I G L H R C

INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISION

ASYLUM DOCUMENTATION PROGRAM / SF

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COUNTRY PACKET
SUPPORTING DOCUMENTATION FOR ASYLUM CLAIMS

Jordan #2

(1997-2000)

STATUS OF SEXUAL MINORITIES

Table of contents:

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Double sided pages:

Date: Fri, 14 Jan 2000 11:12:22 -0800 (PST)
From: Rex Wockner <rwockner@netcom.com>
Subject: NC11724: To be lesbian and Jordanian
To: Rex Wockner <rwockner@netcom.com>

^^

Do not publish this item in any form without permission from the originating media operation. Do not post this item in any online forum. This is a small, free mailing list open only to my friends.

^^

Salt Lake Tribune
January 14, 2000
Salt Lake City, Utah
http://www.sltrib.com

Jordanian Woman Says Her Family Beat Her Because She Is Lesbian

BY STEPHEN HUNT, THE SALT LAKE TRIBUNE

The youngest daughter of the Hawatmeh family in Sandy ^ transplants from the Middle East ^ testified that her family kidnapped her and tried to send her to Jordan because they were ashamed of her lesbian lifestyle.

For a year, 23-year-old Muna Hawatmeh's father, mother and two brothers had cajoled, pleaded and threatened her, she testified during a 3rd District Court preliminary hearing this week.

On Oct. 14, family members beat and kicked Hawatmeh for four hours ^ finally deciding they must kill her, the woman said.

"We have no solution for you," Hawatmeh quoted her father as saying. "It is better if you die."

She said her father had earlier told her: "You have shamed us in front of other people."

Hawatmeh said her family spared her life only after she kissed her father's feet, promised to give up being a lesbian and tearfully asked to return to Jordan.

"Did you want to go?" asked prosecutor Rodwick Ybarra.

"I didn't have any other choice," she answered.

Hawatmeh's brothers, Iehab Hawatmeh, 32, Shaher Hawatmeh, 33; her father, Jamil Hawatmeh, 64; and her mother, Wedad Hawatmeh, 54, are charged with first-degree felony aggravated kidnapping and third-degree felony aggravated assault. Their preliminary hearing on the charges continues next Thursday.

In Jordan and other Arab countries, women suspected of engaging in premarital sex have been murdered by male relatives to preserve family honor, according to UNIFEM, a United Nations women's rights group. The

so-called honor killings account for about 25 percent of Jordan's homicide rate but are not considered murder under that country's penal code.

But Middle Eastern attitudes about homosexuality are unclear because people there don't talk about it, said Farid Abdel-Nour, a visiting professor of political science at the University of Utah.

"It does not emerge as a social issue of discussion, as it does here," said Abdel-Nour, who grew up on the West Bank in the Palestinian sector of Israel.

But for immigrants trying to assimilate to American culture, homosexuality could be viewed as a barrier to acceptance here, he said. On the other hand, many immigrants perceive Americans as lacking morals and fear the Americanization of their children.

Muna testified that after she was beaten, she spent the night under the watch of her parents. The next morning, she said, her brother ordered her to pack her suitcases for the trip to Jordan.

But on the way to Salt Lake City International Airport, the family drove past Muna's lover, who called Sandy police, who in turn called the brother on his cell phone and told him to return to Sandy.

Muna said she promised her brother she would lie, but at the police station, "I couldn't hold it in," she said.

An examination by an emergency room doctor revealed numerous bruises on Muna's arms and legs.

Defense attorney Walter Bugden suggested Muna lied about the attack, and asked if she was aware her family faced mandatory prison terms of up to life.

Prosecutor Ybarra objected to the question and 3rd District Judge William Barrett sustained his objection. Still, the defense attorney later referred to the penalties.

Iehab Hawatmeh ˆ an electronic and computer engineer and president of a computer-chip manufacturing business employing 200 people ˆ has said he and his family are innocent. He said Muna was "unstable, confused, depressed," and at one time suicidal. He said he was taking her to San Francisco to visit their sister.

Speaking without an interpreter, Muna testified she had come to Utah four years ago and worked at her brother's company and attended community college.

She said she moved out of her parents' home in December 1998 to live with Leticia Rivera, "my friend, my partner ˆ my lover."

Muna said her mother repeatedly told her, "You'll kill me," and blamed Muna for her father's stroke.

In October 1999, Muna said, she came to an agreement with Iehab to spend weekdays at the family home. But when Muna returned there on Oct. 13, she said Iehab slapped her face, knocking her to the floor. Muna testified her mother and brother Shaher repeatedly kicked her and demanded

to know, "Are you a lesbian?"

For the next four hours, Muna said, her two brothers continued kicking and hitting her. Her father hit her once or twice, at Iehab's insistence, while the brother held her arms, she testified.

She said Shaher brandished a large knife, saying, "You're gonna die tonight. You're gonna go to hell."

Muna said she could barely walk after the beating. "My whole body was destroyed," she said.

On cross-examination, defense attorney Earl Xaiz reminded Muna she was the one who had suggested leaving Utah.

"When you offered to go to Jordan, no one had offered to take you there?" he asked.

"True," Muna replied.

Attorney Bugden noted that on Dec. 17, 1998, Muna had obtained a protective order against her family, and three days later reported to Provo police that Iehab had violated the order by telephoning.

Bugden then asked Muna why, just five days later, she had spent Christmas at the family home?

"To work out something together," she said. "I was always trying to work something out."

Date: Mon, 3 Aug 1998 13:36:47 -0700 (PDT)
From: Rex Wockner <rwockner@netcom.com>
Subject: NC7730: Action Alert from Jordan
To: rwockner@netcom.com

Ramzi Zakharia
ramzi@leb.net
Gay and Lesbian Arab Society
http://www.glas.org

This is an appeal for immediate action.

Arabia.com is a popular daily web site published in Amman, Jordan. Because of their quality and consistent update, it has gained popularity and became one of the most respected and visited sites in the Arab world.

Recently they published a series of articles on Gay life in the Arab world. The articles were written in a positive and informative fashion.

The articles appeared in the weekend edition (7/30) and was to remain on line for another week in one of their sections. In less then 24 hours of publication, the articles were pulled off with no explanation.

The editors have yet to explain their action. We contacted the writer and some of the contributors who informed us that no reason was given to them either about that decision. A staff member directly involved in the story has resigned.

Please help us send a message to Arabia.com that on-line bigotry will not be tolerated. Write to the editor at khaldoon@arabia.com and at info@arabia.com

Please help us spread that message as fast as possible. Based on their reaction, we shall take further action.

Thanks
Ramzi Zakharia
ramzi@leb.net
Gay and Lesbian Arab Society
http://www.glas.org

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Amnesty International United Kingdom
99-119 Rosebery Avenue
LONDON EC1R 4RE

This report is based on documentary material researched by the International Secretariat of Amnesty International. Some material contained in this book was previously published in the United States and Canada in February 1994 by Amnesty International USA. The text has been substantially revised and updated, and contains additional introductory material.

Grateful thanks are due for assistance with this book to Ignacio Saiz and Adrian Sanchez of the Research Department of Amnesty International, to Stonewall and Gay Times for help with pictures and information, to Simon Russell of the Refugee Legal Unit and to Shirley Armstrong, producer of the Amnesty International Netherlands video, Breaking the Silence.

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BREAKING THE SILENCE

Human Rights Violations Based on Sexual Orientation

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30
Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

APPENDIX

ROUGH GUIDE TO NATIONAL LEGISLATION ROUND THE WORLD ON THE LEGALITY OF HOMOSEXUAL ACTS

(This is not a definitive survey, but a rough guide to the state of legislation in relation to the criminalisation of homosexual acts in different countries. The survey is based largely on non-Amnesty International sources, and is, by its very nature, imprecise, partly because of the difficulty of access to information on law and practice on this issue in some countries, and partly because of the impossibility of comparing and matching very different legislative terms, definitions and arrangements.)

Sources

I Index on Censorship: Laura Bruin 1995
p The Third Pink Book (1993)
gl International Lesbian and Gay Association
h Charles Humana. Human Rights Guide 1989
a Recent Amnesty International information

COUNTRY	LAW includes date of decriminalisation, or Penal Code Article, and maximum sentence available if known	SOURCE
Afghanistan	Illegal for men and women. Sharia Law applies	I
Albania	Legal since 1994	a
Algeria	Illegal for men and women S. 338 3 years	I

Georgia	illegal for men Art. 121	l
Germany	Legal	l
Ghana	Illegal for men	l
Greece	Legal	l
Guinnea	No legal information available	p
Guinea Bissau	No legal information available	p
Grenada	No information obtained	
Guatamala	Legal	l
Guyana	Illegal for men S. 353 – possible life imprisonment S.242: buggery – 10 years S. 351: attempted buggery – 2 years	l
Haiti	Legal	l
Honduras	Legal	l
Hong Kong	Legal since 1991	l
Hungary	Legal since 1961	l
Iceland	Legal from age 14	
India	Illegal for men S. 377: "Unnatural act against the order of nature" – life, beating with lathi, or fine	l
Indonesia	Not mentioned in law as such	l
Iran	Illegal for men and women	l

	Sharia Articles 139 - 156 – execution including death by stoning, or cleaving in two; amputation of hands or feet, whipping	
Iraq	Not mentioned in law as such	gl
Ireland	Legal since 1993	a
Israel	Legal since 1988	l
Italy	Legal since 1889	l
Ivory Coast	Not mentioned in law as such	p
Jamaica	Illegal for men S. 76-9 – 10 years	gl
Jordan	Illegal for men	l
Kazakhstan	Legal since 1993	a
Kenya	Illegal for men S. 162 - 5: "carnal knowledge against the order of nature" – 14 years + corporal punishment	l
Kiribati	Illegal for men S.153 : buggery – 14 years S.155 : attempted buggery – 7 years S.155: gross indecency, private or public – 5 years	gl
Korea, Republic of	No information obtained	
Korea, Democratic Republic of	No information obtained	p
Kuwait	Illegal for men and women Sharia Laws apply	gl

THE INTERNATIONAL LESBIAN AND GAY ASSOCIATION

WORLD LEGAL SURVEY

Country: Jordan			Region: Middle East
Background	Sexual Behaviour	Association/Expression	Anti-Discrimination
Employment	Partnership/Marriage	Parenting	Asylum
Transgender	Street Violence and Police Harassment		HIV/AIDS

Source/Verification:

*Background information, government attitudes, country situation

20th October 1999: For one Jordanian family's reaction to their daughter's lesbianism, see: "Family Allegedly Tried to Kidnap Daughter to Jordan"

9.95: At UN 4th Conference on Women in Beijing opposed the (unsuccessful) proposal for inclusion of references to "sexual orientation" in the draft "Platform for Action" (DS)

Go to top

*Laws covering sexual activity

Status

Same-sex male	Legal	Same-sex female	Legal

Description of discriminatory sexual offence laws and their application

"The Penal Code of 1951 makes no distinction between sexual intercourse by persons of the same sex or persons of different sexes." (Schmitt and Soefer – "Sexuality and Eroticism among Males in Moslem Societies")

[the Pink Book states that homosexuality is illegal. However Soefer would seem more authoritative and we have no reports of any change between the time of his research and the date of the Pink Book]

Age of consent

Same-sex male	16	Same-sex female	16

Heterosexual	16	

"Article 298 punishes sexual intercourse with persons under the age of 16 (male or female) by forced labour for three to five years, while the punishment for sex with male or female under the age of 13 must not be less than five years imprisonment" (Schmitt and Sofer – "Sexuality and Eroticism among Males in Moslem Societies")

Go to top

*Denial of Freedom of Association and Expression

Freedom of Association:

Freedom of Expression/Censorship:

"Arabia.com is a popular daily web site published in Amman, Jordan. Because of their quality and consistent update, it has gained popularity and became one oh the most respected and visited sites in the Arab world.
Recently they published a series of articles on Gay life in the Arab world. The articles were written in a positive and informative fashion. The articles appeared in the weekend edition (7/30) and was to remain on line for another week in one of their sections. In less then 24 hours of publication, the articles were pulled off with no explanation. The editors have yet to explain their action. We contacted the writer and some of the contributors who informed us that no reason was given to them either about that decision. A staff member directly involved in the story has resigned." (E-mail alert by Gay and Lesbian Arab Society, 3 Aug 98)

Go to top

*Anti-Discrimination and Anti-Vilification Legislation

Anti-discrimination laws and cases:

Anti-vilification laws and cases:

Go to top

*Employment

Employment protection law and cases:

Access to military:

Go to top

*Partnership Recognition (other than parenting)

Is comprehensive legal recognition of partnerships available?

Immigration rights:

Inheritance laws:

Domestic partnership employment benefits:

Social welfare:

Succession rights in housing:

Other areas of the law in which Domestic Partnerships recognised:

Go to top

*Parenting

Custody of own children:

Adoption and fostering:

Parenting rights for non-biological partner

Access to reproductive technologies:

Go to top

*Asylum

Are LGBT refugees granted asylum by this country?

Are this country's LGBT citizens accepted for asylum by other countries?

1 gay man is known to have been granted asylum in 1996 by the US (IGLHRC AP)

Go to top

*Transgender Rights

Go to top

*Street Violence, "Social Cleansing", Police Harassment, etc

Go to top

*HIV/AIDS Human Rights Issues

Home Page Site Index E-Mail ILGA

Last updated: 13/11/99