

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: JOR33101
Country: Jordan
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RESPONSE

- 1. Please follow-up with DFAT regarding outstanding information about homosexuality in Jordan promised by Australia's Ambassador to Jordan during his visit to the Tribunals.**

The following response was received from the Department of Foreign Affairs and Trade (DFAT) on 29 May 2008:

DFAT REPORT: 824

REPORT RELEASED TO THE MRT/RRT: 29 May 2008

RRT INFORMATION REQUEST: JOR33101

DFAT provides the following information:

Summary

Homosexuality and homosexual acts are not illegal under the Jordanian penal code. While homosexual relations are forbidden under Islamic shariah law, under the Jordanian system there is no fine or other penalty for "crimes" under shariah law unless these are covered separately by Jordan's penal code. 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 cities such as Amman.

1. On 21 April, during a discussion with the President of the Jordanian Senate, HE Zaid Rifai, Speaker of the House of Representatives, HE Hadi Majali, and His Eminence Chief Justice and Imam of the Hashemite Court, Ahmed Helayel, HOM asked about the legality of homosexuality in Jordan. HOM was told that homosexuality and homosexual acts were not illegal under the Jordanian penal code. While homosexual relations were forbidden under Islamic shariah law, under the Jordanian system there was no fine or other penalty for "crimes" under shariah law unless these were covered separately by Jordan's penal code (another example being the consumption of alcohol, which, while prohibited under shariah law, was not illegal in Jordan).

2. 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. Anecdotally, Jordanian homosexuals have spoken to staff at post about the difficulty of informing their families of their homosexuality. The general social attitude could be characterised as "don't ask, don't tell".

3. Interestingly, there appears to be a far harsher social attitude taken towards heterosexual sex outside marriage, or adultery, as evidenced by the regular occurrences of so-called "honour" killings, which are generally motivated by women's perceived sexual behaviour with men (not with other women). We have not heard of any "honour" killing involving homosexuality and "honour" crimes are almost uniformly committed against women who are believed to have stained the "honour" of their families, very rarely against men. (Department of Foreign Affairs and Trade, 2008, *DFAT Report 824 – RRT Information Request JOR33101*, 29 May – Attachment 1)

List of Attachments

1. Department of Foreign Affairs and Trade, 2008, *DFAT Report 824 – RRT Information Request JOR33101*, 29 May