

**Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.**

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Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism pursuant to Human Rights Council resolutions 24/7, 25/2, and 22/8.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received regarding the allegedly arbitrary arrest and detention of a Palestinian activist, **Mr. Amer Jamil Jubran**.

According to the information received:

Amer Jamil Jubran (عامر جميل جبران), born on [REDACTED] in Riyadh, Saudi Arabia, is a Jordanian citizen of a Palestinian descent. He is a prominent human rights activist and an advocate for the Palestinian cause.

Mr. Jubran lived in the United States of America for 18 years, where he engaged in political activities calling for justice for Palestine and co-founded the New England Committee to Defend Palestine (NECDP), an organization which supports the struggle of Palestinians against the Israeli occupation and opposes the U.S. aid to Israel. Because of his political activities, he was subject to questioning by the United States authorities on several occasions. On 4 November 2002, Mr. Jubran was arrested by a joint patrol of the Immigration and Naturalisation Service and the Federal Bureau of Investigation, following his participation in a march organized by the NECDP in Boston. He was held without charges for about two weeks. Mr. Jubran subsequently decided to "voluntarily" depart from the

United States and moved back to Jordan in 2004, as he faced risks of prosecution by the United States authorities.

Upon his return to Jordan, Mr. Jubran continued his advocacy for the Palestinian cause. He published a number of articles on the Internet, criticizing the Israeli and the United States' foreign policies on Palestine. On 5 May 2014, at least 20 agents of the General Intelligence Directorate (GID) entered his house late in the evening. They searched the entire house, apprehended Mr. Jubran without showing an arrest warrant and took him to an unknown location.

On 9 May 2014, after four days of incommunicado detention, he was brought back to his house by the GID agents to pick up clothes. The GID agents conducted another search of the house and left again with Mr. Jubran without providing his family with information about the reason for his arrest or where he was being detained. His family was unaware of his fate and whereabouts until 27 June 2014, when they were finally allowed to visit him for ten minutes in the GID Headquarters in Amman.

Mr. Jubran is still detained in the GID Headquarters in Amman without being charged or brought before a judge. He has no access to legal assistance, as his lawyer has not been allowed to visit him or to review his legal file. It is feared that Mr. Jubran may have been arrested due to his political activities critical of Israel and the United States, and may be prosecuted under the recently amended anti-terrorism law of 2006 (No. 55). This law reportedly provides for a broad definition of "terrorism" and allows for the prosecution of any person for, inter alia, "disturbing public order" or "disturbing relations with a foreign country". If convicted of terrorism, Mr. Jubran would face a severe sentence, ranging from five years imprisonment with hard labour to the death penalty.

Serious concern is expressed at the allegations that Mr. Jubran has been held without charge or trial for the past two months, and for most of that time incommunicado and that he has not been informed of the reasons of his arrest to date. We also express concern that he has had thus far no access to a lawyer of his choice. We express further concern that his arrest and detention may be related to the peaceful exercise of his right to freedom of expression. Finally, concern is expressed at the breadth of the definition of "terrorism" under the recently amended anti-terrorism law of 2006 (No. 55) and the imposition of harsh sentences for those convicted of "terrorism", which may significantly curtail internationally-recognized human rights norms and standards relating, among other rights, to the right to freedom of expression.

Without expressing at this stage an opinion on the facts of the case and on whether the detention of Mr. Jubran is arbitrary or not, the facts as alleged appear to be in contravention of the rights to liberty, personal security and privacy, as well as the rights not to be deprived arbitrarily of one's liberty and to be promptly charged and fairly tried

by an independent and impartial tribunal, in accordance with articles 3, 7, 9, 10, 11 and 12 of the Universal Declaration of Human Rights (UDHR) and articles 9, 14 and 17 of the International Covenant on Civil and Political Rights (ICCPR), which Jordan ratified on 28 May 1975.

Moreover, the alleged facts appear to be contravening the article 19 of the (ICCPR), which guarantee the right to freedom of opinion and expression; and General Assembly resolution 68/178 and Human Rights Council resolution 25/7, which emphasize that States must adhere to international human rights while countering terrorism.

The full texts of the human rights instruments and standards referred to above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the steps taken by your Excellency's Government to safeguard the human rights of Mr. Jubran in compliance with the above international instruments, especially those ratified by Jordan.

As it is our responsibility under the mandates provided to us by the Human Rights Council to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please clarify the legal grounds for the arrest and detention of Mr. Jubran, including his incommunicado detention for several weeks, and explain how such measures are compatible with Jordan's international legal obligations under the ICCPR.
3. Please indicate whether Mr. Jubran has been charged to date, and if so, provide details of the charges. If Mr. Jubran has been charged under the recently amended anti-terrorism law of 2006, please explain how the law complies with international human rights norms and standards, and what safeguards are in place to protect the right to freedom of expression and to prevent the arbitrary deprivation of liberty.
4. Please provide the details, and where available the results, of any investigation, judicial or other inquiries carried out in relation to the case of Mr. Jubran. If no inquiries have taken place, or if they have been inconclusive, please explain why.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the

investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Mads Andenas  
Chair-Rapporteur of the Working Group on Arbitrary Detention

Frank La Rue  
Special Rapporteur on the promotion and protection of the right to  
freedom of opinion and expression

Ben Emmerson  
Special Rapporteur on the promotion and protection of human rights  
and fundamental freedoms while countering terrorism