

Media Freedom Status in Jordan

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REPRESSION BY FORCE OF LAW



Annual Report

Media Freedom Status in Jordan 2012



Suppression with the force of the law



Nidal Mansour

The Arab Spring did not lead to media freedom because journalists, who joined the protest movements in order to shatter the chains that shackled them for did not gain a margin of freedom proportionate to the blood that was spilled and the sacrifices made at the altar of the revolution.

Jordan was not in the eye of the storm. It was different, yet it was not an exception. The voices of protestors demanding freedom, justice and dignity reached its doors, but did not tear down its walls.

At the forefront of protesters demanding change were journalists who broke with the years-old tradition of submission and shed the straightjacket of marginalization and taming.

The old idioms used so far in dealing with the media were no longer pertinent. The conductor who single-handedly controlled the media scene was no longer capable of setting the scene and the background.

Accordingly, it can be said that the Arab Spring of the media in Jordan was stuck in limbo, at an indeterminate point between two directions and two interpretations.

At one level, we succeeded in overcoming the barrier of fear. We are no longer deaf, mute, and blind. Now we can complain, we can even reject, and we can raise our voices in protest. We are no longer a “mouthpiece” to be used, nor a flock to be herded like sheep.

The world has changed and so have we. What has happened in merely two years is more than what happened in decades. The media that persisted in playing a single note have faded and they are now on the brink of extinction. The people have created new media characterized primarily by inclusiveness: it is the people’s collective voice; it reflects them all; it is a symphony rich in diversity, pluralism and difference.

Yes, we have remained at the threshold; we have not gone beyond the crossroads; we have failed to seize the opportunity to make a history fit for reconciliation with the future, the first chapter of which would be freedom.

Again, despite the positive reading of the changes brought about by the Arab Spring, we have not succeeded in breaking free from the stereotypical image of a state that suppresses and usurps freedom. For this, we paid a price in reports by international institutions, which show a decline in the press freedom indexes.

Throughout 2012, we dominated the “gray area.” All issues remained pending without resolution, and the freedoms gained by journalists were tolerated at times, and at others forbidden.

The other reading of the media scene shows unequivocally that good intentions are not sufficient to create media freedom if they are not supported by action, and that the promising media strategy endorsed by King

Prelude

Abdullah to pull our media out of slumber was mere wishful thinking.

Hence the picture is multi-faceted. Taboos and red lines that were shattered, and the new electronic media that rebelled against the official text to become a looking glass that reflects the true picture of people in the street, in all their suffering, come face to face with violations, acts of aggression, threats to journalists, and frenzied attempts to reassert control on the media and contain them.

After two years of popular protests, the media in Jordan are still in a stage of hit and run. Direct interference by security agencies decline, and some officials shy away from giving direct orders to journalists and rebuking them, but they never fail to invent new ways of restriction and control.

4 The amended Press and Publication Law was a Jordanian innovation par excellence. In brief and notwithstanding the government's circumlocutory claims that this piece of legislation was meant to regulate electronic media, the law was the fiercest attack on the freedom of electronic media outlets, which have resisted all attempts at containment and taming at the hands of authorities, remaining for the most part a shadow government that monitors, raises questions, and tells the truth to the people.

The Government is now working hard to annul the freedoms that journalists had gained, thanks to popular activism and information technology.

"One step forward, two steps back" describes well the state of press freedom. Attempts by journalists to move forward and gain ground, the better to report the truth to the public and to be where people are, were met with blows from batons that left identifying marks on the bodies of journalists, and redefined what is permitted

and what is not as well as the relationship between journalists and authorities.

Violations against journalists of all forms did not stop. A report documenting these violations shows that grievous attacks decreased relatively in number, perhaps primarily because activism in the street declined as well, which reduced the opportunities for friction with security personnel and the so-called "thugs". Alternatively it may be because security agencies have learned from their mistakes and become more self-restrained when dealing with journalists covering demonstrations.

The year 2012 has passed and it is futile to cry over the past. The achievements in media freedom do not amount to a qualitative leap forward. Journalists' yearning to regain the independence that was stolen from them was not realized. After this bitter reality, the rest is mere detail. The outcome can be summed up as follows: Full-fledged freedom was a dream we were about to make true, but we woke up without grabbing it.

At the start of the Arab Spring the stakes were higher. But when the Arab Spring countries faltered and failed the test of freedom of expression and media freedom, the move two steps back became an acceptable prospect, not tantamount to the end of the world. In the eyes of those who look upon the Arab world from outside, the slogans of freedom of expression and media freedom have collapsed effectively.

They consider that the progress made in the area of freedom in Jordan should be a source of pride and they preach against self-flagellation because the "gray areas" are better and safer than revolutionary slogans that lead to bloodshed.

Executive President
Center for Defending Freedom of Journalists

Introduction

Suppression with the force of the law

Through its monitoring and documentation of violations against journalists in 2012, the Center for Defending Freedom of Journalists (CDFJ) continued with the same approach and method it followed in previous reports. It maintained a systematic development it adopted in 2011 when it began a new mechanism in dealing with the complaints received from journalists about the attacks they were exposed to and violations against media freedoms and human rights in terms of international principles and standards and through program "Ain" (Eye) for monitoring and documentation of violations against journalists.

Over the past two years, violations against media freedoms in Jordan continued as is the case in other Arab countries affected by the Arab Spring. Some of the changes that took place in Jordan in 2012 should be noted and taken into account. The grassroots protest movement, during this period, declined slightly, a matter which has led to a slight decrease in grave, collective, wide-ranging and systematic violations including beatings. However, the indicators recorded by the report of complaints and violations draws attention to the continuation of several forms of violations, most important of which are the violations related to defamation, slander contempt, prevention of media coverage and threat of abuse. This does not mean that the number of more serious incidents such as beatings has declined or has not recurred. In fact, the "Ain" Program for Monitoring and Documentation of Violations has recorded about 10 incidents of physical assaults that occurred in 2012. Most of these attacks were against journalists, as mentioned in the complaints they

filed, during their coverage of sit-ins, demonstrations and popular gatherings demanding freedom and change and an end to corruption and price hikes. Noteworthy developments include also the use of law by government as a tool to restrict media freedoms. It started when the government approved the amended Law of Publication and Press in 2012, which was considered a regress in freedoms in general and media freedoms in particular and as an attempt by the government to control and contain the electronic media which has become a haven for Jordanians to see what is happening in reality.

These things have prompted the CDFJ to maintain the format of its report on complaints and violations and try to verify these violations, seeking pieces of evidence that support the allegations recorded in the complaints of journalists and media people which the center followed up. The CDFJ has singled out a number of items related to serious violations against media freedoms committed in 2012, and the prominent and most common violations that were coupled with a policy of impunity and denying victims justice.

The Center maintained throughout last year its reliance on a rights-based approach as it dealt with the complaints and violations filed. In practice, such an approach proved significant, valid and useful. The CDFJ continued to promote this approach, measuring progress achieved and preserving the unique basic components and elements of the report on complaints and violations, in spite of changes that affected the media arena, most notably of which was the continued influence of the Arab Spring and protest movements demanding freedom and democracy. The violations detected and received by the Center entailed a variety of topics and constituted stark violations



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against media and journalists' freedom.

First: Journalists' poll

The questionnaire of journalists' poll, conducted by the Center for 11 consecutive years, was designed in a scientific and accurate way after it was reviewed and scrutinized to keep pace with the latest developments and events witnessed by Jordan and the media community. Many out-dated questions whose answers no longer added any quality value to the content of the poll were omitted. Meanwhile, other questions were developed to keep up with new developments.

The poll measured, for the first time, the attitudes and trends of journalists towards some issues of interest to the public opinion. In addition, the number of open-ended questions was reduced with more reliance on closed questions to obtain the data, worded on the basis of the most significant responses received in previous years. The survey questionnaire consisted of (303) questions and the number of media men and women polled stood at (508) representing various private and public media institutions in order to identify the following:

- The degree of journalists' satisfaction with the the press freedom situation in Jordan
- The impact of the amendments introduced to the Press and Publications Law
- The effects of the electronic and social media on the media landscape
- The attitudes and trends of journalists and media professionals towards the issues of interest to the Jordanian public opinion
- The opinion of journalists regarding political Islam's stand on the freedom of expression and the press freedom
- Journalists' opinions regarding soft containment and red lines.

- Pressures and harassment journalists were subject to, methods of committing such violations and the agencies involved in them in 2012
- Self-censorship and the degree of its prevalence among journalists and media professionals
- The impact of revolutions and protest movements on media freedoms.

Second: Complaints and violations

Chapter II of the report presents a summary of the major violations monitored and documented by the Program for Monitoring and Documentation of Violations against Media "Ain". These do not cover all the violations that were documented by the program, but they are the most serious and stark violations that clearly reflect the general trends of violations against the press freedom without ignoring the significance of other violations monitored and documented by the program in Jordan.

The Center continued to deal with the complaints it received from the media professionals regarding violations against the media freedom and journalists' rights in light of the principles and criteria adopted. However, the changes and the transformations the region, including Jordan, has been experiencing and which are associated with the Arab Spring led the Center to focus on specific aspects.

The striking phenomenon in 2012 was that the beatings, insults and detentions against journalists became a common and familiar practice, particularly during media coverage of sit-ins and protests demanding freedom and change. Therefore the Center maintained the format of the complaints and violations' report and its basic elements in 2012 as was the case in the previous year. However, it singled out a number of items associated with the serious violations

against media freedoms that took place in 2012, in addition to systematic violations which were most prominent and common and which were coupled with the policy of impunity and denying victims access to justice.

The “Ain” Program for Monitoring and Documentation of Violations against Media Freedoms affiliated with the Network for Media Freedom Defenders in The Arab World “Sanad” (Support) has been able to verify a number of various violations against media professionals and media freedoms in Jordan in 2012. The Network has obtained information on these violations through the cases it monitored either through complaints, notifications or self-initiated monitoring. All these cases have undergone the review mechanism, fact finding and scientific and legal review. Out of (96) cases received by the program in 2012, (61) were found to involve one or more violation of media freedoms or media professionals’ rights.

Violations against media freedoms and media professionals’ rights in Jordan in 2012 have been involved more than one of the rights monitored by the Network for Media Freedom Defenders in The Arab World. This is particularly true in view of the fact that violations of human rights, including the press freedom, are inherent, interrelated and multi-faceted. The violations verified by “Ain” in Jordan included: ill, cruel, inhuman and degrading treatment, violations of the freedoms of expression, publication and media, unlawful detention and assault on journalists’ personal freedom. It is striking that prior censorship and withholding information are still among the violations that are committed despite the expanding margin of the press freedom as a result of changes and political transformations in the region, including Jordan. However, monitoring efforts were focused on serious violations

because these have become the most prominent, common and frequent. Moreover, such violations are no longer committed by security men directly, but by security agents and collaborators, so-called thugs, who have become a familiar tool in committing grave violations against journalists.

Network for Media Freedom Defenders in The Arab World has noted with concern the phenomenon of using law and special courts in Jordan as a tool to inflict violence against journalists. It has become a familiar and common practice to send media professionals to the State Security Court on the grounds that the media materials published constitute a crime of insult to the King, anti-regime or an incitement against it.

Third: Studies and Research

The visible and the implicit... Islamic movement’s vision and approach to the freedoms of expression and the media.

The present study comes in the context of an exploratory work aimed to identify the status of the right to speech in the political and reform program of the Islamic movement in Jordan, and compare it with similar programs of the Muslim Brotherhood groups in Egypt and Syria.

The study consists of seven chapters, including one entailing testimonies we deem extremely significant, because, in the first place, they have enriched the study. Secondly, they involve people with experience and merit from Islamic movements’ leaders and researchers specialized in Islamic movements.

In the first chapter, the study surveys the history of the Islamic movement and the change in their basic concepts from “militancy to participation”. The



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study covered Jordanian Brotherhood's political participation and how the group transformed from a movement willing to be a partner in power before the signing of the Wadi Araba Treaty before it lost interest after that peace agreement was signed [between Jordan and Israel], a position that triggered a row over stands and concepts and led to a confrontation between the group and the establishment.

The study allocated the second chapter to explore the media discourse of the Islamic movement in the aftermath of the Arab Spring. In the third chapter the study discusses political Islam and freedom of expression through a public opinion survey that involved (500) media men and women with the questionnaire including 9 questions.

The answers of the respondents showed that the Jordanian media professionals were not convinced that the political Islam movement believes in media freedom. At least (28%) of the respondents do not see that the Islamic movement believes in that at all.

Responding to a question about whether the Islamic movement has programs for supporting the freedom of opinion, expression and media, (62.2%) said that the movement did not have any programs, versus (31.5%) who said the movement had such programs. This means that two thirds of Jordanian media professionals do not believe that the Islamic movement has any programs to support the freedom of expression.

In the fourth chapter the study discussed in details the concept and status of public freedoms, and freedom of expression and media in the reform rhetoric of the Islamic movement. This has been done through defining the concept of reform as stated in the movement's reform comprehensive program in the year 2005 as approved by the movement, where it expresses its point

of view and position on that issue.

The study focused on the status of public freedoms in the reform rhetoric of the Islamic movement and discussed the concept of the movement's duality of culture and media.

Chapter Five was dedicated to draw a comparison between the status of freedom of expression in the reform programs of the Muslim Brotherhood in both Syria and Egypt, to conclude that the status of freedom of expression in the reform project of the Muslim Brotherhood in Egypt turned out to be very modest. There was no mentioning at all to the freedoms of the press and expression, except in the context of a single sentence where the movement referred to what it called the «ridding all media outlets of anything that is inconsistent with the provisions of Islam and ethics.»

Chapter Six was dedicated to exploring models applied in practice illustrating how the Islamic movement in Jordan dealt with a situation involving «thinking within the group» and “thinking outside the group”. Towards that end, authors examined the Islamic movement's stand on the so-called «Zamzam initiative» which was adopted by leading figures from the Brotherhood who called for reforming the Islamic movement internally. The group responded by rejecting the proposal, while some voices demanded that those who initiated Zamzam be dismissed and those who signed it be tried.

The study focused on the Egyptian Islamists' rule as a model and how the Muslim Brotherhood deals with the freedom of press and expression.

The seventh chapter was dedicated to testimonies made by Islamic leaderships, experts in political movements, researchers and politicians whose views and assessments were deemed important.

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State of Media Freedoms in Jordan 2012

First: journalists' poll

Indicators of media freedoms declined according to the findings of the survey carried out by the Center for Defending Freedom of Journalists (CDFJ) in Jordan in 2012. The optimistic outlook for change and progress in the press freedom that accompanied the beginnings of the Arab Spring and the grassroots protest movement did not last.

The figures showed an increasing trend among media personnel to believe that the press freedom declined in the past year. Among the respondents, 14% believed that it declined dramatically, compared to 2011, when it stood at 11.9%

At the same time, the percentage of those who deemed that the situation of the press freedom improved significantly went down to 8.5%, from 15.4% in 2011.

The picture of the media freedom becomes clearer in light of the rising negative trends. Of the respondents, 9.19% said the situation of the press freedom was weak, up by 3% from the year 2011. In contrast, the percentage of those who saw the situation as excellent did not exceed 4.1% slightly down by seven-tenths percent as compared to the previous year. Similarly, even those who described the media freedom situation as "moderate" accounted for 27.4%, down from 34.5% in 2011.

A considerable percentage of the journalists who participated in the poll (57.3%) out of a total of 508 respondents deemed media legislation in Jordan as a restriction on the freedom of the press, with a remarkable drop of 9% from the previous year.

The poll, which has been conducted by

the CDFJ for 11 years in a row, measured for the first time the attitudes and trends of journalists regarding some issues of concern to public opinion. For example, 66.3% of the respondents did not support the decisions to raise the prices of fuel. Only 6.1% showed support for the decision to a high degree, while the mean of all degrees of support for the move stood at 18.75%.

Journalists' opposition of government's moves is not only manifested in daily life issues. In fact, 53.3% of respondents utterly rejected the arrest of grassroots protest movement activists and trying them before the State Security Court.

The journalists' attitudes went in tandem with in the mood of the street. A clear majority of respondents were in favor of dissolving Parliament with an average of 86.36%. The same applies to the respondents' position on the formation of the Independent Electoral Commission, which gained their support at 82.57%.

The interlocking dialectical relationship between the level of media freedom and the reality of the protests and grassroots movement in the Jordanian street was manifest in the survey. The foremost indicator was journalists' conviction that the protests have contributed to expanding the boundaries of freedoms, which went down to 81% after it was 86% in 2011. The same applies to role of these protests in other aspects. With regard to their role in ensuring the flow of more information to people, the percentage of respondents who believed in that role decreased from 86% to 84%. In terms of limiting the interference of the security agencies in public life, it went down from 66% to 61%, and in lowering the level of self-censorship exercise by the media, it dropped from 62.7% to 54%. Similarly, journalists' belief that the protests helped alleviate journalists' fear from legal

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prosecution went down from 68% to 63%, while the belief in their contribution to the media's ability to cross red lines went down from 79% in 2011 to 78.6% in 2012.

The pessimistic and melancholic perspective of the journalists surveyed was not confined to their perception of the situation of freedoms, the increasingly negative impact of legislation and the declining recognition of the role of the grassroots movements in supporting a liberating media. Such a grim view also applied to self-censorship after bets that such an alarming phenomenon would disappear or fall dramatically were dashed. The percentage of respondents who acknowledged self-censorship dropped by 1%, from 87% in 2011 to 86% in 2012.

The same excuses to exercise self-censorship expressed by journalists did not change either. Of the respondents, 82% said they applied self-censorship when they thought that what they planned to write was against the law, while 70% said they exercised it when they suspected it would contradict customs and traditions, and 71% used it when discussing sexual issues.

Self-censorship drivers saw no change, either. Journalists parroted the same slogans when asked "Why do you censor yourselves?" In response, 96.8% said it was out of loyalty to the homeland. The second motive was the willingness to protect the security of the country, at 96%, while 96.3% said they did not want to incite strife or jeopardize national unity. Meanwhile, 95.4% said they were motivated by moral obligation, and 86.9% stated they sought self-esteem and good reputation, while 85.3% attributed it to religious reasons. Finally, 56% said they exercised self-censorship because they were aware in advance of their media

institutions' policies regarding what can be published and what cannot.

On the other hand, 8.2% did not deny that they were doing it for financial incentives, while 6.2% were interested to secure a promotion and a better position.

Taboos which journalists avoided remained the same, at the forefront of which were the Jordan Armed Forces (91.3%), the judiciary (84.1%), religious issues (74%), and, much lower than that, the security services (68%). The percentage of those who said they avoided sexual issues was 72%, while 42% and 57% refrained from criticizing Arab and foreign heads of state, respectively

Three topics were considered the top red line avoided by journalists: The Armed Forces by 22.1%, religious issues (13.5%), and criticism of the security services (13.4%).

The constitutional amendments introduced by Jordan in 2011 came to ensure democratization and reform and support freedoms, but the journalists deemed that these changes did not achieve their objectives, and that the government was not committed to the enforcement of the Constitution.

In shocking answers to the question whether the government was committed to the implementation and practice of constitutional amendments relating to media freedom, 3.28% of the journalists surveyed said the government did not comply with the Constitution in this regard, while 22.4% said it was committed to a low degree, 39.8% said to moderate degree, and only 4.9% said that the government was committed its enforcement to a high degree.

Although the electronic media was targeted in 2012, and the Press and Publications Law amendments further

suffocated this sector, it maintained its popularity among journalists, with the majority expressing support for it.

Of the media people surveyed, 45.3% rejected to prior licensing requirement stipulated in the amended Press and Publications Law, considering it a restriction on the freedom of the media, while 21.9% considered it a positive development as far as the freedom of the press is concerned.

Meanwhile, 54% of the journalists objected to blocking unlicensed websites under the provisions of this law and considered that as a restriction on freedoms, while 16.5% believed that it was positive for the freedom of the media.

The most obvious finding was that 60% of the journalists rejected the article in the said law which stipulates that comments on websites are part of the journalistic material, while only 15% supported it.

Despite their opposition to bulk of the amended Press and Publications Law's articles, the respondents were confident that this law would not be enforced on blogs and social networking sites.

Of the journalists surveyed, 43.9% said they were confident that that government was honest in asserting that the law is limited to the electronic news sites.

Regardless of the legal texts and government promises, the final say and real test remains in the hands of the judges as they implement the law in practice.

The role electronic media in pushing the envelope of the press freedom maintained its top ratings, averaging 86.4% among journalists who saw that these outlets contributed to expanding the margin of

press freedom. Meanwhile, an average of 80% said these sites defended media freedom, 70.6% said they contributed to developing dialogue, 61.8% considered them a source of credible information and 55.2 % said they played a role in the development of the profession.

More importantly, 93% believed that these sites provided people with the opportunity to express their views and comments freely.

The battles to contain the media through buying journalists' loyalty did not stop or subside. The Arab Spring, which was supposed to promote the freedom of the media, and the fight against corruption, did not have a great resonance in the media.

There was talk in private about attempts to buy off journalists through paying them bribes, which went public via unconfirmed electronic media reports, which claimed that a former intelligence chief was paying for a large group of journalists.

Survey figures regarding the containment issue did not go down. In fact, they increased. Some journalists did acknowledge that they were subject to containment, accounting for 17.7% in 2012, up from 16.7% in 2011.

Businesses, governments, semi-governmental institutions and security agencies led the containment attempts, according to respondents.

In terms of the form of containment, financial donations and gifts were dominant, accounting for 49.2%, followed by facilitated services at 20.5%, then appointment in government and semi-government posts (11.5%).

The unexplainable irony was that 72%



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of the surveyed journalists believed that containment attempts did not affect the way they practiced their profession.

Not only were there journalists who admitted that they had been subjected to containment, but, more seriously, 53.1% of respondents said that had heard there were journalists who were exposed to these attempts. This makes that total ratio of those who said they were exposed directly to containment or heard about others who were 70.8%, which is a very alarming indicator.

The danger this phenomenon poses to the independence of the press is amplified when we know that a total of 73.4% of journalists believed to different degrees in the credibility of the leaks about reporters receiving bribes from the abovementioned intelligence chief. In detail, 45.3% said they believed to a high degree it was credible, 23.6% said to a moderate degree, and 10.2% to a low degree. Only 8.7% rejected the claims as completely false.

When asked who they believed leaked this information, 31.8% said they were influential figures, 26.2% said the security agencies were behind the leak, while 20.2% said it was the media and 11.4% accused government agencies of the leak and 3.8% said it was all the abovementioned parties.

Journalists' answers contradicted over this issue, which has sparked controversy and still does. On the one hand, a majority believed in the validity of the information, and on the other, they considered it was a leak by the government, security agencies and the media. From a third angle of vision, 33% believed that the purpose of the leak was to settle accounts between centers of power, tarnish the image of journalists (19.5%), recruit journalists in battles against each other (14%), expose

those involved to public opinion, (12%), or expose the way security agencies deal with journalists 8.6%.

The 2012 poll underwent review and examination to ensure it kept pace with events Jordan and the media went through. Several out-dated questions were canceled as their potential answers would not add to the content of the survey. Other questions were updated such as those pertaining to constitutional guarantees of media freedom. New aspects and questions were added to enrich the survey such those related to the amendments to the Press and Publication Law as well as rumors and news about reporters allegedly receiving bribes from the said former intelligence chief. Most importantly, there were the question to detect the attitudes and trends of journalists towards issues of public concern such as the dissolution of Parliament, the trials of activists from grassroots protest movements before the State Security Court and the hike of the prices of oil derivative. Finally, there were the questions associated with the study of «political Islam, the freedom of expression and the media.»

The methodology adopted by survey centered around a questionnaire that included 202 questions. It was designed to stand at the assessment of journalists of the various aspects of the freedom of the press in Jordan, and their level of satisfaction with media legislation and its impact on the situation of media freedoms, as well as to identify the problems and pressures they face.

The survey overcame the problems and difficulties faced by the research team in the previous year. Accordingly, the number of open-ended questions was reduced, with more reliance on closed questions to complete the data, building on the most significant responses

received in previous years.

The survey questionnaire was presented to a technical committee for assessment. The committee's notes were taken into consideration and a prior test was conducted to make sure of the clarity of the questions. All the observations generated by the test were taken into account to determine the final shape of the form.

The study population consisted of 1,481 journalists and media personnel, exclusively from among members of the Jordan Press Association (JPA), and those recorded in a list compiled by the Center for Defending Freedom of Journalists as on the date of the survey, starting from 05/01/2013 until 20/01/2013. The center's list relied on names obtained from media institutions working in the public and private sectors.

The design of the study sample relied on a systematic random sampling method with a 95% reliability rate and a 3.6% a standard margin of error. Journalists were divided into two categories proportionate to the size of each category, as follows:

- Category I: included journalists and media workers in the public sector with a percentage of 24.6%.
- Category II: included journalists and media workers in the private sector with a percentage of 75.4%.

Journalists and media professionals were also distributed within each category according to gender, also in a manner commensurate with their respective size. The percentage of male journalists stood at 74.1% while the percentage of female journalists and media workers was 25.9%.

Journalists and media professionals not registered as members of the JPA

were also taken into account, with their percentage proportionate to their size. JPA members' percentage stood at 59.7%, while that of non-JPA members was 40.3%. Some modification was made to the survey weights because some journalists did not respond to the poll and due to some problems such as incorrect or disconnected phone numbers or the fact potential interviewees did not exist in Jordan.

The number of respondents who were contacted and the questionnaires were completed in full accordingly stood at (508).

In terms of the positive findings of the 2012 survey, there were indications that the pressure and harassment targeting journalists had gone down to 36.2% from 41% in 2011.

This can be interpreted in different ways. There is the positive interpretation that the government and its security agencies improved the manner they were dealing with journalists covering the protests and did not use excessive force against them as the case was in 2011. Another interpretation is that the grassroots protest movement retreated and its activities were no longer headline-grabbing. This means that the volume of friction with the security in the field decreased, resulting in declining indicators of abuse or allegations of abuse.

Exploratory questions to identify pressures, harassment and violations should be read as a single unit along with a report monitoring and documenting violations against journalists in Part II of this survey. The report was prepared by the «Sanad» unit affiliated with the center. Sanad is specialized in monitoring and documenting and functions as part of a regional project to monitor violations

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against the media in the Arab world.

The main kinds of pressure against journalists took the form of withholding information, accounting for 23%, followed by threats (12%), libel (10.2%), barring from coverage (7%), website blocking (2%), beatings and physical abuse (1.6%), a similar percentage for summoning by the security agencies, detention (1.4%), destroying reporters' working equipment (1.2%) and referral to the State Security Court (0.4%).

Ten years after the release of the report on the situation of media freedoms, the denominator in all the polls has been journalists' agreement that the government interferes in the media. Since 2004, the surveyed journalists have confirmed government's interference, with a percentage 59.4%. This indicator has kept an uptrend to reach 68.8% in 2011, to drop slightly to 83.9% in 2012.

The freedom of the press is inseparable from the political movement. What has been happening with the media in the countries of the post-revolutions (Egypt, Tunisia) has attracted the attention of the press in Jordan. The media in the Kingdom began asking comparative and hypothetical questions on political Islam, especially regarding the Jordanian Muslim Brotherhood's position on the issue of the freedom of expression and freedom of the press. They also asked if the conflicts, violations and accusations traded between the media and the governments of political Islam in Egypt and Tunisia apply to the Jordanian model, and whether Jordan's Islamists have the same trends and practices of their peers in the said countries, and the extent to which the media can trust Islamists as believers in the freedom of the media.

The 2012 survey asked questions about the relationship between political Islam

and the media. Findings will be employed in a study attached to the report in Part III.

The poll figures revealed that political Islam does not find many supporters among media personnel. An average of 47.5% of respondents believed that political parties and movements of political Islam do not believe in the freedom of expression and the freedom of the press. Meanwhile, 28% said conclusively that these parties do not believe at all in the freedom of expression and the press freedom.

The findings also showed that 62.2% believed that these groups do not have programs to support the freedom of expression and the press freedom.

The situation becomes clearer in light of the fact that an average of 43% of the journalists surveyed believed that the media people who rose to power after the revolutions did not defend media freedom, whereas 8.7% said that these people were defending media freedoms strongly. Meanwhile, 27.8% said they defended it to a moderate degree, and 18.9% said Islamists were contributing to defending media freedom to a low degree.

On the evaluation of the experience of media freedom in countries where Islamists became rulers, the respondents had mixed responses. However, the percentage of those who described it as "excellent" did not exceed 7%, while those who said it was "poor" amounted to 29.5%. A percentage of 22.6% described it as "good" and the mean stood at 35.8%.

According to 40% of the journalists surveyed, parties of political Islam do not accept the others' opinions at all, 28.3% said they accept them moderately, while 21.7% said a low degree, and 8% said Islamists accept the others' opinions to a high degree.

Journalists' sharp opposition to Islamists is clearly manifest in the fact that 72% of the respondents said Islamists did not have full-fledged programs for a civil state and to support the freedom of expressions and the freedom of the press.

Second: Complaints and Violations Reality of Violations of Media Freedoms and Journalists' Rights in 2012

The Program "Ain" (Eye) for Monitoring and Documentation of Violations of Media Freedom in the Arab World, part of the Network for Media Freedom Defenders in The Arab World, "Sanad", has managed to verify the occurrence of a number of various types of violations against journalists' rights and media freedoms in Jordan in 2012. The Network has obtained information on these violations through the cases which Sanad has monitored either through filed complaints, communications or self-initiated monitoring. All these cases have undergone a review mechanism, fact-finding and scientific and legal scrutiny. Among 86 cases received by the program in 2012, (61) were found to involve one or more violations of media freedoms or journalists' rights. The following table shows the number of cases received by the program, the form in which they were received and the number of violations of each form. It is noteworthy to mention that the program has found many cases involving more than one violation of human rights or media freedoms that are recognized internationally:

Form of Case	Total Number	Number of violations	Percentage of Total Number
Complaint	89	56	92%
Notification	5	3	5%
Monitoring	2	2	3%
Total	96 ⁽¹⁾	61 ⁽²⁾	100%

(1) complaints, tips and and monitoring reports involving more than one violation were documented.

(2) violations against the human rights of journalists were recorded, out of (96) violations documented by "Ain" ranging between complaints, tips and monitoring reports.

Regarding the sources of these violations, the Network for Media Freedom Defenders in The Arab World, Sanad, "Support" has equalized between the violations arising from the public or private sector, because the international conventions which form the first reference in the field of protection of media freedoms and journalists' right oblige the concerned states to guarantee the respect of rights and freedoms within their borders and protect them in public and private sectors alike.

Violations against Media freedoms and journalists' rights in Jordan in 2012 have included more than one of the rights monitored by the Media Freedom Defenders Network in the Arab World, particularly in view of the fact that violations of human rights, including media freedoms, are of a similar nature, interrelated and multi-faceted. The violations in Jordan verified by "Ain" Program included: ill, cruel, inhuman and degrading treatment, violation of freedom of expression, publication and media, unlawful detention and assault on journalists' personal freedom. It is striking that prior censorship and withholding information are still among the violations that are committed despite the expansion of press freedom, which coincided with the changes and political transformations in the region including Jordan. However, monitoring efforts have been focused on serious violations because they have become the most prominent, common and frequent. Moreover, such violations are no longer committed by security men directly, but by security agents and collaborators, so-called thugs, who have become a familiar tool in committing grave violations against journalists.

The following table shows the rights and freedoms violated and their numbers in details:

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Right Violated	Number of Violations	Percentage of the Total Violations
The right not to be subjected to torture, or to cruel, inhuman, or degrading punishment or treatment.	17	27.86%
Personal freedom and personal safety	7	11.5%
Freedom of the press, publishing and expression	22	36
Access to information right	1	1.6%
the right to fair trial	3	4.9%
The right to equal treatment	1	1.6%
Unlawful detention	3	4.9%
Prohibition of advocacy of hatred, racism or violence	2	3.3%
Sanctity of private property	5	8.2%
Total	61	100%

Following are the trends detected by the Network for Media Freedom Defenders in The Arab World drawn from the reality of violations monitored and documented in Jordan. The most important of these are classified in accordance with the rights and freedoms violated:

Basic trends revealed through violations against media freedoms and journalists' rights

One of the striking issues is that the serious violations are still committed by the authorities in Jordan and a policy of impunity still exists. Moreover, the violation sources are diversified to include all public authorities. However, it is noted that reliance on law as a tool to muzzle the media men through referral to the State Security Court in some cases has been on the increase this year.

The process of monitoring and

documentation of violations against media and journalists in 2012 has revealed a number of issues and trends. These are not new and they greatly match with what had been monitored, especially by the Center For Defending the Freedom of Journalists (CDFJ), in the previous years. Serious violations involving physical assaults are still committed, and the same applies to other cases of violations. The report addresses all the aforementioned issues as follows:

Continuous perpetration of serious violations and systematic assaults

Violations against media freedoms and journalists' rights in 2012 covered in this report are marked by the fact that some of them fall within the category of serious and systematic violations, ones that took form type of physical and verbal abuse.

It could be argued that the sources of these serious violations are the public authorities and public security in particular in addition to similar violations committed by incumbent deputies. These serious violations include beating journalists, assaulting them physically, and abusing and degrading them verbally.

For Example Journalist Zaid Sarayreh from westelbaladnews.com has been attacked by a deputy who was accused of assaulting many persons physically and morally and supporting the so-called thugs. In his complaint, the journalist said: "after I filmed the deputy's attack on two girls who participated in a sit-in downtown on 6/4/2012, the deputy came towards me cursing and trying to take the camera by force. He hit me many times in the stomach in order to force me to let go of the camera".

In his complaint Nidal Salama said that during his coverage of a sit-in in solidarity with Tafleh detainees on 21/3/2012,

gendarmierie forces were targeting journalists during the sit-in that took place at the Fourth Circle stressing that “three gendarmierie men came towards me cursing and insulting me although I showed them my press identity card. As usual they destroyed my press card and one of them raised the stick to beat me but he missed it because one of his colleagues pushed me shouting: “you dog...go from here”.

Also, Journalist Iman Jaradat suffered obscene insults and an assault attempt to prevent her from covering a sit-in on 6/4/2012 that took place downtown. The attacker was the same deputy who was accused of attacking Sarayreh as mentioned earlier.

Journalist Hamza Almazraawi was also beaten by thugs while covering a sit-in that took place downtown on 11/1/2012. In his complaint he said: “One of the thugs attacked me in the presence of the security men and tried to hit me on the face”. According to the colleague, the reason behind the attack was that the attacker thought the journalist would take photos of him and publish them on the Internet.

Also Journalist Moussa Barhouma was a victim of a physical assault on him during his presence in a sit-in at the Fourth Circle on 31/3/2012. In his complaint he said: “About four completely masked gendarmes with no names or ranks on their uniforms singled me out and hit me on my side and legs with a tapered. I tried to escape but one of them followed me and strongly pushed me on my side, so I fell down on the ground and was about to be run over by a car”.

The aforementioned abuses prove that the pattern of serious violations and targeting the journalists physically by security officers and gendarmes or by what became

known as thugs in presence of the security forces has become a consistent approach, especially when journalists try to cover sit-ins, demonstrations or other grassroots protests.

The network believes that this deliberate, serious and physical targeting of journalists which has become a hallmark in dealing with any media coverage of the activities of popular movements in Jordan is dangerous. It is the fruit of a policy of impunity produced by public authorities and enshrined year after year.

This deliberate and systematic targeting is ascertained by the fact that the aggressors have in most of these violations intended to target the victim because it was clear to them that he/she was a media man, journalist or photographer. They carried out their assault against him in an attempt to hide or block the truth.

Impunity and lack of accountability of the perpetrators

It has become clear to “Sanad” that the policy of impunity for perpetrators of violations against journalists is still common in Jordan. Apparently, the official authorities did not take any real or serious steps to stop this policy which has been enforced for many years. The authorities have not also taken the necessary measures to provide justice for the victims and hold the perpetrators accountable for the serious violations committed by officials against the media men, or for keeping silent regarding such violations.

As the case was in 2011, which was marked by the same type of violations, the year 2012 witnessed numerous similar attacks. Journalist Moussa Barhouma was beaten by gendarmes while participating in a sit-

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in at the Fourth Circle as a journalist and an activist, and subsequently sustained injuries and bruises. The concerned authorities neither investigated the incident, nor did they prosecute the suspects. They did not even bother to remedy the damage inflicted on the aforementioned colleague.

While he was in the Palm square to cover a march entitled "Rights Not Generosity), colleague Hamza Mazraawi was beaten by a thug in presence of security men. Colleague Mazraawi said: "A thug attacked me in presence of security officers; at that time I was not wearing the press vest but the security man looked at me and said: "What do you want? Shall I go and fight with people [the thugs]"? Mazraawi recalled that "the security men brought the man who attacked him and he apologized saying: "I thought you were going to take photos of me and publish them on the Internet".

Sanad Network sees that the aforementioned case indicates beyond any doubt the failure of the security men to stop the serious violations against the journalists. What is more dangerous is their unwillingness to enforce the law and arrest the perpetrators, interrogate and send them to court to be tried for the violations they committed.

As for journalist Sarayreh, he was subjected to a physical assault by a deputy in presence of security men during his coverage of a sit-in downtown on 6/4/2012. The colleague stated in his complaint which he submitted to the CDFJ, that "the people separated between me and the deputy and then I got a medical report from Al Khalidi Hospital and filed a complaint at Medina Police Station". He added, "It seems to me that the investigation of the incident stalled and no serious action was taken".

Journalist Zaid Al Sawalqah from Al Urdun Al Hurrah News Site was exposed to a physical assault by an anonymous person on 17/2/2012. The colleague said: "At 8:00pm at the entrance of the building where I live, I was surprised by a car that I did not know its make. Four persons got out of the car and hit me with sticks on the head. Before I lost consciousness, I heard one of the attackers saying "You want to write?...God damn your father and your writings".

In this context, the network notes with grave concern that the prosecution did not move on its own to investigate these violations in order to identify the persons responsible and the perpetrators and bring them to the concerned courts for trial and punishment. The Jordanian law requires, in such cases involving alleged criminal acts that the prosecution carry out their duties.

The network believes that the policy of impunity adopted by the security authorities and affiliated bodies in Jordan towards the grave violations against journalists contributes to expanding the magnitude and frequency of this kind of violations. This will also put media freedoms in Jordan in doubt. In this context, Sanad pinpoints that the ranking of Jordan in this regard has been downgraded due to these violations.

Deliberate and pre-meditated violations against journalists

Through the violations it has detected and in light of the aforementioned trends and facts, the presence of a deliberate pattern to target media and media people and violate the freedoms and basic rights of journalists' in Jordan has become evident to Sanad Network. The method used in committing a number of these

violations has revealed the presence of these patterns. The attackers who are mostly from security and gendarme forces have deliberately attacked journalists, beaten them and confiscated their media tools and cameras to prevent them from covering aggressions they launched against protestors on different occasions. It has appeared from some violations that orders had been issued to the security and gendarme forces to attack journalists and prevent them from covering of protests.

Journalist Rabea Al Suoob of Ro'ya TV noted in the complaint he submitted to Sanad Network on July 1, 2012 that "while I was preparing for an interview with the Director of Public Security in a press conference he held at the Royal Cultural Center on June 26, 2012, I came closer to take permission from him to conduct an interview, but one of the director's escorts pushed me forcibly and asked me to get away. I tried again to come closer but he pushed me, so I prevented him from doing so by removing his hand from my body. When the police chief saw me he ordered me to go out of the hall (get out). I told him I had made no mistake but he repeated his order. I told him I wouldn't go out because I made no mistake. Then a number of senior officers accompanying the director came towards me and tried to send me away... The Public Security spokesman followed me and I told him that I did not make any mistake. He told me in a loud voice: "you are talking to a general, and you should know with whom you are talking". Then he threatened the photographer and pulled the film from his camera. After that the officers told me that the "Pasha" is waiting for you but I refused to accept the invitation.

Journalist Ahmad Al Tamimi also said in his complaint which he submitted during his coverage of a protest near

Neaymeh Bridge-Irbid on July 5, 2012 against a visit by the Prime Minister to Irbid: "When I was taking photos of the protest, the security forces took me forcibly and put me in a van along with other detainees although I showed them my press identity card. They prevented me from using my mobile inside the bus and the camera fell from my hands when I was pushed with force inside the vehicle. The security men dealt with both colleagues Ghaith Attal and Ziad Nsairat in the same way in the same event".

In addition to the aforementioned violations, the network detected other violations indicating that targeting journalists by the security forces is neither spontaneous, nor accidental, but it rather reflects a general and deliberate trend to prevent them from covering and documenting the security forces' acts that involve abuse and violation of the law, especially when the media tries to cover popular movements and anti-government demonstrations.

Authorities are involved in the violations, particularly the security services

The violations against the media personalities and the press freedoms during 2012 were not directed by one authority or body. Different bodies, authorities and parties committed such violations. There have been violations committed by the security forces such as the gendarmerie and Public Security forces. Other violations have been committed by what is known as "thugs" while security men watch. Moreover, there have been violations committed by governors, ministers and deputies, which means that individuals from the legislative and law enforcement authorities in addition to persons from various security services had a hand in these violations. This is a phenomenon



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that is worthy of study because it indicates that officials cannot tolerate the media and journalists and the monitoring imposed by the media and its workers on their institutions, their conduct and performance of duties.

Even though all the public authorities are implicated in the violations that affected the media and the journalists in Jordan, the security agencies did more than everyone else. The Public Security Department (PSD), gendarmerie, and intelligence personnel were involved in the bulk of these violations. The Network believes that the main reason behind the increase in these violations by the PSD and the gendarmerie is the impunity policies followed by the security agencies towards their personnel and officers who are implicated in serious violations of human rights in general, and freedom of the press and journalists rights in particular. It is worth mentioning that the Sanad has already reviewed the impunity policy in Jordan in detail in its report in 2011, titled "Escaping Punishment"; which means that authorities and the agencies engaged in this practice are aware of the details of this policy and the serious violations they committed in the past year without any attempt to prosecute the violators and ensure victims justice.

In all instances of misconduct and some of the serious violations, committed by the PSD or the gendarmerie, the victims could not identify the perpetrator, who belongs to either the public security or gendarmerie, because they hide their names and numbers. Additionally, even though both agencies are aware of a number of these violations, they did not investigate any of them with the intention of holding those responsible accountable in a disciplinary or a penal manner. The network emphasizes that the procedure that should be undertaken

in this case is to conduct an independent investigation that results with holding to account those suspected of committing violations.

One of the reasons the violations against the media and the journalists are distinguishable is that a number of these violations committed in 2012 were perpetrated by deputies, because of some journalists' coverage of the sit-ins, demonstrations, and other protests, or because the journalist had published a piece on the stands of the said deputies on public matters at Parliament.

There are various sources of the violations against the media and the journalists in Jordan, including official and private entities. However, the issue is that the judiciary is also participating in the violations of the freedoms of media and the journalists' rights, especially the State Security Court, which orders the detention of journalists because they publish articles that fall within the freedom of the press and do not include any legal or professional breaches. One of the most prominent violations recorded by the network is the arrest and detention of Jamal Al Mohtasseb, publisher of Gerasa News, by the Court of State Security's prosecution office for charges of publishing an article dubbed by the court's prosecutor as 'undermining the regime' in Jordan. This report will deal with this matter in detail.

Continuous MPs' violations against journalists

The Network for Media Freedom Defenders in The Arab World noticed the recurring phenomenon in Jordan: violations on the freedom of the media and the journalists by the deputies.

One of the most evident violations, which the network has document,

is the violation against journalist Muhammad Al Khalidi from the Ro'ya Satellite Channel by a deputy known for using violence against the media and journalists. Al Khalidi noted that he received, on 17 June 2012, a phone call from the deputy on his mobile, and said that the deputy threatened to assault the Ro'ya Channel's building and studios, if the channel hosts another deputy who had been assaulted by the said deputy... the deputy emphasised to Al Khalidi that if his name was mentioned live, he will not remain silent and will assault the channel's building and carry out his threat.

The network confirmed the said assault since Sharaf Al Deen Abu Rumman and Ali Abu Juma, two colleagues of Al Khalidi, witnessed the incident. Additionally, Al Khalidi informed the general manager of the Ro'ya channel of the incident, and the said deputy is known for this behavior, and is typical of him.

Violation of the freedom of the press and mistreatment are the most common

The network noticed that the violations recorded and documented by it this year are in most against the freedom of the media and publishing, in addition to mistreatment, whether demeaning, inhumane, or rough treatment. The "Sanad" network noted 22 violations of the freedom of the media and publishing and 17 violation against the right to be subjected to demeaning, inhumane, or rough treatment. Noting that in most of the cases with confirmed violations, the violation of the freedom of the media was coupled with mistreatment.

Mistreatment took many forms in the violations confirmed and documented by the network; accusations, curses, beating, threatening, kicking, and

arbitrary denial of freedom (incarceration of the freedom). All of these practices are categorized under mistreatment, which forbidden by law, as per the human rights agreements and the Jordanian laws.

One of the cases where violations were recorded and confirmed by the network is the case of Shahinaz Al Shatti from Radio Al Balad. She mentioned that on 22 April 2012, and during a survey of opinion for the program "Voice of Radio Al Balad" in Al Sawalha, Deir Allah, she "was surprised to hear a security man talking to me loudly in a provoking manner, as if he's talking to a defendant. He asked me: What are you doing? I answered that I'm doing my job as a journalist. Then he said to me things no Jordanian could endure in front of tens of the residents who gathered around to know why he's screaming at me. I asked him to be polite, and respect that I'm a woman and Jordanian before I am a journalist. He made fun of me, and my work. He took my mobile, my recorder, and my ID and asked me to get into the police car, and I refused. I asked him to return my mobile so I could call my parents, and instead he cursed me. After I reached the police station he attacked me and threatened me that he would transfer me to the General Intelligence Department... when the head of the police station found out what he did through my direct supervisor at Radio Al Balad, he apologized to me on his behalf».

The abovementioned incident is not an individual or isolated case. There have been many violations involving abusing media workers monitored and documented by the center. They will be displayed and analyzed in detail later in this report. In any case, such violations reveal how easy it is for security personnel to resort to beatings, threats, intimidation and verbal abuse against journalists. And in cases when there was

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an apology, it is not enough alone to do justice to the victims. Violators must be held accountable, disciplinary measures should be taken and victims compensated as civil right. In this regard, the network believes that the necessary steps should be taken to put an end to the repeated violations by some lawmakers against the press freedoms and the rights of journalists.

Violence by law

The Network for Media Freedom Defenders in The Arab World (Sanad) notes with utmost concern the phenomenon of using the law and special courts in Jordan as a tool to inflict violence against media people. It has become familiar to refer journalists to the State Security Court on the grounds that the materials they publish constitute a crime of libel against the King, or an attempt to undermine or incite against the regime.

Among the key violations recorded and documented by «Sanad» in this context was the arrest of Jamal Muhtaseb, publisher of «Gerasa News». He was detained for a long time (22 days) for charges of publishing a story on his website about rumors, attributed to an MP, of alleged King's directives passed to Lower House member to immune [former public works minister] Sahel Majali against trial, along with others implicated in corruption cases. Muhtaseb was detained by the prosecutor of the State Security Court on suspicion of having committed the crime of «contestation of the regime». The prosecutor refused to refer the journalists' bail request to the court for consideration.

The Network for Media Freedom Defenders in The Arab World (Sanad) stresses that journalists should not be tried by military or special courts, let alone that publishing where professional

standards are observed should not be a cause for the prosecution of journalists. More importantly, it is not acceptable to deprive journalists of their freedom as result of what they publish of press materials. There is no room for measures and penalties that deprive journalists from their freedom on the basis of what they publish or broadcast.

The prosecution and referring Muhtaseb to the State Security Court contradict the provisions of the Jordanian Constitution, human rights conventions and international standards applicable in the field of freedom of the press.

Another violation documented by Sanad in this context was the summoning and intimidation of journalist Nidal Salama from Gerasa news by the prosecutor of the State Security Court. In the complaint filed by Salama, he said that the prosecutor told him by telephone on 9/4/2012 that he should report to the prosecution office on the backdrop of a statement he published, attributed to the head of the defense team of the Tafleeh and Fourth Circle detainees. Salama stated that after he completed writing his testimony the day after and handing it to the prosecutor, in the presence of a military judge, «the prosecutor addressed me saying: Nidal, we know you are an activist in the hirik and that you raise too bold slogans. Like the rest of the activists, you exercise slander. I said: Yes I am a member of the hirik and an activist as you just said, what do you want from me? He said: Tone down you slogans and watch your tongue till we summon you again».

The two cases mentioned above constitute, as far as Sanad network is concerned, serious precedents as the law has become an instrument for the suppression of journalists, and a tool to muzzle their mouths and terrorize them.

The State Security Court has become a means to prevent the media from exercising freedom and deny journalists their basic rights such as the right to a fair trial before an independent and impartial court.

The network believes that depriving journalists from their freedoms and rights through the interference of the State Security Court should stop immediately.

Violations originating outside Jordan

The network has been able to detect and document three cases originating outside Jordan. All of these involve clear violations of media freedoms and rights. It is interesting that the violations that occurred from outside Jordan came in reaction to the publishing of materials relating to domestic Jordanian affairs.

In one of these case documented by Sanad, it turned out that the news site «In light press,» edited by Raja Talab, was subjected to a constant attack from the evening of 28/1/2012 until noon on 29/1/2012. The fierce and systematic attack was carried out professionally and led to a complete disabling of the site's server. Sanad filed the case because of the anonymous source of the cyber attack and due to the fact that it was initiated from outside Jordan, according to the site's management.

There was also the case of Raeda Shalalfa from Akhbar Al Balad news website. The incident entailed a violation of freedom of expression and Shalalfa was subject to a degrading treatment and a threat to her life by an anonymous source from outside Jordan. In her complaint, she wrote: "At 3am on 8/3/2012, while I was on duty as an editor at Akhbar Al Balad, I received on the administrator's panel a message from someone who claimed to be a member of the 'Freemen of Jordan'

containing obscene language and a threat to kill me as the 'Qadhafi's [female] journalist was killed'" Sanad network was able to confirm that abusive language was directed at the journalist, who stated that she filed a complaint at the police station and afterwards, she received a call from the Criminal Investigation Department telling her that the source of the threat was a Washington DC resident.

Cartoonist Emad Hajjaj was also subject to violation by an external party, when two Jewish organizations issued on 26/01/2012 statement to international organizations and companies, including those operating in Jordan, urging them not to deal with Hajjaj because he was "racist and anti-Semitic". It seems that the statement by the Jewish Telegraph Agency and B'nai B'rith International came against the backdrop of cartoons by Hajjaj slamming Israeli crimes. The statement by the two organizations came in violation of the freedom of the press and publication, especially since Hajjaj did not intend through his cartoons to incite racism and hatred against Jews. He rather condemned racist practices and criminal acts practiced by the Israeli occupation authorities against the Palestinians. In addition, the said statement used anti-Semitism and accusations of racism to urge the media to refrain from publishing cartoons by Hajjaj or deal with him although his works do not include more than a condemnation of the practices or repressive acts that the world and international organizations have condemned on more than one occasion.

Sanad network underlines its rejection of any calls for hatred or racism. On the other hand, it underlines that it is unacceptable to use the anti-racism and hatred notions stipulated in Article (20) of the International Covenant on Civil and Political Rights in an abusive or

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unfair manner that would compromise the freedom of opinion and expression and publication provided for in Article 19 of the said covenant.

The network also stresses that it is fully aware that it is not acceptable to use the freedom of opinion and expression and publication to induce hatred and racism, but what Hajjaj did does not at all fall within this because it does not contain any advocacy whatsoever of hatred and racism. On the contrary, it condemned the racist and criminal practices of the Israeli authorities which are well known to everyone.

The network believes that the increasing violations by parties located outside Jordan is a source of concern. It wonders what benefits or goals these violators may achieve from such practices. Sanad hopes that this kind of abuse was actually perpetrated by parties outside the Kingdom and not orchestrated by local parties that might be using these external violators as tools of abuse (The CFDJ could not confirm such a possibility) in the belief that this behavior may spare them consequences and help them hide their identities.

Major violations of media freedoms and rights

This section of the report presents a summary of the major violations detected and documented by the network. They do not include all the violations that have been documented by the Sanad but are rather limited to the most serious and most bold. They clearly reflect the general trends of violations of media freedoms but that does not necessarily mean that the other violations detected and documented by the network in Jordan are insignificant. The violations listed in this section include those that have compromised media freedoms

rights as a result of certain behaviors and acts (violations resulting from acts) and those resulting from the media law in force, which was approved in 2012. It should be emphasized that a large part of these violations affected more than one of the recognized human and media rights and freedoms. However, the violations were listed in the report in accordance with the prominence of the key right or freedom violated, although are rights and freedoms were on the line in the same case.

Third: Media Studies & Researches

The visible and the implicit... Islamic movement's vision and approach to the freedoms of expression and the media

The present study comes in the context of an exploratory work aimed to identify the status of the right to speech in the political and reform program of the Islamic movement in Jordan, and compare it with similar programs of the Muslim Brotherhood groups in Egypt and Syria.

In 2005, the Islamic movement in Jordan issued its reform program, outlining its vision for political, economic and social change, simultaneously with a similar move by Egypt's Brotherhood.

A few months earlier, in late 2004, the Muslim Brotherhood in Syria released the largest plan for political reform in Syria that entailed several aspects, plans and demands to reform the Syrian state and society.

These three reform programs were founded on the principle of accepting democracy and political participation in government, which is the primary rule that singles the Brotherhood out as a reformist movement that embraces evolutionary reform in society, starting

with the individual and family and ending with the entire community.

The most noticeable fact about these three reform programs is that they were made public almost at the same time, with brief intervals between the three programs of the Islamic movements in Jordan, Syria and Egypt.

It is also noticed that they were issued at a time when the US administration was completely reconsidering its relations with moderate Islamic movements after the September 11, 2001 attacks and the ensuing vicious and systematic international campaign that started with the occupation of Afghanistan and ended with the occupation of Iraq.

After the fall of Baghdad in April 2003, the US administration, represented by the State Department, revisiting its ties with moderate Islamic movements, represented by the Muslim Brotherhood and Sufi groups, among others. It was part of a plan to create a new understanding and start a dialogue based on the principles of political participation, recognizing and accepting the others, respecting public freedoms, a positive stand on women, freedom of faith, freedom of expression, press freedom and acceptance of the liberal democratic model.

The present study is an exploratory survey that was not designed to go deeper into details; however, it is an attempt to draw a sketch of the stance of moderate Islamic movements on public freedom, foremost of which the freedom of expression and press freedom.

The study consists of seven chapters, including one entailing testimonies we deem extremely significant, because, in the first place, they have enriched the study. Secondly, they involve people

with experience and merit from Islamic movements' leaders and researchers specialized in Islamic movements.

- **first:** the study surveys the history of the Islamic movement and the change in their basic concepts from "militancy to participation". The study covered Jordanian Brotherhood's political participation and how the group transformed from a movement willing to be a partner in power before the signing of the Wadi A raba Treaty before it lost interest after that peace agreement was signed [between Jordan and Israel], a position that triggered a row over stands and concepts and led to a confrontation between the group and the establishment.

The study traces changes in the Islamic movement's discourse after September 11, 2011 until the fall of Baghdad on April 9, 2003, along with the shift in the US stand on moderate political Islam.

Towards that end, the study reviewed a model of successful dialogue, citing the discussions between Carnegie Endowment and representatives of the Islamic movement in a number of Arab countries. The dialogue was aimed at settling the difference in understanding the concepts in question between the West and Islamic movements.

The study outlines the rules agreed on by the two sides, namely:

First: Respecting all rules governing political competition and accepting the outcome of the political process as long as these rules are observed. The Islamists asserted that they had made up their mind to participate in the political process in their countries, abide by the rules of the game and respect outcomes.

- **Second:** The rival political powers'

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acceptance of pluralism in the political arena. Political parties and movements better engaged in the legitimate political process should not only accept other powers, but they are also expected to build coalitions with them and try to find partners from among non-Islamist groups.

- **Third:** The need for political parties to address specific public policies instead of looking into broad ideological issues.

The study also reviews the entire assessment report compiled by Carnegie and highlighted points of agreement and differences, maintaining that there was obscurity and vagueness in some of the stands of the Islamic movement, both when they agreed or opposed to the issues raised. This is manifest in two key issues:

- **First:** The issue of social and cultural pluralism. In this context, Islamic movements should provide answers to two questions so as to stand at the points of agreement between the Islamic versus liberal democratic approaches to cultural and social pluralism. These are:

1- Will the Islamists use their status as rulers to impose their values on the entire society the same way [Turkey's] Justice and Development Party did when it stated that municipalities are entitled to ban alcoholic drinks in case the decision is taken democratically.

2- Will Islamists recognize the right of minorities and individuals to live freely in accordance with their standards, beliefs and values as long as they do not harm others? Can Islamists balance between the right of each group to live according to its rules (which is the essence of acceptance of others) and the desire of each to avoid any annoyance from other groups?

- **Second:** Justice and individual rights: Carnegie report highlighted the need to continue dialogue with Islamic movements to arrive at more understandings and clarifications, suggesting that such a dialogue should revolve around three main points:

- 1- Islamists' stand on cultural and social pluralism.
- 2- The consequences of the conflict between too much focus on "justice" and too much focus on "rights".
- 3- Public policy priorities as far as the Islamic movement is concerned.

The study thoroughly discusses the six issues on which the Islamic movement should clarify its stands. These issues are:

- Islamic Sharia
- Use of violence
- Pluralism and acceptance of others
- Civil and political rights
- Women's rights
- Religious minorities' rights

Chapter Two was dedicated to fathom the media discourse of the Islamic movement after and during the Arab Spring, concluding the following:

First: A sharper tone in criticizing the state: The discourse of the Islamic movement witnessed more vocal criticism of the state, amplifying their earlier call for 'constitutional monarchy', and expanding from criticizing governments into criticizing the Palace on certain occasions.

Second: A shy sectarian tone, which was apparent in the shift of the political position towards Hizbollah, for example. Before the Arab Spring, particularly the Syrian crisis, Hizbollah was described in the Jordanian Islamic movement's discourse as a party of struggle, resistance and jihad to become after the outbreak of the Arab Spring and the events in Syria a sectarian criminal party. The same

applies to the Syrian regime, which was depicted in the same era as a sectarian “Nusayri Alawite” regime in the Islamists’ rhetoric.

Third: The shift of position towards Hizbollah from a party of “resistance” into one involved in a “sectarian conspiracy” against Sunni Muslims in Syria and Lebanon.

Fourth: Defending allies who are in power. That was manifest in the unlimited direct defending of the new rule in Egypt under the leadership of President Mohamed Morsi as a representative of the Muslim Brotherhood, the mother group. In the Islamic movement’s discourse, Morsi became a very important ally who should be defended. A delegation from the Jordanian movement met with him in Egypt.

Fifth: Silence over events in Bahrain and Saudi Arabia. The Islamic movement in Jordan has not expressed any clear political stands regarding the uprisings and popular protests in Saudi Arabia and Bahrain. It fell silent over that part of the developments, possibly because demonstrators were Shiites who rose up against Sunnis.

Sixth: a decline in the frequency of “Wadi Araba” in the Islamic movement’s media discourse. The peace treaty between Jordan and Israel was no longer a constant in Islamists’ discourse as the case was before the Arab Spring. The new trend was apparent in particular after their Islamic allies in Egypt rose to power. The Islamic movement shyly criticized a letter sent by the Egyptian president to his Israeli peer, Shimon Peres, and organized no rallies to protest it.

The discourse of the Islamic movement after the Islamists assumed power in Egypt no longer focused much on Wadi

Araba Treaty, which is a highly significant issue that should be followed up on and studied in depth.

Seventh: An extremist discourse when it comes to political reform in Jordan: This was obvious in the Islamic movement’s rejection of all the “minimal and modest” political reforms achieved in Jordan. The movement opened fire on these changes, although some of them, particularly those related to the constitutional amendments, albeit modest, responded to some of the calls the Islamic movement included in its reform program.

In the third chapter, the study tackles the issue of the freedom of the speech in political Islam’s discourse through a poll that involved 508 male and female journalists, who responded to nine questions.

In response to the question whether Islamic parties and movements believe in the press freedom and the freedom of speech in the media, the poll figures revealed that Jordanian media professionals did not believe that political Islam believe in the press freedom. At least 28% said conclusively that these parties do not believe at all in the freedom of expression and the press freedom.

The findings also showed that 62.2% believed that these groups do not have programs to support the freedom of expression and the press freedom, against 31% who said they have such programs. In other words, two thirds of Jordanian journalists do not believe that the Islamic movement has programs to support the freedom of expression.

The survey results show that about 60% of the study population reported that they were acquainted with the programs of the Islamic movements in support of



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the freedom of opinion and expression and the press freedom, compared with 40% who replied in the negative.

The study shows that the Islamic movement has succeeded to some extent in marketing itself through websites. A percentage of 58.3% of those who responded to a question regarding the means of access to the programs of the Islamic movement that they had been acquainted with the movement's programs on websites, while 40% said it was through TV shows.

As for the contribution of the Islamists who ascended to power in defending the freedom of opinion and expression and the press freedom, the findings showed clearly that the Islamic movements do not have supporters and believers within the media circles in Jordan. The respondents who saw that the states ruled by Islamists supported the freedom of the press to a high degree accounted for only 8.7%, while, in contrast, 55.4% believed that the new rulers had not done anything in defense of the freedom of expression and the press freedom.

On the progress or decline of the media freedoms in Islamists' era, the answers to the questions varied widely in the evaluation of the experiment. A percentage of 31.7% of the study sample saw that that media freedoms remained intact and unchanged, while 27.8% felt they changed to high, moderate or low degrees, while 37.6% felt that these freedoms declined by low, moderate or high degrees.

Those respondents who saw that the situation of the press freedom in the countries where Islamists took over power was excellent did not exceed 7.1%. Those who deemed it "poor" accounted for 29.5%, which indicates that Jordanian journalists believe that the situation of

the press freedom in the countries where Islamists made it to the helm of power witnessed a decline.

According to 28.3% of the journalists surveyed, parties of political Islam do not accept the others' opinions, while 72% of the sample population said that Islamtists did not have full-fledged programs for a civil state and to support the freedom of expressions and the freedom of the press.

In the fourth chapter, the study thoroughly explored the concept and status of public liberties and the freedoms of expression and the press in the discourse of the Islamic movement. This was done through detecting the concept of reform in its reform program of 2005, which was approved by the Islamic movement as expressive of its point of view and overall stance on reforms.

The study also discussed the objectives of reform on the basis of "Reforming the state to address the suffering of citizens». It also looked into the Islamists' understanding of the principle of «power circulation in civil society,» along with the fundamental constants of the reform program, the position and the concept of democracy and pluralism to serve the higher national interests of Jordan and the concept of political reform adopted by the Islamic movement through the "structural political reform.»

The study also fathomed the status of public freedoms in the reform discourse of the Islamic movement, and discussed the concept of the media and culture duality in the movement's literature.

Chapter Five was dedicated to draw a comparison between the status of freedom of expression in the reform programs of the Muslim Brotherhood in both Syria and Egypt, to conclude that

the status of freedom of expression in the reform project of the Muslim Brotherhood in Egypt turned out to be very modest. There was no mentioning at all to the freedoms of the press and expression, except in the context of a single sentence where the movement referred to what it called the «ridding all media outlets of anything that is inconsistent with the provisions of Islam and ethics.»

The study pointed to a reference made to the freedom of opinion in another sentence talking about political reform, but it was so loose that it was open to all possibilities of interpretation. It said that the group «stresses the freedom of opinion and expressing it publicly and peaceful advocacy of opinions within the scope of public order and public morals, and the basic constants of society. The freedom of property ownership and the free use of different media is a prerequisite to guarantee that freedom.»

As for the status of the freedom of expression in the draft reform program of the Muslim Brotherhood in Syria, it received more prominence than in the programs of their peers in Egypt.

The Syrian group called for reforming media laws in order to serve the freedom of thought and expression, in compliance with the fundamental constants of the nation and virtuous human values. It also called for an end to the authorities' monopoly of the media to give way to private ownership of media on the basis of merit and free competition.

As far as the Syrian Muslim Brotherhood is concerned, reforming media laws is a necessity so that media outlets would assume their responsibility towards intellectual and cultural development and to encourage the spirit of purposeful creativity. Media legislation reform, they said, should restrict media censorship

to the minimum, leaving a margin for authorities to defend on the fundamental constants of the nation. The aim was to rely on self-monitoring rather than on deterring laws as the media is challenged to stand up in the face of intellectual and cultural globalization aimed to erase the identity of the nation and its message.

The study concluded that the Syrian Brotherhood called for the support and the consolidation of freedom of expression, thought, creativity and growth and development at the political, cultural, artistic and other levels in a way that is consistent with the fundamentals of the nation, and to support, encourage and disseminate various forms of purposeful and decent art and forms of entertainment. It also called for promoting morals and the higher values of the nation, consolidating the Arab and Islamic identity of the nation, defending the nation and its causes and standing in the face of the challenges it counters at the various levels.

According to the Syrian Brotherhood's reform plan, it is essential as legislation is amended to take into account the need to provide individuals and the entire nation correct and accurate information that is consistent with the group's vision and cultural stand on the events and developments in both the domestic and international arenas. The Syrian Islamists also called for reviving dialogue between the various segments and forces of society.

Chapter VI was dedicated to exploring models applied in practice illustrating how the Islamic movement in Jordan dealt with a situation involving «thinking within the group» and «thinking outside the group». Towards that end, authors examined the Islamic movement's stand on the so-called «Zamzam initiative» which was adopted by leading figures



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from the Brotherhood who called for reforming the Islamic movement internally. The group responded by rejecting the proposal, while some voices demanded that those who initiated Zamzam be dismissed and those who signed it be tried.

They study also looked into the case of Osama Al Rantisi, a journalist who wrote two articles in Al Ghad newspaper where he disclosed documents proving that leaders of the Islamic movement of Jordan were part of a delegation representing the international organization of the Brotherhood who held meetings with CIA officials. A top leader in the group filed a lawsuit against the journalist as a result.

The study examined two models of Islamists in power, with Egypt as a case study, exploring how the Brotherhood deals with the freedoms of the press and expression.

The study devoted Chapter Seven to testimonies by leaders and experts in Islamic political movements, along with researchers and politicians, whose views and assessments were deemed important and useful.

The testimonies fully reveal the dilemma of practice versus application pertaining to freedom of expression and press freedom in the discourse of the Islamic movement and in the different political climates, namely, when the Islamists are in the opposition or in power.

According to the testimony of the prominent Islamic leader Dr. Erheil Gharaibeh, the Islamic movement's discourse began to shift in 1989 after the group made it to Parliament, and kept evolving in the following years up to the year 2009 when the Islamic movement put forward the constitutional monarchy

initiative. The movement began to form committees to follow up on the initiative, which was an important turning point because it was the closest to being realistic, and put forward practical solutions that were the closest to applicability.

Dr. Gharaibeh links between the freedom of the press and the principle of «the promotion of virtue and prevention of vice,» meaning that hindering the implementation of this religious duty would be completely unacceptable, because “the basic mission of journalism emanate from this great principle.”

According to Dr. Mohammad Abu Rumman, the Islamic movement does not have a solid jurisprudential foundation that enables it to give assurances to the street and the community that it will not try to impose its social platform on the community, using the hard or soft power.

In his testimony, Ibrahim Gharaibeh raises a question about the status of the freedom of opinion and expression in the psychological and ideological formula of the Muslim Brotherhood, saying it certainly contrasts perfectly with the freedom of opinion and expression that we know. That is because when a group of people think that they represent the truth as revealed from God, they are inevitably against the freedom of expression, despite the fact that Islam is not against the freedom of expression. But the ideological composition of the Brotherhood's contrasts even with Islam itself, because the group believes it applies a right that came down from heaven, and so, those who differ with it, are at odds with God.

Gharaibeh stresses that Islamists are often aggressive against those who disagree with them, and they exercise

those hostile acts in the ugliest way, based on two main components, first of which is their ideological component and, second, the social legacy with all its ills and aggressiveness. After all, they are part of a community that grew up on the spirit of tyranny.

Gharaibeh also emphasizes that it is difficult to find agreement between the freedom of opinion and the philosophy of political Islam, because the latter is based on the principle of certainty, and freedom is based on the principle of uncertainty, experimentation, research and trial. Accordingly, democracy in political Islam means resorting to the ballot boxes in order to prove prior certainties, a matter which definitely contradicts with democracy because when majority support is secured, there will be rejection of the others.

Gharaibeh adds that the Islamic movement does not have a clear understanding of public liberties, the freedom of expression and the press freedom, especially since Islamists tend in their thinking and behavior to identify and adjust to the public mood.

He believes that the group had to reflect a new mood after the Arab Spring that reflects the very mood of the Arab Spring itself, as embodied in the slogan: «freedom and dignity». This was manifest in the position on the Syrian regime. Advocates of the Palestinian cause and liberation used to believe that the Syrian regime was their supporter. They were surprised that it was also tyrannical regime. The boycott of that regime started with Hamas, which found itself at a crossroads, and eventually sided with the new mood, the mood of «freedom and dignity.»

The editor-in-chief of Albossala news website Nasser Lafi acknowledges in his

testimony that the performance of his media outlet, which is close to the Islamic movement, took a new turn after the Arab Spring. “We developed a different rhetoric and the restrictions that were imposed by the editorial management on this rhetoric became more relaxed when it came to criticizing authorities. We gained a wider ground and our media product was no longer under great scrutiny, thanks to the unprecedented and broader margin of freedom provided by the Arab Spring and grassroots protest movements in the Kingdom.

He points out that before the Arab Spring, they “suffered when we wanted to express our opinions and attitudes, as those were subject to editing and revision, but after the Arab Spring our job became much easier.

This is exactly what Atef Joulani thinks about change in the political and media discourse of the Islamic movement after the Arab Spring. He says that before the Arab Spring, the Islamic movements were oppressed and often besieged and banned from participating effectively in the political process. But after the Arab Spring, the situation and political structure changed significantly. Before that, the Islamic movements played the role of opposition political groups, bearing no responsibility and therefore were more inclined to the theoretical side. They did not deal with vital life necessities, and were not obliged to answer the difficult questions imposed by reality, let alone bearing the burdens of state and community administration.

According to Marwan Shehadeh, there is clear failure on the part of the political Islamic movements in guaranteeing the freedom of opinion and expression and the press freedom. They have failed, he says, in building mutual confidence with average people. People are used



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to exercising their freedoms without restrictions, and the Islamic movements are hasty to access power at a time when they fail to differentiate between the responsibilities of running a state and religion in terms of legislation and lack a mechanism of reference. The transition from solid secularism to a combination of secularism as people know it and a tyrannical theocratic state terrifies average people.

Therefore, Islamists have a responsibility to enroot trust and confidence among the people through progressive transition over a long period of time.

A leading figure in the Islamic movement, Zaki Bani Irsheid underlines the movement's commitment to its declared stands and to Sharia, which is the reference framework of the group and the priority as far as the Brotherhood is concerned. Bani Irsheid cites Koranic verses: «Let there be no compulsion in religion: Truth stands out clear from Error» and «Say: The Truth is from your Lord: let him who will, believe, and let him who will, reject it». This stand is also based on the suffering experienced by the nations and peoples that have endured suppression of freedoms and the exclusion of the other options, which has weakened nations and compromised the status of peoples among other nations and brought us to the era of failed states. The Islamic movement has a civilized enterprise focused on human beings, civilization, development and compassion. Therefore, it is a moral, ethical, legitimate and national duty to respect other opinions and safeguard freedoms.

On the change of the Islamic movement's rhetoric after the Arab Spring, Bani Irsheid says that political movements should, naturally, examine the regional changes. It is important to draw attention

to the fact that the movement provided flexible discourse that has been updated constantly. If you review the electoral platform of the Brotherhood in 1989, and compare it with subsequent literature, you would realise the magnitude of the positive development in dealing with concepts such as democracy, will of the people, and self-determination.

Oraib Rantawi does not consider the Islamic movements to be tough defenders of the freedoms of opinion, expression, and the press, except to the extent that these would serve their interests and help them in their preaching and political activities; in this case, their enthusiasm to defend it is considerable.

Rantawi says that we can accurately assess the rhetoric and performance of these movements when they are in power. The experience of the Muslim Brotherhood government in Egypt, and to a lesser degree in Tunisia, is quite uncomfortable, and is worrying when it comes to freedoms of speech, expression, and the press. During the first six months of the Egyptian President Mohamed Morsi's term, the number of slander cases filed against journalists exceeded what had been filed during more than 100 years of Egypt's history, since the Khedive.

Rantawi concludes that it is difficult to judge the positions of these parties on the freedoms of opinion, expression, and the press only by discussing their rhetoric during the time when they are in the opposition. The discourse of the Islamic movement is vague, conditional, and could turn into the opposite if they rise to power.

The study concluded the following results:

1. The Islamic movement put forth, in its reform program, progressive concepts compared to the rhetoric of the other, extreme Islamic movements in regards to freedoms of opinion and expression. However, these guarantees are still not sufficient and they need further development; especially after the change in the stands of the Islamic movement in Egypt after it rose to power.
2. The Islamic movement discussed the concepts of the freedoms of opinion, expression, and the press within the context of the “public freedoms” matrix, since the freedom of expression is part of this matrix according to the rhetoric of the Islamic movement.
3. A tangible, positive shift in the rhetoric of the Islamic movement was largely apparent regarding public liberties and the freedoms of the press and opinion, from a theoretical perspective. However, this is not enough as it needs an implementation mechanism and real guarantees.
4. The Islamic movement has stressed its belief in accepting and conversing with the other, in addition to recognizing and guaranteeing the minorities and women’s rights. Theoretically, these are positive commitments, but they, too, need an implementation program, coupled with mechanisms of action and convincing guarantees.
5. It has stressed its belief in partisan and intellectual pluralism in the practice of politics in a civil, democratic society.
6. Even though it has stressed that it adopts the concepts of Islamic Sharia, it reaffirmed its belief in a civil state established on the concepts of rights, duties, and equal opportunity... etc, since these concepts do not contradict Sharia.
7. The study revealed a radical shift in the rhetoric of the Islamic movement after the Arab Spring, particularly after its sister groups in Egypt, Tunisia, and Libya took the helm of power.
8. The study revealed a shift in the discourse and political positions, followed by a shift in media discourse, towards Hizbollah, Iran and Syria. The rhetoric seemed to be bolstering a sectarian discourse within the «Sunnis versus Shiites” rivalry. They changed their attitude towards Hizbollah, which had been to them a resistance group before the Arab Spring and the Syrian crisis, to turn into a condemnable sectarian party after that ... etc.
9. The study also revealed that the rhetoric of the Islamic movement did not care to support the protests in Bahrain and Saudi Arabia, at a time when they declared a biased stance towards what is happening in Syria. The Islamists quite early declared their media and political bias to Egyptian President Mohamed Morsi, as well as their support for the revolutions in Tunisia and Libya. Their media rhetoric was direct and biased.
10. The study highlighted the outcomes of meetings and discussions the Islamic movement took part in, organized by a US-based studies center. It was the first time that the details of «Dialogues at Carnegie Endowment in Rome», were published, while most prominent leaders who were involved

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in these discussion acknowledged participation.

11. The study revealed that the Islamic movement does not have a program for administering the state in Jordan, which the same problem the Islamic movement faced in Egypt, Libya and Tunisia.
12. The study concluded that the reform program the Islamic movement put forth in Jordan in 2005 - which coincided with the publication of a reform program put forward by the Muslim Brotherhood in Egypt at the same time in 2005, and before that a similar program developed by the Brotherhood in Syria late 2004 - were all similar in their content. The three programs indicated a shift in the rhetoric of the Islamic movement even before the Arab Spring, which means that the process of change in the rhetoric of the Islamic movement began early, after the events of 11 September 2001, and such a trend

gained more momentum after the occupation of Baghdad in 2003.

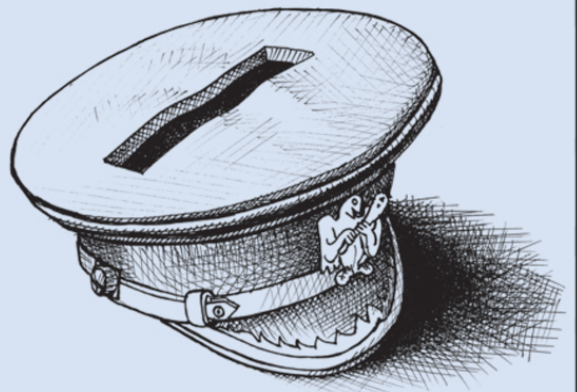
13. This study did not go to lengths to follow and analyze the evolution of rhetoric and change of attitudes in the Islamic movement's stances. It only marked the shifts and the circumstances that accompanied them. The study recommends conducting a more in-depth and detailed study to identify, analyze and highlight the said shift in discourse.
14. The study uncovered a radical difference between the concepts put forth by the Brotherhood regarding the freedoms of the press and opinion, and the right to differ with others on the one hand, and the actual implementation on the ground, on the other.
15. The study unambiguously showed a clear shift in the rhetoric of the Islamic movement as it moved from the opposition to power.

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انتخابات بعد الربيع



انتخابات قبل الربيع



Improving

professional skills

for Journalists



www.cdfj.org

**Defending the Freedom
of Media**



مركز حماية وحرية الصحفيين
Center for Defending Freedom of Journalists

Legal Media Aid Unit 'MELAD' expands mission to Egypt, Morocco



MELAD Jordan handles 62 media-related court cases, attends 789 Court Sessions

The Legal Media Aid Unit 'Melad' of the Center for Defending Freedom of Journalists CDFJ continued providing legal services for the media in Jordan in 2012.

In a remarkable achievement, Melad began to expand its mission in the Arab world, and set up, in partnership United Attorney, the first unit for legal assistance to journalists "Melad" in Egypt, followed by the launch of a similar entity in Morocco in partnership with the Adala justice Association for a Fair Trial.

In the pipeline, there is a plan to expand to another Arab country in 2013, which will raise the number of such units in the Arab world to four, including Jordan. Melad hopes to continue with its expansion plan to cover all Arab countries.

In Jordan, the number of lawsuits filed against journalists who sought Melad's assistance stood at 22 during 2012, involving workers in web-based and print media outlets.

At the same time, Melad continued to plead in 23 cases that had been filed against journalists before 2012 and were still being seen by the Court of First Instance. Meanwhile, the Court of Appeal was looking into 17 cases, which brings the total cases handled by the unit to issue.

The number and nature of the press and publication cases the unit undertook in 2012 were influenced by the fact that the judiciary was still undecided about which court has jurisdiction over cases involving news websites. This was particularly true after the amending of the Press and Publications Law in 2012. The new version of the law limits the application of Press and Publications Law to news websites that have registered with the Press and Publications Department. The electronic newspapers that have not registered with the agency have their cases heard by magistrates' courts. This means that public prosecution authorities refer press-related cases to different courts, which, in turn, return them to the prosecution department for lack of competence.

Add to this that a large number of workers in the websites who were sued were surprised that there were sentences issued against them in absentia as they were not aware of the existence of the related lawsuits and due to the fact that the courts did not have accurate addresses to ensure that subpoenas are duly delivered.

As regards the types of the crimes attributed to journalists in those cases, the most common charges listed by prosecutors include violations to Articles 5, 7 and 38/D of the Press and Publications Law. These have to do with publishing false news and non-observance of the principles of objectivity, balance, integrity, impartiality, and respect of individuals' privacy in the published materials, in addition to crimes of libel and slander in violation of the Penal Code. But there emerged new crimes not cited by public prosecutors before like sending message of threats and insults through the media outlet, in violation of the provisions of Article 75/A of the Telecommunications Law, in addition

to offending the dignity of individuals, harming their reputations and spreading false information in a breach of the Press and Publications Law.

Prosecutors did not attribute such crimes only to journalists, but also to the news websites themselves. They did not either build the cases on the basis of published materials, but used readers' comments on news stories to indict journalists for non-observance of objectivity, balance, fairness and for abuse of individuals.

Although the total number of cases handled by Melad during 2012 stood at 45, the number of hearings attended by the unit's lawyers amounted to 789, a figure that reflects the difference in time spans needed to take criminal procedures in lawsuits against websites. The unit's lawyers attended an average of four sessions a month per case, but now the average number of sessions is about 8 per month, thanks to the amendments to the Press and Publications Law and the frequent adjournments of hearings for purposes of summoning witnesses and collecting more evidence.

Melad's lawyers cross-examined 44 prosecution, civil lawsuits and defense witnesses and presented 52 defense statements as they represented defendants.

Preparations for cross examinations and drafting defense statements were not possible without regular meetings and consultations among the lawyers and between the advocates and journalists. The number of the meetings held to that end stood at 33.

In 2012, twenty two cases ended with dismissal, not-guilty verdicts, dropping charges by the prosecution or dismissal of civil lawsuits. Meanwhile, defendants were found guilty in eight cases for violating Articles 5 and 7 and 38/d of the Press and Publications Law. The verdicts were appealed.

In the context of the legislation governing the media, CDFJ, through Melad, played a groundbreaking role in exposing the risks associated with the amended Press and Publications Law. The center issued a comprehensive legal study highlighting the restrictions imposed by law, and provided alternative scenarios for the government and the Lower House.

The CDFJ exerted considerable efforts to amend the Access to Information Law and, towards that end, formed a committee of experts from the government, the Lower House and the media, along with jurists, who prepared an alternative access to information draft law that takes into account international standards.

The center also made moves to test if the Access to Information Law was aptly implemented by official agencies and to address loopholes in this regard, it held workshops providing technical and legal guidance to concerned personnel of ministries and official institutions to train them on implementation mechanisms.

The CDFJ continued its cooperation with the Judicial Council. The center launched in 2012 «the Judiciary and the Media Program 2». The second edition of the program focused on training court presidents on mechanisms of better communication with the media. The CDFJ also completed a specialized training for journalists who cover courts and the judiciary. It also worked on establishing an information office at the Judicial Council.



Ain

Unit for monitoring and documentation of violations against media

Vision:

To curb violations against journalists and media institutions in order to strengthen the freedom and independence of the media

Mission:

To monitor and document the problems, abuses and violations targeting journalists and media institutions as they carry out their professional duties

Objectives:

- To set up qualified and specialized working teams of lawyers, journalists and researchers to monitor and document violations against journalists and media institutions in accordance with the internationally recognized norms and standards
- To stimulate journalists to disclose the problems and abuses to which they are exposed during their work and activate reporting mechanisms
- To develop and institutionalize mechanisms of monitoring the problems and violations against journalists
- To educate journalists on their rights and familiarize them with international standards of the freedom of the media, and the nature of violations they are subject to
- To demand that governments take measures to curb abuses against the media and hold perpetrators accountable
- To urge parliaments to upgrade relevant legislation in a manner that safeguards the freedom of the media, curb abuses committed against journalists and hold perpetrators accountable
- To provide support and legal assistance to journalists who are exposed to problems and violations, including helping them obtain fair compensation for the violations they suffer and sue perpetrators
- To use the mechanisms of the United Nations to curb violations against the freedom of the media and ensure justice for journalists.



Sanad

Network for Media Freedom Defenders in The Arab World

The Network for Media Freedom Defenders in The Arab World (Sanad) is a coalition of civil society institutions advocating the freedom of the press.

Sanad was established in implementation of recommendation by the First Forum for the Defenders of Media Freedom in the Arab World, organized by the center for Defending the Freedom of Journalists (CDFJ) in Amman, in December 2012, immediately after the birth of the Arab Spring.

The first achievement of Sanad was the "Ain" (eye) Program for Monitoring and Documentation of Violations against the Media. Work was kicked off by training national teams to monitor and document such violations in Egypt and Tunisia, while work was still underway in Jordan to achieve that goal.

Under Ain Program, a plan was designed to expand in the Arab world through setting up national teams for monitoring and documentation, within a realistic and workable timeframe.

The national teams will be working on detecting and documenting violations against the media in the countries where they function, applying a scientific rights-based approach consistent with international media and human rights criteria. Side by side with that, professional researchers will be monitoring violations in the countries where Ain monitors do not exist, relying on data collected from the media, communication with rights group and monitoring their reports on violations against the press, along with field visits and direct contacts with journalists who are victims of these violations.

Sanad seeks to institutionalize efforts exerted to defend the media freedom in the Arab world. Towards that end, it has launched its web-based observatory to shed light on the violations against journalists, providing an electronic platform that works effectively to expose violators, mobilize support for journalists and offer a venue for networking between advocates of media freedoms.

Sanad will continue embracing the Forum for Defenders of Media Freedom in the Arab World, and working to expand the base of media supporters, eyeing a wider margin of freedom, enhancement of achievements and attracting international experts to back Arab journalists who are struggling with huge challenges to win their freedom and independence.



Media Legal Aid Unit for Journalists (MELAD)

Objectives:

1. Assigning lawyers to defend journalists who are detained or prosecuted for carrying out their duties.
2. Providing legal consultation to journalists without increasing restrictions or self-censorship.
3. Enhancing the legal awareness of the journalists and helping them exercise their constitutional rights of expression and defending the society's right to knowledge without violating the law.
4. Exhorting lawyers to give attention to journalism and media freedom issues, and developing their legal skills in this field.
5. Presenting draft laws to the parliament and government to improve the legal structure governing the freedom of media in Jordan in harmony with the international standards.
6. Establishing streams of communication with the judicial authority to enhance press freedoms and create an understanding of the international standards for the freedom of media.

Mechanism of work:

1. Rebuilding the media legal aid unit by recruiting specialized qualified lawyers, organizing the unit's mechanisms of work and activating the voluntary efforts of lawyers.
2. Organizing advanced and specialized training for a number of lawyers who took part in previous training workshops with CDFJ, and involving new lawyers who are already engaged in defending newspapers, radio and TV stations to enrich their experience and encourage them to support the efforts of media legal aid unit.
3. Re-distributing and restructuring the work of media legal aid unit MELAD along three lines:
 - Defending journalists before juridical authorities and extending legal advice through building a network of lawyers which can provide legal protection for the journalists in a proper and professional manner.
 - Documenting the lawsuits filed against journalists and institutions in Jordanian courts.
 - Studying and analyzing verdicts issued in press and publication cases to determine their compatibility with international standards and to identify the Jordanian judiciary trends in dealing with media-related cases.
4. Establishing a forum for exchanging expertise on the freedom of media between judges, lawyers, and journalists
5. Providing legal advice to journalists through the following website: www.cdfj.org
6. Activating the hotline service and providing journalists with the names and telephone numbers of lawyers working with the media legal aid unit to seek their assistance in urgent cases.



مركز حماية وحرية الصحفيين

Center for Defending Freedom of Journalists

Center for Defending Freedom of Journalists (CDFJ)

Center for Defending Freedom of Journalists [CDFJ] was established in 1998 as a civil society organization that works on defending media freedom in Jordan; the center was established after a series of major setbacks on a local level, starting with issuing the temporary press and publication law in 1997, which added more restrictions on media and caused many newspapers to shut down.

CDFJ works on protecting freedoms and democracy in Jordan and the Arab world, in addition to respect of human rights, justice, equal rights, and development in the society encouraging non-violence and open dialogue.

CDFJ always maintain an independent role like any other civil society organizations, and is not part of the political work, but in terms of defending media and journalists freedoms CDFJ stands against all policies and legislations that may impose restrictions on media freedom.

CDFJ is active on regional level to develop media freedom and strengthen the skills and professionalism of journalists in the Arab countries, through specialized and customized programs and activities, in addition CDFJ works with media and the civil society on protecting the democracy and promoting respect of human rights principles.

CDFJ Vision:

Creating a democratic environment in the Arab Countries that protects media freedom and freedom of expression and enhances the society's right in knowledge through building professional Journalists committed to the international standards of independent and free media.

CDFJ Mission:

CDFJ is a non-government organization, committed to defending the freedom and security of journalists through addressing the violations to which they are exposed, and building sustainable professional capacities as well as enabling them to have free access to information, along with developing and changing restrictive media related legislations, and building a supportive political, social, and cultural environment for free and independent media.

CDFJ main Goals are:

- Supporting the freedom and independence of media organizations and journalists.
- Defending journalists, protecting their safety, and stand against the violations committed against them.
- Strengthening the professionalism of media and its role in defending democracy, freedoms and reform.
- Developing the legislative, political, social, and cultural environments that embrace media and journalists.

CDFJ Pillars:

- FIRST: Protection of Journalists
- SECOND: Developing Professionalism of Media
- THIRD: Developing the Environment Surrounding Media

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RESTRICTION BY FORCE OF LAW



مركز حماية وحرية الصحفيين

Center for Defending Freedom of Journalists

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