence officials monitored reporting. Editors reportedly received telephone calls from security officials instructing them how to cover events or to refrain from covering certain topics or events, although this practice reportedly declined during the past year. Government officials also reportedly bribed journalists to influence their reporting.

The annual report by the Amman-based National Center for Defending the Freedom of Journalists (CDFJ) stated that the government used detention and prosecution or the threat of prosecution to intimidate journalists. According to a CDFJ survey during the year, 94 percent of 1,200 journalists interviewed practiced some sort of self-censorship due to government interference or the threat of fines or detention. Ninety-eight percent of the journalists stated they would not criticize the armed forces; 54 percent, the government; 77 percent, tribal leaders; and 81 percent would not raise religious issues. Sixty-eight percent of respondents believed that government interference in the media has increased in recent years.

The government requires the media to obtain approval prior to any filming or photographing. Journalists reported during the year that intelligence personnel confiscated photos of public events they were covering.

The law provides punishment of as long as three years' imprisonment for insulting the king, slandering the government or foreign leaders, offending religious beliefs, or stirring sectarian strife and sedition. The government fined journalists for such crimes during the year. According to the CDFJ, more than 45 journalists had cases pending before a Jordanian court having been charged with a range of violations, including slander, contempt of court and violating laws, such as the penal code, press and publications law and state security law.

On August 5, a court fined a journalist Ali Sneid from the *Al Anbat* daily newspaper 8,000 dinars (\$11,400) for criticizing a former minister of health in an article about water pollution in Manshyet Bani Hassan, in Mafraq Governorate.

Four of the five *Ad-Dustour*, *Al-Arab Al-Yawm*, and *Al-Rai* editors and reporters sentenced to three months in jail in March 2008 for contempt of court and defamation paid fines in order not to serve their three-month sentences, which were upheld by an appellate court during the year. The other reporter's case was still pending in the court system at year's end. Four of the journalists were indicted after publishing commentary on a Higher Judicial Council ruling, and the fifth was indicted for defamation after criticizing a government official.

*El-Ekhabariya* editor in chief Fayez Al-Ajrashi, arrested in October 2008 on criminal charges of "inflaming sectarian strife" and "sowing national discord," remained on bail pending a court decision at year's end. Ajrashi alleged both complaints were linked to his articles criticizing Amman governor Sa'ad Al-Manaseer's record and exposing cases of corruption.

The government continued to enforce bans on the publication of selected books for religious, moral, and political reasons. Some foreign films were edited prior to release.

On December 24, the Council of Ministers approved a code of conduct to guide the government's relationship with the media. According to the government, the code is designed to guarantee a free, independent media without government interference and influence. For instance, under the code the government may not use advertisement revenue to influence reporting, officials may not give financial incentives or gifts to journalists, practicing journalists may not simultaneously hold government positions, and all media subscriptions by the government were cancelled in favor of direct purchase. The media largely viewed the code as a positive step, although critics raised some concerns, such as the adverse impact on small weekly papers that rely significantly on government subscriptions.

## Internet Freedom

The government controlled access to certain Internet content during the year, but Internet access remained largely unfettered. Citizens and activists widely believed that the government monitored electronic correspondence and Internet chat sites and, therefore, they practiced self-censorship over such media. According to 2009 International Telecommunications Union data, approximately 28 percent of the country's inhabitants used the Internet.

In 2008 the Ministry of Interior (MOI) issued instructions for monitoring Internet cafes for reasons of security, including the installation of cameras in Internet cafes to monitor users. The new measures, which reportedly were enforced during the year, require cafe owners to register users' personal data, hand over records of Web sites users visit, and prevent access to questionable Web sites, as defined by the MOI.

## Academic Freedom and Cultural Events

The government placed some limits on academic freedom. Members of the academic community claimed there was an ongoing intelligence presence in academic institutions, including monitoring of academic conferences and lectures.

On September 7, the National Campaign for Defending Students' Rights criticized the interference of security bodies in student activities, especially in university student council elections. Security personnel reportedly told students for whom to vote. The group also noted that universities had punished or expelled students for distributing literature expressing solidarity with Palestinians. The AOHR concurred with the group's findings and demanded that students be allowed to express opinions freely.

On July 29, the Chamber of Deputies approved an amendment giving university boards of trustees and their search committees the authority to choose and hire a university president. Previously, this authority lay with the state.

## b. Freedom of Peaceful Assembly and Association

### Freedom of Assembly

The constitution provides for freedom of assembly, but the government restricted this right. The Public Gatherings Law, as amended in 2008, stipulates that organizations do not need approval to hold routine internal meetings and activities but that routine public meetings--including workshops and training sessions--require approval. Governors are not required to provide a legal reason for denial of permission to hold an event, and there is no standard in the law for what constitutes an impermissible public gathering. If an organization fails to apply for permission for an event, its members face imprisonment from one to six months and a fine of as much as 3,000 dinars (\$4,300). The government's response period was shortened from 72 to 48 hours and, if a governor does not issue a response within 48 hours, applicants are entitled to hold the event without legal liability.

From early January--at the outbreak of the military operation in Gaza--until January 29, the government suspended the requirement for advance approval of demonstrations and protests. More than 600 protests and demonstrations, including more than 80 by the Muslim Brotherhood, were held throughout the country during the suspension.

Throughout the year several civil society organizations and political parties accused the government of being stringent in issuing permits for public gatherings based on political factors rather than security concerns. Governors sometimes denied requests for peaceful demonstrations and civil society gatherings. In some cases the government granted approval at the last moment, making it difficult for organizers to plan events.

On multiple occasions during the year, the Amman governor reportedly denied the IAF permission to hold rallies, protests, or other events, including a rally in Al-Muqabalayn to thank citizens for their support of Gaza, a protest in front of the Egyptian embassy to denounce the closing of the Rafah crossing and the conflict in Gaza, activities to celebrate Jerusalem as the 2009 Arab Culture Capital, a protest in support of Al Aqsa Mosque, and a protest regarding the murder of an Egyptian woman by a German national.

On April 25, the Irbid governor reportedly denied a small political party permission to hold a festival to celebrate Jerusalem having been named the 2009 Arab Culture Capital.

On at least three occasions during the year, including the response to a sit-in by port workers in Aqaba (see section 7.a.), government forces allegedly used excessive force to break up protests and demonstrations.

On January 9, gendarmerie forces used batons, tear gas, and water cannon to disperse protesters throwing rocks and shouting harsh language outside the Israeli embassy. The gathering was to protest Israeli operations in Gaza. The gendarmerie maintained a neutral stance throughout most of the protest but eventually used aggressive tactics to disperse the protesters. The government formed an investigation, headed by the PSD, but it had released no information by year's end.

On July 5, gendarmerie forces used batons to disperse a sit-in at the Ministry of Agriculture to protest the import of Israeli

fruit and vegetables. During altercations with gendarmerie forces, several protesters were reportedly injured, and the gendarmerie briefly detained four protesters. The police stated the sit-in was illegal, as organizers had not obtained the required approval to hold the event. The government indicated it would investigate the gendarmerie's tactics, but no results of any investigation had been made public by year's end.

Twenty IAF supporters imprisoned during a licensed protest in 2007 were released without charge shortly after their arrest.

#### Freedom of Association

The constitution provides for the right of association, but the government limited this freedom in practice. The law gives a newly formed registrar's office in the Ministry of Social Development (MSD) the right to reject applications to register a organization or to receive foreign funding for any reason, and it prohibits the use of associations for the benefit of any political organization. The law also gives the registrar significant controls over the internal management of associations, including the ability to dissolve associations; appoint new boards of directors; send government representatives to any board meeting; prevent associations from merging their operations; and appoint an auditor to examine an association's finances for any reason. The law requires associations to inform the registrar of board meetings, submit all board decisions for approval, disclose members' names, and obtain MOI security clearances for board members. The law includes severe penalties, including fines of as much as 10,000 dinars (\$14,200). The registrar's advisory board is chaired by the minister of social development and includes representatives from seven other government bodies and four civil society representatives. At year's end the prime minister had not appointed the civil society representatives.

The government introduced, and the parliament passed, amendments to address a few of the restrictions resulting from the 2008 revised law, which began implementation on September 17. The amendments abolished the use of prison sentences as a penalty for violating the associations' law. The amendments also established the registrar's office and required the cabinet to respond within 30 days to an association's request to receive foreign funding; absent a response, the funding is considered approved. Civil society leaders worried that the amendments did not sufficiently address the oversight powers granted to the government in 2008. During the year the government did not deny any organizations permission to register or to receive foreign funding.

Although the government proposed amending the law during the year to allow all religious groups to provide social and volunteer services in the country, the Chamber of Deputies changed the language in the amendment to permit only Muslim and Christian groups such rights.

#### c. Freedom of Religion

The constitution provides for freedom to practice the rites of one's religion, provided that religious practices are consistent with "public order and morality," and it stipulates that there be no discrimination in the rights and duties of citizens based on religion. The government continued to impose some restrictions on religious freedom in practice, and the constitution also requires that Islamic law, which forbids the conversion of Muslims to another religion, govern citizens' personal status.

The state religion is Islam, which effectively restricted the religious freedom of members of other denominations, especially in terms of family law. The king appoints the Grand Mufti, the country's most influential religious authority, who has the authority to issue religious fatwas. The Ministry of Religious Affairs and Trusts appoints imams, provides mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain activities sponsored by mosques.

Christian denominations and other religions must be accorded legal recognition by the government to own land and administer sacraments, including marriage. For the recognition of Christian denominations, the prime minister confers with the Council of Church Leaders, a group of the leaders of recognized Christian churches. The denomination must have citizens among its constituency and must be recognized by the Middle East Council of Churches. Christian religious leaders stated that the MOI conducted background investigations of church leaders.

On January 21, the cabinet officially made the Council of Church Leaders the government's reference point for all Christian affairs. The council serves as the administrative body for all Christian churches to facilitate official business with the government. Unrecognized Christian denominations, although they do not have full membership on the council, must also conduct business with the government through the council.

The government did not recognize (but registered as "associations") the Baptists, Free Evangelicals, the Church of the Nazarene, Assemblies of God, the Christian and Missionary Alliance, and the Church of Jesus Christ of Latter-day Saints. Nonrecognition meant these denominations were not allowed to form their own courts to govern the personal status matters of its members, but were granted benefits of societies, such as tax-exempt status. Christian denominations such as the United Pentecostal Church and Jehovah's Witnesses did not have society status; however, these nonrecognized denominations conducted most religious services and activities without interference. Several Christian denominations operated schools in several cities that were open to adherents of all religions, such as the Baptist, Orthodox, and Latin schools.

The government also did not recognize the Druze or Baha'i faiths, and it discriminated against Baha'is. The government did

not recognize marriages conducted by the Baha'i Assembly, although Baha'is could receive documentation, such as passports, on the basis of such marriages. Baha'is were not permitted to register properties or endowments in the name of the Baha'i community. The government also continued to stigmatize the Baha'is by recording dashes in the religion field of their national identity cards. It categorized Druze as Muslims on these documents and required that atheists associate themselves with a recognized religion for official identification purposes.

There are no restrictions on collective worship as long as worship practices do not violate the law. Unlike in 2008 no religious workers or pastors stated that authorities prevented them on security grounds from conducting meetings or conferences in hotels or public venues during the year.

Public schools provide Muslim students mandatory religious instruction, during which Christian students are allowed to leave the classroom. Christian students in private and public schools must learn verses from the Koran and Islamic poetry in Arabic and social studies classes in preparation for mid-year and end-of-year exams. The constitution provides that congregations have the right to establish schools for the education of their own communities, "provided that they comply with the general provisions of the law and are subject to government control in matters relating to their curriculums and orientation."

The application of Shari'a law on personal status matters prohibits conversion from Islam to another religion. In apostasy cases decided by the Shari'a court, converts from Islam have lost their inheritance, children, spouse, and civil rights. Conversion to Islam is allowed. A few converts from Islam to Christianity reported the GID questioned them after family members complained to authorities about the conversion. These converts reported that the GID withheld certificates of good behavior that are required for job applications or to open a business, or threatened to not allow their entry into or graduation from university. Other converts reported no harassment by authorities and, in at least one case, officials positively intervened to mediate an understanding between a convert and family members.

Neither the constitution nor the law explicitly prohibits proselytizing; however, the government restricted efforts to proselytize Muslims. A few religious leaders reported the GID summoned them during the year for questioning on their church's activities and church membership, although this practice reportedly decreased during the year.

The government monitored sermons at mosques and required that preachers refrain from commentary that "might instigate social or political unrest." Some Christian churchgoers reported the presence of security police outside churches on several occasions during the year. Security officials reportedly did not state a reason for their presence but reportedly questioned some churchgoers. Some churches welcomed the presence for security reasons.

The publication of material that slanders or insults religion is prohibited with fines of as much as 20,000 dinars (\$28,400).

#### Societal Abuses and Discrimination

Some Muslims who converted to other religions reportedly faced societal discrimination, threats, and abuse from their families and Muslim religious leaders. There were also reports that interfaith romantic relationships led to ostracism.

Unrecognized religious groups, such as the Baha'is, also reported societal discrimination. Iraqi Mandaeans residing in the country complained that individuals who did not understand their faith interfered in their baptismal rituals in prior years, causing them to change baptism locations. During the year, the government required that Mandaeans give authorities one month's notice prior to a baptism for the government to provide security.

Anti-Semitism was present in the media, and editorial cartoons, articles, and opinion pieces sometimes depicted negative images of Jews without government response. Aside from expatriates, there was no resident Jewish community in the country.

For a more detailed discussion, see the *2009 International Religious Freedom Report* <http://www.state.gov/g/drl/rls/irf/2009/index.htm>

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, there were some restrictions. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and other humanitarian organizations in assisting refugees and asylum seekers.

The law requires that a minor obtain written permission from the father to apply for a passport. Consular officers and activists encountered cases of mothers who reported that they were prevented from departing with their children because authorities enforced requests from fathers to prevent their children from leaving the country. The GID sometimes withheld passports from citizens for alleged security reasons. Employers or authorities sometimes held the passports of foreign workers.

Some persons of Palestinian origin living in the country were citizens and received passports; however, the government reported that there were approximately 165,000 Palestinian refugees, mostly of Gazan origin, who did not qualify for

citizenship. Approximately half of these persons received two-year passports that do not connote citizenship. West Bank residents without other travel documentation were eligible to receive five-year passports that do not connote citizenship. Local and international human rights organizations continued to charge that the government did not consistently apply citizenship laws, especially in cases in which passports were taken from citizens of Palestinian origin, citing cases where national identification numbers were revoked. The government maintained this policy was in line with its efforts to implement the government's disengagement from its former claims to the West Bank. For example, government officials stated that a national number may be revoked if an individual obtains Palestinian travel documents, works for any part of the Palestinian Authority, or does not renew a family reunification permit. Activists complained that the disengagement regulations did not outline such procedures, that the process was not transparent, and that the MOI appeal process was virtually nonexistent. Claimants reported that appeals were not resolved to their satisfaction. Human rights activists also claimed that former residents of Palestinian origin remained outside the country and the government refused to renew their passports at embassies overseas.

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

#### Protection of Refugees

The country is not a party to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. Its laws do not provide for the granting of asylum or refugee status, and the government has not established a formal system of providing protection to refugees" and does not have any national legislation pertaining to the status and treatment of refugees)). The government respected the UNHCR's eligibility determinations regarding asylum seekers, including those who entered the country clandestinely. A 1998 memorandum of understanding between the government and the UNHCR contains the definition of a refugee, confirms the principle of nonrefoulement, and allows recognized refugees a maximum stay of six months, during which period the UNHCR must find a durable solution. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

The UNRWA and the government continued to provide basic services, such as limited health, education, and social services, to Palestinian refugees during the year. At year's end approximately two million Palestinian refugees were registered with the UNRWA.

The government granted nationality to approximately 700,000 persons displaced from former territories of the country during the 1967 war. An additional 120,000 persons displaced during the 1967 war held temporary residency permits, and an additional 200,000 Palestinian refugees were also estimated to be living in the country without any direct assistance.

The government generally recognized the UNHCR's requests to grant temporary protection for all Iraqi asylum seekers, including new arrivals, rejected asylum or resettlement cases, and recognized refugees whose cases had been suspended by resettlement countries. In May 2008 the government began requiring Iraqis to obtain visas before entering the country. The government estimated there were 450,000 to 500,000 Iraqi refugees in the country, whereas some NGOs estimated 100,000 to 200,000. As of October 31, a total of 46,656 Iraqi refugees in the country were registered with the UNHCR. Most registered refugees received legal and material assistance from the UNHCR and other international and nongovernmental humanitarian organizations. The government provided education and health care to Iraqis and tolerated the prolonged stay of many Iraqis beyond the expiration of the visit permits under which they entered the country. During the year the government also decided to waive any overstay fines and exit fees for those returning to Iraq. Few Iraqi refugees received work permits due to bureaucratic hurdles and significant overstay fines they would have to pay prior to applying for such permit.

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

The law does not provide citizens the right to change their monarch or government. The king appoints and dismisses the prime minister, cabinet, and the House of Notables; dissolves parliament; and establishes public policy. Citizens may participate in the political system through their elected representatives in the Chamber of Deputies. The cabinet, based on the prime minister's recommendation, appoints the mayors of Amman, Wadi Musa (Petra), and Aqaba, a special economic zone. The mayors of the other 93 municipalities are elected.

The king proposes and dismisses extraordinary sessions of parliament and may postpone regular sessions for as long as 60 days. For example, the king decreed the start of an extraordinary session on June 11 and dismissed the session on August 10. On November 23, the king dissolved parliament when he called for parliamentary elections in the final quarter of 2010. 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. Although they are technically subject to action by parliament when it returns to session, in practice they remain in force in the absence of legislative action. For example, on October 15, the king issued a royal decree approving amendments to the Social Security Law and placing them in provisional status. Previous parliaments have largely ignored controversial temporary legislation, indefinitely extending the life of several temporary laws.

#### Elections and Political Participation

The country held nationwide multiparty parliamentary and municipal elections in 2007. The NCHR, the opposition IAF, and

other local observers alleged a number of irregularities, including vote buying, multiple voting, transfer of votes, and exploiting armed forces personnel to vote en masse for progovernment candidates. There were no local or international observers present for the municipal elections, and a limited number of local observers for the parliamentary elections.

On December 16, the newly formed government, two days after being sworn in, formed an interministerial committee, headed by the prime minister, to revise the electoral law ahead of parliamentary elections scheduled for 2010. On the same date, the government formed another interministerial committee under the direction of the prime minister to finalize and implement a decentralization plan. At year's end, the two committees had not yet completed their work. The constitution states that elections must be held within four months of parliament's dismissal or the previous parliament is reinstated. The king, however, has the authority to extend this period based on special circumstances. Upon dissolving parliament, the king called for elections past the four months in order for the government to first amend the electoral law and complete a decentralization plan.

The government routinely licensed political parties and other associations but prohibited membership in unlicensed political parties. The High Court of Justice may dissolve a party if it concludes that the party violated the constitution or the law. The law stipulates that a political party must have a minimum of 500 founding members from five governorates. Opposition parties, including small parties dissolved in 2007 after the law's enactment, complained that the law was unconstitutional and obstructed political dynamism. Political analysts and opposition parties also called on the government to take active measures to promote party development, including amendments to the electoral system that would place greater emphasis on parties. Political parties, NGOs, and independent candidates found the registration process onerous and costly. Parties criticized the GID's annual screening process of founding members. Political parties complained that the mandated public funding of 50,000 dinars (\$71,100) was insufficient to operate effective campaigns.

The electoral law led to significant underrepresentation in urban areas. Amman's second district has more than 200,000 constituents and was granted four representatives, but Karak's sixth district has approximately 7,000 constituents and was granted three representatives. Many analysts asserted that the current electoral system is unfair and creates a weak, unrepresentative parliament that is intended to reduce the representation of areas heavily populated by citizens of Palestinian origin in favor of tribal interests. The law allows voters to choose one candidate in multiple-seat districts. In the largely tribal society, citizens tended to cast their vote for members of the same tribe.

Citizens of Palestinian origin, estimated to be more than half of the total population, are underrepresented at all levels of government and the military. The law reserves nine Chamber of Deputies seats for Christians and three for either the Circassian or Chechen ethnic minorities, constituting an overrepresentation for these minorities. No seats were reserved for the relatively small Druze population, but they were permitted to hold office under their government classification as Muslims. The law also stipulates that Muslims must hold all seats not reserved for specified minority religions. In 2007 King Abdullah appointed four Christians to serve in the House of Notables. Christians served as cabinet ministers and ambassadors. The government traditionally reserves some positions in the upper levels of the military for Christians (4 percent); however, Muslims held all senior command positions.

Women have the right to vote. Seven women served in the House of Notables, four in the cabinet, and one as governor. Seven women also served in the Chamber of Deputies (six seats are reserved for women) until its dissolution on November 23. The law provides a 20 percent quota for women in municipal council seats.

#### Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, and the government increased investigations of alleged corruption; however, there were few convictions for corruption during the year, raising criticisms that officials enjoyed impunity. The use of family, business, and other personal connections to advance personal business interests was widespread; there were allegations of lack of transparency in government procurement, government appointments, and dispute settlement. A study by the Jordan Transparency Forum released on December 9 found that 81.3 percent of citizens believed favoritism was still rampant despite government efforts to curb corruption.

In March the Audit Bureau released its annual report, which highlighted instances of corruption and violations of handling public money.

As of June 30, the Anticorruption Commission had investigated 432 cases of corruption, referring 67 for legal action. The cases dealt with fraud, misuse of public office, forgery, bribery, and embezzlement, as well as cases related to food and drug laws. Despite increased investigations, some local observers questioned the commission's effectiveness due to the dearth of investigations involving senior officials or large government projects, despite allegations.

In one high-profile case, the commission investigated employees at the Greater Amman Municipality accused of forging signatures to obtain unauthorized changes in job titles and bonuses. Four employees were charged with forgery. In another high-profile case, the government formed an ad hoc committee to investigate the embezzlement of 1.2 million dinars (\$1.68 million) from the Ministry of Agriculture; the investigation was ongoing at year's end.

Citizens filed more than 2,400 complaints against public agencies with the governmental Ombudsman Bureau from the office's opening in February until December 10. The bureau rejected 1,071 of the complaints because they did not fall under its mandate, but it resolved 86 complaints through reconciliation and provided 59 citizens with advice about how to

proceed with their cases; the remainder of the complaints remained under investigation. The Bureau is charged with investigating complaints regarding any decision or action by public offices or their employees. On December 29, the government also established an office in the Ministry of Public Sector Development to receive citizen complaints.

The law requires certain government officials to declare their assets privately; in the event of a complaint, the chief justice may review the disclosures. Under the law failure to disclose assets could result in prison sentences from one week to three years or fines from five to 200 dinars (\$7 to \$280). At year's end officials failing to submit a disclosure had not been punished.

The law provides for public access to government information that is a matter of legal record but allows requests to be denied for reasons of "national security, public health, and personal freedoms." Journalists criticized the law, claiming it permits the government to deny requests without justification. A December 2008 study by the Al Urdun Al Jadid Research Center showed that 58 percent of journalists were unaware of the law, and nearly 85 percent did not know they had the right to request information. Fifty percent of journalists who had attempted to obtain government information characterized the government's response as inadequate, and 13.8 percent said their requests triggered verbal abuse. In a Higher Media Council survey released in July 2008, nearly half of the journalists surveyed reported difficulty accessing information or said their requests had been denied outright.

#### Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups operated in the country with some restrictions. The 2008 Associations Law gave the government the ability to control NGOs' internal affairs, including acceptance of foreign funding. NGOs were generally able to investigate and report publicly on human rights abuses throughout the year although government officials were not always cooperative or responsive. Senior government officials accused local human rights organizations of having "Western" or foreign agendas and focusing only on the negative aspects of an issue. Major local human rights observers included the NCHR and several independent organizations, such as the MIZAN Law Group for Human Rights, the Amman Centre for Human Rights Studies, the AOHR, the CDFJ, and the Adaleh Center for Human Rights Studies. Government entities met with and participated in many projects these organizations undertook.

The government generally cooperated with international NGOs, the UN, and other international governmental organizations. Unlike previous years no observers reported being unable to meet with security detainees held incommunicado. Senior government officials accused some international human rights organizations of paying local citizens to overstate human rights abuses.

Although the government provided the NCHR most of its funding, the NCHR's reporting was largely regarded as objective and critical. Some local human rights groups and activists complained that the NCHR did not speak out sufficiently during the year on some controversial issues, including students' rights, citizenship, and religious freedom. The prime minister appoints the NCHR board chair and commissioner general. On May 3, the NCHR issued its fifth annual report on the state of human rights in the country, highlighting positive developments and a range of continuing human rights problems, including excessive use of administrative detention; new restrictions on the right to establish associations; limitations on media freedom, including legal action against journalists; poor protection of foreign workers, especially domestic workers; and insufficient mechanisms to prevent torture.

#### Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution states that all citizens are equal under the law and prohibits discrimination based on race, language, and religion; however, discrimination on the basis of gender, disability, and social status is not specifically mentioned. The penal code does not address discrimination, thereby severely limiting judicial remedies.

##### Women

Violence and abuse against women continued, including widespread domestic violence, numerous honor crimes, and spousal rape. In rural areas violence against women was reported more frequently than in major cities, but women's rights activists speculated that many incidents in cities went unreported. In a survey of women in rural southern areas that the Higher Population Council and Ministry of Health released on January 16, 30 percent of women 15 to 49 years old reported psychological abuse and 20 percent reported physical abuse. A 2007 demographic health survey conducted by an international organization showed that 32 percent of women older than 15 years of age had suffered physical violence. NGOs reported similar numbers and, in some cases, slightly higher numbers.

The law stipulates a sentence of at least 10 years' imprisonment with hard labor for rape of a girl or woman age 15 years or older. Spousal rape is not illegal. The PSD Family Protection Unit (FPU) treated and investigated 243 cases of sexual assault as of December 20.

A woman may file a complaint against her spouse for physical abuse with the FPU, certain NGOs, or directly with judicial authorities; however, in practice familial and societal pressures discouraged women from seeking legal remedies. The 2007 demographic health survey showed that only 22 percent of domestic violence victims sought any form of assistance.

In 2008 the Jordan Center for Social Research conducted a survey indicating that women often did not admit they were

subjected to violence and did not seek help because they were afraid of breaking up or damaging the reputation of their families. The results also showed some degree of acceptance of abuse, particularly among less educated women. Of the respondents who reported a case of violence, 83 percent identified their husband, father, or brother as the perpetrator. Most women are not aware of services available to victims of such violence.

From January 1 to December 20, the FPU forwarded 767 complaints of domestic violence for prosecution. Spousal abuse is technically grounds for divorce, but husbands can claim religious authority to strike their wives. Violators of protection orders may face as long as six months in prison. The government-run shelter, Dar al-Wafaq, assisted approximately 806 victims of domestic abuse during the year; it provided reconciliation and counseling services to victims and their families and worked with NGOs to provide services such as legal and medical assistance. The FPU continued to operate a domestic violence hotline during the year and received inquiries and complaints via the Internet and e-mail. The NGO Jordanian Women's Union maintained a hotline for victims of domestic violence and provided shelter to abuse victims. The Jordanian River Foundation operated a child and family center in East Amman that provided shelter and assistance to domestic violence victims. On February 11, the quasigovernmental Jordanian National Commission for Women launched a women's complaint office to receive gender-related complaints from domestic violence to discrimination.

Authorities prosecuted the 24 reported instances of homicides related to honor crimes that occurred during the year. Activists reported that additional honor crimes likely went unreported. An Information and Research Center study released on October 1 on the causes of honor crimes in the country showed a high correlation between poverty and education with honor crimes. The study found that 73 percent of victims since 2000 were classified as poor, a group that constituted only 30 percent of the country's population. The brother of the victim was the perpetrator in 76 percent of the cases and the father in 13 percent.

On July 28, the chief judge of the criminal courts announced the establishment of a special criminal court tribunal to hear all honor crime cases. In its first ruling on October 12, the tribunal issued a 15-year murder sentence to a 21-year-old man, convicted of stabbing and killing his married sister in the Jordan River Valley in 2008, because she allegedly slept with a man other than her husband. This sentence marked the first time a lower court issued a full murder sentence in an honor crime case without granting some form of leniency. On December 8, the tribunal issued the same sentence in its second honor crime case.

Prior to the tribunal's ruling, some lower courts handed down 15-year sentences for second-degree murder during the year; in every case the court immediately cut the sentence in half. Judges have the discretionary right, but not obligation, to reduce sentences by as much as half if the victim's family does not press charges, even if the perpetrator and victim are from the same family. In previous years the courts usually found perpetrators of honor killings guilty of a "crime of passion," which merited a maximum sentence of three years. Although defendants were almost always found guilty, they often received token sentences of no more than six months. The maximum sentences for first- and second-degree murder are death and 15 years' imprisonment, respectively.

Despite judicial efforts the government had no plan or program to change public attitudes toward honor crimes or to deter future killings, and it had made no legislative changes to strengthen sentencing guidelines. For instance, the penal code still allowed judges to use the "crime of passion" Article 98 when ruling on honor crime cases even when the crime was premeditated.

On March 20, in Zarqa a man beat to death his 19-year-old daughter with the assistance of two of her brothers. The woman's uncle reportedly had seen her wearing make-up in a location other than where she was supposed to be running errands. The father was charged with premeditated murder; the case was pending at year's end.

On October 17, in the Jordan River Valley, a man publicly stabbed his 24-year-old daughter 16 times on a main street and prevented passersby from approaching until the police arrived. Before the murder the man reportedly had his daughter examined by a doctor who determined she was pregnant out of wedlock. The father was charged with premeditated murder; the case was pending at year's end.

On January 28, a court sentenced the man who reportedly killed his 23-year-old sister in March 2008 in Azraq to six months in prison, the penalty applicable for a misdemeanor. The court concluded the act was committed in a "moment of rage." The man had seen her walking in a forested area with a houseguest. Because the man had already been detained more than six months, he was released immediately after the verdict.

Through the administrative detention authority granted to governors under the Crime Prevention Act, authorities continued to place potential victims of honor crimes in involuntary protective custody in Jweideh Correctional and Rehabilitation Center, a detention facility where some women have remained for more than 20 years. A woman detained in protective custody can be released only after her family signs a statement guaranteeing her safety and both the local governor and woman agree to the release. Despite the safety guarantee, some women were killed after their release from protective custody. For example, on July 9, a man killed his sister in East Amman shortly after she was released into his care. A human rights organization estimated that at year's end approximately five women were in protective custody. One NGO continued to work for the release of these women through mediation with their families. The NGO also provided a temporary but unofficial shelter for such women as an alternative to protective custody.

Prostitution is illegal, but police and citizens reported its occurrence in certain restaurants and nightclubs throughout the

country.

According to the law, sexual harassment is strictly prohibited. The law does not make a distinction between sexual assault and sexual harassment; both carry a minimum prison sentence of four years with hard labor. Women's groups stated that harassment was common, but victims were often hesitant to file a complaint and rarely did so because they often were blamed for inciting it, they feared losing their job, or they faced pressure to keep silent.

Couples have the basic right to decide freely and responsibly the number, spacing, and timing of their children. Contraceptives were generally accessible to all men and women and provided free of charge in public clinics. Almost 99 percent of births in the country take place in hospitals with trained professionals. Comprehensive essential obstetric, prenatal, and postnatal care is provided throughout the country in the public and private sectors. There is no discrimination against women for the diagnosis and treatment of HIV/AIDS and other sexually transmitted diseases.

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

Under Shari'a as applied in the country, female heirs receive half the amount that male heirs receive, and non-Muslim widows of Muslim spouses have no inheritance rights. A sole female heir receives half of her parents' estate; the balance goes to designated male relatives. A sole male heir inherits both of his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. The existing temporary divorce law allows women to seek divorces in return for waiving financial rights, alimony, or the retention of financial rights under specific circumstances, such as spousal abuse. In these cases the woman has the burden of proof. Special courts for each denomination adjudicate marriage and divorce for Christians.

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

Women's rights activists complained that the law granting women equal pay for equal work was not enforced. Many women said traditional social pressures discouraged them from pursuing professional careers, especially after marriage. During the year the official unemployment rate for women was 24 percent, compared with 13 percent for the country as a whole. A Jordanian National Council for Family Affairs study released on April 22 found that women were often denied basic labor rights, such as pay equality and working hours and conditions, as outlined in the labor law. The study called for legislative changes and awareness campaigns to inform women of their rights.

The law states that women have the right to obtain passports without the written permission of their husbands; unlike previous years there were no reports that authorities required a husband's permission.

Married women do not have the legal right to transmit citizenship to their children. Female citizens married to noncitizen men may pass citizenship to their children only with the permission of the cabinet; however, the public was widely unaware of this mechanism, and permission was usually not granted in cases in which the father was of Palestinian origin. Women may not petition for citizenship for their noncitizen husbands. The husbands must apply for citizenship after fulfilling a requirement of 15 years' continuous residency. Once the husbands have obtained citizenship, they may apply to transmit citizenship to their children. However, in practice such an application may take years, and the government may deny the application. Such children become stateless and lose the right to attend public school or to seek other government services if they do not hold legal residency, which must be applied for every year and is not guaranteed.

In one case during the year, a female citizen whose Egyptian husband died after falling at a construction site had to reapply annually for a residency permit for her three Egyptian citizen children to continue to live legally in the country with their mother and to access education and health services. The cost of applying for residency every year was a significant burden, and the government's approval was not a given.

#### Children

Only male citizens have the legal right to transmit citizenship to children. Children of female citizens and noncitizen husbands become stateless and lose the right to attend public school or to seek other government services if they do not hold legal residency, which must be applied for every year and is not guaranteed. The government did not issue birth certificates to all children born inside the country during the year. The government deemed some children--including children of unmarried women, certain interfaith marriages, and converts from Islam to another religion--illegitimate and denied them proper registration, making it difficult or impossible for them to attend school, access health services, or receive other documentation. In one such case during the year, a single mother had to bury illegally her baby who died during childbirth because she was unable to obtain a birth or death certificate.

Education is compulsory from ages six through 16 years and free until age 18; however, no legislation exists to enforce the law or to punish guardians for violating it.

During the year authorities received and investigated complaints of physical and sexual abuse of children. A February UN

Children's Fund report stated that 71 percent of children were subjected to verbal abuse and 57 percent had experienced some form of physical abuse in school. On November 18, the Council of Ministers approved amendments to civil service regulations that placed stiffer disciplinary measures, including salary deductions and termination, on those who used corporal punishment on children, including those in schools and juvenile centers.

Statistics on child abuse within households were not available. During the year two deaths caused by child abuse resulted in extensive media coverage of the issue, widespread community outrage, and calls for action. In February two-year-old Qusay died of a brain hemorrhage due to shaken baby syndrome. On April 8, a woman allegedly tortured and killed her five-year-old nephew, Yazan. Authorities were reportedly aware of the cases of both children before the injuries that caused their deaths. The PSD investigated both deaths, arrested suspected family members, and tried them for premeditated murder. The defendants remained in jail at year's end, pending the outcome of their court cases.

During the year former and current residents and parents of children in several MSD-operated juvenile rehabilitation centers and orphanages reported verbal and physical abuse of children by supervisors. For example, parents of children in an Irbid juvenile center and former residents of an orphanage in Madaba reported physical abuse of children. At year's end the MSD was investigating the complaints.

The law specifies punishment for abuses against children; for example, conviction for rape of a child younger than 15 years potentially carries the death penalty. However, local organizations working with abused children pointed to gaps in the legal system that regularly resulted in lenient sentencing. For example, the penal code gives judges the ability to halve a sentence when the victim's family does not press charges. In child abuse cases, judges routinely accorded leniency per the wishes of the family. Activists continued to call for stronger minimum penalties. On July 28, the chief justice of the Higher Judicial Council announced the formation of a child abuse tribunal consisting of existing criminal court judges that would hear all cases involving child abuse. On November 24, the tribunal sentenced a repeat child molester to 14 years in prison for molesting a 15-year-old boy in August 2008. The 24-year-old man used a gun and switchblade to threaten the child.

The National Council for Family Affairs and other local organizations stated that current legislation does not provide children sufficient protection from abuse, specifically citing the legal authorization for parents to discipline their children using force. The government continued to fund a child protection center that provided temporary shelter, medical care, and rehabilitation for abused children between the ages of six to 12 years old. During the year the shelter housed 74 abused children, of which 46 were new cases. By year's end the FPU handled 81 cases of child abuse and 435 cases of sexual assaults.

The current minimum age for marriage is 18 years old. With the consent of a judge and a guardian, a child as young as 15 years old, in most cases a girl, may be married, and this was a fairly common practice. In 2008 judicial statistics indicate that judges granted consent in 9,014 cases in which at least one person was between 15 and 18 years old. Instances of forced marriage as an alternative to a potential honor killing were reported in rural areas during the year.

#### Trafficking in Persons

On March 31, a new antitrafficking law came into effect, prohibiting trafficking in persons for both forced labor and sexual exploitation. Other statutes governing kidnapping, assault, rape, and fraud may also be used to prosecute trafficking offenses, including withholding passports and nonpayment of wages. International and local observers maintained that trafficking and forced labor of domestic workers remained a serious problem.

The country was a destination and transit point for men and women from South and Southeast Asia trafficked for forced labor, as well as a destination for women from Eastern Europe, Morocco, and Tunisia for prostitution. There were some reports of women from Morocco and Tunisia subjected to forced prostitution after arriving to work in restaurants and nightclubs.

Registered recruitment agencies that worked with agencies in source countries generally recruited domestic workers and foreign workers in the garment factories

The new antitrafficking law prescribes penalties of up to 10 years' imprisonment for forced prostitution or trafficking that involves aggravating circumstances such as trafficking of a child or trafficking involving a public official. Penalties for labor trafficking offenses that do not involve aggravating circumstances are limited to a minimum of six months' imprisonment and a maximum fine of 5,000 dinars (\$7,100). The government did not actively encourage victims to pursue investigation or prosecution of offenses, but the government investigated and prosecuted a few egregious cases during the year.

The National Committee for the Prevention of Human Trafficking is the primary body responsible for combating trafficking. The Committee is headed by the minister of justice and includes representatives from the MOI, PSD, NCHR, NCF, MFA, and ministries of labor (MOL), industry and trade, and health. During the year the ministries of justice, interior, and labor established antitrafficking units to coordinate their efforts. Within the PSD the Borders and Residency Department led efforts to identify and investigate trafficking. A small office in the PSD Prostitution Department focused on forced prostitution and forced labor in restaurants and nightclubs. The government approved a joint police-labor inspector trafficking in persons investigation unit during the year, but it was not fully operational at year's end.

The Department of State's annual *Trafficking in Persons Report* can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### Persons with Disabilities

The law provides equal rights to persons with disabilities, who numbered around 200,000, according to government and NGO estimates. The Higher Council for the Affairs of People with Disabilities works with government ministries, the private sector, and NGOs to formulate and implement strategies to assist persons with disabilities. On July 23, the council issued national accreditation standards for rehabilitation centers for persons with disabilities. According to the council there are more than 15,000 students with disabilities attending 255 specialized centers and schools.

Citizens and NGOs universally reported that persons with disabilities faced problems accessing education, transportation, and other services in rural areas. The Special Buildings Code Department is tasked to enforce accessibility provisions and oversees retrofitting of existing buildings to comply with building codes. Many private and public office buildings continued to have limited or no access for persons with disabilities.

The law mandates that public and private sector establishments with between 25 and 50 workers employ at least one person with disabilities, and establishments with more than 50 workers must reserve 2 percent of their positions for persons with disabilities. Local organizations received complaints from persons with disabilities regarding employers who discriminated against them.

The government provided monetary assistance to citizens with severe mental and multiple physical disabilities whose families earned less than 250 dinars (\$360) per month, and the Higher Council and local NGOs operated assistance programs. For example, the council pays a portion of education, training, or rehabilitation expenses for persons with disabilities.

#### National/Ethnic/Racial Minorities

There were three groups of Palestinians residing in the country, many of whom faced some discrimination. Those who migrated to the country and the Jordan-controlled West Bank after the 1948 Arab-Israeli war received full citizenship, as did those who migrated to the country after the 1967 war and hold no residency entitlement in the West Bank. Those still residing in the West Bank after 1967 were no longer eligible to claim full citizenship but were allowed to obtain temporary passports without national identification numbers, provided they did not also carry a Palestinian Authority travel document. These individuals had access to some government services but paid noncitizen rates at hospitals, educational institutions, and training centers. Refugees who fled Gaza after 1967 were not entitled to citizenship and were issued temporary passports without national numbers. These persons had no access to government services and were almost completely dependent on UNRWA services.

Several human rights organizations stated that the MOI revoked national numbers of many longtime citizens of Palestinian origin during the year despite codified passport issuance procedures (see section 2.d.).

Palestinians were underrepresented in parliament and senior positions in the government and the military, as well as in admission to public universities. They had limited access to university scholarships.

During the year there were reports of societal discrimination against Iraqis living in the country. Some employers reportedly refused to pay or underpaid Iraqis working illegally, and some landlords reportedly would not rent or sell to Iraqis.

#### Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexuality is not illegal in Jordan; however, societal discrimination against homosexuals existed. There were reports of individuals who left the country out of fear their families would punish them for their sexual orientation.

In March the municipality of Amman reportedly denied an application to establish a gay rights organization.

In October 2008 security forces arrested four gay men in a park in West Amman for "lewd acts" following a targeted operation by the police. The individuals were placed in solitary confinement in Jweidah Prison until they promised they would not carry out any such acts in the future.

#### Other Societal Violence or Discrimination

HIV/AIDS was a largely taboo subject. Lack of public awareness remained a problem; many citizens believed the disease exclusively affected foreigners and homosexuals. The government continued efforts to inform the public about the disease and to eliminate negative attitudes against persons with HIV/AIDS, including a media strategy launched in September. The government continued to test all foreigners annually for HIV/AIDS, hepatitis B, syphilis, malaria, and tuberculosis, and deported foreigners who tested HIV positive.

#### Section 7 Worker Rights

##### a. The Right of Association

The law provides citizens working in the private sector, in some government-owned companies, and in certain professions in the public sector the right to form and join unions, but in practice this right was restricted. According to official figures, more than 10 percent of the workforce was organized into 17 unions. Foreign workers were not permitted to join unions,

excluding the country's more than 300,000 registered foreign workers from any right of association. Some unions represented the interests of foreign workers informally; for example, the textile union provided medical and legal services to both migrant workers and citizens in textile factories.

Government influence in union policies and activities reportedly continued. The government required unions to be members of the General Federation of Jordanian Trade Unions (GFJTU), the sole trade union federation, and new unions must be approved by the MOL. The government subsidized and audited the GFJTU's salaries and activities, and it monitored union elections in the event of a complaint to ensure compliance with the law. Observers claimed the government continued to exercise influence over the GFJTU during the year.

The law permits workers to strike only under certain conditions, including a minimum 14 days' notice to the employer and the government. Strikes are prohibited if a labor dispute is under mediation or arbitration. In practice workers generally went on strike without notifying the government in advance, and the union or workers requested penalty waivers for the illegal strike as part of subsequent labor negotiations. During the year employees lodged 47 collective disputes, not all of which resulted in strikes; the parties resolved 33 through direct negotiation, and the remainder were resolved by a single mediator, a council, the Ministry of Labor (MOL), or a court.

During the year the gendarmerie broke up several strikes deemed illegal due to lack of prior notice and briefly detained some strikers.

On July 31, gendarmerie forces used excessive force to break up a sit-in by workers at the general cargo port in Aqaba. Workers held the two-day sit-in to protest job losses and a housing compensation agreement connected to the sale of the port. One worker was severely injured and three suffered minor injuries. The gendarmerie briefly detained 65 protesters and in mid-August detained the protesters' official spokesman for one day. The Aqaba governor, responsible for security matters in the governorate, said the sit-in was illegal because the government had not previously approved the event, and he maintained that the gendarmerie used force only when protesters began to violate public safety. Other observers indicated that the protesters were peaceful. A joint PSD and gendarmerie investigation was launched after the incident and continued at year's end.

#### b. The Right to Organize and Bargain Collectively

Unions have the right to bargain collectively, and in practice the government respected this right, although observers stated that unions did not use such practices as often or as effectively as they should. The constitution prohibits antiunion discrimination, and the MOL received no complaints of antiunion discrimination during the year.

Nearly 76 percent of the workers in the Qualified Industrial Zones (QIZs) were noncitizens and thus were not permitted to form or participate in unions or to engage in collective bargaining.

#### c. Prohibition of Forced or Compulsory Labor

The constitution prohibits forced or compulsory labor, except in a state of emergency such as war or natural disaster, but there were reports of forced labor, particularly of domestic workers. With the passage of new domestic worker regulations in August (see section 6, Trafficking in Persons), labor inspectors have the authority to inspect a labor complaint in a private home only after receiving the employer's permission or with a court order. Domestic workers can file complaints with the MOL's Domestic Workers Directorate or the PSD.

Women, including minors with forged documents, from countries including Sri Lanka, Indonesia, and the Philippines migrated to work as domestic servants, but some were subjected to conditions of forced labor, such as withholding of passports, restrictions on movement, nonpayment of wages, threats, excessively long working hours, and physical or sexual abuse. During the year the government of the Philippines continued to enforce a ban on new workers migrating for domestic work because of a high rate of abuse of domestic workers from the Philippines by employers in the country. At year's end an estimated 400 domestic workers from the Philippines, Indonesia, and Sri Lanka were sheltered at their respective embassies in Amman; most had reportedly fled some form of forced labor.

Some Chinese, Bangladeshi, Indian, Sri Lankan, and Vietnamese men and women encountered conditions of forced labor in a few garment factories, including unlawful withholding of passports and late or nonpayment of wages and overtime. However, reports of forced labor conditions in garment factories continued to decrease substantially from previous years, and the government actively inspected factories and investigated allegations of forced labor in garment factories. The MOL required violators to resolve the problem satisfactorily per the labor law and other governing legislation and to pay fines when it deemed appropriate. The MOL also publicized the outcomes of its findings.

On August 25, the cabinet approved two new sets of regulations establishing rights and working conditions for foreign domestic workers and governing the operation of recruitment agencies; both measures were intended to assist in combating trafficking. The domestic worker regulations established the rights and working conditions for domestic workers, including working hours, annual and sick leave, contact with family in the source country, and freedom of religion. The regulations also include employer protections. Local activists, while recognizing the regulations as a step to protect the

rights of domestic workers, questioned the government's ability to enforce the rights due to insufficient personnel in the labor inspectorate and employers' right to refuse investigations. Some activists also questioned the provision requiring domestic workers to obtain permission from their employer to leave the home for any reason. Labor inspectors had authority to investigate complaints only with the employer's permission; absent permission, inspectors must obtain a warrant. Recruitment agency regulations allow for greater monitoring and enforcement by labor inspectors and place more stringent registration requirements on agencies, including a minimum of six employees (including a manager with a university degree), a 100,000 dinar (\$142,100) bank guarantee, and a 30,000 dinar (\$42,600) capital requirement.

The government provided no formal protective services specifically for victims of trafficking. A few local NGOs and embassies offered limited services. During the year the MSD women's shelter housed a small number of sexually assaulted domestic workers. Some foreign workers who fled from abusive employers or faced sexual assault were falsely charged with crimes by their employer or put into "protective custody." Some source country embassies operated their own shelters for domestic workers fleeing their employers.

Government efforts to increase awareness of trafficking in persons, especially of domestic workers, were minimal during the year. The MOL continued a few initiatives to prevent trafficking efforts, including distribution of a guidebook for domestic workers on their rights and operation of a multilanguage abuse prevention hotline.

#### d. Prohibition of Child Labor and Minimum Age for Employment

The labor law forbids employment for children younger than 16 years of age, except as apprentices, but there were reports of child labor. Children worked in mechanical repair, agriculture and fishing, construction, and hotels and restaurants, as well as in the informal sector as street vendors, carpenters, blacksmiths, domestic workers, and painters, and in small family businesses. Child labor was reportedly concentrated in larger cities, such as Amman, Zarqa, and Irbid. A 2008 Department of Statistics study estimated the number of working children between the ages of five to 17 years old at more than 32,000. Activists estimated the number to be higher, as many businesses and families tended to hide the practice.

Children younger than 18 years old may not work for more than six hours per day, between the hours of 8 p.m. and 6 a.m., or during weekends, religious celebrations, or national holidays. Children younger than 18 years old may not work in hazardous occupations. The law provides that employers who hire a child younger than 16 must pay a fine of as much as 500 dinars (\$710), which is doubled for repeat offenses.

A 2007 MOL study estimated that 13 percent of working children in the country were subjected to some form of forced labor, and 16 percent earned 50 dinars (\$71) or less per month. The average monthly salary was 81 dinars (\$115). The study stated that heavy machinery, noise pollution, poor lighting, and exposure to chemicals were common risks working children faced.

The government's capacity to implement and enforce child labor laws was not sufficient to deter the practice. The MOL's Child Labor Unit coordinates government action regarding child labor and receives, investigates, and addresses child labor complaints. The unit had two employees and was unable to carry out its responsibilities effectively. During the year the government reinstated the National Committee to Combat Child Labor and initiated development of a new national strategy. During the year a foreign NGO trained 48 MOL inspectors on child labor issues, including identification of child labor. Labor inspectors have issued fines for child labor violations, but stated they often attempted alternative approaches first, such as ensuring safe work conditions and cooperating with employers to permit working children to attend school concurrently.

#### e. Acceptable Conditions of Work

On January 1, the national minimum wage increased from 110 dinars (\$156) to 150 dinars (\$213) per month, which did not provide a decent standard of living for a worker and family. A tripartite committee, composed of government, private sector, and employee representatives, determined the minimum wage after taking into consideration a range of economic and social factors. The increased minimum wage did not apply to workers in the garment sector, whether they were citizens or foreigners, or to domestic workers; however, the MOL and the garment exporters association agreed to a nonbinding understanding that textile workers would receive a 40 dinar (\$57) monthly allowance, in addition to company-provided housing and food. MOL inspectors enforced the minimum wage but due to limited resources were unable to ensure full compliance.

In some cases the law requires overtime pay for hours worked in excess of the 48-hour standard workweek. The law prohibits compulsory overtime but allows the employer to require the employee to work more than 48 hours a week for specific purposes such as annual inventory, closing accounts, preparing to sell goods at discounted prices, avoiding loss to goods that would otherwise be exposed to damage, and receiving special deliveries. In such cases actual working hours may not exceed 10 hours per day, the employee must be paid overtime, and the period may not last more than 30 days. Employees can lodge a complaint directly with the MOL or through organizations such as their union or the NCHR. Employees are entitled to one day off per week. Provisions for domestic and agricultural workers, placed under the labor law in 2008, were similar. A study by the Phoenix Center for Economic and Information Studies released on September 7 revealed that many workers in the private sector worked excessive hours and did not receive sick and annual leave as stipulated in the labor law.

The law specifies a number of health and safety requirements that the MOL is authorized to enforce. Workers do not have a statutory right to remove themselves from hazardous conditions without risking the loss of their jobs. Foreign workers were more susceptible to dangerous or unfair conditions (see section 6.c.).

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