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Calls for action as 'honour' killings in Jordan show sharp increase

As part of 16-day campaign against gender violence, activists demand stronger penalties for 'honour' crimes and an end to imprisonment of at-risk women

By Olivia Cuthbert

The Guardian (09.12.2016) - <http://bit.ly/2qHNJkX> - On 8 October, an 18-year-old man from the Jordanian city of Madaba was charged with killing his sister as she slept after allegedly finding her with a mobile phone the family didn't know about. Five days later, two brothers were charged with murdering their sisters aged 27 and 34 at a farm on the outskirts of Jordan's capital, Amman.

The victims were among five women killed during one week in Jordan for reasons related to family "honour". Thirty-eight women have been victims of "honour" killings this year. The country typically reports between 15 and 20 such crimes a year, according to Human Rights Watch.

Women's rights activists have used the 16 days of activism against gender-based violence, which ends on Saturday, to call for stronger penalties against the perpetrators of "honour" crimes and to end the practice of imprisoning women at risk of being killed for their own protection.

In Jordan, women considered to be at risk can be detained indefinitely under the country's 1954 Crime Prevention Law. Some spend years in prison before being granted release, which usually requires signed assurances from their families that they will not be harmed.

"It's actually a violation of the constitution because freedom of movement is a constitutional right," said Hadeel Abdul Aziz, executive director at the Justice Centre for Legal Aid in Jordan.

A 2014 report by Dignity, the Danish Institute Against Torture, on Conditions for Women in Detention in Jordan described how some women have resorted to "extreme and degrading measures, such as marrying men who have raped them in order to be released".

"These are the saddest stories of all," said Asma Khader, executive director of the Sisterhood Is Global Institute's (Sigi) Jordan chapter, which provides legal, financial and psychosocial support to women in administrative detention. "Instead of protecting and supporting her, she is threatened [by relatives] as a person who has brought shame on the family and, in some cases, forced to marry her attacker."

For many women in protective custody, marriage is the only route to release. Asheel, 30, spent seven months in detention after fleeing violent abuse at home. "At first being in prison seemed better than the beatings, but I was always afraid and there was nothing there to distract me from the worry. My options were to stay in prison or be married, so I preferred to marry. A lot of other girls did the same."

Asheel's husband is poor and they have little to live on, but he treats her and their children well. "I am happy now but I want all this to be deleted from my memory. I don't wish any woman to face what has happened to me in my life."

Sigi regularly visits women in protective custody at the Juweida women's correctional and rehabilitation centre, to try to broker their release. This involves working with government bodies and families.

If the risk is from the father or brother, Sigi approaches family members who can influence them and prevent any attack.

"Unfortunately, we are not a forgiving society. For men particularly, the sense of shame lingers," said Rana Sundos, programme and activities manager at Sigi. She added that "honour" crimes have sometimes been committed many years after a woman's release. She recalls the sad outcome of a case involving a teenage girl who was placed in protective custody after the family threatened to kill her. She had become pregnant following an alleged assault.

"While she was in prison, the family came to the governor and signed a letter promising not to kill her, and she was released into their care. Within a few days, the brother had carried out the crime." He bowed to pressure from relatives, said Sundos. "He told us: inside I loved my sister, she was the youngest, the fruit of our family. I didn't want to kill her, but they said if you want to be a man, you must."

A petition launched by the Jordanian National Commission for Women (JNCW) last month to "stop murder crimes committed against women and girls" outlined the need for legal reform. It highlighted articles 340 and 98 of the penal code, which grant judges discretion to reduce sentences for the perpetrators of "honour" crimes in mitigating circumstances – including adultery and crimes committed in a fit of anger. The petition also called for an end to the detention of women for protective purposes.

"The presence of these articles contributes to the continuation of social attitudes that view the body of women as a vessel for family honour," said Salma Nims, the JNCW's secretary general.

Last week the country's Iftaa' Department, which is responsible for religious decrees, issued a fatwa for the first time, prohibiting the murder of women in the name of "honour".

The government has also announced plans to open a shelter in which women can stay for protection, rather than go to jail. "We realise that these women deserve a better place to stay in than prison, and that is why we are opening a shelter for them," Mohammad Ensour, director of the human rights and family affairs department at the justice ministry told the Jordan Times.

"We welcome this development, but the most important thing is to keep the location secret," said Khader. While lives have been saved and many women released as a result of Sigi's efforts, these women, she said, "are only partly free, because they can never walk outside without the fear that someone who knows them will be in the street".

* Names have been changed to protect identities

Jordan on the brink of repealing law allowing rapists to marry their victims to escape punishment

Royal committee has recommended archaic legislation contravening women's human rights is abolished by parliament

By Bethan McKernan

The Independent (29.03.2017) - <http://ind.pn/2nMVgBi> - Women in Jordan are holding their breath in the hopes that King Abdullah II will repeal a law that allows rapists to walk free as long as they marry the survivor.

A royal judiciary committee recently recommended that Article 308 of Jordan's penal code - which shields rape, statutory rape and kidnap perpetrators from prosecution if they marry their victims- be abolished by the King, who heads both Jordan's judiciary and parliament.

The decision could come at any time.

Jordanian law currently says that rape is punishable by up to seven years in prison or capital punishment if the victim is aged 15 or under. The outdated statute, however, creates a loophole which suspends any criminal prosecution if the two people involved get married for a minimum of three years.

According to figures from Jordan's ministry of justice, 159 rapists avoided punishment by marrying their victims between 2010 - 2013, and 300 rapes were recorded annually on average during the same period - although activists point out the true figure is likely to be chronically underreported in a country where extramarital sex is taboo.

In extreme cases, women in Jordan who report rape can be murdered in so-called 'honour killings'.

"It's 2017. How can a rapist be allowed to go free and at the same time make a girl or a woman's life living hell?" Suad Abu-Dayyeh, feminist campaign group Equality Now's Middle East and North Africa Consultant said over the phone from Amman.

Equality Now has worked with Noor - a pseudonym - who at the age of 20 became pregnant after being drugged and raped by her employer, a man in his 50s.

"I couldn't tell my family what had happened. I cried and cried not knowing what to do... He tried to make me calm by saying I will marry you and he promised to go and ask for my hand. In order to make me more confident, he brought a piece of paper and we both signed on as a marriage contract," she said.

While Noor was unwilling to marry her rapist, on realising she was pregnant she felt like she had no choice.

"With all the hatred I have in my heart, my family forced me to marry him so as to save the 'family's honour,'" she said.

"I married him and I moved to live with him with all the negative memories of rape and deception. I thought that my life with my baby might make me happy, but I was very wrong; my situation deteriorated. My only hope from marrying him was to make my baby safe."

Noor, with legal counsel, has since filed for divorce from her rapist, but faces a battle in court to ensure the man legally recognises and accepts custody of their child.

"When a man is allowed to marry his victim, the circle of abuse can continue with further emotional trauma, attacks and neglect," Ms Abu-Dayyeh said.

"She will be more exposed to domestic violence and sexual assaults, and is likely to have restricted movement and a lack of power in decision making.

"Meanwhile, the man is rewarded rather than punished for his actions."

Similar marriage clauses are present in the law regarding sexual consent in many modern Muslim states. They are usually hangovers from interpretations of Sharia, or religious law.

In recent years such loopholes have come under under intensified scrutiny, with protests aimed at getting the law changed in several countries across the Middle East - although Turkey abandoned attempts last year to pass a law that would have allowed men who had sex with underage children to be pardoned if they married the victim after the proposed legislation caused outrage both within the country and internationally.

Rape and sexual abuse affect nearly one billion women and girls over their lifetimes, UN data says.

Equality Now is hopeful that a repeal in Jordan will be another "positive example" for women's rights in the region, Ms Abu-Dayyeh said.

In recent years, Morocco, Egypt and Ethiopia have closed similar legislative loopholes, and changes to the law are pending in both Lebanon and Bahrain.