



# Silence of the Media

State of Media Freedom in Jordan

2022



مركز حماية وحرية الصحفيين

Center for Defending Freedom of Journalists



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### 2022

#### Executive Summary







## Executive Summary for Defending the Freedom of Journalists

### Executive Summary

#### 1. Brief overview

Jordan scored (33) points on the Media Freedom Index for the year 2022, out of a total score of (100) points, and according to the criteria adopted in calculating the index, this result [Jordan] falls into the restricted classification. Jordan is marked as restricted for the third year in a row, as [it] scored (227.3) points out of (570) in 2020, and in 2021 the Media Freedom Index declined by (4%), and it only scored a total score of (215) out of (600) points. By comparing Jordan's

result in the index for this year 2022, it has declined by (2.8%) from the result of the year 2021 index, and (6.8%) from the result of the 2020 index.

The “Index of Media Freedom in Jordan” addressed two main angles this year. The first addresses “Trends and Measurement of Satisfaction”, which includes 20 questions and gauges views and opinions of journalists, and their impressions on key issues and topics that affect the environment and freedom of media and expression in Jordan. The answers came on a sliding scale from (0-5). The second angle, “Harassment and Violations”, examined the facts, harassment and violations that journalists were subjected to during their journalistic and/or media work in 2022, as disclosed in their answers to the questionnaire.



The methodology for preparing the report on the State of Freedom of Media and Expression in Jordan for the year 2022 also included holding six focus group discussions and exchanges of opinions on a number of issues related to media freedoms and media work. It also included hosting discussions bringing together representatives of electronic newspapers, paper newspapers, television, radio stations, social media platforms influencers, experts and activists, public figures and journalists. Fifty-one (51) individuals attended these meetings. In addition to the questionnaire and focus group discussions, the research team of Center for the Defending Freedom of Journalists held twelve (12) in-depth interviews with current and former officials, experts, and journalists. The Center also took into account government observations on

the index's methodology and inquiries when preparing the report. The Center was keen to provide the government with a copy of the questionnaire and its results. It met with the government and listened to its observations and oral comments, and its answers to specific questions and received a written response from it. The government's opinion was taken into account and presented in the report. The Center also sought to take into account what is relevant out of these responses in its analysis of the results of the index and to understand the reality of media freedoms in the year 2022.

The report wraps up with 14 conclusions that will be listed at the end of this executive summary, in addition to 33 recommendations for improving and advancing the state of media freedoms and freedom of expression.



The report also provides a detailed breakdown of the methodology for preparing the index, the samples it included, and its results, in addition to the discussions conducted by the Center and their outcomes, as well as the content of the conclusions it reached. The report is also released along a number of appendices that include a review of the legal framework regulating the press and media; a list of individuals who participated in the in-depth interviews; focus group discussions, and a copy of the 2022 Media Freedom Status Index form.

## **2. State of Media Freedoms in Jordan in 2022**

Despite the notable and significant decline in gross violations against journalists in the year 2022, including those that constitute assaults, ill-treatment, beatings, abuse and

physical abuse of journalists and media professionals, which is an important and positive improvement, this should not necessarily be interpreted as only a shift in the government approach in dealing with the press and the media. Rather, it must be looked at within the context of understanding the general political and social environment surrounding the work of the press and the media, including, for example, the notable decline in demonstrations and gatherings in 2022 while the presence of journalists and their coverage of such demonstrations in the past years was an essential factor for the high rates of gross violations against them, although this does not mean that the few demonstrations and gatherings witnessed in the country during the year 2022 had received adequate media attention and coverage.



### 2.1 State of Satisfaction Among Journalists and Media Community

Regarding views of journalists and media professionals in relation to the state of press freedoms, the answers they provided revealed in the context of measuring the attitudes and satisfaction of the press community about the state of freedoms are as follows:

- More than half of the sample (57.7%) believe that the government is not keen on preserving independence of the media, and in holding to account any official who interferes with its functions, while (35.7%) believe that the government is keen on preserving the independence of media, and that any official who interferes with its functions is moderately held

accountable, and (6.7%) believe that the government is keen on preserving the independence of the media, and that any official who interferes with its functions is highly held accountable.

- (38.7%) of journalists believe that official policies and practices do not guarantee pluralism and diversity of the media, but 47.2% of them believe that the official policies and practices moderately guarantee pluralism and diversity of the media, while (15.2%) of them believe that the official policies and practices highly guarantee pluralism and diversity of the media.
- (42.4%) of journalists also believe that the executive authority and/or its security apparatus largely interferes with





the work of the media, while (45.3%) of the sample believes that the executive authority and/or its security apparatus moderately interferes with the work of the media, and (11.3%) believe that the executive authority and/or its security apparatus do not interfere with the work of the media to a large extent.

- Journalists, at a rate of (48.6%), believe that the government and public institutions do not apply the access to information law effectively at all, and (42.4%) of journalists believe that the government and public institutions moderately apply the access to information law, while (9.1%) of the sample believes that the government and public institutions apply the access to information law to a large extent.

- (55.7%) of journalists believe that the government does not work to provide information in a proactive manner at all, and (37.6%) of them believe that the government moderately works to make information available in advance, while (7.6%) of them believe that the government works to make information available in a proactive manner.
- The results of this angle also showed that journalists believe that they are greatly subjected to prior censorship by the editorial departments, this is according to what (48%) of the sample respondents to questionnaire believe, while (43.3%) believe that journalists are moderately subjected to such prior censorship by media management departments, and (8.6%) believe that media management



departments rarely impose prior censorship on their journalists.

- (43.8%) of the sample believes that the media is usually subjected to prior censorship, directly or indirectly, by the government and/or security services, compared to (44.7%) who believe that the media is moderately subjected to prior censorship, directly or indirectly, by the government and/or security services, and (11.5%) believe that the media is rarely subjected to prior censorship, directly or indirectly, by the government and/or security services.
- A large percentage of the sample (47.6%), believe that the government containment policies targeting journalists and media institutions contribute significantly to

controlling their media activities. The same percentage (47.6%) believes that the government's containment policies targeting journalists and media outlets moderately contribute to directing their media activities, this is compared to (4.8%) who believe that the government's containment policies targeting journalists and media institutions do not significantly contribute to directing their media activities.

- (53.8%) of the sample believe that journalists are greatly afraid of freely practicing their work for fear of being subjected to violations that affect them or their job security, and (38.6%) think the same thing, but to a moderate degree, compared to (7.6%) who believe that journalists are not greatly afraid to



freely practice their work for fear of being subjected to violations that affect them or their job security.

- (58.1%) of the sample believes that judicial decisions to ban publishing significantly affect freedom and independence of the media, and (35.2%) believe that judicial decisions to prevent publication moderately affect the freedom and independence of the media, while (6.7%) believe that judicial decisions to prevent publication do not significantly affect the freedom and independence of the media.
- (59.1%) of the respondents believe that freedom of the media and expression is not protected through the Internet and social media platforms, and its users are usually subjected to severe restrictions or

accountability, and (35.2%) believe that freedom of the media and expression is moderately protected through the Internet and social media platforms, and its users are not subjected to restrictions or accountability, while (5.8%) believe that freedom of the media and expression is protected through the Internet and social media platforms, and its users are not subjected to significant restrictions or accountability, and (41.4%) of the sample believe that users of the Internet and social media platforms largely impose self-censorship for fear of exposure to harassment and accountability, and (44.8%) believe that such self-censorship is moderately imposed, while (13.8%) believe that users of the Internet and social media platforms do not largely impose self-censorship on themselves



for fear of being subjected to harassment and accountability.

### 2.2. State of Violations

- (21.4%) of journalists admitted that they had been subjected to violations, harassment, or abuses during 2022, compared to (78.6%) who reported that they had not been subjected to any violations or harassment,
- The results of this angle revealed a significant decline in grave violations such as beating, physical assault and deprivation of liberty, and an increase in soft violations such as self-censorship, prior censorship, and preventing coverage or abstaining from it.
- Journalists, at a rate of (43.3%),

acknowledged hearing that a journalist in Jordan had been subjected to a violation or harassment during 2022, compared to (51%) who said they had not heard of such incidents, and (5.7%) responded by (I do not know).

- (64.3%) of journalists who filled out the Index form expressed concern about being harassed or violated because of their media work, compared to (27.6%) of them who reported they don't have such concerns.

### 2.3 The most prominent features of the press and media freedoms scene in 2022:

- The year 2022 witnessed several government measures that aspired to improve the media work environment, making it in the future more compatible



with international standards related to freedom of expression and media freedoms. One was the establishment of the Ministry of Government Communication, mandated to prepare the general policy for media and government communication, including policy that aims at enhancement of the confidence of the public, citizens and the media and communication institutions in government policies and communication processes. Among the most prominent pillars of that policy are relevant international conventions, treaties, and international commitments that emphasize respect for human rights and freedom of opinion and expression. The Ministry of Government Communication appointed 42 students of journalism and media

at the Ministry of Education, and they were assigned as media spokespersons to all education directorates, while 15 media spokespersons were appointed at the Ministry of Health at 15 health directorates. Minister of Government Communication says these measures are intended to provide information by the government to the public.

- The year 2022 witnessed a significant decline in grave violations, and no incidents such as ill-treatment, beatings, abuse and physical abuse of journalists and media professionals were recorded. It was noted that the government was keen to avoid using this type of practices and violations against journalists and media professionals.



- An explicit and clear trend emerged during the focus group discussions held by Center for Defending the Freedom of Journalists researchers with journalists, writers, media professionals, former government officials, and activists on social media. The trend shows that there are new areas where freedom of the press had expanded during the year 2022, such as freedom enjoyed by columnists and writers- although, reasoning behind what enabled widening these margins of freedom remained subject of differing views. One of these explanations is that “the concerned agencies [have] took a hands-off approach,” while there was still a belief that the interference of the security or government agencies in journalist writers “does not take place in a direct way unless the writer or journalist intervenes and clashes with them, or has the ability to do so.”
- In the context of improving the state of the right to access information, the government approved at the end of 2020 three protocols for enforcing the law. The said protocols included the development of a guide in order to institutionalize the procedures for the right to access information, which is a binding roadmap for all public institutions, while the second protocol deals with classification of information, and the third one deals with information management and the method of preserving, archiving and restoring it. These efforts came as part of the fourth executive plan of the OGP initiative, which is spearheaded by the Ministry of Planning and International



Cooperation. For this purpose, a committee was formed that included government representatives and civil society organizations, including Center for Defending Freedom of Journalists. If these protocols are implemented, it is expected that the situation of enforcing the right to access information will improve, especially if it coincides with the adoption of a new law on the right to access information. In fact, three years have passed since the protocols were approved, and there has been no announced follow-up by the government in order to enforce them, and no appropriate mechanisms have been adopted for their implementation and for accountability.

- Stagnation remained the main

characteristic of the state of public policy towards the media and the press, and its freedom, although some decline was observed. According to trends that emerged during the discussions conducted by Center for Defending Freedom of Journalists with a range of media leaders and current and former government officials. One of the most prominent evidences of this feature is noticeable “contradictions between the discourse of modernization and political reform and the practical practices of the government when the matter is related to public freedoms, freedom of expression, and media and press freedoms.” Some opinions went towards acknowledging that “the State does not have strategies, and even when thinking about preparing any media strategy, security-centered approach will prevail, due to lack of free



space of action government's officials have, and also because of the way these officials assumed their positions, and because of the prevailing security doctrine in dealing with the media.”

- While some opinions warn that “freedom of expression in Jordan is facing great pressures, until we [began] to feel that it is fading and absent,” media leaders who participated in the discussions insist that “the state of media freedom has not reached excellent stage, but we are not at rock bottom, and we need more work on freedom of expression and media in Jordan, and wider areas.”
- One of the most alarming features that characterized the media scene in the year 2022 is the phenomenon of “media

silence” or “media absence” regarding sensitive and critical issues. Examples include the events of Ma’an and the trucks strike. Some of the reasons behind this phenomenon - as CDFJ believes, based on its monitoring and analysis of the reality of media freedoms - are connected to withholding of information by the government; the increasing number of publication ban orders, prior censorship, the lack of job security for journalists and media professionals; their need for human rights and legal awareness, the need to raise [their] professional capabilities, the applicable legislations that impose restrictions on them, the lack of clarity in relation to the standards of what is permissible and what is not permissible, and the fear of exposure to sanctions or other measures by the





institution they work for. In explaining the widening phenomenon of media silence, a tendency emerged implying that “the problem of media institutions in general is that they [have] almost collapsed and have not fulfilled their role, and they have volunteered themselves to not cover these events without receiving instructions, because they fear the costs of exercising their freedom,” taking into account some opinions that interpreted silence as an act “required by the interest of the state.”

### **3. Determinants of the State of Press and Media Freedoms and the State of Freedom of Expression in Jordan in 2022**

#### **3.1 Multiple Sources of Threat to Media Freedoms and Freedom of Expression**

- Center for Defending Freedom of

Journalists notes that the sources of threat to media freedoms and restricting such freedoms are no longer confined primarily to official or governmental agencies or those associated with them, but rather include a wide range of sources, and are not limited to public and official authorities only. A significant percentage of such threats are linked to other normal entities. It should be noted in this context that there is almost unanimity among the individuals who participated in the focus group discussions and in the in-depth personal interviews on the growing role of other parties whose behavior towards journalists and media professionals and activists on social media platforms threatens media freedoms and restricts freedom of expression, such as: The Parliament, administrative rulers, the



judiciary, the Media Authority, employees and deputies in their individual capacities, and even society and ordinary individuals.

- Most Prominent Official Bodies that Interfere in Media Work are the government, security agencies, parliament, and administrative rulers (Governors). Among the aspects of government influence that have become evident are the financial contributions that the government provides to newspapers in the form of judicial and government announcements (paid advertisements). The report deals with the impact of government and judicial announcements (advertisements) on the media in detail.
- Increased resort to the judiciary in 2022

in cases filed against journalists and media professionals, and activists on social media platforms, and although resorting to the judiciary in itself does not constitute a restriction on media freedoms and freedom of expression, and although the judiciary is the primary protector of rights and freedoms; a number of journalists, and media professionals and activists on social media platforms expressed concern about the ease of employing judicial means and resorting to the judiciary to limit the exercise of media freedoms. Former [government] officials stressed that “there is concern among media professionals, journalists, and media outlets regarding the judiciary, especially since the Jordanian substantive and procedural laws are still far from



guaranteeing the standards applicable in the field of freedom of the media and expression, and in those related to fair trials in international human rights law.

- Some laws constitute a major threat to freedom of the media and expression, such as the Crime Prevention Law, which grants administrative governors (governor, deputy governors) the power to administratively arrest and detain individuals. Based on provisions of the aforementioned law, such officials can exercise further restrictions on journalists and activists on social media platforms by detaining them administratively, in a manner that entails a gross violation to the judicial authority and its jurisdiction.
- As for the unofficial bodies, there are

unofficial bodies that actually impede, even weaken, the enjoyment of freedom of expression, and free media work practices. The society itself calls for censorship of the various media outlets, a situation that some opinions classified as a “surreal situation”, while some opinions go on to emphasize “the decline of Internet freedom, as social media was more free five years ago, and this decline is not only due to the government practices, but also to society as well,”. In addition to the undisclosed role of social actors themselves, “We avoid writing about religion, tribes, we also avoid writing about many topics without guidance, but the writer’s mind has become programmed not to engage in certain topics”.



### 3.2 Self and Prior-Censorship and Rise of the “Gatekeeper” in the Media

- The reports related to media freedom in Jordan issued by Center for Defending Freedom of Journalists include a monitoring and analysis of these two phenomena that impede freedom of expression within the various media outlets in Jordan, namely: self-censorship and prior censorship, which recently, according to the opinions of former officials, has taken the form of a “gatekeeper”.
- Prior censorship practices occur on a daily basis and are not monitored or documented, and journalists surrender and submit to them, and if they protest [against them], they may be subject to penalties and held accountable by their institutions first. Furthermore, many media professionals and journalists consider the censorship by the editor-in-chief or his/her representative as his/her right, even if it is subject to political calculations.
- Silence on prior censorship within the walls of media institutions is paralleled by silence on the interference of some officials, and sometimes security agencies, in relation to press coverage. There is nothing in Jordanian legislation criminalizing such interference with journalistic work, and it has not happened in the past decades - except in rare cases - that those who try to harm the independence of media have been held accountable.



- It seems that one of the most important reasons for prior censorship as a restriction on media freedom is that media leaders, including managers and editors-in-chief, especially in daily paper newspapers, are appointed based on certain specifications that ensure the continued identification of these institutions with the government line. These leaderships generally enjoy ties or connections with governmental, security, and official agencies in general. One of the editors-in-chief described these ties as “not security interference in our work, but rather coordination processes that help avoid a negative role in dealing with issues,” adding that “the editorial departments carry out prior censorship in line with the state’s political and security vision, in addition to other social determinants.”
- On the other hand, it seems that the issue of appointing media leaders plays a prominent role in the growth of self-censorship. Journalists who participated in the discussions conducted by the Center say that “media leaders are appointed by a political and security decision,” and that “there are open lines between media institutions and parties that exercise censorship over the media, and some news cannot be published without the approval of government and security agencies, or according to their directives, and any editor-in-chief who tries to resist this censorship by publishing news without prior approval will at least be subjected to pressure.”



- Editors-in-Chiefs and journalists acknowledge the existence of prior censorship, although some of them refer to its existence in the context of “determinants known” to them. For example, the media’s handling of the trucks strike in December 2022, about which the editor-in-chief of a daily newspaper says, “The official and private media did not deal with the events in a professional manner. Some of them were absent from coverage, and the general perception is that the media received calls and directives not to cover this issue, but on the ground, we measure the situation and ask (Is it possible for us to cover a march carried out by 300 people out of 11 million?) And I convey a picture to the world that all of Jordan is sitting on a sit-in and is going through problems.
- Prior censorship is also linked to the possibility of journalists being held accountable and/or penalized by media institutions in the event that they do not respond to the directives of the editorial management, especially since the economic living conditions of journalists are deteriorating, in addition to the fact that the majority of them lack the necessary awareness of their human rights and media freedoms as recognized by international human rights law, in addition to the economic dependence of some media institutions on the government, which leads, if these institutions adopt trends that contradict government discourse, to deprive such institutions of a large share of its financial resources.



- As for self-censorship, some opinions of the journalists themselves asserted that the journalist “has become playing the role of the gatekeeper, so the journalists themselves have become the ones withholding information and refraining from publishing it, not necessarily because of directives or interference.” The self-censorship imposed by journalists and users of various media on themselves has marginalized the role of the press and the media, and led to the phenomenon of media silence.

### **3.3 Silence, Absence, and Indifference as an Advanced Form of Prior and Self-Censorship**

- There is silence or indifference on the part of the traditional media, particularly

the press, in following up and covering important events. This media silence emerged in 2022 clearly during the “Trucks Strike (Ma’an Strike)”, as the informal media was largely absent from coverage, as well as in other cases. Journalists and columnists believe that the media chose “subjectively” not to play their role in covering these events, due to their unwillingness and inability to pay the “costs of exercising their freedom.”

- Some editors-in-chief go on to say that journalists have become aware of “the general context, and what works and what does not.” The editor-in-chief of a major daily newspaper goes on to cite the events in Ma’an, confirming that [his newspaper] “did not receive any contact from any security agency, and we had



started covering the strike events at the beginning, but when they had a negative impact, the coverage changed.”

- Perhaps what makes self-censorship a mystery that can only be understood by understanding the specific context of the media and journalists’ work environment is also the lack of professional standards that define what may not be covered or written about in the media, and that are consistent and compatible with legitimate exceptions under international human rights law, in addition to that journalists and media professionals have become afraid of legal prosecution because of the information they publish.
- Journalists and media professionals’

resort to “silence” sometimes because of fear of legal prosecution: “We have become avoiding writing about some topics for fear of legal prosecution, and restrictions based on the Cybercrime Law and the Penal Code.” Here is the opinion of one of the journalists who participated in the discussions held by the Center.

- The living, employment, and professional conditions, and the legislative, social, and political environment that surrounds journalists and media professionals, put them in a weak position; This deepens their sense of disappointment, and reinforces their desire to avoid a clash with the government or the security services. The general situation for journalists is deteriorating and weak, and they cannot defend themselves or





their interests. The poor economic and living situation they suffer from always makes them a weak party in the equation with the government and its security services, so their main concern becomes earning their livelihood at the expense of their freedoms and defending such freedoms.

- It seems that there is an opinion that has begun to take shape that “a large number of media professionals and journalists have no unwillingness to struggle”, and this is due, according to a parliamentarian who participated in the discussions of the Center for Defending Freedom of Journalists, to deepening of a major challenge represented in “stopping the scramble between the government and the press, as media institutions do

not have editorial plans and policies, and there are unwritten policies, red lines, and taboos that journalists are not allowed to touch or approach. Journalists do not know much about the limits of what is permitted and forbidden, and there are not any clear criteria that they can rely on to find out, the principle is that the work is carried out according to editorial standards based on professionalism, credibility, accuracy and multiplicity of sources, and not commitment to political orientations, and because the work is not done on the ground according to the aforementioned standards and most editorial practices are based on political and financial considerations, self-censorship has deepened among journalists.



### 3.4 Withholding Information and Banning Publication

- Although and for many years, the state monopolizes information and often denies media professionals and journalists and the general public access to it, withholding information, passing information selectively, or partially disclosing it to serve the official or governmental discourse, is a practice complained of by a number of media professionals who participated in the interviews and focus group discussions held by Center for Defending Freedom of Journalists in 2022.
- A female journalist who is the editor-in-chief of a news website stated that “the government discloses the information

it wants, not what the journalist wants and to the extent it deems appropriate, and it does not always provide proactive information.” Another journalist said that “the government and its institutions leak information to certain media outlets and sites affiliated with it”. A member of the Council of the Journalists Syndicate stressed that the information “sometimes is not reliable or accurate”, while a parliamentarian said that “the State does not provide information, and if it is provided, it is late, and this way of presenting the official version is linked to the security and political approach. Furthermore, they are convinced and uphold the rule of “silence is safety”.” Also, “there is no proactive disclosure of information, not even a subsequent flow of information,” according to the same



parliamentarian, who stressed that this is one of the problems within the authority.

- In terms of the legal guarantees for the provision and flow of official (governmental) information, the law on ensuring access to information still lacks a minimum level of compatibility or harmony with international principles and practices regarding the right to access information and make it available, in addition to the fact that the said law still contains many deficiencies and shortcomings. The government has not issued any indication of any change or amendment related to the implementation of the law in public administration and institutions, nor has the government issued any statements directed at ministries and public

institutions related to the classification of information they have. Although Jordan was the first Arab country to pass such a law early in 2007, it is still a dead letter despite it was passed 16 years ago. Since its issuance in 2007 until this day, the law has been the subject of controversy and discussion, especially the number of the many exceptions mentioned in Article 13 of the law, which represent restrictions on the enforcement of the law and the power to apply it. The status of the implementation of the law is still very limited in many government institutions.

- Withholding information constituted a main reason for the decline of media freedoms in 2022, and inevitably impedes the media's exercise of their activities and freedoms, at a time when the state



does not lack information, which (i.e. information) is “available and possessed by the state. When looking at the data of the armed forces, we find that it is clear and wonderful data, and of course no one can do the analysis without information, but in the recent events in Ma’an (the trucks strike) I wished that any official would make any statement,” as a former information minister said.

- Among the most prominent obstacles and violations affecting freedom of expression and freedom of the media in 2022 are the banning orders that the Public Prosecution has been issuing in several cases and incidents that concern public opinion. There is no doubt that the banning orders, whatever their source, which were issued in 2022 lacked any

legitimate justification, contradicted the provisions of the Jordanian constitution, and Jordan’s international, treaty and customary obligations related to freedom of expression and media alike, and constitute a kind of intimidation as they are issued by a judicial authority, “according to a parliamentarian participated in the discussions of Center for the Defending Freedom of Journalists. The parliamentarian also stressed that “there is a misunderstanding of publication banning orders and the authorities do not try to clarify this and use it to close many files and cases. It is not used for the legal purposes it is meant to serve, it rather serves political goals and prevent people from expressing their opinions on issues that may concern the public opinion. All this affected the



credibility of the media in the eyes of the citizen, as the citizen no longer trusts the local media and searches for other sources of information and news.”

- A former minister explained his belief that the publication banning decisions “are based on a lack of awareness of the new dynamics in public opinion and the media, such tools are superficial and immediate solutions to address much deeper transformations, and everyone knows that the traditional communication theories in the media have completely collapsed. No one waits for the main news bulletin to find out the news, and no longer waits for the state to arrange the media priorities, and the hashtag becomes the one that imposes the order of priorities, and the source of

information has become the other way around. The government has become responsive, and government policies have become feedback to social media, and the government does not realize this in order to deal with it in new ways, or that there is no desire to deal with this transformation and accept it.

- The publication ban, according to Jordanian law, is limited to publishing investigation records, and not to publish information or facts related to a case, or an incident that was not referred to the judiciary in the first place, and the banning orders issued in 2022, regardless of their source, constitute a significant turn that would undermine the intentions of the Jordanian legislator, and go beyond their limits and purposes, and it is also



inconsistent with the requirements of the Jordanian constitution, and Jordan's obligations arising from Article (19) of the International Covenant on Civil and Political Rights.

- There are at least two lessons, or two results caused by the publication orders, in addition to the absence of or blocking the flow of information. The first of them is that the banning decisions cause "the creation of a vacuum, which leads to the circulation of narratives among the public that may contradict the state's narrative, with the absence of any other media narrative. Here, the state's narrative later becomes a patchwork, and this is what happened in many cases, such as: The Sedition Case and the Ma'an Case," according to a former minister.

The state, by preventing the diversity of media discourse through banning orders, ultimately leads to the dominance of an incoherent discourse and a feeble narrator that is not credible to public opinion. The second lesson is the growth of "self-censorship imposed by journalists," which means "reducing the role of the media, giving more space to social media, and in 2022 the media content on social media platforms has become more free and richer than it is in the media. The situation that weakened us during 2022 is the restrictions on the media in transmitting information and covering events, leaving room for users of social media platforms to provide information to the public, an example of which is the recent events in the south," according to the director of a news station.



### 3.5 “Soft Violations” and Government Containment of the Media

- The year 2022 witnessed an increase in “soft violations”, and containment policies at the expense of “rough violations”, or physical violations and deprivation of freedom. A member of the leadership of the Journalists Syndicate Council confirmed that it had not “received any complaints related to violations against journalists, and there was a Freedoms Committee within the syndicate that did not any receive or spot complaints of violations.”
- There are reasons for the decline in physical and freedom-related violations and the increase in containment policies, and “soft violations”, among

them; The self-censorship practiced by journalists and media professionals on themselves, their awareness of what is permitted and what is not permitted, and their avoidance of dealing with what is not permitted in their media reports, writings, and other activities, in addition to that the state prefers to resort to this type of violations believing that such violations cannot be attributed to it, and gives the impression that the state guarantees freedom of the media, although in reality it has controlled and engineered such freedoms according to its standards and desires, in addition to the above reasons another factor played an important role which is the decline in gatherings and demonstrations in 2022, which reduced the possibility of clashes or direct friction between the security



services and the media. When we say that the grave violations have receded, we mean here “arrest, physical assaults” and any other assaults against the dignity or personal freedom of journalists. Until today, no case of kidnapping, enforced disappearance, or torture of a journalist has been recorded in Jordan’s history as part of a general or systematic policy. In addition, there are no recorded cases related to the execution, or brutal mistreatment or assassination of journalists.

- The most prominent features of government policies to contain the media, and the soft violations practiced by the public and official authorities towards media workers and media users in 2022, are as follows:

- Financial support for several media organizations. The government employs money, whether by giving to media organizations or its employees, in order to contain them and control their media activities. The government employs ads to influence the positions and trends of paper newspapers and websites, and it seems that ads are directly linked to the websites’ trends and how such trends and converges are in line with the government’s desires and interests. A number of website publishers and editors-in-chief confirm that many commercial advertisements in 2022 have decreased as a result of the websites’ journalistic positions, and that “the government manages the media scene by benefiting some journalists by appointing them as consultants and media spokespersons for various public institutions, as one of the publishers said.





However, the government confirmed in its observations submitted to Center for Defending Freedom of Journalists that the government does not directly financially support any media outlet.”, nor it supports certain media institutions over others.

- Restrictive legislations and legal prosecutions;  
One of the main reasons that explain the large percentages is the employment of official and private agencies of the law with the aim of restricting the activities of media users and prosecuting them. Sometimes, the legal actions brought against the media by private parties such as individuals take place under the guidance or in coordination with an official body that hides behind such private parties. Human rights experts indicated that “today we are witnessing large number of cases such as defamation

of official institutions, including the parliament, such cases are brought by the public prosecution. There is restlessness on the part of the authority; It is now hunting people and legally trap them, in addition to brining lawsuits against websites on the basis the commission of certain crimes such as: stirring sectarian strife, undermining the regime, disturbing relations with a sister country, and crimes related to terrorism and that” the space of freedoms is more narrow in 2022, and the criminalization circle has expanded”. “Some of these experts explained that there is a problem in the legislations, it is not used to protect freedoms, but rather to restrict them. This is witnessed by the arrest decisions, and the illogical bringing of charges against activists.

- Red Lines or “Taboos”, which are a set of



restrictions that still impede freedom of expression and the media in Jordan. The many red lines, or “taboos”, are also being exploited in the context of government containment policies. The principle is that the government takes effective measures and strategies to remove and eradicate all the red lines or “taboos” that restrict freedom of expression and the media in Jordan. However, what is happening in reality is that the government is investing in the red lines method to contain the media, journalists and media professionals, and users of social media platforms. An opinion was expressed by a parliamentarian, which puts a direct description of taboos in a number of headlines: “The king, the security services, the army, and new taboos such as the Hashemite Guardianship, the Jordanian position on the Palestinian issue, and taboos of religion, gender, and tribe.”

### **3.6 Restrictions on Freedom of Expression on Social Media Platforms**

- The Internet has become one of the most important means through which individuals exercise their right to freedom of expression and opinion, and to obtain and disseminate information. The Internet provides basic tools for participating in activities and discussions related to political issues and public affairs. The Internet also plays a pivotal and indispensable role in improving public access to news and enabling them to publish and receive information without restrictions and across borders. In addition, Internet users and activists have an unprecedented platform for exercising freedom of expression.



- The prevailing opinion among journalists, as well as the public, is that cyberspace in Jordan is a restricted one, even though it is supposed to be free. In this sense, a cartoonist said that “freedom of expression is not protected, and there is selectivity in the use of laws regulating freedom of expression. Freedom of expression on the Internet and social media platforms in 2022 was not in a good or comfortable situation,” and in particular - as an activist on social media platforms mentioned - “in the field of expressing the political views, as political activists on social media are persecuted and subjected to restrictions, and this political limitations are broad and the state has expanded them to include many issues.” This was confirmed by a parliamentarian who said, “Freedom of expression for the professional media is moving towards more restrictions, while freedom of expression in random public space still has a margin of freedom, but the government is seeking to restrict it.”
- A former deputy prime minister went on to say, “In the public sphere, there is one platform that has run out of pressure and constraint, which is social media. If we erased the social media, the state of freedom of expression would be tragic, and it is the only available outlet. If governments had the power to close them, they would close them all, but they cannot because they are international companies. Their closure will cause a global scandal. The important factor in controlling public freedoms is always some western countries that



live in democracy and believe in public freedoms.”

- An activist on social media confirmed that “internet freedom is preserved, but it has declined,” and in her opinion, “social media 5 years ago was freer, and we are in decline, and this decline is not only because of the government, but society as well.”
- An expert on social media pointed out that “there is self-censorship practiced by users on themselves, and what is permissible or not permissible to write.” Another activist on social media added that “the only taboo I don’t approach is the security services and the army.” Another activist indicated that “society itself censors the content of activists on social media platforms, and taboos are societal.”
- Freedom of expression on social media platforms faces obstacles and red lines that contribute to obstructing freedom of expression in other media outlets, including traditional ones. There are taboos related to the political system, security services, religion, politics, society and clan, and the state does not take all necessary measures to protect freedom of expression on social media platforms. Rather, it blocks some websites and applications as it did with regard to blocking the (TikTok) application.
- An activist on social media platforms noted that “there are organized attacks against activists, and there are specialized



groups to attack those who contravene the directives of the government or other parties.” Protection is not available, and there are attacks on freedom of expression on social media platforms that may amount to defamation of activists, and a violation of their right to the sanctity of their private lives.

- Although freedom on cyberspace and the Internet is broader and more welcoming than in traditional media or ordinary public space, legislations and some legal provisions are used to restrict such freedom and limit freedom of expression on the Internet. Social media platforms and the Internet are still largely under the control of the executive authority in Jordan. It seems difficult to know the number of cases filed against journalists

because of what they publish on social media platforms, whether it is a republication of journalistic material or opinions, because this type of cases are dealt with by a completely different court from the court that specializes in publications cases that are governed by the Publications and Publishing law other than the first type of cases that are governed by the Cybercrime Law and the Penal Code, as well as cases brought against users of social media platforms because of their exercise of their freedom of opinion and expression.

- There is a clear agreement between activists on social media platforms, and several media professionals and journalists who attended the focus group discussions held by Center for Defending



Freedom of Journalists, that there is hate speech on social media platforms and that the legislation regulating such platforms is broad and restricts freedom of expression, and there is no protection for activists. An activist expressed her views about this issue by saying, “It is certain that hate speech exists, whether it is systematic or not, and the legislation is very broad, and they besiege the activist by various laws.”

- Center for Defending Freedom of Journalists stresses that the Internet and the broader freedom of expression on social media platforms are not the cause of hate speech, and that it is just a tool that reveals that speech because it is devoid of the usual and customary restrictions in traditional media. It can

be said that this role of social media in revealing the hate speech that exists in part of society, shall not be used according to international human rights standards, by the state as a pretext to restrict freedom of expression and media in cyberspace. What is required - as the Center believes - is to take preventive and remedial measures to eradicate the roots of the reasons for that discourse, and one of the most important of those measures, is to educate people about the values of human dignity, equality, non-discrimination and pluralism. As for saying that the broader freedom in cyberspace has contributed to the spread of rumors and false information, it is due to the reluctance of public authorities to disseminate information to the public, the more traditional



media retreats and the more the degree of its credibility and its ability to provide the public with information shrinks, the greater the role of social media platforms becomes, as people are naturally inclined to love knowledge and search for information. This was confirmed by a former chairman of the journalists' syndicate, saying that

social media platforms “did not have a negative impact, and their impact is positive. The area that the media cannot cover has become covered by social media platforms. The platforms have gained credibility, although they may be full of false rumors, and this is caused by the absence of the media. They now have more credibility than the media.



### Conclusions

In light of the data, facts and analysis that Center for Defending Freedom of Journalists was able to reach through the process of collecting information and monitoring the media freedoms for the year 2022, and by analyzing the trends and opinions of a number of media and official leaders and personalities, and the positions and views of journalists and activists on social media platforms, the Center reached a number of conclusions the most important of which are as follows:

**4.1.** There is a decline in freedoms of expression and the media and this is true for all media outlets and platforms, whether traditional or electronic, and it is a decline of great consensus among the various

media users, media leaders, political and community figures.

**4.2.** Harsh or gross violations such as deprivation of liberty, arrest, ill-treatment, or threats, and physical assault had decreased significantly, and despite the multiplicity of reasons / including the increase in self-censorship and avoiding confrontations with law enforcement agencies, this is a positive indicator that cannot be ignored, or deny it.

**4.3.** The various media institutions still lack institutional independence and objectivity, in addition to being mostly of one color and direction. Whereas, the Jordanian government is not serious about promoting its diversity and the multiplicity of its directions.

**4.4.** Self-censorship is increasing in media





organizations and among activists on social media platforms, and they are aware of its dangers and crippling effect on freedoms of expression and the media.

**4.5.** Prior censorship, whether by media leaders, editors-in-chief, or by influential official and governmental bodies, is a de facto and common phenomenon, and it has become a phenomenon that the majority of media institutions' managements cannot deny, but rather a number of those institutions openly acknowledge practicing such censorship.

**4.6.** Withholding information is a phenomenon that has not diminished and is expanding. The government seizes the information in its possession and discloses it selectively or partially to serve its media

and political discourse, in addition to the fact that the government does not provide this information proactively, effectively and smoothly to users of various media outlets and to the general public.

**4.7.** The state practices containment policies towards media institutions and social networking sites, and it employs governmental and judicial advertisements and subscriptions, especially when it comes to paper newspapers, as a tool to adapt, contain and direct these institutions to be in line with the government's policies and directions.

**4.8.** The main sources of threat to freedoms of expression and the media on various traditional and electronic media are still the executive authority and its security services.



**4.9.** Feelings of anxiety are increasing among journalists, media professionals, and social media activists, and they fear for themselves if they exceed in their work and media activities the directives and narrow ceilings available to them to express their opinions.

**4.10.** The legislations regulating the exercise of freedom of expression and the media is inconsistent with the international principles and obligations related to human rights and freedom of expression and the media, to which Jordan has committed itself by virtue of its ratification of, or accession to, a number of international human rights conventions. They are broad legislations in a way that may allow them to be used as a tool to unlawfully restrict freedoms of expression and the media, as is the case with regard

to publication banning orders, which are increasing year after year.

**4.11.** In the year 2022, the number of cases filed against journalists, media professionals, or activists on social media platforms increased due to materials or opinions they published on social media platforms. Such cases were filed the basis of both the Cybercrime Law and the Penal Code.

**4.12.** The red lines and taboos traditionally known in Jordan still exist, and the government has not made any effort to remove them, mitigate their impact or protect journalists and activists on social media platforms when they deal with social taboos, in addition to the fact that there are new taboos that were established in 2022.



**4.13.** Cyberspace and social media platforms have become more restricted and less free in 2022 due to restrictive legislations, the many taboos and containment policies adopted by the state towards activists on social media platforms, as well as targeting some of them with disciplinary sanctions by their employers because of their activities on such platforms, and others were the target criminal complaints on the basis of the Cybercrime Law and the Penal Code.

**4.14.** Journalists and various media institutions lack support and protection from the government, and activists on social media platforms have great concern that the government will not provide them with the necessary protection, mainly due to the lack of a national strategy for the media and its users, including journalists, media professionals, and activists on social media platforms.



### 5. Recommendations

**5.1** The government's adoption of a declared strategy and policies that support freedoms of expression and the media, linked to implementation plans with measurement indicators and a time frame.

**5.2** Urging Parliament to adhere to a work approach that supports freedom of expression and the media, and monitors, through its committees, violations against journalists, and holds the government accountable for such violations.

**5.3** Calling on civil society organizations to pay attention to supporting media freedom because it is a guarantee to society's right to knowledge, and a partner for such organizations that informs the public about its work and activities.

**5.4** Reviewing the legislations regulating and affecting the media to align it with the constitutional provisions, especially Article (15) and Article (128/1) which prevent the adoption of any laws that restrict the rights stipulated in the constitution.

**5.5** Giving urgency to amending legal articles that impose custodial penalties in publishing and freedom of expression cases, such as the cybercrime law, penal code, and the prevention of terrorism law.

**5.6** Calling for the addition of an article to the constitution that stipulates and protects the right to obtain information.

**5.7** Dealing with publishing cases as civil and criminal ones, and taking into account not to exaggerate the amounts of civil compensation so as not to lose the right to



freedom of expression and the media.

**5.8** Abolition of mandatory membership in the Syndicate of Journalists, and opening the way for syndicate pluralism.

**5.9** Endorsing an urgent law establishing the complaints council, which can provide justice to society from the mistakes committed by the media.

**5.10** Giving urgency to information requests submitted by journalists and media professionals to encourage them to use the law.

**5.11** The judiciary should pay attention to the necessity of conducting an independent investigation into violations against journalists and the media outlets as soon as they become known or published in the

media and social media platforms.

**5.12** Establishing an observatory to monitor violations of freedom of expression, especially what happens in the space of social media platforms.

**5.13** Stop issuing gag orders, whether by the government or the judiciary, because they contradict the standards of media freedom and independence.

**5.14** Launching the Independent Media Support Fund, for which an annual financial budget is allocated to assist the media according to declared and transparent professional standards. Such a fund shall be managed by a committee of independent experts.

**5.15** The commitment of the government



and state agencies to a code of conduct that guarantees fair and impartial treatment, and non-discrimination between the media outlets and platforms.

**5.16** The government's commitment to policies and practices that make access to the Internet easy and affordable for people.

**5.17** Adding provisions to the related laws that criminalize blocking the Internet or manipulating it by the government or its affiliated agencies.

**5.18** Dealing with social media platforms as an integral part of the media covered

by freedom of opinion and expression in accordance with international human rights law and Jordan's obligations under it in the field of freedom of expression and media and dealing with activists on these platforms legally and pursuant to the same method followed with regard to dealing with traditional journalists and media professionals.

**Please refer to the full report in Arabic on the website of Center for Defending and Freedom of Journalists (CDFJ)**

[www.cdfj.org](http://www.cdfj.org)

**On the Center:** Center for Defending Freedom of Journalists is a non-for-profit civil society organization, established in Jordan in 1998, operates in the Arab world, and was licensed in Geneva in 2018, and was registered as a branch of a foreign organization in Tunisia. The Center works to promote the freedom, professionalism and independence of the Arab media, defends freedom of expression, ensures the flow of information, and to consolidate human rights in the Arab world. The Center defends media professionals, and human rights defenders, monitors violations to which they are exposed, provides legal support and assistance to them, and moves to ensure accountability for all those who violate freedom of expression and media, and to prevent their impunity. The Center seeks to establish an incubating environment for freedom of expression and media by adopting supportive policies, and amending legislation to align with the constitution and international treaties and conventions.

**CDFJ's Vision:** Protected freedom and independent media in a democratic society

**CDFJ's Mission:** CDFJ is a non-for-profit civil society organization that seeks to promote and defend freedom of expression and media freedom in Jordan and the Arab world, by protecting the rights of journalists, developing their professionalism, ensuring their right to access information, and by developing policies, legislation and practices that incubate freedoms, preserving freedom of expression, defending the freedom and independence of civil work, and consolidating a human rights-based approach.

#### **CDFJ's Core Values:**


- Respecting human rights: We are committed to human rights and strive to protect and consolidate them.
- Pluralism: We believe in pluralism and diversity, and we fight all forms of discrimination.
- Integrity: We rely on the principles of integrity, good governance, and ethical codes of conduct, and transparency governs our relationship with our partners.
- Leadership: We work in partnership with our allies, and we see that collective work based on human rights and democratic values is the way to achieve our goals.
- Accountability: The path to our goals is difficult, we struggle to achieve them, we subject our work to evaluation, accept community accountability, and disclose what we do.

#### **Strategic Objectives:**

- Defending freedoms, providing support and protection to media outlets, journalists and human rights defenders, and ensuring their right to freedom of expression and free access to information.
- Enhancing the professional capabilities of the media and journalists, and working to empower the media and civil society organizations to contribute to strengthening the human rights system and achieving sustainable development goals.
- Advocating for the promotion and development of the legislative, political, practical, social and cultural environment that incubates freedom of expression, media freedom and civic space.
- Employing the expertise of the Center to be a catalyst for change through networking and partnership with civil society organizations and active stakeholders, and supporting them in integrating the media in their programs and projects.

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