Sexual Minorities – Jordan:

ISSUES BRIEF

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COUNTRY RESEARCH SECTION

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1. ACRONYMS AND NAMING CONVENTIONS

CRS	Country Research Section
DFAT	Department of Foreign Affairs and Trade
FHI	Family Health International
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
HPI	Health Policy Initiative
IRIN	Integrated Regional Information Network (United Nations)
LGBT(/QI/IQ)	Lesbian, Gay, Bisexual, Transgender (Queer or Questioning, Intersex)
MSM	Men who have sex with men
UNAIDS	United Nations AIDS program
USSD	US State Department (Department of State)

For the purpose of this paper the terms ‘gay’ and ‘homosexual’ refer to men who have sex with men. While the broader term ‘men-who-have-sex-with-men’, or MSM, is often seen as a more inclusive term as it captures those men who do not self-identify as gay or homosexual but engage in same sex practises, it is only used here when quoting source material.

Women who engage in female-female sexual relations are referred to here as lesbians. However, occasionally the term homosexuality is used to denote both male-male and female-female relations, such as in regards to the legal status of homosexuality.

Bisexual is a term used to denote someone who is attracted to people of both genders.

The definitions of ‘transsexual’ and ‘transgender’ are sometimes contested, but they are used here as they appear in source material, in which definitions are not always provided.

The acronym LGBT, which stands for Lesbian, Gay, Bisexual and Transgender is also frequently used to discuss the rights or situation of all of these minorities. Variations occur which include I and Q at the end – LGBTQI or LGBTIQ – to denote Intersex and Queer or Questioning, are also found in the literature, but these are not used here.

2. EXECUTIVE SUMMARY

This report first considers the contradictory information available on the laws in Jordan regarding homosexuality. It then looks at the enforcement of laws which are (indirectly) relevant to homosexuality. It briefly considers State protection, then looks more closely at familial, societal and official attitudes to sexual minorities and the prevalence and treatment of HIV/AIDS sufferers. Some consideration is then given to support services and avoidance measures utilised by these minorities.

Particular attention is paid to reports of the arrest of four men, apparently on the basis of their prostitution, and the closure of several 'gay-friendly' venues, all of which occurred in late 2008. These events, while ambiguous in nature, suggest that the situation for sexual minorities in Jordan warrants continued attention in case they prove to be part of a broader reversal of the tolerance that is slowly growing.

Relatively little information was found by CRS on these topics. Much of what was found comes from websites of organisations based in Western countries, particularly the USA, and are written from the perspective of foreigners travelling to or living in Jordan. Often these organisations have particular ideas about what constitutes homosexuality or a gay community, which may or may not be culturally sensitive or informed. Some of the claims come from people who have successfully sought asylum in Western countries, particularly in Canada and the USA.[1]

3. INTRODUCTION

This paper will address human rights issues without necessarily excluding forms of harm or treatment that do not have Refugee Convention grounds. Decision makers must be satisfied in examining each case that the harm found is motivated by a Refugee Convention ground and amounts to persecution. Consideration of whether a fear of persecution for a Convention ground is well founded will also need to be undertaken as usual.

Jordan is one of the more liberal Arab countries in regards to its treatment of homosexual men and lesbians. However, this is not to say that the level of acceptance is similar to that found in a Western country such as Australia. Many Arab countries are very harsh in their treatment of such individuals.

There is too little information on other sexual minorities to make such generalised statements. Only one example was found of a person identifying as a bisexual in Jordan, however, no details of their situation were given. No specific support services or NGOs focused on LGBT issues were found to exist in Jordan, though certain foreign Aid assisted agencies appear to be capacity building in this regard, particularly as concerns HIV/AIDS awareness, prevention and treatment.

[1] For discussions on potential issues around assessing the case of a homosexual claimant, such as cultural difference and the issue of secrecy, see Laurie Berg and Jenni Millbank, "Constructing the Personal Narratives of Lesbian, Gay and Bisexual Asylum Claimants", *Journal of Refugee Studies*, June 2009, CISLIB17536; and "Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity", *UNHCR*, 21 November 2008, CISLIB17538.

4. LAWS REGARDING SEXUAL MINORITIES

Contradictory information exists on whether homosexuality is illegal in Jordan. Numerous sources available in CISNET, the CRS library, and on the Internet state that homosexuality is illegal in Jordan. Examples include articles from *ANSAmed* and *Mennasat*, two Middle Eastern news agencies, which each wrote in 2008 that homosexuality is punishable by up to four years in jail[2]; the Immigration Review Board of Canada in its 1997 research piece JOR27219.E[3]; and a DFAT cable also from 1997 which states that it is punishable by up to seven years jail.[4] Other significant sources claiming it is illegal include Amnesty International's 1997 publication *Breaking the Silence*…,[5] and *The Third Pink Book* by Hendriks, et al from 1993.[6] However, none of these documents points to a specific article of law that proscribes such acts.

Other information was located on CISNET that states homosexuality or such acts are not illegal.[7] When this inconsistency was put to DFAT in 2004, they consulted various governmental and judicial authorities and responded that "there are no laws in Jordan prohibiting adult homosexual acts".[8] In 2008 DFAT reaffirmed this, having consulted members of parliament, stating that: "Homosexuality and homosexual acts are not illegal under the Jordanian penal code." DFAT points out that it is, however, forbidden under Islamic Sharia law, adding that the consumption of alcohol is similarly prohibited under Sharia, but not illegal under civil law.[9]

One publication that does make this distinction is *JO Magazine*, a small on-line publication based in Jordan, which points out that some people believe "while there is no specific law against being homosexual, it is de facto illegal, because the constitution specifies that Jordan is an Islamic country, and the religion is unequivocal in viewing homosexuality as a grave sin." The article adds that a representative of the National Center for Human Rights holds this view and adds that despite having signed anti-discrimination conventions, the Jordanian constitution overrides these.[10]

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[2] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051; "Jordan: Amman; Police Launches Campaign Against Homosexuals", *ANSAmed*, 27 October 2008, CX230256.

[3] "Jordan: Information on the situation of homesexual men, and on a publication called Shihan" [sic], *The Documentation, Information and Research Branch, Immigration and Refugee Board* , Ottawa, 7 July 1997, JOR27219.E

[4] "CIR 266/97". (Source Doc: Jordan: Treatment of homosexuals - CIS Req No JOR4165), *Department of Foreign Affairs and Trade*, 12 June 1997, CX22814.

[5] Aart Hendriks, Rob Tielman, Evert van der Veen "The Third Pink Book: A global view of lesbian and gay liberation and oppression", 1993, Prometheus Books, New York, CISLIB7427, p297.

[6] Amnesty International "Breaking the silence: Human Rights Violations Based on Sexual Orientation," 1997, Amnesty International United Kingdom, CISLIB11143, p83.

[7] For example, in regards to there being no sodomy laws in Jordan: "Laws", *International Lesbian and Gay Association*, 2 January 2001, CX49394.

[8] "Clarification of Jordanian Laws in relation to homosexuality", *Department of Foreign Affairs and Trade*, 26 April 2004, CX139266.

[9] "Jordan: Homosexuality in Jordan", *Department of Foreign Affairs and Trade*, CX201019.

[10] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.

While not directly related to sexual minorities, one news report claims that under Jordanian law, the governor (the report is discussing the 'Amman military governor' at this point) has the right to imprison someone if he feels they represent a danger to society.[11] This was reported in the context of the arrest of four homosexual men, as detailed below in 4.1 Enforcement and Punishment. *JO Magazine* adds that the 'governor of Amman' can arrest someone if they are convinced they are about to commit a crime or assist in committing a crime, and this is considered administrative detention under Article 4 of the Crime Prevention Law.[12]

Two particular laws, Articles 340 and 98 of the penal code, mitigate the sentences meted out to those who commit 'honour killings', resulting in relatively short prison sentences. According to AFP, there are no reports or official figures of honour killings of men.[13] While such crimes continue to be committed in Jordan against women, no confirmed cases have been located of such crimes being committed against people for their sexual minority status. DFAT reported in 2008 that it had not heard of any honour killings involving homosexuality.[14] However, two claims were found in public reports of such crimes, both from successful refugee applicants in North America. See '*6.1.1 Familial Attitudes*' below for details.

Menassat and the US Department of State both point out that there are no laws to protect people from discrimination based on sexual orientation or gender.[15]

Just as with the issue of the legal status of homosexuality, there is a range of conflicting information on the age of consent in Jordan. According to Schmitt and Sofer, cited by the International Lesbian and Gay Association, "Article 298 punishes sexual intercourse with persons under the age of 16 (male or female) by forced labour for three to five years…"[16] (The age of 16 years is also cited by *GlobalGayz.com*.[17]) However, Interpol provides a translation of article 298 which gives the figure of 15:

> Article 298
>
> 1. Whoever without violence or intimidation commits an indecent act on a child under 15 years old or persuades him/her to commit an indecent act shall be sentenced to a term of imprisonment with hard labour. […]

In 2004, DFAT reported the age of consent as 18.[18]

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[11] "Jordan: Amman; Police Launches Campaign Against Homosexuals", *ANSAmed*, 27 October 2008, CX230256.
[12] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.
[13] "Jordan 'honour killings' cover for other crimes", *Agence France Presse*, 3 September 2008, CX209420.
[14] "Jordan: Homosexuality in Jordan", *Department of Foreign Affairs and Trade*, CX201019.
[15] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051; "2006 Country Reports on Human Rights Practices", *Bureau of Democracy, Human Rights, and Labor (US Department of State)*, 6 March 2007, CISNET>Other Government resources
[16] Schmitt and Sofer, "Sexuality and Eroticism among Males in Moslem Societies" cited in "Laws covering sexual activity", *International Lesbian and Gay Association*, 2 February 2001, CX49391.
[17] Richard Ammon, "Gay Jordan 2006", *GlobalGayz.Com*, August 2006, CX206604. GlobalGayz.com is a website based in the USA that allows travellers to contribute stories on their experiences and observations of LGBT communities or people in their travel destinations.
[18] "Clarification of Jordanian Laws in relation to homosexuality", *Department of Foreign Affairs and Trade*, 26 April 2004, CX139266.

4.1 Enforcement and Punishment

There are few reports of arrests or other State harassment of sexual minorities. However, in late 2008 a number of incidents occurred that raised the possibility of an increase in State attention on homosexuals.

In October 2008, the Jordanian newspaper *al Ghad* reported that four men were arrested as part of a crackdown on homosexuals. The original of this article, which is in Arabic, has not been located by CRS, however, various articles written in English comment on its contents.

On 27 October 2008 Italian news agency *ANSAmed* reported on the *al Ghad* article, noting the following details: four gay men were arrested after being ambushed by secret service in a public garden; they were kept in solitary confinement; their names were kept secret; authorities refused to release them on bail; and the Amman military governor vowed to continue the campaign "until all forms of sexual misconduct are ended." It adds that the governor has the right to send people to prison for two months without charges if he perceived them to be a danger to society.[19]

A week later *Menassat*, a Middle Eastern news agency also wrote about the *al Ghad* report. It provided a slightly different quotation, also attributed to the governor: "the campaign will continue until we eradicate any trace of male homosexuals in the society". It also varied from the *ANSAmed* article in that it quoted *al Ghad* as describing those arrested as "gay prostitutes". It confirms that no bail was posted, adding that they would remain in custody until they provide guarantees that they will refrain from homosexual acts.[20]

One month later, *JO Magazine* also analysed the *al Ghad* story, adding some of its own research. This article claims that *al Ghad* did not mention that the four men were prostitutes (though *Menassat* claims *al Ghad* did report this, as noted above), and adds that prostitution is illegal in Jordan. *JO* goes on to explain that the governor does have the ability to place people in administrative detention under Article 4 of the Crime Prevention Law if it is believed the individuals are about to commit or assist in committing a crime, according to a representative of the National Center for Human Rights in Jordan. Therefore, *JO* concludes, "if there is a crackdown, it is very likely that it is only targeting homosexual prostitutes, not gays in general. But that's not certain."[21]

The US Department of State summed up the incident as follows:

> On October 23, security forces arrested for "lewd acts" four homosexuals in a park in West Amman following a set-up by the police. Amman governor Sa'ad

[19] "Jordan: Amman; Police Launches Campaign Against Homosexuals", *ANSAmed*, 27 October 2008, CX230256.
[20] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051.
[21] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.

> Al-Manaseer placed them in solitary confinement in Jweidah prison without bail. They were released after guaranteeing they would not carry out any such acts in the future. [22]

In an interview, the author of the *al Ghad* story adds that he received his information from an anonymous source inside the Governate of Amman, who told him that the men were transsexuals who received money for sexual acts. The editor claimed to have removed some such details so as not to offend readers. *JO* sought comment from the governor, who declined, and from an on-duty police officer who said that he had received orders to arrest "overly effeminate men," adding that he had taken one person to the police station that week when they appeared to be female but had a male name (later releasing them).[23]

One gay person (who spoke anonymously) claimed that an incident earlier that year, in which four out of a group of twenty gay Iraqi asylum seekers were arrested in Jordan, had prompted papers to start talking at that time about an "anti-gay movement."[24] No corroboration of this claim could be located by CRS in the time available.

In another incident of note in 2008, The popular, gay-friendly café Books@cafe was closed down in September. This was, according to the co-owner, on the pretexts of breaches of health standards and the illegal sale of alcohol during Ramadan, as well as a charge that roughly translates to "intimate gatherings and exchange of kissing" (translation by the co-owner). The co-owner writes that the charges were obviously fabricated. However they also note that a number of other establishments were closed down that week, without providing details of those closures.[25]

A gay-friendly bar called RGB (which quickly got a reputation as a gay bar) was closed when the owner received a message threatening that if it didn't shut "all its customers will be put in solitary cells."[26] Another club with an "LGBT following" called Fab was also noted late in 2008 to have been opening and closing unpredictably, also reportedly due to threats. These establishments both opened in 2007 and were allegedly the first such establishments to allow an environment in which some LGBT Jordanians were willing to be seen together in public.[27] One mention of a lesbian bar was found in 2007, though no name is provided and it is unclear if this may have been one of the two referred to above.[28]

No reports of further such incidents have been located by CRS, though neither have any reports of new or re-opened 'gay-friendly' venues.

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[22] "2008 Country Reports on Human Rights Practices", *Bureau of Democracy, Human Rights, and Labor (US Department of State)*, 25 February 2009, CISNET>Other Government resources.
[23] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.
[24] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.
[25] "Closing of Books@Cafe", *Helem*, 18 September 2008, CX230448.; "Gay and Muslim in Jordan", *Sydney Star Observer*, 11 February 2009, CX230449; This café has been mentioned in many other documents, including Yotam Feldman, "Eastern Promises", *Haaretz*, 30 November 2007, CX23043.
[26] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.
[27] Glenn Tasky, "Observations of Gay Jordan 2008, *GlobalGayz.Com*, Fall 2008, CX230450.
[28] Yotam Feldman, "Eastern Promises", *Haaretz*, 30 November 2007, CX23043.

The Jordanian organiser of a float representing Muslim nations in New York's Gay Pride Parade and who received asylum on the basis of his sexuality, is interviewed by the New York Times, and makes the following claims in regards to police record-keeping:

> Ayman, the parade organizer, said his previous life in Jordan was marked by fear. Arrested at 17 after a sexual encounter in a public building, he said the police wrote "manyak," a homosexual slur, into his file. He denied being gay, but the word resurfaced whenever the police stopped him. He worried that one day it would happen around a relative. [29]

4.2 State Protection

Only one account of protection being provided to sexual minorities was found by CRS. A successful refugee applicant in Canada alleges that after having been thrown down some stairs by his brother, which broke his leg and smashed his jaw, he was provided with an armed bodyguard outside his hospital room. However, the article does not clarify whether this guard was provided by the State or was privately employed.[30]

5. SEXUAL MINORITIES

5.1 Homosexuals / Gay Men

As the majority of this report is based on information relating to gay men, this section will not be utilised.

5.2 Transgenders / Transsexuals

Very little information was found on these groups in Jordan. There was one report, mentioned above in '4.1 Enforcement…', of a policeman taking a person to the station when their name didn't appear to match their gender. Reportedly they were later released when a history check revealed that she had a "hormonal imbalance".[31] As also referred to previously, the same report mentioned that the four men arrested in Amman in late 2008 were actually transsexuals, according to the journalist who received information from an anonymous government source. However, the description provided of their activities with customers raises the possibility that the sources or the authors could have been using the term transsexuals to describe the services they offered, rather than their gender identification. The report refers to the fact that the men would perform sexual acts with customers "often while wearing makeup, perfume or even women's underwear."[32] It is therefore unclear whether they were in fact transsexuals, or if so, whether this had any bearing on their arrest.

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[29] "Gay Muslims find freedom, of a sort, in the U.S.", *The New York Times*, 7 November 2007, CX206737.
[30] "Gay Jordanian now 'gloriously free' in Canada", *The Globe and Mail*, 20 May 2004, CX206497.
[31] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.
[32] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.

5.3 Lesbians

One self-identified lesbian interviewed by a Western writer related that her parents' reaction to realising she was a lesbian was to take her to "a shrink." She ran away and her mother later pleaded with her to come home but to keep her sexuality secret so as to save the family from public embarrassment. The writer spoke to a second lesbian, but only notes that she was forced by her parents to wear a *hijab*.[33]

The owner of the US website *GlobalGayz.com* website says that like in other Muslim countries lesbians are invisible in Jordan.[34]

The only document found to relate exclusively to lesbians in Jordan is a short chapter published in 1995. The majority of it is included here:

> There are no visible lesbian communities, no lesbian organizations, no services for lesbians.[…] Although Jordanian law contains no mention of the word suhak (lesbianism), widespread prejudice within Jordanian society is more powerful that [sic] any legal prohibition. Lesbians are afraid to be visible because they fear losing whatever freedom of movement they may have. Jordanian society is a closely knit, family- and religion-oriented one in which people know one another and there is little opportunity for anonymity. Even if a woman is financially independent, her family can still exert great control over her. The main support system is the family (rather than the legal or political system), but in the case of a lesbian who is open about her sexuality, the family itself may become the offender.
>
> Although lesbians are unable to live their lives openly, small networks have been developing since the 1970s as part of the more general changes taking place for women. One of the most important of these changes has been women's increased access to higher education, in particular education abroad. The existing networks are limited to social groups that have no political form. Nevertheless, they provide a chance for lesbians to begin to discuss their issues. In the past five years, some individual lesbians have begun to network with lesbians from other countries within and outside the region. Contacts with two Arab-American groups, the Gay and Lesbian Arabic Society and the Arab Lesbian and Bisexual Women's Network, have been particularly important because their members share a similar cultural background. Lesbians in Jordan are without a mention, without recognition, very marginalized…. YET WE EXIST.[35]

[33] "I Might Have Become An Official Arab Diva", *Glimpse*, 7 April 2009 CX230233.
[34] Richard Ammon, "Gay Jordan 2006", *GlobalGayz.Com*, August 2006, CX206604.
[35] Akhadar Assfar, "Jordan" in Rachel Rosenbloom (ed.), *Unspoken Rules: Sexual Orientation and Women's Human Rights*, International Gay and Lesbian Human Rights Commission, 1995, pp109-110, CISLIB10660.

5.4 Bisexuals

Only one reference was found to someone who identified themselves as bisexual in Jordan, though no information on their experiences is offered.[36]

6. OTHER ISSUES

6.1 Prevailing Social Attitudes

6.1.1 Familial Attitudes

DFAT in 2008 stated that they "have not heard of any 'honour' killing involving homosexuality."[37] CRS did not find any confirmed cases of honour killings on the basis of sexual preference. However the following two allegations of violence by family members towards gay men, both made by successful refugee applicants in North America, were located.

The Jordanian refugee in the US, mentioned above in '4.1 Enforcement…' claims:

> He is convinced that a 22-year-old gay friend who died after a fall from an apartment building was the victim of an "honor" killing meant to clean the family's reputation.[38]

A Jordanian refugee in Canada claims that his family, upon learning of his homosexuality

> …threw him down the stairs…While he was recovering in hospital from a broken leg and smashed jaw, his younger brother shot him in the ankle.[39]

This man's family had previously forced him to marry and, upon his eventual release from hospital he claims to have been held as a prisoner by his family.[40]

In 1997 DFAT stated that "we have heard of cases of families pressuring homosexual sons to marry," and that their ability to resist such pressure would depend on factors such as financial independence and the importance of family ties.[41] However, Glenn Tasky writing for *GlobalGayz.com* relates the story of two gay men from different socioeconomic strata who are each strongly pressured by their families to marry, and both of whom are considering marrying simply to end such pressure.[42]

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[36] "I Might Have Become An Official Arab Diva", *Glimpse*, 7 April 2009 CX230233.
[37] "Jordan: Homosexuality in Jordan", *Department of Foreign Affairs and Trade*, CX201019.
[38] "Gay Muslims find freedom, of a sort, in the U.S.", *The New York Times*, 7 November 2007, CX206737.
[39] "Gay Jordanian now 'gloriously free' in Canada", *The Globe and Mail*, 20 May 2004, CX206497.
[40] "Gay Jordanian now 'gloriously free' in Canada", *The Globe and Mail*, 20 May 2004, CX206497.
[41] "CIR 266/97". (Source Doc: Jordan: Treatment of homosexuals - CIS Req No JOR4165), *Department of Foreign Affairs and Trade*, 12 June 1997, CX22814.
[42] Glenn Tasky, "Observations of Gay Jordan 2008, *GlobalGayz.Com*, Fall 2008, CX230450.

The same writer makes the following observations based on their travel to Jordan:

> In spite of the increased wealth and openness to the outside, made even more accessible by ease of travel, satellite TV, and the internet, social attitudes are changing very slowly in Jordan. Jordan remains a deeply conservative and conformist country, in which everyone is expected to get married and have children, and few are allowed to leave the family home until this "marriage imperative" is fulfilled. This imperative, more than anything else, creates a negative environment for lesbian, gay, bisexual, and transgendered (LGBT) persons.[43]

And, that:

> The most immediate source of shame heaped upon the hapless Jordanian who displays nonconformist behavior or attitudes is usually the nuclear family, but extended family members, friends, and colleagues can also contribute to reinforcing conformity.[44]

Another Western observer notes:

> legality is usually the least of gay Jordanians' concerns. In a culture that is heavily informed by tradition and religious conservatism, family honor trumps individual freedom, and the threat of being ostracized from one's bloodline can be a far greater peril than political oppression. Consequently, it is society that determines the legitimacy of a person's sexual orientation—not the law.[45]

The US Department of State, commenting on both societal and familial attitudes, noted in 2009:

> Societal discrimination against homosexuals existed. There were reports of individuals leaving the country out of fear they would be harmed by their family for being homosexual. [46]

DFAT observed in 2004 that:

> Aside from the legal situation, it is nevertheless clear that an individual homosexual might be subject to harassment and persecution by his own family or local society in general if he resides in a more conservative area of the country.[47]

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[43] Glenn Tasky, "Observations of Gay Jordan 2008, *GlobalGayz.Com*, Fall 2008, CX230450.
[44] Glenn Tasky, "Observations of Gay Jordan 2008, *GlobalGayz.Com*, Fall 2008, CX230450.
[45] "I Might Have Become An Official Arab Diva", *Glimpse*, 7 April 2009 CX230233.
[46] "2008 Country Reports on Human Rights Practices", *Bureau of Democracy, Human Rights, and Labor (US Department of State)*, 25 February 2009, CISNET>Other Government resources
[47] "Clarification of Jordanian Laws in relation to homosexuality", *Department of Foreign Affairs and Trade*, 26 April 2004, CX139266.

6.1.2 Societal Attitudes

Many observations on broader social attitudes echo those on familial attitudes as described above. In 2008 DFAT reported that:

> The social environment for homosexuals in Jordan is considered to be more tolerant than in many other parts of the Middle East. That said, it would be difficult to be openly homosexual in Jordan as social views on sexuality remain conservative even in the larger cities such as Amman.[48]

DFAT stated in 2004 that their interlocutor at the Jordanian Institute of Forensic Medicine told them there were no confirmed reports of any male individual being killed in Jordan in the preceding ten years due to their sexuality.[49]

The owner of a renowned gay-friendly bar called RGB was quoted as saying that "Amman is very open" in contrast to other parts of the Middles East. However, he qualifies this by noting that: "The upper class in Amman tends to be open and accepting of the gay community. The lower class, being more isolated and traditional, is more intolerant."[50]

An on-line LGBT magazine called *My.Kali* has been produced since February 2008 and is currently available online at http://mykali.weebly.com/ . This is the second such publication attempted in Jordan – the first edition of the previous publication resulted in a backlash that resulted in its abandonment.[51] The two people who created it were reportedly threatened with legal proceeding by the authorities.[52]

Menassat, a Middle Eastern news agency noted that an Arabic paper, in reporting on the case of the four men arrested in October 2008 used such derogatory terms as "sissies" and the "third gender" to describe the men.[53] *JO Magazine* added that the article "repeatedly described homosexuality as a disease."[54]

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[48] "Jordan: Homosexuality in Jordan", *Department of Foreign Affairs and Trade*, 27 May 2008, CX201019.
[49] "Clarification of Jordanian Laws in relation to homosexuality", *Department of Foreign Affairs and Trade*, 26 April 2004, CX139266.
[50] "I Might Have Become An Official Arab Diva", *Glimpse*, 7 April 2009 CX230233.
[51] "I Might Have Become An Official Arab Diva", *Glimpse*, 7 April 2009 CX230233.
[52] Yotam Feldman, "Eastern Promises", *Haaretz*, 30 November 2007, CX23043.
[53] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051.
[54] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.

6.2 HIV / AIDS

The US Department of State summarises the attitude in Jordan towards HIV/AIDS as of 2008:

> HIV/AIDS was a largely taboo subject, and public awareness was limited. Many citizens assumed the disease was a problem exclusively of foreigners due to government requirements that foreigners be tested for HIV annually. Foreigners who tested HIV positive were deported.[55]

A national AIDS strategy was launched in November 2006.[56] At that time, HIV/AIDS program managers were cited as saying that:

> one of the major problems they [face] in trying to raise awareness of HIV/AIDS preventative actions is the conservative nature of Jordanian society. Breaking taboos by raising sensitive issues such as sexual practices is something they have to overcome every day. In addition, changing perceptions of HIV/AIDS sufferers among health and social workers at hospitals and prisons is equally difficult. [57]

A senior Health Ministry official stated: "The social stigma and discrimination that HIV/AIDS patients perceive from health and social workers can seriously affect their quality of life." [58]

A report from the website UA2010.org, commissioned by the World Health Organization and UNAIDS in Jordan, states:

> Research…shows that that "[Jordan's] legal-regulatory framework has only one explicit reference to HIV/AIDS, but that many laws and regulations can be applied to situations involving HIV/AIDS." (POLICY, 06) For example, laws exist which reaffirm the right to education and employment and provide a legal basis to protect oneself against HIV infection and seeking remedies if wrongfully infected. […] However, laws do not address the issues of confidentiality of medical information or discrimination based on disease status and do not differentiate HIV from other communicable diseases, which may lead to public health measures, such as isolation, that may be inappropriate for HIV positive people.[59]

Family Health International and USAID produced a report in late 2008 which includes the following observations:

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[55] "2008 Country Reports on Human Rights Practices", *Bureau of Democracy, Human Rights, and Labor (US Department of State)*, 25 February 2009, CISNET>Other Government resources

[56] "AIDS high-risk groups must be controlled, says senior official", *Integrated Regional Information Network (IRIN)*, 30 November 2006, CX166103.

[57] "AIDS high-risk groups must be controlled, says senior official", *Integrated Regional Information Network (IRIN)*, 30 November 2006, CX166103.

[58] "AIDS high-risk groups must be controlled, says senior official", *Integrated Regional Information Network (IRIN)*, 30 November 2006, CX166103.

[59] Nisreen Qatamish and Jenine Jaradat, "UNGASS Country Report: Hashemite Kingdom of Jordan", UA2010.org, 15 January 2008, CISLIB17732.

> A 2006–2007 study of MSM suggests that they do not always practice safe sex, although they were interested in receiving HIV-related education and services. However, the stigma and discrimination that these men experience often prevent them from seeking and accessing health care services.[6] […] The link between HIV/AIDS and practices that contradict religious morals, societal values, and cultural norms—intravenous drug use, homosexuality, and prostitution—has resulted in the rejection of people living with HIV/AIDS—and even those suspected of being infected. Stigma and discrimination faced by those infected or vulnerable to infections is significant and widespread.[60]

6.3 Support Services / The Gay Movement and Human Rights Groups

Menassat claims that there are no "known government-recognized LGBT" rights organisations.[61] The article also quotes a human rights activist whose views suggest a rather illiberal perspective:

> "It is wrong to put gays in prison with other criminals. They must be placed in special correctional centers, to be treated and brought back to the society," she said in remarks published by the Sejil Weekly. "They are abnormal and need special treatment so that they can improve their situation and return to the community correctly."[62]

The article also claims that other human rights activists share such views of homosexuality as a disease, though does not offer any names or quotes.[63]

The owner of *GlobalGayz.com* in 2006 also claimed that there were no gay organisations, publications, or exclusively gay places, noting the exception of the 'gay-friendly' Books@cafe (now closed – see '4.1 Enforcement and Punishment' above).[64]

Somewhat ambiguously, the report from UA2010.org states: "USAID (primarily through FHI) also established a drop in center and referral system for MSM, and built NGO capacities to provide HIV/AIDS related services."[65] However no further details are provided.

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[60] *USAID and Family Health International (FHI) Jordan*, "Expanding HIV Prevention in Jordan: USAID Bilateral Project Final Report", 30 September 2008, CISLIB17733. Includes a citation from: "2007 Jordan Red Crescent Society Report on Men Who Have Sex with Men and Vulnerable Youth in Amman."

[61] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051.

[62] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051. [NB: No reference could be located on the internet of a publication called Sejil Weekliy, though a weekly, Jordanian, Arabic news magazine, titled al-sijill was found at http://www.al-sijill.com/].

[63] "In Jordan, Eradicating 'every trace of male homosexuals'", *Menassat*, 4 November 2008, CX214051.

[64] Richard Ammon, "Gay Jordan 2006", *GlobalGayz.Com*, August 2006, CX206604.

[65] Nisreen Qatamish and Jenine Jaradat, "UNGASS Country Report: Hashemite Kingdom of Jordan", UA2010.org, 15 January 2008, CISLIB17732.

7. AVOIDANCE MEASURES

There are some tentative signs that some gay and lesbian people are slowly increasing their visibility, as evidence by the publication of *MyKali* (see 6.1.2 above), and the presence, until recently, of some gay-friendly venues. However, the material referred to in this paper predominantly describe a situation where gay men and lesbians remain very private and try to avoid drawing attention to their sexual orientation.

Two observers (writing for the same website - *Globalgayz.com*) note the role of the Internet in increasing access to information and opportunities to connect with other LGBT people, but one adds that journalists remain ignorant about or prejudiced towards LGBT issues.[66] One of the writers, Richard Ammon, claims that there are no internet restrictions in Jordan.[67] The USSD had the following to say in its 2008 report on the issue of Internet Freedom:

> The government controlled access to certain Internet content, and citizens and activists widely assumed that the government monitored electronic correspondence and Internet chat sites. According to 2007 International Telecommunications Union data, there were approximately 225,000 subscribers and 1.3 million users in the country. The government blocked access to some Web sites during the year.
>
> In March 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 require cafe owners to register users' personal data, hand over data about Web sites explored by users, and prevent access to questionable Web sites, as defined by the MOI.[68]

JO Magazine, in reporting on the story of the arrests of four men in an alleged crackdown in late 2008, noted that whether or not these actions were part of a crackdown, they had the effect of scaring the local gay community. Several were trying to keep a low profile as a result, and would only speak to the magazine on condition of anonymity.[69]

Some men in Jordan are noted to maintain marriages while engaging in same sex relationships. For example, Richard Ammon reports on one gay man whose previous partner was married, and most of whose gay friends are also married.[70]

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[66] Glenn Tasky, "Observations of Gay Jordan 2008, *GlobalGayz.Com*, Fall 2008, CX230450; Richard Ammon, "Gay Jordan 2006", *GlobalGayz.Com*, August 2006, CX206604.
[67] For example Richard Ammon, "Gay Jordan 2006", *GlobalGayz.Com*, August 2006, CX206604.
[68] "2008 Country Reports on Human Rights Practices", *Bureau of Democracy, Human Rights, and Labor (US Department of State)*, 6 March 2009, CISNET>Other Government resources
[69] "Crackdown?", *JO Magazine*, 1 December 2008, CX230491.
[70] Richard Ammon, "Gay Jordan 2006", *GlobalGayz.Com*, August 2006, CX206604.

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