



## **Jordan – Researched and compiled by the Refugee Documentation Centre of Ireland on 19 July 2011**

### **Information on honour killings, in particular reprisals for marrying against families wishes; lack of state protection; difficulty of relocation; attitudes towards single women with children.**

A report by the *United States Department of State* under the heading 'Women' states:

“Authorities prosecuted 16 officially reported instances of homicides related to "honor" crimes that occurred over the past three years. Activists reported that many such crimes went unreported. An Information and Research Center study released in October 2009 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.

In July 2009 the government established a specialized section within the criminal courts to hear all cases of "honor" crimes. During the year the court sentenced 15 perpetrators to 10 years in prison and one perpetrator to five years in prison. In most cases during the year, the family dropped the criminal charges, and the court issued a sentence of 10 years' imprisonment. Judges have the discretionary right, but not an 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.

Prior to the creation of the specialized unit within the criminal court, some lower courts handed down 15-year sentences for second-degree murder, but in every case the court immediately cut the sentence in half. 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 sentence for first-degree murder is death.” (United States Department of State (8 April 2011) *2010 Human Rights Report: Jordan*)

This report states:

“On June 1 in East Amman, a man stabbed his sister 30 times on a busy street with the assistance of his 19-year-old cousin. The brother suspected that his sister was pregnant. The victim was rushed to the hospital where she was declared dead on arrival. The prosecutor general charged the brother and cousin with premeditated murder, and at year's end the case was pending.

On July 23 in Deir Alla, a man shot and killed his 16-year-old niece with a machine gun at her wedding, confessing he did it to "cleanse his family's honor" over suspicions the girl had lost her virginity a month earlier. The father and husband pressed criminal charges against the perpetrator; the case was pending at year's end.

At year's end the March 2009 case of a man in Zarqa who beat to death his 19-year-old daughter with the assistance of two of her brothers remained pending at the criminal court.

On April 23, the criminal court convicted and sentenced a man to 15 years in prison for publicly stabbing his 24-year-old daughter 16 times on a main street in October 2009. The court reduced his sentence to 10 years because the family dropped the charges." (ibid)

It also states:

"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 the Women's Correctional and Rehabilitation Center in Jweideh, a detention facility where some women had remained for more than four 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 the woman agree to the release. During the year the government released a number of women who had been detained for more than 10 years. Unlike in previous years, there were no cases of women being killed after release from protective custody. A human rights organization estimated that approximately 12 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" (ibid)

In a section titled 'Children' it states:

"According to the May 2010 Jordan Population and Family Health Survey conducted in 2009, 6 percent of persons between ages 15 and 19 were married, the majority of those having been married between the ages of 17 and 19. Instances of forced marriage as an alternative to a potential honor killing were reported in rural areas during the year. Observers note that, if a woman marries her rapist, according to customary belief, her family members would not need to kill her to "preserve the family's honor." (ibid)

In a section titled 'Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons' it states:

"The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, there were some restrictions.... Some mothers claimed that they were prevented from departing the country with their children because authorities enforced requests from fathers to prevent their children from leaving. However, authorities did not stop fathers from exiting the country with their children when the mother objected. There were reports some women were required to obtain the permission of either their husband or father in order to acquire or renew a passport, despite the 2003 Passport Law, which stipulates that women do not need a custodian to renew passports... "(ibid)

A report by *Amnesty International* under the heading 'Violence and discrimination against women and girls' states:

"Women continued to be victims of "honour" killings, with at least 15 such cases reported. The government introduced temporary amendments to the Penal Code to prevent leniency in sentencing men convicted of killing female relatives in the name

of family "honour", including to Article 98 which allows reduced sentences for those who kill in a "fit of rage caused by an unlawful or dangerous act on the part of the victim". However, the Court of Cassation sent two such cases back to the Criminal Court for it to consider reducing the sentences in accordance with Article 98." (Amnesty International (13 May 2011) *Annual Report 2011 Jordan*)

A report by *Human Rights Watch* under the heading 'Women's and Girls' Rights' states:

"On May 3, 2010, the government decreed amendments to the penal code to ensure that perpetrators of so-called "honor" crimes receive the full penalty of the law for killing female relatives suspected of illicit relationships. The new article 345 bis excludes consideration of mitigating circumstances for committing crimes in a "state of fury" (art. 98) if the victim is under 15 or female. According to Rana Hussein of The Jordan Times, there were 12 recorded "honor" killings in Jordan from January to November of 2010." (Human Rights Watch (24 January 2011) *World Report 2011: Jordan*)

Another report by *Human Rights Watch* states:

"Beirut) - Jordan should reform penal code provisions that effectively reduce or eliminate punishment for violence against women instead of establishing special tribunals to hear "honor killings" cases, Human Rights Watch said in a letter to the Jordanian Ministry of Justice on August 10, 2009.

On August 12, the Jordan Times reported the 14th such killing this year, of a 16-year-old girl by her 39-year-old uncle to "cleanse his family's honor." He shot the girl after learning that his sons had raped her and that she had a child by one of them. Under Jordanian law, murder of a relative believed to be engaged in extramarital sex carries a reduced sentence.

"The current law is nothing less than an endorsement for murdering women and girls," said Nadya Khalife, women's rights researcher at Human Rights Watch. "The women of Jordan need protection from these vicious acts enshrined in law, not preferential treatment for their killers." (Human Rights Watch (8 September 2009) *Jordan: Tribunals No Substitute for Reforms on 'Honor Killings'*)

It also states:

"Last month, the Justice Ministry announced, in response to pressure from women's groups, that it would establish a special tribunal to hear these cases. But special tribunals are not an adequate solution, Human Rights Watch said in its letter, when discriminatory penal code provisions effectively sanction the violence with exemptions and lighter sentences for "honor" crimes. Human Rights Watch urged Jordan to eliminate these exceptions from the penal code.

The portions of the penal code in question include Article 340, which reduces the sentence for killing a relative caught in an "illicit" sexual act (sex outside marriage). Furthermore, Article 98 provides for reduced sentences if the perpetrator committed his crime in a state of extreme "rage." In addition, when the victim's family, which, in "honor" crimes, of course, is also the perpetrator's family, waives its personal right to litigate, then courts have also reduced sentences by up to half based on "extenuating" circumstances provided in articles 99 and 100 of the penal code. However, those articles say nothing about private rights, and it appears that courts

have wide discretion to invoke an absence of private rights litigation in order to make a finding of extenuating circumstances warranting a reduced sentence. Efforts to reform the penal code in 1999 and 2000 to address the issue failed due to the obstruction of the Jordanian Lower House of Parliament." (ibid)

A report by *Agence France Presse* states:

"A married 36-year-old woman in Jordan was stabbed to death by two of her brothers over a suspected extra-marital affair, a police source said on Saturday.

She was stabbed more than 17 times with a knife while she was sleeping at her parents' home in the western Amman suburb of Naur on Friday, the source said.

He added that two of her four brothers confessed to the crime and referred to a "sex case" involving their sister." (Agence France Presse (10 July 2010) *Men stab sister to death in Jordan 'honour killing'*)

It also states:

"Between 15 and 20 women are murdered in Jordan each year, often by close relatives in so-called "honour killings" despite government efforts to curb such crimes." (ibid)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

### References:

Agence France Presse (10 July 2010) *Men stab sister to death in Jordan 'honour killing'*

<http://www.lexisnexis.com>

(Accessed 19 July 2011)

This is a subscription database.

Amnesty International (13 May 2011) *Annual Report 2011 Jordan*

<http://www.amnesty.org/en/region/jordan/report-2011>

(Accessed 18 July 2011)

Human Rights Watch (24 January 2011) *World Report 2011: Jordan*

<http://www.hrw.org/en/world-report-2011/jordan>

(Accessed 18 July 2011)

Human Rights Watch (8 September 2009) *Jordan: Tribunals No Substitute for Reforms on 'Honor Killings'*

<http://www.hrw.org/en/news/2009/09/01/jordan-tribunals-no-substitute-reforms-honor-killings?print>

(Accessed 19 July 2011)

United States Department of State (8 April 2011) *2010 Human Rights Report: Jordan*

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154464.htm>

(Accessed 18 July 2011)

**Sources Consulted:**

Amnesty International

Electronic Immigration Network

European Country of Origin Information Network

Freedom House

Human Rights Watch

Immigration and Refugee Board of Canada

Integrated Regional Information Network

Lexis Nexis

United Kingdom Home Office

UN Committee on the Elimination of Discrimination Against Women (CEDAW)

UNHCR Refworld

United Nations Human Rights Committee

United States Department of State