

Administrative and Technical Report

Media Legal Aid Unit for Journalists in Jordan



For the Period from January 2007 Until
the End of March 2008

Grant No. : **DDH/2006/132-470**



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This report:¹

This narrative report for the project of restructuring the Media Legal Aid Unit "MELAD" –which is funded by the European Commission – aims to illustrate the activities which were primary achieved by the Center for Defending Freedom of Journalist "CDFJ" through MELAD. Moreover the report aims to demonstrate the accomplishments which were achieved by MELAD through executing the activities.

The report covered the period between 1/1/2007-31/12/2007.

Due to some work necessity –especially the study- the project sustained until the end of March 2008

The report spotted the preliminary and executive preparation for each activity, the main difficulties that faced MELAD's work in executing those activities, the solutions to resolve such difficulties and the plans to ensure not repeating those difficulties in the future

The report include the output of each activities with a comparison with the expected objective of these activities which were illustrated in the report

The report showed the mechanism adopted by CDFJ to evaluate the success of each activity, evolution application was distributed on the participant for all the project activities and also technical and administrative evaluation application in addition to content evaluation applications for each activity was distributed.

The report included the mechanism to measure the effect of each activity such as the increase of the press and publication lawsuits referred to MELAD. Offering and serving many legal consultations to journalist and media institutions. Publishing the "Irrefutable Argument" study. This study is considered to be the first Arabic study to approach the judicial trends and directions when handling the press and publication lawsuits

The report focused on some premiere and exclusive activities conducting by CDFJ, since CDFJ was the first NGO which worked with full collaboration with the Ministry of Justice, Judiciary Council and the judiciary Institution to conduct the study of the Jordanian judiciary directions when handling the press and publication lawsuits in Jordan for the period 2000-2006 and in setting the convention for discussing the draft of the mentioned study. Many judges, legal experts and student from the judiciary institution participated in it.

The report –after each activity- marked the future plans that are necessary to be

completed in order to achieve the extent degrees of profit from each activity plus the essential procedures to develop each activity to accomplish more and profound objectives.

The report concluded many results and conclusions in respect of developing and restructuring MELAD so as to be a real assist to the media people and their institutions and to be a reference for lawyer, judges, media student and faculty in Jordan

Administrative Report

For the Media Legal Unit (MELAD)

Administrative Report for the Media Legal Aid Unit

For the Period from January 2007 Until the End of December 2007¹

Introduction

The Center for Defending the Freedom of Journalists, CDFJ, established the Media Legal Aid Unit in 2002 with the aim of defending journalists in courts. The Unit succeeded in the past five years in defending media people in many cases.

Since the start of this year, the CDFJ launched a project to rebuild the Media Legal Aid Unit to develop the administrative capability and human resources of the Unit through developing the skills of its personnel, introducing new legal services to improve public understanding and awareness of the freedom of opinion and expression and the press, and entrenching the right of journalists to have access to information from their sources.

To this end, the following goals were set:

- * Recruiting a number of lawyers specialized in defending journalists and newspapers in the Unit.
- * Tapping the experience of judges in the field of media issues, and stressing the importance of the media and the freedom of opinion and expression.
- * Providing permanent consultative and legal services for the journalists.
- * Forging an alliance between journalists and the supporters of the freedom of the press with the aim of winning the government's support and approaching the parliament to amend all laws related to the freedom of opinion, expression, and the press.
- * Monitoring and documenting lawsuits filed against journalists and violations committed against them.
- * Updating the electronic website of the CDFJ and dedicating a section for the Media Legal Aid Unit to provide legal services and information to lawyers and journalists.

These goals will be achieved through a set of activities that include:

- * Training lawyers on the methods of legal representation, giving preemptive advice to the media people, and building the skills of research and documentation in legal topics.

¹ The term of the project was extended to another three months as from 1-1-2008 to 31-3-2008 ..kindly review annex 1

- * Conducting a study on the freedom of expression and press in Jordan and comparing it to international standards and democratic experience.
- * Publishing a booklet containing media cases against journalists and newspapers in Jordan during the period 2000 – 2006.
- * Holding a media-judicial forum to exchange experience with a group of judges – particularly those who looked into media cases in Jordan – and bringing two international judges with the aim of discussing modern judicial cases related to publishing crimes of journalists.
- * Providing legal representation for the media people and newspapers.
- * Providing electronic legal material, including laws and regulations related to the media, to enrich the electronic website.

Since then, the CDFJ has started to prepare for rebuilding this Unit to become more institutionalized. The unit was divided into three main branches:

- § Legal assistance.
- § Monitoring and documentation.
- § Research and studies.

Activities of the Project:

In accordance with the project's objectives, the CDFJ held the following activities:

1. Issuing a brochure.
2. Holding an advanced course for lawyers to provide legal protection to media people.
3. Rebuilding the Media Legal Aid Unit.
4. Developing the electronic website.
5. Conducting internal training for the newspapers and media institutions.
6. Holding a workshop for exchanging experience with the students of the Judicial Institute.
7. Studying the judiciary's trends.
8. Holding a workshop for exchanging experience with judges, lawyers, and media people.

First: The Brochure²

A brochure was published in Arabic and English to promote the Legal Assistance Unit. The brochure was distributed among newspapers, journalists, media institutions, lawyer, and civil society organizations.

Content:

The brochure included the following three main axes:

1. **Rationale behind the Legal Assistance Unit:** This section included the reasons behind the establishment of the Unit; that is, defending the freedom of expression and the media, which is one of the basic principles of the Universal Declaration of Human Rights and other international charters.
2. **Goals:** All general goals of the Unit were listed. In addition, the activities of the Media Legal Aid Unit were introduced to the biggest number of media people. These activities include following up all issues related to the media.
3. **Mechanisms of Work:** A general description of the mechanisms of work adopted at the Unit and the services it seeks to extend to the media people through its rebuilding. The services the Unit will extend will be included in its agenda.

-- Target Sides: The brochure was distributed among all audiovisual media outlets, including newspapers, magazines, news agencies, and satellite and terrestrial channels.

-- Mechanism of Distribution: More than 1,000 copies of the brochure were distributed among print and audiovisual media outlets. Copies of the brochure were also sent by electronic mail to all journalists and media institutions included in the CDFJ's lists.

-- Reactions and Results:³

1. A noticeable increase in the number of media cases that were sent to the Legal Assistance Unit and in the number of journalists wishing to utilize the services of the Unit's lawyers. The present report will later show this increase.
2. Facilitating the task of the unit's lawyers to handle cases. While the Unit was looking for cases involving media people in the past, the media people themselves have started to seek the help of the Media Legal Aid Unit.
3. Enhancing the exploitation of precautionary legal consultations as a legal service that was not properly utilized in the past.
4. Signing a memorandum of cooperation between the Media Legal Aid Unit and Radio Amman Net to extend specialized legal assistance to the radio. Currently, there are contacts between the unit and a number of press foundations to sign memorandums of understanding.

5. A number of lawyers have contacted the Media Legal Aid Unit to express their desire to join the unit as volunteers.⁴
6. Briefing the judges specialized in publications cases on the efforts of the lawyers of the Legal Assistance Unit, which resulted in an improvement in relations between the judges and the lawyers of the Unit.

Second: Advanced Course for Lawyers on Legal Protection ⁵

Preparatory Meetings with Lawyers to Select the Participants:

Goal of the Meetings: Selecting the best lawyers to take part in the training workshop after which the lawyers who will work in the Media Legal Aid Unit will be selected.

The Center for Defending the Freedom of Journalists held a series of preparatory meeting during the period 10-17 February 2007 to hold a training workshop. Meetings were held with a number of lawyers concerned with defending the media and who worked in media-related cases. The lawyers with whom meetings were held were selected based on the following criteria:

1. The more efficient, interested, and committed lawyers who were trained by the CDFJ in the past years. The selection was done based on the evaluation reports prepared by the team of trainers after each training workshop.
2. Lawyers and legal advisors of newspapers and media institutions, like Al-Ra'i, Al-Ghad, Al-Arab al-Yawm, Mazaj FM Radio, and Al-Ghad TV, which is under construction. In cases in which the legal advisor of the media institution was a legal company, a meeting was held with the lawyer in charge of following up the institution's legal affairs.
3. Lawyers who were recommended by some human rights and civil society organizations and journalists who were involved in publication cases.
4. Individual lawyers interested in the media sector and media issues.

All these meetings, both bilateral and collective, dealt with legal developments in the media sector and the importance of the laws governing the media in terms of supporting the freedom of the press and democracy, which is a basic part of the lawyers' general activities. These meetings also focused on knowing the needs of lawyers and the topics on which they need more training. Many

4 Attach 2 - Pictures + Press release of lawyers meeting with American judges

5 Attach 3 - Workshop program

of them proposed some topics which were taken into consideration when the trainers drafted the training program of the workshop. Chief among these topics were:

- * Jordanian judicial practices and rulings in publications cases.
- * Practical topics on how to deal with the media topics from a legal perspective before and after publication.
- * Knowing the legal aspects related to publication crimes according to Jordanian laws.
- * Knowing how to make defense in press cases, particularly in slander and libel crime and the difference between this crime and criticism.

The discussions also dealt with the work of the Legal Assistance Unit established in 2002. The discussions focused on the importance of the Unit's existence and the need to develop and rebuild it to cope with the increasing number of cases brought against journalists. Mechanisms were proposed to develop the work of the Unit in terms of its administrative and institutional structure and its personnel. It was emphasized that the Unit should be supported financially and that it should have files, records, an executive secretary, a legal program containing laws and judicial rulings, and a modern legal library to help the lawyers prepare their defense. It was also stressed that the number of the Unit's lawyers specialized in this field should be increased.

At the end of the meetings, a form for participation in the training workshop was distributed. All lawyers expressed their desire to take part in the workshop. The form contained some evaluation questions to reveal the level of participants and select lawyers in similar levels for the training. In addition, the form contained the participants' expectations of the training program and proposals to support the Legal Assistance Unit. It also included a question about the amount of time each participant can allocate for work or voluntary activity in the Unit and in defending journalists.

Selection of Participants:⁶

The participants were selected after studying the results of the previous meetings and the participation forms. Those selected included lawyers, advisors to newspapers and some radio and television stations, in addition to a number of lawyers who were trained by the CDFJ in the recent years. Also selected was a number of interested lawyers who received training in the last week before the start of the training workshop. The aim was to make sure that all participants were in the same level to the largest extent possible.

The most important topics which were discussed by the participants in the pre-

training sessions were: Pillars of the freedom of the press and its elements, including the freedom to issue newspapers and practice journalistic work; the right to have access to information; the circle of incrimination and punishment; and the incrimination policy in the Publications Law and the media-related laws. The new participants were briefed on the procedures related to publications cases.

Despite the difference in age and past experience among the participants, they managed to adapt to the course. No problems resulted from these differences. On the contrary, the difference in experiences led to the flow of information not only from the trainer to the trainees but also among the trainees themselves, which led to maximizing the advantages of the training. The older trainees enriched the training as their opinions triggered a sort of challenge between the participants and maximized the significance of the workshop. In addition, the trainees' desire to be engaged in any sort of legal assistance to the media people facilitated the reception of information and gave seriousness and discipline to their participation in general.

The workshop was held in the Dead Sea on 22 February 2007. The training team consisted of two Egyptian trainers and one Jordanian trainer. This effectively led to imparting a variety of experiences to the trainees. Even in theoretical sessions the training did not rely on dictation but rather on dialogue between the trainer and the trainees, which led to training the participants on the mechanisms of democratic debate and to underlining the idea that no one side monopolizes the truth regardless of his knowledge and experience.

In addition, the training workshop adopted the theory of rotation of leadership roles among the trainers, which boosted the concept of rotation among the trainees.

The training covered the following topics:⁷

- * The freedom of opinion and expression in general and the freedom of the press in particular according to the International Covenant for Civil and Political Rights and the Jordanian Constitution.
- * Libel and vilification in the Jordanian law, including its meaning and restrictions.
- * The impact on publishing on criminal litigation.
- * The Jordanian judiciary's approach toward press and publications cases.
- * Justifying the grounds of judicial rulings – its importance, how it is done, and its indications, and the reasons for contesting rulings.

7 Attach 5 - Training material

- * Theoretical research methods and writing memorandums.

Objectives:

General Objective:

Rebuilding the capabilities of the Media Legal Aid Unit [Melad]

Sub-objectives:

At the end of the training program, each participant was expected to be able to:

- * Recognize the international and constitutional guarantees for the freedom of opinion and expression and the freedom of the press.
- * Use the constitution and international charters on the freedom of opinion and expression endorsed by the state to defend journalists.
- * Specify the legal texts in national legislations that hinder the freedom of opinion and expression and media.
- * Contest the unconstitutionality of provisions restricting the freedom of opinion and expression and the press.
- * Specify the legal components of publications crimes.
- * Can prepare defense in publications cases.
- * Can make oral defense.
- * Give legal advice to journalists, dailies, and weeklies.
- * Conduct research and exploratory studies regarding the judicial system, the means of dealing with media cases, and the rulings issued against journalists.

Mechanisms of Training:

The training program was designed to serve these goals. It was also designed on the basis of the fact that some trainees have experience in publications cases and that the aim of the training is to increase their capabilities in some areas in this specialty, in addition to encouraging them to innovate a new legal jurisprudence in this regard which lacks attention in Jordan. Those working in this field complain of the lack of a legal jurisprudence regarding the freedom of expression, in addition to the unavailability of cassation cases in this regard.

The training program was varied and dealt with a number of important topics, like the theoretical research methods, which is useful in writing memorandums; the trends of Jordanian judiciary in the area of the freedom of expression; the means of explaining rulings; and a simulation trial in which real cases were dealt with by the lawyers.

Design of the Program:

The training program was designed in a way that combined the practical and theoretical sessions. It was noted, however, that the practical side was given

more time. The total number of hours allocated for the practical part was eight hours and a half while only six hours were allocated for the theoretical part interspersed with coffee and lunch breaks to reduce the burden of the training program on the trainees as much as possible. The practical training was designed in a way that suited the specialties of the trainees. It also comprised joint work by dividing the trainees into groups with the aim of encouraging them to work collectively.

Brainstorming and dialogue were the basic techniques used in the theoretical training. Some training aides were also used, including water board, video projector, and power point. The basic techniques in practical training included acting roles, working groups, and some untraditional practical drills. In addition, the accumulative building technique was used in some practical training sessions.

Outcome of the Evaluation of the Workshop:

As for the organization of the course, 10 participants, 41.66%, said that the organization of the workshop was excellent; 12 participants, 50%, said it was good; and two participants, 8.33%, said it was medium.

As for the selection of topics, a question was asked about the importance of the topics, the training method, and the extent of benefit gained from each session. The answers were as follows:

	Subject	Importance				Methodology				Efficiency			
		Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
First Session	Freedom of opinion and expression in general and freedom of the press in particular in accordance with the International Covenant on Civil and Political Rights and the		1= 4%	5= 15%			4= 19%	17= 55%			3= 10%	5= 17%	13= 43%
Second Session	Libel and vilification in the Jordanian law: Definition and permissibility			2= 6.7%	19= 63.3%			4= 13.3%	17= 53.3%	1= 3.3%	1= 3.3%	3= 10%	=
Third Session	Impact of publication on litigation and its ramifications		1= 4%	7= 23.3%	13= 40%		2= 6.7%	3= 10%	16= 50%		2= 6.7%	5= 16.7%	14= 43.3%

Fourth Session	Subject	Importance				Methodology				Efficiency			
		Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
	Jordanian judicial trends in press and publication cases			4= 19%	17=		1= 4%	7=	13 =	1= 4%	2=	5=	13 =
Fifth Session	Subject	Importance				Methodology				Efficiency			
		Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
	Justification of the grounds of rulings: Its importance, manners, significance, and impact on rulings	1= 4%		5=	16 =	1= 4%		7=	13 =	1= 4%	1= 4%	6=	13 =
Sixth Session	Subject	Importance				Methodology				Efficiency			
		Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
	Theoretical research methodologies and writing memos		4= 19%	7=	10=		1= 4%	9=	11=	3=		10=	8=
Seventh	Subject	Importance				Methodology				Efficiency			
		Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
	Rights attributed to intellectual property	1= 4%	5=	6=	9=	2=	7=	7=	5=	4= 19%	6=	7=	4=

When asked about the most useful topics that were discussed, the participants gave the following answers:

Four participants said that the defense in the publication cases was the most useful; one participant for each of the following three topics: introduction to the international conventions; verbal defense; laws related to the publications cases.

When asked about the practical training sessions in terms of their efficiency, the participants gave the following answers:

1. Training on identifying the legal texts that violate the international legitimacy and re-drafting them:

Fair (1 = 4 percent) Good (11 = 52.3 percent) Excellent (8 = 38 percent) No answer (1 = 4 percent)

2. Training on identifying the libelous and slanderous expressions in the articles and re-drafting them:

Good (11 = 52.3 percent) Excellent (9 = 42.8 percent) No answer (1 = 4 percent)

3. Training on conducting legal research and writing memos

Fair (3 = 14.2 percent) Good (13 = 61.9 percent) Excellent (4 = 19 percent)
No answer (1 = 4 percent)

4. Trial simulation

Good (9 = 42.8 percent) Excellent (11 = 52.3 percent) No answer (1 = 4 percent)

5. Toward establishing legal aid units -- open discussion

Good (5 = 23.8 percent) Excellent (8 = 38 percent) No answer (8 = 38 percent)

Some other questions pertaining to the schedule of the workshop were also included for the use of the center with future workshops. This is in addition to other questions pertaining to adding new topics during the lawyers' training. One of the proposed topics was the lawsuits that have been filed with courts to be discussed in the future.

Third: Re-Building the Media Legal Aid Unit

Since the onset of the project, the center began to rebuild the unit; that is to say, activating and diversifying the services offered by the Legal Aid Unit by introducing new legal services with a view to fulfilling the overall goal represented in improving the understanding of the freedom of opinion and expression and the freedom of the press and raising the legal awareness of the journalists, which is better known as the basket of laws regulating the press profession. This is in addition to providing the unit with a cadre of employees and lawyers who are well-versed in the press and publication cases and qualified to represent journalists at civil courts, defend journalists and newspapers, streamline the unit's modus operandi, and mobilize the efforts of the lawyers who voluntarily cooperate with the unit.

First: Administrative Structure⁸

1. Employees: The staff of the unit is comprised of seven administrative employees as follows:

- Project manager
- Chief of the Legal Aid Unit
- Deputy Chief of the Legal Aid Unit
- Two lawyers as members
- Project coordinator
- Coordinator's administrative assistant
- Accountant
- Head of the electronic website
- Editor of the electronic website

2. The Venue and Office Equipment:

- * First: A special hall at the CDFJ was prepared to serve as an office for the Unit. It was provided with desks, cabinets, computers, and Internet service around the clock. The desks were provided with papers and files carrying the logo Melad.
- * Second: Special forms carrying the unit's logo were prepared. These included forms for special powers of attorney, forms for assigning lawyers, and forms for lawsuits.
- * The Unit's regulations and policy were printed on the margin of forms for assigning lawyers filled by journalists, which included:

- * The Legal Assistance Unit belonging to the Center for Defending the Freedom of Journalists, which is represented by a specialized

⁸ This structure has been adopted as outlined in the main plan of the project and in accordance with its budget

lawyer or more, offers legal services represented by defending media people and media institutions in media cases that are filed in connection with publishing in print media and broadcasting in audiovisual media, as a voluntary work to support the freedom of opinion, expression, and the media.

- * The Legal Assistance Unit does not offer its legal services in cases that are not related to the media and which are filed against or by media people or media institutions.
- * The Legal Assistance Unit does not offer its legal services in media cases that are filed by one journalist against another journalist or by one media institution against the other.
- * The Legal Assistance Unit will pay the expenses of assigning lawyers, the fees for release on bail, the fees of photocopying the files of cases, and the fees of contesting rulings.
- * The Legal Assistance Unit will not pay any other amounts, including the penal fines or civilian damages decided by the courts, the expenses of experts appointed by the court, legal interests, or execution fees.
- * In case the media person or institution does not cooperate with the Legal Assistance Unit, the authorization will be terminated regardless of the status of the case.
- * The Legal Assistance Unit does not provide its services without an official authorization from the media person or institution.
- * The media person or media institution may ask that another lawyer from the unit be appointed or that the authorization be terminated during the course of the case based on reasonable justifications.

3. Mechanism of Work:

First Stage/Authorization to Handle Cases: In order for the unit's lawyers to be able to proceed with a case, the client, media person or institution, should come to the CDFJ and fill an authorization form including all details of the case, its status, and the personal data of the client. After that, the request is referred to the director of the Unit who will study the request and then refer it to a lawyer in a letter or authorization in which the lawyer is asked to study the case and present his view about how it can be defended. This will be done through filling a form titled "description of case form." After that, the client is asked to come

to sign a special power of attorney to the Unit's lawyers.

Second Stage/Keeping Files: After the journalist authorizes the Unit to take care of his case, a paper file is prepared for the case. The entire file is then photocopied, given a number, and registered in a special agenda for cases, which includes a summary of each case and its number in the court. The case will also be entered into a computer system. All data related to the case is filled in the agenda and in the electronic agenda on the computer. This process is supervised by the Unit's coordinator and assistant director.

-- Paper files are prepared for every journalist. Such files include personal data, the procedures taken in every session, and any documents that are exchanged between the lawyer and the client.

Third Stage / Attending sessions: After the unit or journalist are informed of the date of the first session, the following procedures related to the case are taken:

1. The date of each and every session is noted down in a special agenda and on the computer. This is done by the Unit's coordinator and assistant director.
2. One day before the session, a schedule for all the cases that will be looked into the next day is prepared. Each lawyer is given a "procedures card" which includes:
 - A. The legal procedures that need to be taken with regard to the case in that session.
 - B. The administrative procedure that needs to be taken with regard to the case.
3. After the lawyer attends the session, he hands the following to the Unit's coordinator:
 - A. The date of the next session.
 - B. The procedures that were taken in the session.
 - C. The procedures that need to be taken in the next session.
 - D. Any administrative procedures that need to be taken before the next session.

-- The coordinator also informs the client of the date of the next session one day before the session through a text message sent via the Unit's mobile telephone. A few days before that, a letter is sent to the client by fax or electronic mail including the agenda of his cases, if he has more than one case taken care of by the Unit. If the next session is scheduled to include a presentation or

testimonies of witnesses, the client is informed so that he will meet with the lawyer for discussion and consultation before the session.

The lawyer is asked to hand his defense a few days ahead of the session to the Unit's director who, in his turn, discusses it with the Unit's lawyers to make a collective decision before presenting it to the court.

Fourth Stage / Weekly Meeting: The Unit holds a weekly meeting for all its lawyers. The meeting is usually held on Saturdays, given that Saturday is a day off for courts. During the meeting, the conferees review what has been done in the previous week and the problems that encountered the lawyers, propose alternatives, and draft a plan of action.

Second: Technical Structure:

1. **Selection of the team of lawyers:** The Legal Assistance Unit includes three main lawyers – Muhammad Qutayshat, director of the Unit; Samir Zurayqat; and Khalid Khulayfat. It also includes a fourth lawyer, Ahmad al-Umari, who works as a volunteer given that the budget does not allow hiring more than three lawyers.

Aside from lawyer Muhammad Qutayshat, the Unit's director, who worked at the Unit before the start of the project, the three other lawyers were selected based on their competence which was demonstrated in their participation in the training workshop in the Dead Sea, their readiness for voluntary work, and their experience in press and publications cases.

2. **Promoting the Unit:** In addition to printing and distributing a brochure, the press and media people were updated on the changes introduced to the Legal Assistance Unit in a meeting with the chief editors of newspapers and the directors of media institutions. The journalists were informed that there was a Unit defending them and providing them with legal services and consultations for free.

	Before Reconstruction	After Reconstruction
Number of Lawyers	1	4
Number of cases before courts	7	39

Third: Archiving the News of the Unit: A special file for the news of the Legal

Assistance Unit in newspapers, magazines, and the Internet was created to document all news and reports on activities of the Legal Assistance Unit.

The Media Legal Aid Unit is currently handling 36 cases which are still looked into by courts. The crimes include libel and vilification according to the penal code, violation of the Publications Law by publishing incorrect information and not observing balance and objectivity in presenting journalistic material, and offending religious feeling of citizens.

(Please see technical supplement No 1 which includes a summary of each case)

Difficulties Facing the Work of the Legal Assistance Unit in Defending Media People at Courts:

1. The Legal Assistance Unit has taken it upon itself to defend media people regardless of the legal status of the media person in the case. As a result, the Legal Assistance Unit defended media people in many cases although it was known beforehand that the result would be against the media person.
2. Lack of judicial experience to look into publications cases. According to Article 41 of the Publications Law No 8 for 1998 and its amendments, the president of the Court of First Instance assigns a judge from the Court of First Instance to look into publications cases without there being any conditions, like scientific qualifications or practical experience to look into such cases. Usually, the judge who looks into publication cases is replaced after two years -- that is after he gains experience -- with another judge. The same applies to the Court of Appeals which comprises three judges who look into such cases.
3. The existence of a big number of legal texts in various laws restricting the freedom of opinion and expression and media. These laws are based on the Jordanian penal legislator's policy of obscurity and ambiguity by using ambiguous and loose phrases.
4. Based on the last two points and the fact that the rulings of the First Court of Instance and Court of Appeals in publication cases are not subject to the monitoring of the Jordanian Court of Cassation according to the Jordanian Criminal Trials Law, there are no previous legal cases which can be relied on in defending media people or that can be utilized by the Court of First Instance and the Court of Appeals.

5. General weakness in journalistic stuff, be they investigative reports, news reports, articles, or critical articles. This is coupled with lack of awareness of the legislations restricting the freedom of media and freedom of opinion and expression in Jordan.

Fourth: The Electronic Website:

A section in the homepage of the CDFJ was designated for the Legal Assistance Unit to promote its activities and interact with the website's visitors. The section includes the following corners:

1. **Reasons for establishing the Legal Assistance Unit:** This corner includes a definition of the Legal Assistance Unit and an explanation of its goals, mechanisms of work, and how to contact it.
2. **Media laws:** This page features media laws related to Jordan in the form of PDF files so that those working in the media can have access to them, which leads to spreading awareness and understanding of the legal status of the freedom of expression in Jordan.
3. **Question and Answer:** In this part, the journalist can ask legal questions and questions related to the media. These questions are studied and answered by the lawyers working in the Unit.
4. **Hot Line Service:** This corner posts telephone numbers of lawyers who can be contacted in emergency cases. We will seek to develop the electronic website and increase interaction with it through:
 1. Issuing an electronic bulletin that will be sent by email to brief the recipients on the activities of the CDFJ and the Unit, in addition to discussing an important legal issue.
 2. Presenting the most important cases handled by the Unit to spread legal awareness and culture on the part of the media people.

Fifth: Internal Training in Newspapers and Media Institutions⁹

As part of extending legal advice to media people, the CDFJ agreed with Egyptian legal expert Najad al-Bur'i to make visits to press institutions in cooperation with the members of the Legal Assistance Unit. During the visits, meetings were held with chief editors, editorial managers and secretaries, representatives of legal departments, and producers of programs. The aim of the training was to increase journalists' awareness of legal issues related to publishing.

Beneficiary institutions and workshop venue:

Media Organization	Workshop Venue
Eight weekly newspapers	Conference room at the Center for Defending the Freedom of Journalists
Al-Ghad Television	Training room at Al-Ghad Television
Al-Ghad Newspaper	Seminar room at Al-Ghad Newspaper
Al-Ra'y Newspaper	Training room at Al-Ra'y Newspaper
Jordan Television	Training room at Jordan Television

Attendants:

The trainings were attended by a number of the top executives in each organization ranging between ten to twenty persons. All of whom are among the top executives in their respective organizations. This is perhaps the first time that such a large number of top executives get together and attend a debate about libel and vilification cases and the ensuing problems.

Training	Number of Participants	Details
Meeting with the weekly newspapers 12 June 2007	8	4 chief editors 4 managing editors
Internal training for Al-Ghad Television 14 June 2007	9	9 correspondents
Internal training for Al-Ra'y Newspaper 13 June 2007	12	1 adviser 6 managing editors 3 editorial secretaries 1 correspondent 1 editor

Internal training for Al-Ghad Television 16 June 2007	8	6 managing editors 1 editorial secretary 1 representative of the translation department
Internal training for Jordan Television 14 June 2007	13	13 correspondent

1. Organization and training material:

Each time, the training period did go beyond three hours. The discussions, which proceeded according to the set timetable, centered on different libel and vilification cases, whether those presented by the trainers to evoke comments on the part of the attendants or those real ones which the attending media organizations had faced.

The trainers presented some press articles and televised interviews to the trainees in accordance with the discussion methodology they followed with the trainees. The trainers asked the attendants to identify the phrase or position in the print text or television interview where libel and slander have been mentioned. Afterwards, the trainers would comment on the trainees' findings and clarify the judicial rulings on each text.

In some instances, particularly with the ATV, the trainees presented real audio-visual materials. The trainers would then engage in a discussion with the trainees and explain the potential problems that such materials could create and how to deal with them.

Two audio-visual materials prepared by Al-Ghad Television were presented: One discussing prostitution in Jordan and the second discussing medical mistake blunders during the in-house training. The two films sparked a lot of discussions.

2. Trainees' assessment of the efficiency of the workshops:

After analyzing the evaluation forms which were given to the participants, it turned out that there was full satisfaction with the training and a genuine desire to benefit from it. When asked to what extent they benefited from the training, 55.6 percent of the participants said it useful to a very large extent, 33.3 percent said it was useful to a large extent, and 11.1 percent said it was useful to some extent. None of them said that he did not benefit from the training or that he found it poor. Those results show to what extent the training has achieved its goals.

Sixth: The training workshop of the Judicial Institute students: ¹⁰

The center held a training workshop for the students of the Judicial Institute on 13 June 2007 in accordance with the following schedule:

Wednesday 13 June 2007	
Time	Topic
10:00 – 09:30	Opening Introduction Objectives Expectations
10:00 – 11:30	First Session Good intent in crimes of aggression on honor and reasons for permissibility (Theoretical discussion/ presentation of judicial rulings about the issue of good intent and reasons for permissibility in libel and vilification)
11:30 – 11:45	Coffee break
12:45 – 11:45	Second Session Interpretation of the phrases of a press article and rationale of rulings in press crimes
12:45 – 01:00	Conclusion Evaluation forms

This workshop is new; that is to say, it was the first time a Jordanian NGO is allowed to provide training for the Judicial Institute students on a topic related to libel and vilification and how to justify the grounds of the rulings issued in such cases.

1. Venue and Training Aids

The workshop was held at the training hall of the Jordanian Judicial Institute, which is quite appropriate for this purpose and includes all the necessary training aids.

2. Workshop Duration and Schedule

The training program was simple as it included an opening session during which the head of the Judicial Institute and the CDFJ director gave speeches. This is in addition to two working sessions, each lasting for 75 minutes, and interspersed with a 20-minute coffee break. The first session discussed the principle of good intent in crimes of aggression on honor and status. The second dealt with the interpretation of the phrases of a press article and how to justify

the grounds of the rulings issued in libel and vilification cases.

3. Training Material and Methodology

3-1 Good intent in crimes of aggression on honor and status and reasons for permissibility

A working paper including the criminal intent in the crimes of aggression on honor and status, its development, how to identify it, reasons for permissibility in this kind of crimes, as well as the civil servant or those in charge of providing public service, the public persona, and how to delineate the right to criticism and the difference between this right and libel which is punishable by law.

3-2 Interpreting the phrases of a press article and justifying the grounds the libel and vilification rulings

A working paper including the general rulings on how to interpret the phrases of a press article and the different ways of press writing arts, linguistic limitations, ways to justify the grounds of the rulings in general and the libel and vilification rulings in particular.

It's worth noting that the second working paper was not tackled directly because the trainees insisted on continuing to discuss the criminal intent in the crimes of aggression on honor and status and how to pinpoint it in a given press article even during the second training session. This consumed most of the time earmarked for the second session and did not allow a serious discussion of the second training topic.

Discussions were the main method used at the training with the participants considering the fact that they are law experts and about to join the judicial authority. In addition, discussions are most effective when you are dealing with a small number of trainees.

4. Evaluation

When asked in the final evaluation form whether they believe that the time allotted to the sessions was enough or not, all participants, 100 percent, said that it was not, and when asked what they think is the optimal duration of such trainings, they provided the following answers:

- * At least two hours for each session
- * At least three hours for each session
- * At least five hours for each training day
- * More than five hours for each training day
- * Two or three days
- * One week

Once can clearly notice that there was genuine desire on the part of the participants to know more about the topic of the workshop. Some suggested that each session should take three hours, which is a long period of time but reveals genuine desire to gain knowledge about this topic. Some other suggested that the topic be allotted three to five days and some others suggested that a week be allotted to discussing this topic.

In fact, the topic is broad and important and requires three days of training so that some aspects be discussed in depth. However, the important thing is that the trainees never felt bored or frustrated, but showed willingness to know more about the topic.

When asked about the most important aspects of the training as well as the training methodology and the efficiency of the training on the topic, their answers came as follows:

Importance of the training topics and trainees' evaluation of the methodology and efficiency

	Subject	Importance				Methodology				Efficiency			
		Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
First Session	Good intent in the crimes of aggression on honor and status and reasons for permissibility				21 = 84%			5 = 20%	19 = 76%		1 = 4%	9 = 36%	15 = 60%
Second Session	Interpreting the phrases in a press article and explaining the rulings of libel and vilification			10 = 40%	14 = 56%	1 = 4%		3 = 12%	17 = 68%				15 = 60%

A quick look at this table shows how important the training topics for the trainees were and to what extent they were satisfied with the training methodologies as well as the efficiency of the training. The percentages provided in the above-mentioned table ranged between «good» and «excellent,» which is yet another proof of the success of the training.

When asked to prioritize the most significant experiences or information they gained from the training, the principle of good intent and how to identify it in a given text came first with nine votes, followed by the public personality with five votes, standards and goals of the right to criticism with three votes, and how to analytically read a press article with two votes.

As for the experiences which the trainees hoped they would gain from the training but were not covered in the workshop, the trainees mentioned the judicial applications with three votes, which underscores the need for a special study about the Jordanian judicial trends in this regard to help the newly-appointed judges to find this way in this direction, equipped with not only the law provisions but also the courts' rulings.

What affirms that the training has achieved its goal and prompted the new judges to give attention to this kind of cases is that when asked whether they would attend similar discussions if invited, 88 percent answered yes, due to the importance of the training and the topics that were raised at the workshop as they said. Only two trainees, accounting for 8 percent, did not answer this question. Only one trainee, representing 4 percent of the participants, said that he might not accept the invitation.

5. In the Future

The success that this short-term training has achieved warrants thinking of two basic things:

4-1 Organizing a training program over a period of five days for the students of the Jordanian Judicial Institute to train on how to resolve libel and vilification rulings more openly and in accordance with the international standards in this regard.

4-2 Collecting and categorizing the judicial applications in the Jordanian law and some other judicial applications in the legal systems which are close to the Jordanian system, such as the Egyptian judicial system, to serve as food for thought for those who wish reckon with in justifying the grounds of judicial rulings.

Seventh: Studying the Jordanian judicial trends in dealing with the press and publications cases ¹¹

As part of the project, the center has conducted a study about the trends of the Jordanian judiciary in dealing with the press and publications cases for the period 2000-2006. The study has passed through three basic phases:

First: Collecting the cases related to media from all courts in the kingdom for the said period

Second: Documenting these cases in terms of the subject matter of each and the statement of grounds leading up to the rulings as well as the legal texts upon which the courts' rulings were based and a summary of each ruling.

Third: Analyzing and categorizing the rulings issued in these cases with the aim of identifying the judicial trends under each category: The study was based upon the following guidelines:

1. *The Jordanian judicial system, its structure, independence, and economic, social, and cultural factors influencing it.*

This part would tackle the impact of the social, economic, cultural, and professional environment on the Jordanian judge when he/she issues a ruling in a case related to the freedom of expression in general and the freedom of the press in particular. It's imperative to understand those factors in order to better analyze the rulings.

2. *The general rules in the international judicial system pertaining to the freedom of expression in general and the freedom of the press in particular.*

2-1 Rulings issued by the European courts pertaining to the human rights

2-2 Rulings issued by the supreme American courts

2-3 Rulings issued by the supreme courts in some Far East and Near East countries

This part was based on reviewing some rulings issued by the supreme courts in different legal systems in order to extricate the most important rules and international judicial standards in the cases of the freedom of expression in general and the press in particular.

3. The general principles of the freedom of media and expression in the rulings of the Jordanian courts, including the Court of Cassation.

This part attempted to extricate the most important general principles upon

which the Jordanian courts base their rulings in the cases of the freedom of expression in general and the freedom of the press in particular. It also reviewed, analyzed, and categorized the most important rules.

4. The Jordanian judiciary and the international standards: Where do they meet and differ? Why?

In this part, we compared between the principles laid down by the Jordanian courts and those enshrined in the international law with a view to comparing the two and identifying where they meet and where they differ and the reasons for that and whether this is attributed to the legislative structure, which would warrant suggestions for amendments, or to cultural or social backgrounds.

5. Conclusions and recommendations:

In the context of this study, a questionnaire was distributed to judges, politicians, journalists, and lawyers with a view to sounding them out on the fundamental issues covered in this study. As for the sample and its specifications, it included the following:

1-9 Judges: From the judges of the Court of Cassation, Court of Appeal, courts of first instance, and court of conciliation

2-10 Lawyers: Those with no less than seven years of experience and who worked in defending the freedom of the press and the freedom of expression in general.

3-13 Chief editors of newspapers and journalists, including some who faced lawsuits that ended either in acquittal or indictment.

4-10 Politicians representing different streams, some are pro-government and some others are oppositionists, including Islamists and liberals.

To this end, the following measures have been taken:

1. The CDFJ director, who is the head of the project, as well as the head of the Legal Aid Unit met with the justice minister to brief him on the project and its goals, especially the subject matter of the study and its objectives. They managed to obtain the minister's support and pledge to patronize the forum which the unit intends to hold with judges. The minister also issued an order to all court bureaus across the kingdom to facilitate the issuance of a list of media-related cases between 2000 and 2006.
2. Addressing a letter to the president of the Judicial Council seeking his approval to conduct interviews with judges and allow them to participate in the forum. The president of the Judicial Council agreed to both requests. Currently, we are coordinating with the director of his office to identify the number of judges who will participate in the forum.

Work Mechanisms for Conducting the Study: Jordanian Judicial Trends in Dealing with the Publications Cases for the Period 2000-2006 ¹²

The research team worked in two stages:

First Stage: documentation and meetings

Second Stage: Preparing first draft of the study

* First Stage: Documentation and meetings: In this stage, the research team moved in two directions:

- First Direction: documenting the press and publications cases since 2000 until 2006
- Second Direction: Holding field meetings with judges, lawyers, journalists, politicians, and parliamentarians

First Approach: Documentation of Publications Cases from 2000 to 2006

The documentation process was done in the following steps:

- The approval of His Excellency the minister of justice was obtained to photocopy cases in the storerooms of courts in the kingdom. The heads of court were contacted to facilitate the mission of researchers.
- The records of the Court of First Instance and the Court of Conciliation were checked. Lists containing the numbers of cases were prepared and the cases were retrieved from the archives and photocopied.
- Each case was analyzed, the controversial parts of the press material were highlighted, and the legal causes on which the court based its verdict were pinpointed. This also included a summary of the verdict and the legal texts used in incrimination or acquittal and personal rights.

-- Difficulties Which Faced the Research Team in Documenting Cases:

1. The records of some courts were not clear with regard to the charges.
2. More than one number was given to a single case. This was the result of numerous appeals caused by holding trials in absentia. This delayed the process of photocopying cases as the number of cases was not

¹² The study is being printed and includes an executive summary in English. A copy of which is attached with this report.

clear in the beginning.

3. Some cases were not found in the storehouses given that they were still being looked into by the court. In some instances, the cases were never found.
4. Records in some years did not include on the margin whether the case was appealed or not.
5. Slowness of the photocopying process due the refusal of supervisors of storehouses to allow researchers to get the entire cases at the same time. The supervisors insisted that only the cases of a single year be brought out at the same time.

Solutions Devised to Face Difficulties:

1. Reading all cases and writing down the number of rulings issued.
2. Keeping track of each case in which no final verdict was made in order to get the real number of cases involving journalists.
3. Comparing the numbers with those in the courts' records.
4. His excellency the minister of justice was asked to facilitate the mission of researchers to photocopy the cases that could not be obtained. However, this did not happen because these cases were still in the court.

Second Approach: Holding Field Meetings With Judges, Lawyers, Journalists, Politicians, and Parliamentarians:

The meetings went through the following steps:

1. Securing the approval of his excellency the head of Judicial Council to hold meetings with judges from all ranks.
2. The researchers established guidelines for each category of interviewees.
3. Holding meetings with judges, lawyers, journalists, parliamentarians, and politicians.
4. Writing the minutes of meetings and preparing reports about them.

The Difficulties which Faced the Research Team in Holding Meetings:

1. The difficulty of holding meetings in the first place due to the judicial recess and the fact that the Parliament was not in session.
2. Hesitation of some people to be interviewed given that this issue has to do with the judiciary. Some even refused to meet with the researchers.
3. Some of those who were interviewed refused to answer some sensitive questions.
4. Some interviewees wanted to talk about general ideas and refrained from discussing details.

Solutions Devised to Face Difficulties:

The number of interviews was increased and questions were changed in some cases.

* Second Stage: Preparing the Draft Study

After the research team finished its study of the Jordanian judiciary's approach in dealing with the publications cases, the following steps were taken:

- * Verifying the truth of legal information and texts, the numbers of laws, and the number of cases. A chart was drawn to show the size of these cases.
- * The section of the study which contained interviews was sent to those who were interviewed to verify the accuracy of the information and make amendments.
- * Amendments were received and were added as notes to be included in the final version of the study after the end of the forum.
- * The full study was sent to the participants in the forum to make observations and express opinions about them ahead of holding the judicial media forum.
- * After holding the judicial media forum, all observations, recommendations, and conclusions of the forum and working papers were included in the study.

(Please see the executive summary of the study page "87" in this report)

Eighth: Workshop for Exchanging Expertise with Judges, Media People, and Lawyers

The workshop was held at the Holiday Inn Amman Hotel during the period 30 November – 1 December 2007.

This part will be divided into the following sections:

1. Discussions during the workshop.
2. Observations, proposals, and recommendations of participants in the workshop.
3. List of participants in the conference.

First: Meetings of the “Conference on Discussing the Draft Study on the Jordanian Judiciary’s Approach Toward Publications Cases”¹³

During two days of meetings, the Center for Defending the Freedom of Journalists held a conference titled “Discussing the Draft Study on the Jordanian Judiciary’s Approach Toward Publications Cases” at the Holiday Inn Hotel in Amman. The conference was opened by His Excellency Judge Mansour al-Hadidi on behalf of Justice Minister Aymad Awdah; Nidal Mansour, director of the Center for Defending the Freedom of Journalists; and Joaguin Villonga, representative of the EU.

The CDFJ had prepared a study titled: “The Decisive Word: A Study of the Jordanian Judiciary’s Approach Toward Publications Cases 2000 – 2006,” prepared by a team of researchers led by Egyptian Lawyer Nijad al-Bur’i and ten co-researchers. The five-chapter study analyzed 114 out of 131 cases, that is 87 % of the publications cases during the period covered by the study.

The conference was attended by 62 participants, including 12 judges, 14 journalists, 19 lawyers, five Judicial Institute students, the former chief of the Egyptian Court of Cassation, an Italian judge, the team of the study, and the personnel of the CDFJ.

The first session, chaired by CDFJ Director Nidal Mansour, reviewed the methodology of the study, the difficulties which faced the working team, the cases that were analyzed, and th

e cases which were not analyzed and the reasons for that.

The second session, chaired by Judge Jihad al-Utaybi, spokesman for the Judicial Council, discussed the political and socioeconomic environment and its impact on the independence of the judiciary in Jordan and the status of the judicial authority in Jordan. After this session, the first day was concluded.

The second day opened with a session moderated by Muhammad Qutayshat, the well-known Jordanian lawyer and activist in the defense of the freedom of expression. The session reviewed the experiences of various judicial systems in dealing with publications cases. These included the European experience, which was presented by Italian Judge Paolo Michael. Samir Zurayqat, Jordanian lawyer specialized in media issues, made a presentation on the US judicial system's experience. Advisor Midhat al-Miraghi, former head of the Supreme Judicial Council and the Court of Cassation in Egypt, made a presentation on the Egyptian Court of Cassation's dealing with slander and libel cases.

The second session, chaired by Muhammad al-Tarawinah, Jordanian judge and human rights activist, conducted an assessment of the Publications Laws in Jordan in light of international standards. The conferees also discussed the Jordanian judiciary's approach toward slander and libel cases during the period 2000 – 2006.

The last session was chaired by Nidal Mansour, the well-known journalists and CDFJ director. It discussed the recommendations of the workshop.

The discussions revolved around the following main topics:

1. Political Environment Surrounding the Judiciary:

The discussions asserted that the period after the 1950's witnessed a regression in the judiciary because the laws adopted afterward consecrated tribalism. Some participants asserted that the margin of social freedoms in the 1950's was bigger than it is now and that the executive authority did not encroach on other branches of power as is the case now. Some attributed this to the rise in the Islamic trend, noting that the freedoms and rights enshrined in the consecutive Jordanian constitutions were given as a grant and not as a contract. Some participants asserted that Jordan no longer has democracy and that it only has a small margin of democracy which is being restrained.

2. Difficulties facing Judges:

The general discussion asserted that the texts and laws alone are not sufficient to achieve justice and that the most important factor is the judge who implements

the laws, which means that more attention should be given to the judge. Some judges said that there is a problem in the implementation of laws in publications cases. Some attendees said that “the Jordanian judge suffers from terrorism in his job because of Article 16 of the Independence of the Judiciary Law which is a sort of martial law against judges. Thus, the Jordanian judge suffers from lack of sufficient freedom.

Another judge said that the judge implements the law even though he might have a different opinion, because the judge is held accountable for the implementation of the law. He asserted that the environment of judicial work is difficult due to the huge amount of work and the fact that the judiciary bears responsibility for the mistakes of other authorities. He said that the increase or drop in the number of publication cases has to do with the Publications Department and the personal convictions of its director, who files lawsuits against journalists. In addition, many legislations have no clear explanations and the legal awareness is very low. A journalist said that the ambiguous phrasing of some articles of the Publications Law has a negative impact on the freedom of the press and media.

3. Independence of the Judiciary:

Most of the judges who participated in the discussions noted that the independence is created by the judge himself and not the administrative system or legislations. A lawyer said that there should be clear and firm standards for appointing the judges, noting that this should not be subject to the minister or the head of the Supreme Judicial Council. He said that the minister of justice’s recommendation to appoint judges is a sort of interference in the freedom of the judiciary. In addition, social and financial pressure has a negative impact on the judiciary, as the judge has to be in a good financial and social condition so that he can perform his tasks in the best manner. Journalism has a negative impact on the independence of the judiciary as press articles could lead to transferring judges or affecting their promotion.

A senior lawyer who attended the discussions said that judicial inspection does not have a big impact on the independence of the judiciary, saying that the judges are only answerable to the Higher Judicial Council, that the general prosecutors are judges, that the minister of justice can supervise them administratively and not judicially, and that this supervision does not affect their independence. He, however, noted that there are flaws which have an effect on the independence of the judiciary, and these include:

- * The role of the minister of justice in sending judges to courses and scholarships, which is a form of implicit bribe.

- * Judges are subject to the provisions of the Civil Service Law with regard to grades. They were supposed to have a special grades system.
- * Judges are deprived of forming organizations or any body that would defend or represent them, or of joining political parties.

It was also asserted that the judges are not one type as there are independent and dependant judges, because they are human beings who are affected by the pressure of society. The extent of the influence that is exercised on the judge depends on the nature of the judge himself. The general trend in the discussion stressed that the executive authorities' demand of the judges to quickly issue a verdict in a certain case insinuates a desire to issue a certain verdict, which is a sort of interference in the judicial authority. The ordinary judiciary no longer has the authority to look into all cases as the State Security Court looks into cases of freedom of opinion and expression, which has a negative impact on the freedom of opinion and expression.

Some journalists asserted that the competence of the judges and general prosecutors with regard to publications cases should be improved. They stressed that these cases are dealt with in a very slow manner which affects the involved journalist.

4. The Judiciary and the Freedom of the Press:

Some lawyers called for having a special record for publications cases. Some noted the delay in the litigation procedures by the prosecutor general in the publications cases. Some attributed the delay to the fact that there are no referring judges or investigation judges for all kinds of crimes.

Some participants pointed out that the judges consider the journalist guilty until proven innocent in addition to the fact that there is no systematic approach in referring publications case as some cases are referred to the State Security Court for mainly political reasons.

The judges said that the Jordanian judiciary has witnessed openness to the media and society since 2000 as annual reports about the work of the judicial system started to be published which boosted transparency. Criticism of the judiciary has increased ever since.

Some lawyers said that fines in Jordan are aimed at collecting money and are not a radical punishment. This applies to fines not only in publication cases but also in traffic violations. They noted the decline in the level of the judiciary in Jordan, and asserted that the deterioration will continue so long as the judge

carries out his duty just as part of his job and not as part of message.

Some judges criticized the study's claim that the general prosecutors refer cases to courts based on more than one legal article and in a haphazard manner. They said that the referral of cases is done on the basis of sound legal foundations. They argued that the prosecutor general's pressing of more than one charge against the defendant is a sort of guarantee for him, because the judge will be able to try to acquit him. They noted that rulings are not the responsibility of the judges alone, but also the executive and legislative authorities, and sometimes the lawyer himself. They stressed the need to amend legislations to give the judge greater freedom to estimate the punishment, and to improve the level of lawyers.

The lawyers and media people attending the conference stressed that the rulings given to journalists and media people are considered criminal records. They noted that the absence of a constitutional court in Jordan has a negative impact on the status of the judiciary especially in light of the temporary laws which violate the constitution. They said that the constitutional court is a safety valve for protecting citizens from temporary laws that have a negative bearing on the freedom of opinion and expression.

A senior lawyer attending the conference said that there is a class discrimination which has an impact on the freedom of opinion, expression, and press in the country. He asked about the reasons for referring journalists to the State Security Court despite the fact that the Publications Law explains that the Court of First Instance is the body which looks into cases brought against journalists.

On the call to emulate the international principles and charters on publications crimes, one of the attendees said that the sound legislative philosophy of any legislation requires that the legislation be a reflection of the reality of the society. He said that the difference between the political and social environment is real reason for the difference between the European and US legislations on the one hand and the Arab legislations on the other. He noted that there is a difference between the concept of reputation between the Western and Arab countries; hence the difference between the legislations.

Several attendees, mainly media people, asked why the courts do not seek the help of experts to monitor fairness and objectivity in the publications cases. They asked: Why is the journalist incriminated for publishing true reports about national security or economy?

A number of attendees proposed that there be a special court to look into judicial disputes pertaining to journalists and the publications law. Some said that the journalist should have immunity and that he should not be forced to reveal his

sources even if the issue has to do with terrorism, drugs, or prostitution.

5. Tribalism and its impact on the Judiciary:

As for the impact of the tribal and financial factors on the judges, many participants said that in the period between the 1920's up until the 1950's and 1960's, the judges were very close to tribalism and some of them were poor. Nevertheless, the judiciary was fair and independent. The participants asserted that tribalism was never a disadvantage, and that, on the contrary, it was a point of reference and a safety valve for the society. Some said that tribalism was a support for the independence and immunity of the judiciary. Some participants argued "that tribalism was an eternal thing especially since the Jordanian society has been tribal since its emergence. In my opinion, tribalism is very far from the subject of this study, which focuses on the relationship between the press and the judiciary and the judiciary's approach toward publications issues. Accordingly, tribalism has nothing to do with this subject. Had this been the focus of the study, then there would be doubt about the fairness of the judge who belongs to a certain tribe."

Second: Observations, proposals, and recommendations of the participants in the Workshop:¹⁴

1. Establishing a higher constitutional court to determine to what extent the laws are compatible with the constitution. The law should be discussed on a wide scale before it enters the legislative process stipulated in the constitution.
2. Holding intensive technical courses for general prosecutors and judges on media issues, reconsidering the Publications Law, and presenting the proposals made at this seminar to the Prime Ministry, the Judicial Council, and the House of Representatives.
3. Encouraging the participation of parties, political forces, and civil society institutions in such important activities.
4. Recommending the head of the Judicial Council to allow the discussion of rulings issued in press cases on the largest scale possible to make use of such rulings and address their negative aspects to improve them.
5. Reducing the number of cases referred to the State Security Court.

¹⁴ The recommendations of the participants were included without any change. All recommendations were included, though repetitive, to assert their importance.

6. Amending Article 42 of the Publications Law by adding that the publications cases should be studied by a specialized prosecutor general during the investigation.
7. Holding training courses for the journalists on the Publications Law.
8. Amending the Publications Law by adding a paragraph that would allow dropping the public right to prosecution if the personal right to prosecution is dropped in publications cases.
9. Holding dialogue on the legislations governing the media and the most important amendments that should be introduced to these legislations to boost the freedom of the press.
10. Holding specialized training for the judges in the field of publications cases and the media terminology, and briefing the judges on the experience of advanced countries in publications cases.
11. Establishing a court for journalists.
12. Proving the occurrence of a violation should be the responsibility of the claimant in publications cases.
13. The need to have specialized judges starting from the stage of investigation up until the verdict is appealed.
14. Studying the possibility of allowing the judges to have an idea about the rulings issued by international and Arab courts in publications cases.
15. Providing the publications judges with the reference books that are not available in Jordan.
16. Amending the Publications Law with a view to allowing the referral of rulings related to publications to the Court of Cassation, which might have an opinion in this respect.
17. Holding workshops and frequent meetings between the journalists, judges, and lawyers to enhance this relationship and bridge the gap between them to serve the public interest and justice.
18. Establishing a special commission for publications cases at the Court of Appeals as it is not enough to have a publications judge only at the Court of First Instance only.

19. Qualifying a number of judges to deal with publications cases through holding specialized training courses and holding periodic meetings between the legislative authority, judge, lawyers, and journalists. In addition, awareness courses should be held for journalists. Journalists should be qualified to help the lawyers and judges in such cases.
20. Conducting a technical assessment of the press article by experts and only by the judge, especially if the crime has to do with failure to observe balance and objectivity.
21. The judiciary should be independent from the executive authority in terms of appointment, promotion, separation, and financial issues.
22. Publications cases should not be considered a criminal record for journalists.
23. The need to have guarantees to protect human rights and basic freedoms in Jordan.
24. The citizens' confidence in the rule of the law and values of democracy and human rights should be boosted.
25. Efforts need to be made to amend the present Publications Law so that citizens and journalists alike can express their opinions freely.
26. Adopting the civil liability insurance system for journalists. Collective insurance contracts can be signed by the Press Association.
27. Removing the place where defendants are held and which is surrounded by a metal fence in the hall where publications cases are looked into at the Palace of Justice, because this constitutes a humiliation to journalists.
28. Amending the law on imposing fines on journalists with a view to making it possible to pay fines in installments. A journalist who cannot pay the whole amount in one installment might prefer imprisonment.
29. No request to assess the damage should be made before the conviction in publications cases takes place. This should be done at the end of the case so that it will not affect the case and the judge's convictions.
30. Providing all judges in Jordan, especially in remote governorates, with the latest version of the Publications Law.

31. Giving publications cases an urgent status.
32. The Judicial Council should be open to the media which should be considered a partner even if the media criticize the role of the council.
33. A joint committee should be established between the Judicial Council and the Press Association to refer cases related to judging the balance and fairness of press materials to a specialized committee of journalists.
34. There should be a post of investigation judge in press cases.
35. A publications court should be established instead of just having a publications judge.
36. There should be a judge or court to settle disputes between litigants before entering the court.
37. Acknowledging the monitoring role of the press and mass media, and admitting that the press is the fourth estate.
38. Expanding the work of the Media Legal Aid Unit at the CDFJ and demanding the Bar Association to set up a permanent defense committee for cases related to the freedom of opinion and expression.
39. Making sure that the international agreements ratified by the kingdom are implemented before the judiciary given that they have precedence even over the national law if they are valid for direct implementation.

Third: List of Participants in the Conference

Name	Title
Ahmad Midhat al-Maraghi	Former president of the Egyptian Court of Cassation
Paolo Mecheli	A judge at the Italian Court of Appeal
Najad al-Burfi	A cassation lawyer and chairman of the Board of Directors of the Democracy Development Group in Egypt
Nidal Mansour	Director of the Center for Defending the Freedom of Journalists

Name	Title
Jihad al-Utaybi	A cassation judge, official spokesman for the Judicial Council
Muhammad al-Ajarmah	A cassation judge
Dr. Muhammad al-Tarawneh	A judge at Amman Court of Appeal, expert in human rights field
Yasir al-Shibli	A judge at Amman Court of Appeal
Zahi al-Shalabi	A judge at Amman Court of Appeal
Walid Kanakriyah	A judge at Amman Court of Appeal
Jawad al-Shawa	A judge at Amman Court of Appeal
Awad Abu-Jarad	Judge: President of Al-Salt Court of First Instance
Nashrat al-Akhras	A judge at Amman Court of First Instance, former publications judge
Nadhir Shihadah	A judge at Amman Court of First Instance, in charge of press and publications cases in Amman
Ahmad al-Khasawneh	A judge at Amman Court of Conciliation
Jawahir al-Jubur	A judge at Amman Court of Conciliation
Bilal al-Sakit	The Judicial Council
Nariman al-Khayri	The Judicial Council
Amjad al-Shuraydah	The Judicial Council
Reem al-Dhuneibat	The Judicial Council
Ammar al-Huneifat	The Judicial Council
Ahmad al-Najdawi	Lawyer
Mudar al-Jirudi	Lawyer
Ghassan Koukash	Lawyer
Fathi Abu-Nassar	Lawyer, a former member of the Bar Association Council, head of the Freedoms Committee at the Jordanian Professional Associations
Ali Dirani	Lawyer and legal representative of Al-Ghad Television
Nancy Dabanbeh	Lawyer and legal representative of Jordan Television
Salah al-Maaytah	Lawyer
Fathi Daradkah	Lawyer, a member of the Bar Association Council
Hamad al-Umush	Lawyer
Iyad Hamarneh	Lawyer
Majid Arabiyat	Lawyer

Name	Title
Farouq al-Wakid	Lawyer
Muhammad al-Ghalayini	Lawyer
Ma'moun Koukash	Lawyer
Ridwan Abu-Hassan	Lawyer
Ula al-Qaryouti	Lawyer
Rana al-Mansour	Lawyer
Khalid Khuleifat	Lawyer, member of the Media Legal Aid Unit
Ahmad Al-Umari	Lawyer, member of the Media Legal Aid Unit
Samir Zureiqat	Lawyer, member of the Media Legal Aid Unit
Muhammad Quteishat	Lawyer, head of the Media Legal Aid Unit
Suleiman Ubeidat	Former deputy
Madison Conoly	Press office -- American Embassy
Umar Sabri Kamantu	Former ambassador to Norway, Denmark
Jihad al-Moumani	Journalist, publisher of Al-Nashmiyah newspaper
Nasir Qamash	Journalist, chief editor of Al-Hadath weekly newspaper
Hilmi al-Asmar	Journalist, columnist at Al-Dustour
Bassam Badarin	Journalist, head of Al-Quds al-Arabi newspaper's office in Amman
Umar Kullab	Journalist, columnist at Al-Anbat
Shakir al-Jawhari	Journalist at the London-based Al-Arab newspaper
Mashhour Abu-Eid	Journalist, Jordan News Agency (Peta)
Usamah al-Ramini	Journalist, chief editor of Al-Ikhbariyah weekly newspaper
Jamal al-Muhtasib	Journalist, publisher of Al-Mar'ah weekly
Muhammad Abu-Rumman	Journalist, head of the Arab and International Affairs Department at Al-Ghad newspaper
Hamdan al-Haj	Journalist, managing editor at Al-Dustour newspaper
Eman Abu-Qa'oud	Journalist at Al-Hadath weekly newspaper
Hadil Ghaboun	Journalist, news correspondent at Al-Ghad Television

Name	Title
Muhammad Husayn al-Najjar	researcher and head of the «Parliament for All» project at the Democracy Development Group in Egypt
Hiyam Awad	Student at the Faculty of Journalism -- Al-Yarmouk University
Siba al-Mansour	Administrative coordinator of the Media Legal Aid Unit
Inam Hamzah	Administrative assistant at the Center for Defending the Freedom of Journalists

Technical Report

For the Media Legal Unit (MELAD)

Technical Report for the Media Legal Aid Unit

For the Period from January 2007 Until the End of December 2007¹

Introduction:

Of the important results ensuing from the establishment of the Media Legal Aid Unit through providing it with a cadre of employees and lawyers specialized in media-related lawsuits, organizing the mechanisms of its administrative and technical work, and intensifying the efforts of the lawyers cooperating with the unit voluntarily is that the number of lawsuits that were retained by the unit have increased five folds compared to the number of lawsuits retained at the beginning of the project of rebuilding the unit as it was retained in 7 lawsuits being examined before courts. However, it is now looking into 35 lawsuits being examined before courts.

The crimes attributed to journalists in these lawsuits vary between defamation and vilification crimes, and the crimes of hurting religious sentiments of citizens in accordance with the penal code on the one hand, and the violations committed against the Press and Publications Law by publishing untrue information, the failure to maintain equilibrium and respect objectivity in presenting press material, in addition to the failure to abiding by other articles of the same law. This covers the period during which the unit was retained to look into this number of lawsuits since the beginning of the project in 2007 until the date of preparing this report.

The following table illustrates specifically the number of these lawsuits and the competent courts looking into them. In that case, we had to specify the names of newspapers and journalists against whom each lawsuit was filed, in addition to specifying the parties filing the lawsuit, whether they are ordinary people, public personalities, or public employees. Moreover, we also pointed out the charges leveled against journalists with a brief description of the press material that constitute the main issue of lawsuits, and finally specifying the status of every lawsuit.

We can say that according to the table below, the unit should continue to be retained to defend journalists in these lawsuits and that it needs to exert efforts intensively in preparing legal defense, especially since they have reached critical legal stages, making it difficult for the unit to stop offering legal assistance to journalists against whom these lawsuits are filed.

1 The term of the project was extended to another three months as from 1-1-2008 to 31-3-2008 ..kindly review annex 1

The Number of the Lawsuit	The Competent Court	The Name of Clients: Journalists or Newspapers	The Name of the Plaintiff	The Type of Offences Attributed to Defendants in Accordance With the Decision of the Public Prosecutor	The Subject of the Press Material	The Current Status of Lawsuits and the Judicial Procedures They Are Going Through.
214/2004	Jerash Court of First Instance	Nasir al-Zu'bi, chief editor of Jerash Weekly Newspaper	Public right Director of Jerash Education Directorate in his personal and professional capacities	<ol style="list-style-type: none"> 1. The offense of libel and slander in violation of the penal code. 2. The offence of showing disrespect to the truth and the failure to adhere to accuracy, balance, and objectivity when presenting press material in violation of the provisions of articles 5 and 7 of the Press and Publications Law, in addition to demanding civil compensation. 	<p>The newspaper published a press material entitled: "During the celebrations of the Education Directorate of the inauguration of four new schools, "Okashah who holds a B.A. in Shari'ah [Islamic Law] disregarded the traditions of our gracious Prophet Mohammad, peace be upon him" ... The director of the Education Directorate allowed groups of adult girls to dance and perform Dabkah [a folk dance performed in a semi-circle with dancers holding hands] without obtaining written approval from their parents." The press material highlights the details of the party. The journalist used a critical approach from his point of view using some terms to describe it such as: "Indecent dancing" and "The stage of the education directorate is of the same level of Ruby [an Egyptian singer who is well known for her explicit video clips] "</p>	<p>The Legal Assistance Unit is currently presenting the defense evidence as the defense plan mainly depends on corroborating the facts on which the journalist based his criticism.</p>

191/2007	Ain al-Bashah Conciliation Court	Khaled al-Ajarmah, reporter of Al-Ra'i Newspaper	Public right Sergeant Ahmad al-Qudah	<p>The offence of contempt and causing physical harm in violation of the penal code.</p> <p>The complaint filed against the journalist noted that sergeant Ahmad al-Qudah, an officer at the Public Security Department, was beaten and insulted by the journalist under the pretense that he prevented the journalist from entering the Vocational Training Center where sacrificed sheep during Eid al-Adha were being distributed to citizens. The officer claimed that the journalist wanted to get meat while the journalist objected to that by saying he wanted to cover the event. The plaintiff filed this complaint after the journalist had filed a complaint against him at the Police Court, accusing the officer of beating and insulting him.</p>		<p>The Legal Assistance Unit managed to release the journalist on the same day he was taken in for questioning by the court. The unit is currently presenting defense evidence that proves that the journalist is the one who was beaten and insulted by the plaintiff and not the other way around.</p>
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540/2006	Amman Court of First Instance	Hashim al-Khalidi, chief editor of Al-Mihwar Weekly Newspaper	Public right Former Senator Mohammad al-Azaidah	<p>1. The offense of libel and slander in violation of the penal code.</p> <p>2. The offence of showing disrespect to the truth and the failure to adhere to accuracy, balance, and objectivity when presenting press material in violation of the provisions of articles 5 and 7 of the Press and Publications Law in addition to demanding civil compensation.</p>	<p>The newspaper published a press material entitled "I filed a complaint to the officials against him ...and very serious accusations" ... "The biggest scandal of his excellency... "He starts fights in the public marketplace and the mosque" ... "His excellency harasses the guest while intoxicated using the language of warnings and threats."</p> <p>The press material included a repetition of the content of a complaint filed by one of the citizens against one of the public personalities in Madaba City, who was harassing the brother of the plaintiff inside the mosque against the backdrop of outstanding tribal disputes and that he was threatening him. At the same time, it did not refer to the name of the plaintiff.</p>	The unit is waiting for the expertise report to estimate the civil compensation assuming that the offence has been proved true and then it will present its study of the expertise report and its final argument.
917/2007	Amman Court of First Instance	Jihad Abu Baidar, chief editor of Al-Anbat daily Newspaper	Public right Four deputies from the previous House of Representatives	Defamation and vilification of an official body in violation of the penal code.	<p>The newspaper published a caricature of a dog cooking in a kitchen and saying: "I cook better than deputies."</p>	The unit is currently discussing the witnesses of the public prosecution, the plaintiffs, and it will adopt the defense plan based on highlighting the implied meaning the journalist wanted to show through the caricature, namely the lack of political blocs inside the House of Representatives.

<p>2243/2007</p>	<p>Amman Court of First Instance</p>	<p>Osamah al-Ramini/ editing director, Nazirah al-Sayyid/ chief editor of Al-Shahid weekly Newspaper</p>	<p>Public right Deputy Abdel Hafiz Breizat</p>	<p>1. The offense of libel and slander in violation of the penal code. 2. The offense of showing disrespect to the truth and the failure to adhere to accuracy, balance, and objectivity when presenting the press material in violation of the provisions of articles 5 and 7 of the Press and Publications Law in addition to demanding civil compensation.</p>	<p>The newspaper published a report about the plaintiff in addition to his picture. The report said that the escorts of the plaintiff who were described as bullies have beaten Jordanian singer Abdel Rahim Ghozlan, the third defendant, and that this took place before the plaintiff.</p>	<p>The unit is currently is taking note of the evidence presented by the public prosecution and it will adopt the defense plan based on invalidity of filing a complaint in accordance with the law against Journalist Osamah al-Ramini since he was the editing director when the press material was published. The unit will focus on proving that the facts in the press material are true.</p>
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525/2006	Amman Court of First Instance	Hashim al-Khalidi, chief editor of Al-Mihwar Weekly Newspaper	Public right	Publishing what violates the Arab and Islamic values in accordance to Article 5 of the Press and Publications Law and the failure to adhere to balance, and objectivity when presenting the press material in violation of the provisions of articles 5 and 7 of the Press and Publications Law.	--The complaint was filed by the Press and Publications Department after lodging two previous complaints on the same issue of caricatures against the same newspaper and against Hashim al-Khalidi, chief editor of Al-Mihwar Weekly Newspaper and journalist Jihad al-Moumani, chief editor of Shihan with regard to hurting religious sentiment of citizens in violation of Article 378 of the penal code. Since the public prosecutor has not issued any decision to arrest them in these two complaints and he only referred them to the Amman Conciliation Court, the department wanted to file this complaint with new charges in which detention would be mandatory, namely fomenting confessional feud and conflicts among sects in accordance with Article 150 of the penal code, the offence of insulting the prophets in accordance with the provisions of Article 273 of the penal code, hurting religious sentiments again, and violating articles 5 and 7 of the Press and Publications Law.	A verdict has been issued in this case from the Court of First Instance indicting the journalist and sentencing him to pay a 100-Jordanian fine. The verdict was appealed and the appeal was abrogated. The unit will work on submitting a request to the Justice Minister to issue a written order contesting the two verdicts in accordance with the provisions of Article 291 of the criminal procedure law. The request will be submitted after the issuance of the verdict of the Court of Appeals in case No 901/2006.
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901/2006	Amman Conciliation Court	Hashim al-Khalidi, chief editor of Al- Mihwar Weekly Newspaper	Public right		<p>Lawsuit No 525/2006 was examined by the Amman Court of First Instance regarding the offence of violating Articles 5 and 7 of the Press and Publications Law [The procedures of the trial were as follows:]</p> <p>-- The Indictment decision: The indictment decision can be summed up by that the Public right lawsuit was filed against the accused based on a letter from the attorney general because the first defendant published the cartoons that insult the prophet of Islam Mohammad, God's peace and prayers be upon him, in Shihan Newspaper issue No (1112) dated 2/2/2006</p> <p>that were published by Danish newspapers, and because the second defendant Hashim al-Khalidi republished the same cartoons in issue No 158 of Al-Mihwar Newspaper dated 26/1/2006 were indicted of committing the offence, namely violating articles 5 and 7 of the Press and Publications Law.</p>	<p>Hurting the religious sentiments of citizens in violation of the penal code.</p> <p>Hurting the religious sentiments of citizens in violation of the penal code.</p>
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2301/2007	Amman Court of First Instance	Atef Atmah/ chief editor, Rafad Bani Bani Ali, reporter of Al-Bilad weekly Newspaper	Public right Jordan University of Science and Technology.	The offence of showing disrespect to the truth and the failure to adhere to accuracy, balance, and objectivity when presenting the press material in violation of the provisions of articles 5 and 7 of the Press and Publications Law.	The newspaper published a report in bolded font titled "the details of the biggest scandal," "violations and retroactive awards in the Jordan University of Science and Technology," "Preventing the engineering workshops at the university from carrying out the construction works inside the hospital," "The admission of large numbers of students at the Faculty of Medicine without appointing similar numbers of members of the training board," "the management of the university is receiving 8 million dinars from the Parallel Education Program and does not offer the hospital except for 200,000 dinars and then the newspaper explained the details of these headlines.	The case is still in the phase of helping journalists understand the charges by the court. The defense plan will depend to a great extent on proving the facts that have been published by the newspaper true.
2615/2007	Amman Court of First Instance	Nidal Mansour, chief editor of Al-Hadath weekly Newspaper	Public right	The offence of showing disrespect to the truth and the failure to adhere to the professional ethics and decorum of journalism through publishing information on a case that is still in the investigation stage in accordance with the provisions of articles 5 and 7 of the Press and Publications Law.	The newspaper published a press material entitled: "The trial of Uwayyid al-Abbadi" and the material included information and events that took place inside the parliament.	The case is still in the defense phase which includes presenting the defense argument for the journalist. The defense plan will depend on legal points that prove the illegality of the decision of the public prosecutor, in addition to proving the facts that were published in the press material are true.

2587/2007	Amman Court of First Instance	Nidal Mansour, chief editor of Al- Hadath weekly Newspaper	Public right Abdel Wahhab al- Kharabsheh/ director general of Arab Potash Company until 3/8/2000	1. The offense of libel and slander in violation of the penal code. 2. The offense of showing disrespect to the truth and the failure to adhere to accuracy, balance, and objectivity when presenting the press material in violation of the provisions of articles 5 and 7 of the Press and Publications Law as indicated in Article 46 of the same law.	The newspaper published a press material dated 7/8/2000 entitled: "The details of unseating the director general of the Arab Potash Company in accordance with the indictment decision. The article included untrue information that was far from being honest and objective. According to the indictment decision, the article noted that the plaintiff was on a vacation for 24 days in America and that he knew about the collapse of the dam, but he did not concerned about it and that he did not interrupt his vacation. This is the fact that the public prosecutor based his decision on.	The unit will work on presenting the defense argument and evidence and will adopt a defense plan that will mainly depend on proving the extent of the journalist's efforts and investigation made to reach the truth, in addition to highlighting the importance of the issue, its seriousness, and the personality of the plaintiff as a public person, as well as his professional performance that should be kept under supervision and be criticized.
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461/2007	Amman Court of First Instance	Hashim al-Khalidi, chief editor of Al-Mihwar Weekly Newspaper	Public right Ziyad Matarnah, director of Vocational Training Center of the Ministry of Labor.	<p>The violation of the provisions of Article 7 of the Press and Publications Law in terms of the illegal interference in the details of the personal life of citizens or publishing them and in terms of the failure to adhering to balance and objectivity.</p> <p>The offence of defamation, vilification, and contempt in violation of articles 188, 189, 358, and 359 of the penal code.</p>	<p>1. The press material in issue No 154 of Al-Mihwar Newspaper dated 22/12/2005 entitled: "The director of the center formed a committee that will cost the government huge amounts of money – and his secretary and his office manager are members of this committee—and weird and uncanny committees at the Vocational Training Center." 2. The press material in issue No 155 of Al-Mihwar Newspaper dated 29/12/2005 entitled: "Opening the most exciting corruption file..." 3. The press material in issue No 156 of Al-Mihwar Newspaper dated 5/1/2006 entitled: "A warrant issued against the Vocational Training Center." 4. The press material in issue No 152 of Al-Mihwar Newspaper dated 8/12/2005. The press material is a report on the intention of the labor minister to make an important decision to pension off a director of his ministry, especially after his office has received many complaints about this director...</p>	<p>The unit presented a written argument and another oral one focusing on that the public prosecution did not prove the basic elements of the offence of violating Article 7 of the Press and Publications Law. Moreover, it did not present what would prove that the information in the press material was untrue. The lawsuit is being audited to pronounce the verdict.</p>
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2541/2006	Amman Court of First Instance	Hashim al-Khalidi, chief editor of Al-Mihwar Weekly Newspaper	Public right Ziyad Matarneh, director of the Vocational Training Center.	The offense of libel and slander in accordance with article 188 and 189 of the penal code as indicated in articles 5 and 7 of the Press and Publications Law in addition to demanding civil compensation.	The newspaper published a press material entitled: "A fiery letter was received by Al-Mihwar ... disclosing the scandals of the Vocational Training Center/ The director allocated 36,000 dinars for his special suite and sends away his advisers to the upper floor/ Most of the travels of the director are to foreign countries/ The furniture has not been changed for more than three years."	The role of the Legal Assistance Unit began after issuing a final judgment by the Court of Appeals with regard to the Public right for the presence of a former lawyer following up on this lawsuit with the journalist. As for the civil compensation, a verdict which is not final was issued sentencing the defendant to pay 5,500 dinars. The unit presented its legal study protesting this report, which made the court to decide not to consider the expertise report and decided to ask for submitting a new expertise report. The new report has not been received in this lawsuit thus far. The unit is currently preparing a legal study to protest the expertise report which said that the plaintiff has the right to personal compensation of 10,000 dinars, in addition to its final argument to respond to the argument of the prosecution with regard to the personal right of the plaintiff and the argument of the public prosecution after presenting most of the documents that prove that the testimony of the journalist, which the journalist managed to obtain or that that was requested by the court. "
987/2006	Amman Court of First Instance	Hashim al-Khalidi, chief editor of Al-Mihwar Weekly Newspaper	Public right Ayidah Najji, secretary of the director of the Vocational Training Center.	The violation of articles 5 and 7 of the Press and Publications Law. The offence of defamation, vilification against a public employee while carrying out his duties in violation of Article 191 of the penal code, in addition to demanding civil compensation.	The newspaper published a press material entitled: "The story of the secretary working as a typist who was promoted to assume the post of the director of the most important directorate in the Vocational Training Center." The journalists criticized the promotion of the secretary of the director of the Vocational Training Center to the director of the directorate although she does not meet the conditions requested for this position, supporting his claims with documents.	The role of the Legal Assistance Unit began after issuing a final judgment by the Court of Appeals with regard to the Public right for the presence of a former lawyer following up on this lawsuit with the journalist. As for the civil compensation, a verdict which is not final was issued sentencing the defendant to pay 5,500 dinars. The unit presented its legal study protesting this report, which made the court to decide not to consider the expertise report and decided to ask for submitting a new expertise report. The new report has not been received in this lawsuit thus far. The unit is currently preparing a legal study to protest the expertise report which said that the plaintiff has the right to personal compensation of 10,000 dinars, in addition to its final argument to respond to the argument of the prosecution with regard to the personal right of the plaintiff and the argument of the public prosecution after presenting most of the documents that prove that the testimony of the journalist, which the journalist managed to obtain or that that was requested by the court. "

324/2007	Amman Court of First Instance	Nasir Qamash, chief editor of Al-Hilal Weekly Newspaper	Public right Foreign minister Abdel Ilah al-Khatib in his professional capacity	<p>The violation of articles 5 and 7 of the Press and Publications Law.</p> <p>The offense of libel and slander against a public employee while carrying out his duties in violation of Article 191 of the penal code in addition to demanding civil compensation.</p>	<p>The newspaper published a press material under "From a Fixed Angle" column: "Even if they say the truth..." The material highlighted that "Jordanians expressed surprise at the secret behind the absence of his excellency the great scholar our foreign minister, the reason behind it, and the meeting of Condoleezza Rice with our leader, may God protect him. The report attributed the absence of the foreign minister to that he was busy inaugurating a commercial company in which he is a key partner with the aim of issuing a weekly newspaper that work on Arabizing the Orthodox Church.</p>	<p>The unit is now preparing the defense evidence. The defense plan will work on proving the truthfulness of the report published in the press material.</p>
700/2005	Al-Zarqa Court of First Instance	Nasir Qamash, chief editor of Al-Hilal Weekly Newspaper	Public right	<p>The violation of articles 4, 5, and 7 of the Press and Publications Law in addition to demanding civil compensation.</p>	<p>The newspaper published a press material saying that Al-Zarqa Public Hospital is withholding a baby girl in the hospital due to the accrued treatment expenses that were unpaid by her parents.</p>	<p>The unit was retained in this lawsuit after a verdict was issued from the Court of First Instance in presence of the defendant and the judge convicting the journalist of the crimes attributed to him and sentencing him to pay a 100-dinar fine, in addition to pay the civil compensation of 10,000 jointly and severally with the rest of the 5 suspects. The unit lodged an appeal before the Court of Appeals to give the chance to the journalist to present his defense testimony and documents. The lawsuit is still being examined before the Court of Appeals.</p>

1258/2005	Amman Court of First Instance	Osamah al-Ramini/ editing director, Nazirah al-Sayyid/ chief editor of Al- Shahid weekly Newspaper	Public right Ishaq Ahmad al-Farhan	The violation of articles 5 and 7 of the Press and Publications Law. The offense of libel and slander in violation of Article 358 and 359 of the penal code.	The newspaper published a press material entitled: "Abu Sha'irah sues the president and directors of Al-Balqa University before court and demands them for compensations." There was a reference in the lawsuits that were filed by the third defendant Mohammad Abu Sha'irah against the plaintiff Ishaq al-Farhan. The press material noted that there were financial violations committed by the plaintiff and that his appointment contract is null and void and that he was reappointed with a salary higher than his previous salary.	The unit was retained in this lawsuit after the issuance of a verdict from the Court of First Instance, convicting the journalists of committing the offense of violating the articles 5 and 7 of the Press and Publications Law, sentencing each of them to pay 50- dinar fine, and obligating them to pay a 2,500-dinar compensation. The unit appealed the verdict before the Court of Appeals to give the chance to the journalist to give his testimony and defense documents. The lawsuit is still being examined before the Court of Appeals.
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1988/2004	Amman Court of First Instance	Osamah al-Ramini/ editing director, Nazirah al-Sayyid/ chief editor of Al-Shahid weekly Newspaper	Public right Habib al-Zuyoudi	The violation of Article 7 of the Press and Publications Law. The offence of defamation, vilification, and contempt in violation of the penal code.	The newspaper published a press material entitled: "The poetry book of Habib al-Zuyoudi stirs a storm in Ma'an" The material noted that the poetry book of Habib al-Zuyoudi "the pipe of the shepherd" included signs that suggest triggering disputes that would not serve the instinctive loyalty and affiliation of Jordanians, who have been raised up to adhere to such values, and discloses an illogical idea and a call for inciting a kind of irresponsible rebellion against the issues of the homeland and their reactions to the security agencies especially with regard to the incidents of Ma'an....	The unit was retained to help the journalist conclude his defense documents. Thus, the role of the unit will be limited to offering a legal study on the expertise report that will be presented by the concerned expert to the court and then it will present its final written argument, which is based on the right of the journalist to criticism and that the scope of this criticism is very broad.
2291/2004	Amman Court of First Instance	Osamah al-Ramini/ editing director, Nazirah al-Sayyid/ chief editor of Al-Shahid weekly Newspaper	Public right Former deputy Ra'id Qaqeesh	The violation of articles 5 and 7 of the Press and Publications Law.	The newspaper published a press material, an interview with former Deputy Ra'id Qaqish entitled: "In an interview with the deputy representing the Christian seat in Salt," "I am an English man and women helped me win," "Dr. Ra'id Qaqish: Abu al-Raghib was the first to call and to congratulate me ... and I won the seat thanks to the votes of female fans ... I wagered on my appearance during the elections..."	The unit was retained after concluding all the rounds of trial and its role is limited to presenting its written argument and the verdict was issued in this lawsuit stipulating that the journalist is not responsible for the offence attributed to him.

840/2006	Amman Court of First Instance	Osamah al-Ramini/ editing director, Nazirah al-Sayyid/ chief editor of Al-Shahid weekly Newspaper	Public right Lawyer Farouq al-Kilani/ former chairman of the Judicial Council.	The violation of articles 5, 7, and 27 of the Press and Publications Law. The offense of libel and slander in violation of the penal code.	The newspaper published a press material entitled: "He was accused of committing a felony of preparing a false certified document six times and Al-Shahid publishes the bill of indictment," "Amman public prosecutor refers former Chairman of the Judicial Council Farouq al-Kilani to Amman Conciliation Court." The press material included reporting on the contents of the decision of the public prosecutor and the viewpoint of Farouq al-Kilani toward the charges leveled against him.	The unit is currently concluding the presentation of the defense evidence as there is still one defense witness to give his testimony. The defense plan focused on that balance was maintained in the press material as it is conveying true news without any additions or subtractions without any kind of press comments. Moreover, the terms with which the press material was phrased were based on the factual terms mentioned in the decision of the public prosecutor and that the journalist highlighted the viewpoint of the plaintiff and he did not only report what has been noted in the decision of the public prosecutor.
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3/12/2007	Amman Court of First Instance	Abdallah Mayyas Al-Shahid weekly Newspaper	Public right Abdel Razzaq Abu al-Failat/ director general of Jordan Hejaz Railway Corporation.	The violation of articles 5 and 7 of the Press and Publications Law.	The newspaper published in seven issues several press materials with several headlines such as: "He smells bad (he is corrupt)," "Zarqa' Al-Yamamah (Blue-eyed dove: A legendary woman from Arab history known for seeing things from a very long distance)," "Top Secret" "Exposure." These reports, which exceeded 10 reports, included information on the railway company and the behavior of its director. Of the reported news is: "The director general of one of the government corporations located near Al-Mahattah (railway station) was seen last week in one of the very luxurious hotels in Western Amman with Russian waitresses after drinking top-quality Whisky."	The case is still at the defense stage and the defense plan depends on proving that the journalist is not responsible because he was the chief editor, and that he did not review the press material as he tendered his resignation before publishing the press material and that he has no knowledge of the information included in the press material.
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1719/2005	Amman Court of First Instance	Abdallah Mayyas and Osamah al-Ramini/ editing director of Al-Baida' weekly Newspaper	Public right Adel al-Qudah	Defamation and vilification in violation of Article 358 of the penal code. The violation of articles 5 and 7 of the Press and Publications Law.	The newspaper published a press material entitled: "Would Basim Awadallah and Adel al-Qudah be referred to the public prosecutor?" The material also noted that "the current Minister of Finance Adel al-Qudah, who is overseeing the privatization commission, will not escape punishment.	A judicial verdict from the Court of First Instance was issued stipulating that the prosecution of journalists with regard to the offence of defamation should be stopped as the plaintiffs pardon the defendants and dropped the charges with regard to his personal right. However, they were convicted of the offence of violating articles 5 and 7 of the Press and Publications Law and each of them were sentenced to pay a 50-dinar fine. The verdict was appealed and lawsuit is still being examined by the Court of Appeals.
1496/2006	Amman Court of First Instance	Firyal al-Bilbeisi, reporter of Al-Shahid weekly Newspaper	Public right Ahmad and Anas al-Omari	The violation of articles 5 and 7 of the Press and Publications Law as evidenced by Article 189 of the penal code.	The newspaper published a press material entitled: "Black night in Al-Zarqa/ the details of assassination of Pilot Tharwat al-Omari in New Zarqa." The newspaper published a picture of the plaintiff Ahmad al-Omari and the press material included the full name of the later and said that he shot Tharwat al-Omari, killed him and escaped to an unknown place, describing this incident as rancorous, heinous, and dirty.	The case is still in the stage of presenting the defense evidence as the defense plan depends on proving that the information in the press material is true.

1658/2005	Amman Court of First Instance	Umar Kullab, chief editor, and Eman Abu-Qaoud, correspondent at Hawadith al-Sawah weekly newspaper	Public interest and Salih al-Qallab, former information minister	Libel and slander contrary to Article 358 of the Penal Code and Articles 5 and 7 of the Press and Publications Law	The newspaper published a report titled «corruption estimated at \$600,000 in the Jordan Television.» The newspaper touched on the hasty decision to sign a contract with the MBC. It attributed this to the approval of the then minister of information of the agreement and its appendixes saying this constitutes a grave mistake. The journalists proved all the information provided in that report. However, they committed a mistake when they mentioned the name of the information minister since he was not the defendant at that time.	A final judicial verdict has been issued and found them guilty of the charges that were pressed against them. The two journalists were sentenced to two months in prison and fined 100 dinars each. A request has been filed to the minister of justice to appeal the verdict at the Court of Cassation.
1307/2007	Amman Court of First Instance	Sulayman al-Buzur, correspondent at Al-Shahid weekly newspaper	Public interest and Lawyer Faysal al-Tarawneh	Violating Articles 5 and 7 of the Press and Publications Law	The newspaper published a report titled «good morning» in which it criticized the lawyers' performance as well as the judicial execution, the procedures being followed to obtain a clearance of criminal records, and the way judges are transferred. The newspaper used the following phrases: «Good morning to the judicial transfers and the relocation of judges on the chess board; good morning to the lawyers who prolong some cases to get more money from the clients.»	The case is in the defense stage which will base its argument on proving the validity of the evidence cited by the journalist.

2130/2006	Amman Court of First Instance	Nayif Makhadimah, head of Al-Muhtasib company which issues Al-Manah weekly newspaper	Public interest and Basil al-Udwan	Libel and slander contrary to the Penal Code and Articles 5 and 7 of the Press and Publications Law, in addition to civic compensation	The newspaper published a news report titled «problem was contained through tribal intervention; the school considered his conduct as uncivilized; Madaba deputy governor slaps a student in the face for hitting his daughter.»	The unit was assigned this lawsuit after the issuance of a ruling by the First Instance Court which found the journalist guilty of violating Article 5 of the Press and Publications Law and inflicting a 50-dinar fine on him and a compensation amounting to 7,000 dinars on the journalist and the newspaper. The verdict was appealed. The case is under review at the Court of Appeal. The unit was assigned this lawsuit since the very beginning. The Amman First Instance Court issued a verdict sentencing the journalists to two months in prison. The verdict was appealed, and the Court of Appeal issued a ruling that annulled the verdict and returned the lawsuit to the Court of First Instance. Afterwards, the latter issued a ruling halting any legal action against the journalist against the backdrop of this case.
90/2006	Amman Court of First Instance	Jihad al-Mourmani, chief editor of Shihan weekly newspaper	Public interest	Offending the public religious sentiments in violation of the Penal Code	The newspaper re-published offensive cartoons of Prophet Muhammad	

2613/2007	Jerash Court of First Instance	Nasir al-Zurbi, chief editor of Jerash weekly newspaper	Public interest, Fayiq and Muhammad al-Fuqaha	<p>1. Publishing a report that offends individuals' dignity and includes false information and rumors against them in violation of Article 26/A of the amended Press and Publication Law for the year 2007.</p> <p>2. Slander and libel in violation of the Penal Code, in addition to demanding civic compensation</p>	<p>The newspaper published a press report titled «Sunbul at Lubabah School.» The report included an account of frequent visits by the defendant, Muhammad al-Fuqaha, to Lubabah Girls High School in Jerash and accused him of insulting the girls using obscene and profane language.</p>	<p>The unit was assigned this case after sealing the documents of the Public Prosecution and filing a lawsuit claiming personal right. Preparations are underway for the defense. As a defense plan, the circumstances cited by the newspaper should be proved.</p>
1339/2007	Amman Court of First Instance	Firyal al-Bilbeisi, correspondent at Al-Shahid weekly newspaper	Public interest, Muhammad al-Sukhni, father of the late Hibah al-Sukhni	Violating articles 4, 5, 7, and 27/A of the Press and Publications Law, libel and slander in violation of the Penal Code	<p>The newspaper published a press material titled «house set on fire; mystery of Hibah's burning to death.» The report included information about the late girl and her relationships with her parents, claiming that her bad relationship with her parents is behind the girl's suicide.</p>	<p>The case is currently in the stage of understanding the charges. The circumstances will be verified as a first step in the defense plan.</p>

1567/2006	Amman Court of First Instance	Bassam al-Yasin, chief editor, and Rifad Bani Ali, correspondent at Al-Jazirah weekly newspaper.	Public interest, the King Abdallah I Hospital	Violating articles 4 and 5 of the Press and Publications Law	The newspaper published a press material under a large font titled «details of the most serious scandal; violations and awards given retroactively at the Science and Technology University; engineering workshops at the university banned from offering construction blueprints to the hospital; a large number of students admitted to the Faculty of Medicine, while no adequate number of faculty members are provided; the university administration receives 8 million dinars from the Parallel Education Program and gives the hospital only 200,000 dinars.» Under these headlines, the newspaper provided the details of the report.	The case is currently in the stage of understanding the charges. The circumstances will be verified as a first step in the defense plan. In addition, the unit will call for halting any legal action against Rifad, the newspaper's correspondent, since he was brought to justice against the backdrop of the same charge before. As for the chief editor, Bassam, he did not review the press material and never approved it since he was on sick leave, and this will be proved later.
2510/2007	Amman Court of First Instance	Fayiz al-Ajrashi, chief editor of Al-Ikhabriyah weekly newspaper	Public interest	Violating Article 7 of the Press and Publications Law; libel and slander in violation of the Penal Code	The newspaper published a press report titled «Al-Tuways and sabbatical leaves.» The report claimed that the minister used his personal connections to allow 8 friends of his to take a sabbatical leave.	The case is currently in the stage of understanding the charges. The defense will primarily rely on proving the evidence on whose basis the press material was published and defending his right to criticize the performance of the civil servant.

1015/2007	Amman Court of First Instance	Nazirah al-Sayyid, chief editor of Al-Shahid weekly newspaper	Public interest, Al-Qadi Sweets	Violating Articles 5 and 7 of the Press and Publications Law.	The newspaper published a press report titled «this is what happened at the closed-door meetings of the Al-Zarqa Municipal Council.» The report said that a special substance (ermulsiifer) that is used to make sweets has been seized by the defendant and that the head of the Municipal Council and the municipality's doctor closed the file. The Public Prosecution claimed that the defendant has nothing to do with the municipality's meeting and that it was not the target of that meeting.	The case is currently in the stage of understanding the charges. The defense will primarily rely on proving the evidence on whose basis the press material was published and defending his right to criticize the performance of the civil servant and his right to report about public meetings and closed-door meetings at the municipalities.
2534/2007	Amman Court of First Instance	Fayiz al-Ajrashi, chief editor of Al-Ikhhariyah weekly newspaper	Public interest	Libel and slander in violation of the Penal Code, offending people's dignity in violation of the amended Press and Publications Law; lack of balanced reporting and objectivity in violation of Article 7 of the Press and Publications Law	The newspaper published a press material titled «Qadr al-Udwan..your excellency the interior minister.» The report described Qadr al-Udwan as the Hajjaj of Al-Zarqa and described his administrative performance and decisions as dictatorial, improvised, and indiscriminate.	The case is currently in the stage of understanding the charges. The defense will primarily rely on proving the evidence on whose basis the press material was published and defending his right to criticize the performance of the civil servant.

897/2007	Amman Court of First Instance	Bassam al-Yasin, chief editor of Al- Jazirah weekly newspaper	Public interest, head of the Cooperative Establishment	Violating Articles 5 and 7 of the Press and Publications Law; demanding civic compensation	The newspaper published a press material titled «financial and administrative breaches in the Cooperative Establishment.» The press report went into the details of these violations, including the per diem allocations of the director general which exceeded 20,000 dinars in one year, adding that the budget has not been approved since 2000 and that the warehouses committed violations without the knowledge of the Board of Directors.	As far as the chief editor, Bassam, is concerned, he did not check the press material or approved of it since he was on sick leave, and this will be proved. In addition, it can be argued that the press material is balanced since it sounded out the defendant, the director of the Cooperative Establishment, and highlighted his viewpoint. The report did not confirm that there violations indeed. The publication was within the context of communicating information to the public in accordance with Article 6 of the Press and Publications law.
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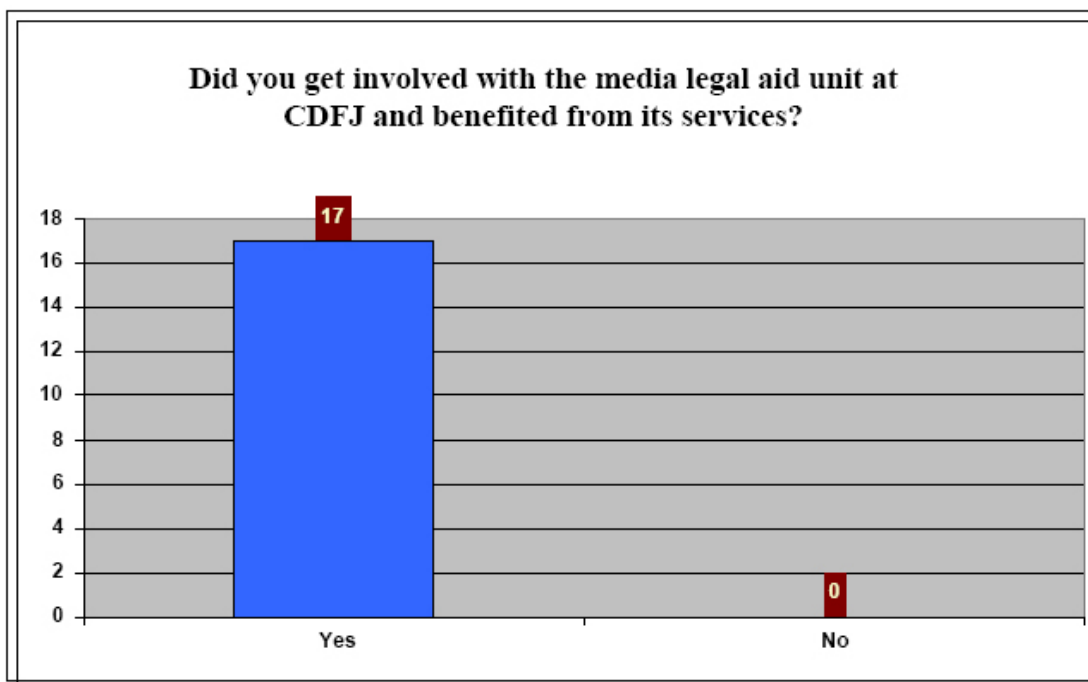
Those are the cases that the unit has been assigned since 2007
Some of these cases date back to 2006

Evaluation

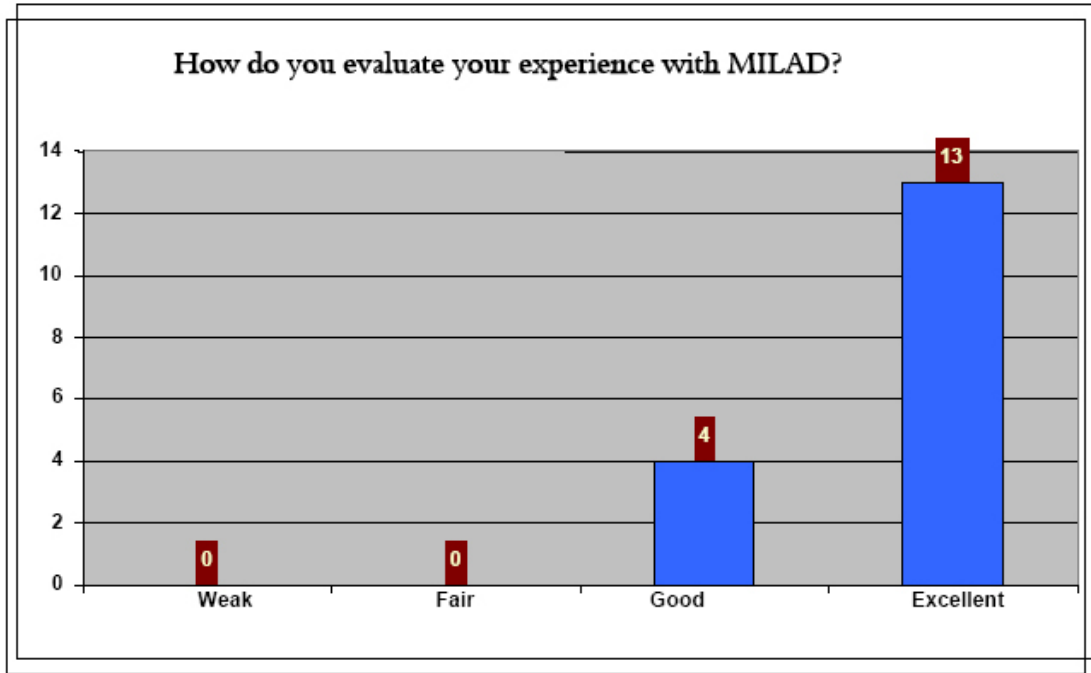
Evaluation:**Media Legal Aid Unit for Journalists” MILAD“**

After a year of reconstructing the Media Legal Aid Unit for Journalists” MILAD;“ and after broadening the frame of services provided to journalists ,and developing new mechanisms of conducting ;we said that it is crucial to prepare a new evaluation questionnaire for the unit’s activities and scope of work ,which the journalists ,who MILAD presented legal aid for ,shall answer.

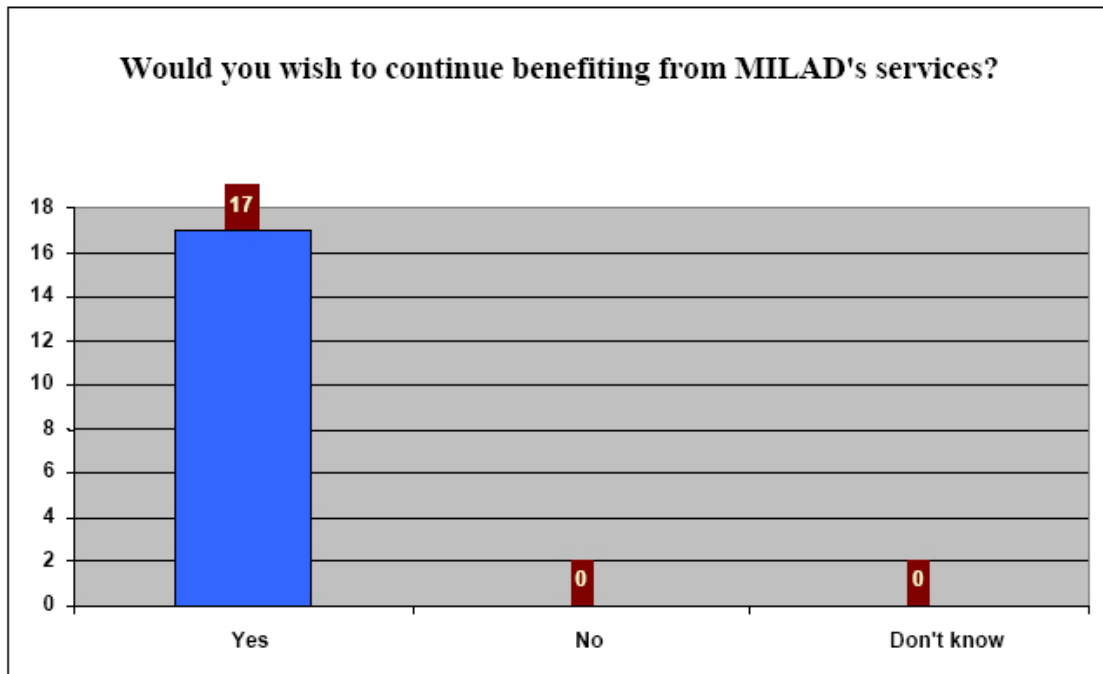
The questionnaire was distributed among 19 journalists who benefited earlier from MILAD services during 17 ,2007 of the journalists responded and answered the questionnaire which included 14 questions .Following are the proportions of the answers submitted in their questionnaires:



- 100% of the 17 journalists benefited from the services provided by MILAD in 2007.



- 76% of the journalists said that their experience with MILAD was excellent, and 24% said good experience.

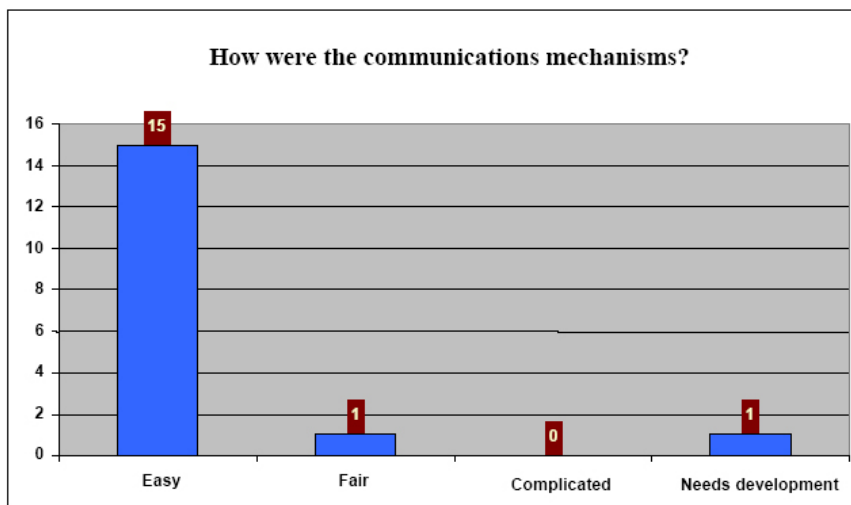
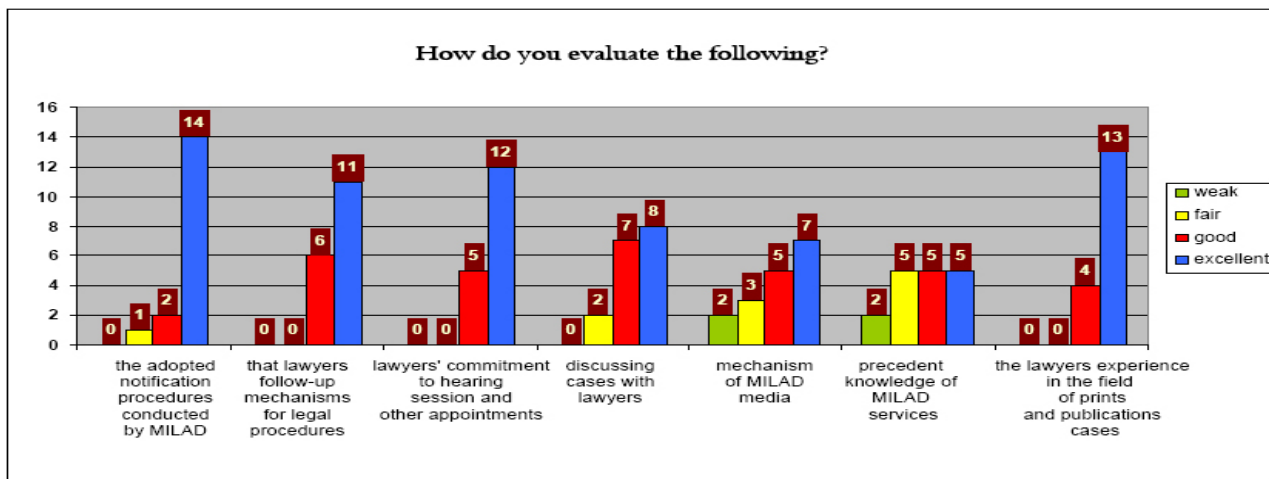


- 100% of journalists expressed desire to continue benefiting from MILAD.

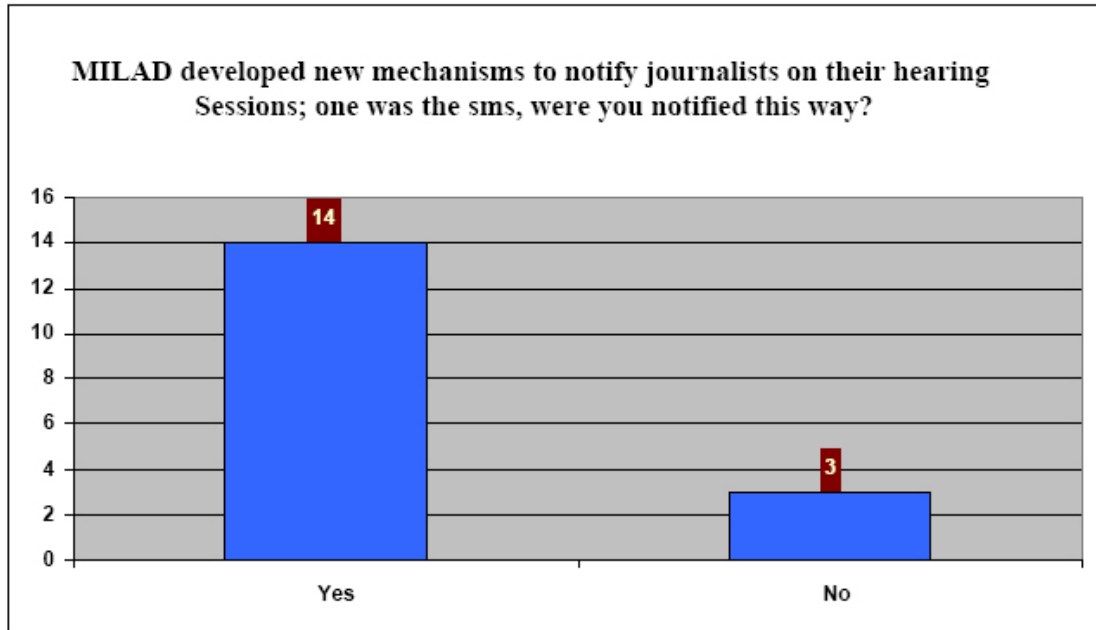
As for evaluating the mechanisms of work at MILAD,

- 76% of journalists said that the lawyers experience in the field of prints

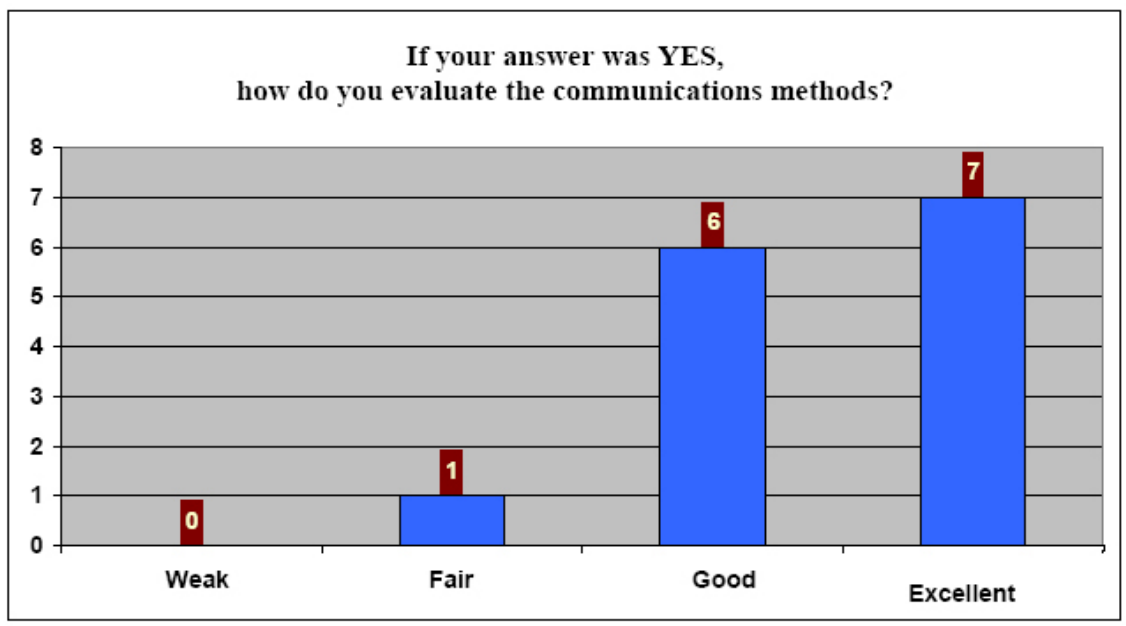
- and publications cases were excellent, whilst 23% said good.
- As for precedent knowledge of MILAD services; 29% of journalists said they knew the services in an excellent way, 29% knew in a good way, 29% in a fair way, and 11% never knew.
- 41% of journalists said that mechanism of MILAD media was excellent, 29% said it good, 17% said it fair, and 11% said it weak and needs developing.
- 47% said that discussing cases with lawyers was excellent, 41% said it was good, 11% said it was fair.
- 71% of journalists said lawyers' commitment to hearing session and other appointments was excellent, whilst 29% said it was good.
- 65% said that lawyers follow-up mechanisms for legal procedures was excellent, 35% said it was good.
- 82% of journalists said that the adopted notification procedures conducted by MILAD were excellent, 11% said they were good, whilst 2% said they were fair.



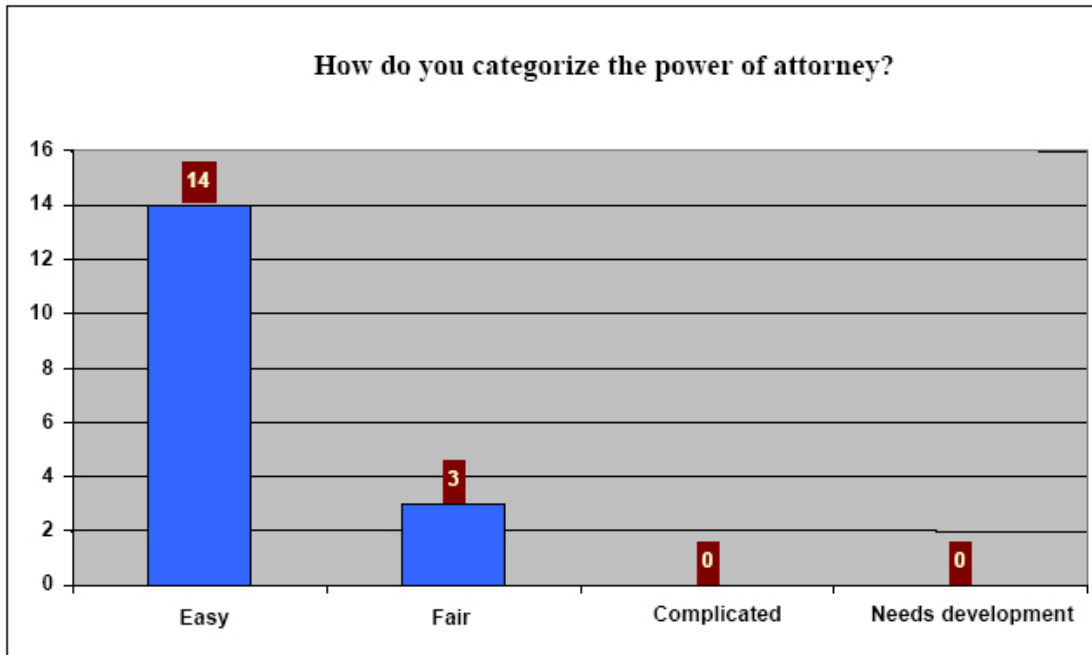
- 88% of journalists affirmed that communication methods at MILAD were easy, whilst 2% said they were fair, and 2% said they are weak and need more development.



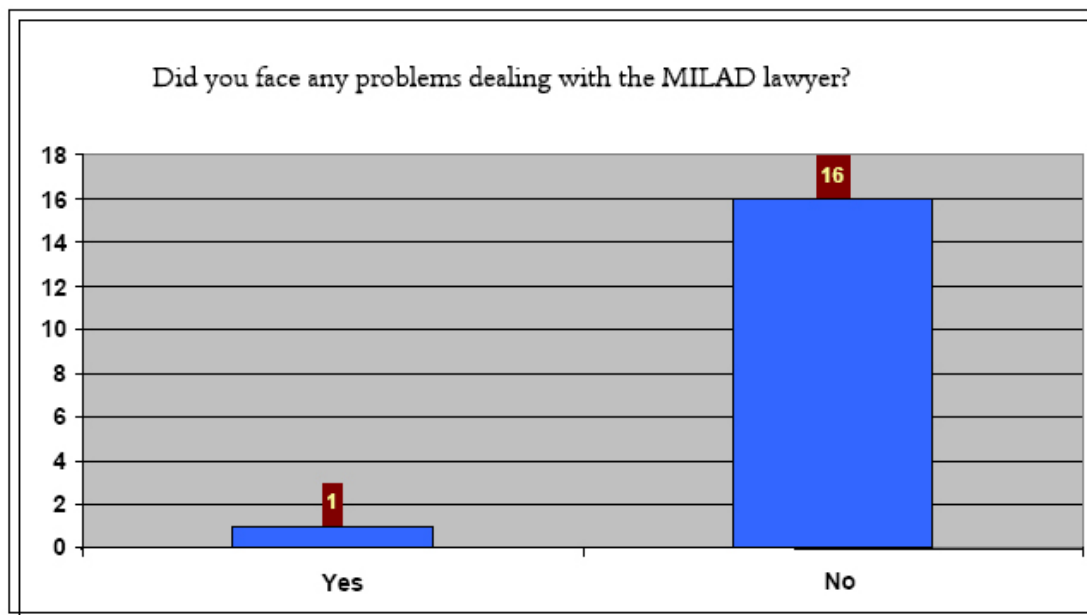
- 82% of journalists affirmed that they received sms on their cell phones notifying them on their hearing sessions, 18% affirmed that they did not receive sms.
- Note:
 - The trials of two journalists, who did not receive sms, have ended before this service was effectuated.
 - The third journalist changed his mobile number without notifying MILAD.



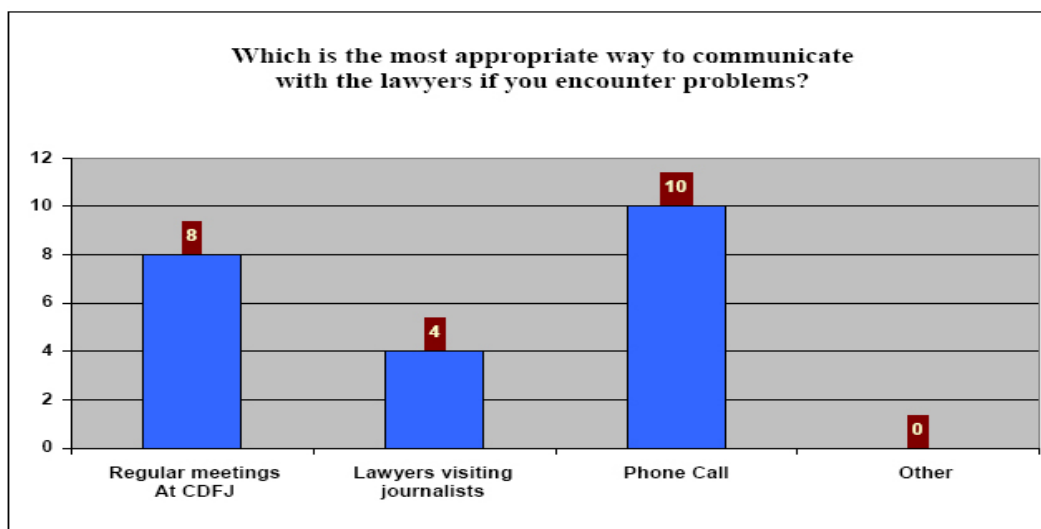
- 50% of journalists who received sms said that this method is excellent, 43% said it was good, and 7% said it was fair.



- 82% categorized the procedure of handing and signing the power of attorney to be easy, 18% said it was fair.



- 94% of journalists said that they did not face any sort of problem with the lawyers at MILAD, whilst 2% said they faced some problems emerged in delaying court hearing sessions; this problem is of the judge and court specialty, not the lawyers.



- 47% of journalists preferred communicating with MILAD through regular meetings at CDFJ, 24% preferred lawyers visiting them, 59% preferred phone calls.

Highlights of journalists' testimonials on the work conducted by MILAD Testimonials and comments of journalists on MILAD's work

The Media Legal Aid Unit [MILAD] has been keen to obtain comments and testimonials from journalists who benefited from the unit's activities and the level of services provided, how MILAD affected their careers, and how MILAD formed a pillar to media freedom. The following are the journalists' statements:

Jehad Al-Momani / Al-Nashmeyyeh Newspaper publisher, former chief editor of Sheehan Newspaper:

"I think the existence of this Unit is crucial especially that it is a subsidiary of CDFJ which is an independent organization not influenced by government; my experience assures that MILAD is a basic prerequisite for defending media and journalists freedom when they are subject to exemplary professional punishment, free-of-charge aid may be essential in some cases when the journalists do not have enough money to cover lawyers charges; and here's the difference between hiring lawyers from the unit and others, adding that the MILAD lawyer expertise became apparently good and dependable in defending journalists and dealing with data. My experience in a tough case, who Mohammed Qutaishat the MILAD lawyer handled, affirmed that independent judiciary should be side by side with independent legal practice not subject to

political factor from the lawyers union.”

Hashem Al-Khaldi/ Al-Mehwar Newspaper, Saray News Web Site, and Al-Safira Magazine publisher:

“Since I was following up with of the lawyers at MILAD to handle some cases for other journalists, I found that it provides free legal aid that journalists most needed specially that journalists stand alone against the court because the newspaper publishers disavow hiring lawyers for them.

I believe that MILAD was able to gain successful judicial verdicts, of which finding some journalists innocent, and nonexistent responsibility for others in publications cases against them. It was pretty much possible that these journalists would have been convicted, if abandoned without lawyers, with huge financial penalties. I also sensed that the judiciary started to regard more respect because of legal follow-up on cases against journalists.”

Jehad Abu Baidar/ Chief Editor of Sheehan Newspaper, former chief editor of Al-Anbat Newspaper:

“...MILAD provided tremendous help to me, lawyers there offer the required legal aid on these cases without weariness and exhaustion through reminding on hearing session dates, defending me in front of the court... I would like to mention that all MILAD team give all they got to provide aid even on their personal time and effort despite me trying to overlook session dates...”

Osama Al-Ramini/ Nefertitti Magazine publisher, former chief editor of Al-Shahed, Al-Bayda, and Al-Ekhbariya Newspapers:

“MILAD developed through the years... the experience and the idea matured through institutionalization depending on the disciplined professional management in dealing with other colleagues, whereas lawyers orient, support, and help the journalists all through phases of trial... MILAD was a dream that came true to all lower-class journalists who found that MILAD team offered great support which lifted the spirits up, and reinforced our stands and rights; the unit is rich in experienced and specialized lawyers dealing with wide range of cases, we were able to win most of the cases we were up against with their help.”

Naser Qammash/ Al-Hadath Weekly Newspaper Chief Editor, former chief editor of Al-Helal Weekly Newspaper

“MILAD is considered a basic crane for freedom of expression in the journalism field; because of its profound and advanced understand of the basics of this freedom.

Other thing that the unit is always ready to defend journalist free of charge and give them the chance to defend themselves, especially for those whom their media institutions abandoned because of a shift in their relationship and inability to pay fees related to their trials.”

Khalid Al-Khawaja/ journalist at Al-Rai Newspaper:

“there is a big difference between a MILAD lawyer and any other lawyer, whereas they are specialized with media affairs, whilst others are ignorant in such which lead to me loosing a case which was 100% success... MILAD lawyers were keen to follow-up with me on my case, meeting with me before each court session, notifying me through sms, this is a major development that would protect journalists from offenders...”

Sleiman Al-Bzoor/ journalist at Al-Sejel Weekly Newspaper, former journalist at Al-Shahed Weekly Newspaper:

“MILAD is a developed and mature model in the field of media freedom and defending journalists and media people, especially that it offers services not provided by the media institution itself in defending its journalists, the unit needs more development, this does not mean it does not that it needs more work to transcend in professionalism and media freedom, MILAD should differentiate between cases where journalists suppress others, and the cases categorized under the request of regulations and laws amendment. At the end, I re-affirm the importance of getting the journalist involved in MILAD and CDFJ training programs.”

Natheera Al-Sayyed/ Al-Jazeera and Al-Shahed Weekly Newspapers Chief Editor:

“After involvement with MILAD I felt safe and secure that there is a unit responsible for my well-being, I became more courageous in putting forth subjects but with carefulness and rationality, also I gained more knowledge on the articles of print and publications law and their interpretations. The commitment of the lawyers and their keenness on the welfare of their clients, and following up their cases has a tremendous positive influence.”

Abdullah Mayyas/ former chief editor of Al-Shahed Weekly Newspaper:

“...dealing with MILAD lawyers is serious and yet easy going, understanding the cases they represent carefully... I felt delighted that the judges do respect them in a special way and trust them because they are on the path of integrity and rationality on dealing with their cases.”

Eman Abu Qaoud/ journalist at Al-Hadath Weekly Newspaper:

Legal education is considered the arms of the journalist in dealing with cases, to be able to deal with professionally with journalistic media without being charged, MILAD scope of work resembling in clarifying some legal affairs for the journalists to protect them from getting into legal trouble; this is what the journalist needs most.

Specializing in legal cases is one of the factors that help proceeding with the journalists cases without obstacles.

Whilst the unit was following up my case, I realized and understood a lot of legal phrases and segments of speech which awakened me of getting into legal trouble in the future. My experience broadened through my conversation over the phone with MILAD lawyer to inquire some information on legal cases, he was illustrating to me how to deal with any legal issue I might encounter, and how to solve it. The support MILAD offered to the journalists during trial is one of the most important goals of the unit.”

Abdul-Naser Al-Zo’ubi/ Chief Editor of Jerash Weekly Newspaper:

The institutional work of MILAD adds to the comfort of the journalist who is connected to the unit through his lawyer. Its positive influence in assuring the journalist of his reinforcement from the unit gives the journalist strength and professional courage; it renews the legal education concerned with media through connecting with the unit, which gains the journalist the sense of security to move further.

The journalist feels he is reinforced by an organization that believes in him and his profession, there is a gap between the MILAD lawyers and others, normal lawyers lose their tempers going through all procedures of such cases.”

Refad Bani Ali/ journalist at Al-Lewa’a Weekly Newspaper:

MILAD team has the superb skills to defend journalists and study their cases, which gives the impression of security and confidence that there is somebody to help you and stand by you.”

Atef Atmeh/ Al-Belad Weekly Newspaper Chief Editor:

MILAD has a pioneering forefront role in the field of defending media freedom, in addition to working on developing the professionalism through training programs through many years during which other media institutions were absent... I realized that CDFJ is stepping prominently forward in developing the legal performance and awareness for journalists and media people, also defending their cases successfully and efficiently by specialized lawyers from MILAD after there has been no specialized body for such cases.

CDFJ brochures consisted of a positive active meal to educate the media person, and the journalist concerned with legal issues in cases of media and journalism problems facing the many countries in the world...”

Feryal Al-Balbisi/ journalist at Al-Mera’a Weekly Newspaper, former journalist at Al-Jazeera and Al-Shahed Weekly Newspapers:

«I am proud of MILAD, finally we felt comfort and ease after the unit handled our cases and our colleagues’ cases...»

Bassam Al-Yasin/ Managing Editor of Al-Muwajaha Weekly Newspaper:

“after dealing directly and intensely with MILAD lawyers, I realized an unequalled cooperation, devotion, and accuracy in dates and appointments, they studies

all cases from all angles, finding the points of strengths and weaknesses; which indicates high level of professionalism.”

Irrefutable Argument

A study of Jordanian Judiciary System trends in dealing with Press Publications Cases 2000 - 2006

Executive Summary

Conclusions and Recommendations

(The Book "Study" is attached with the report)

Executive Summary:

Conclusions and Recommendations

The study of irrevocable verdicts aims to explore the approaches adopted by the judiciary in the Hashemite Kingdom of Jordan in settling defamation litigation and other related lawsuits through analyzing “114 legal litigation.” What is meant by litigation is the combination of the following elements: The merits, the opponents, and the motive, regardless of the number of verdicts issued in settling every lawsuit. A verdict could be issued in a lawsuit by the Court of First Instance and then it might be appealed by the defendant or the public prosecution. Thus, the lawsuit is referred to the Court of Appeals, which could decide to abrogate the verdict. Hence, the lawsuit is referred again to the Court of First Instance, which might also issue another verdict that can be appealed before the Court of Appeals based on the circumstances of the lawsuit, which, in turn, issues verdicts in the litigation etc.... Thus, four verdicts might be issued to settle the same litigation.

We divided the study into five main chapters:

The first chapter discusses briefly the political and social environment in the Hashemite Kingdom of Jordan in general, which we believe are two elements that indirectly have an influence on the judicial approaches in general.

In the second chapter, the study reviews the extent of the Jordanian judicial system’s independence from the executive power and the impact of the social environment on the verdicts of the judiciary. The chapter also touches on the training of judges and to what degree this can meet the requirements of their training on how to handle defamation lawsuits. Not only this chapter is based on documents and reference materials that discuss the conditions of judges in the kingdom, but also it is based on investigative interviews held with lawyers, deputies, former judges, employees, and journalists for the purpose of conducting this study.

The third chapter of the study reviews the legal articles in accordance to which the verdicts -- which we are analyzing-- were issued and compared them with the accredited international rules on defamation laws based on the principle that judges enforce the law, but they do not enact it.

The fourth chapter briefly tackles some of the general approaches of the French, American, and Egyptian judiciary with regard to the lawsuits pertaining to the freedom of expression in general.

Lastly, in the fifth chapter, the study discusses the approaches of the Jordanian judges in dealing with this kind of lawsuits.

The sixth chapter includes the final conclusions and recommendations.

1. The Conclusions of the Study:

The first chapter reviews the constitutional and legal situation in the kingdom, the authority and powers of the king, the makeup of the kingdom's government in accordance with Article 45 of the Constitution and its role and responsibilities, and the legislative institution, which includes the lower and upper houses of parliament, in addition to their powers and roles.

The chapter also discusses the legislative power in the kingdom, the powers invested in the king and the parliament in accordance with the Constitution, the stages of the legislative process, the temporary laws and the circumstances under which they are issued, the decision of the Higher Court of Justice in the cases in which the issuance of temporary laws is permissible and the cases in which the issuance of temporary laws is not permissible, in addition to the impact of that on the validity of the law.

The chapter reviews the judicial power in the kingdom, noting that there are 14 faculties of law in the kingdom where students study law to graduate after four years as qualified individuals to work as judges or lawyers. The chapter referred to the articles of the Jordanian Constitution that stipulate the independence of the judicial power and judicial system. The first chapter reviewed the basic principles of the judicial system such as the two-stage litigation, the presence of a higher committee, the separation between civil and administrative judiciary, the public sessions, the oral pleading, and the confrontations.

The first chapter also tackles the judicial structure in Jordan, the system of courts and its main parts, namely, the civil, religious, and special courts, and how to settle the issue of conflict of jurisdiction between courts.

The first chapter reviews the international agreements that were endorsed by the kingdom in detail, pointing out the date the agreements were signed, endorsed, and published in the official gazette if so. The chapter also referred to nine human rights organizations operating in the kingdom and provided a brief paragraph on each of them.

On the social environment in the Kingdom of Jordan, the first chapter noted that "the Jordanian society similar to other Arab societies is distinguished for its exaggerated respect for traditions and the firmness of its ideas, religious beliefs, and customs. We believe that excessive respect for traditions and customs and the fear of change, especially if it has to do with religious beliefs, leads automatically to the dominance of a class of those who consider themselves as guardians of the customs of the society and beliefs. Hence, they would unilaterally decide what is right and what is wrong, in addition to repressing the freedom of expression that threatens their authority or undermine it.

The chapter notes that the family is considered parental in the first place and that the educational process is based on dominance and conviction, shaping of subservient, classical, and hesitant opinions. The first chapter also reviewed the social structure

in Jordan, which was characterized by the approximate percentage of males and females as the percentage of males is 51.55% of the total number of population, while the percentage of females is 48.45%.

The chapter also discusses the relations by marriage, divorce, and the increase or decrease in society cohesion indicators.

On the economic situation in the kingdom, the first chapter notes that according to the last statistics conducted at the end of 2006, the number of the population in the kingdom is 5,600,000 people living in all the various governorates, the greatest number of whom is living in the capital. Although there is no up-to-date information on the economic situation in Jordan-- as no information is available after the year 2003-- the first chapter presents some economic indicators based on the information of the Jordan Department of Statistics.

The first chapter is also based on the report issued in 2006 by the United Nations Development Program, UNDP, which ranked the kingdom 86th out 177 countries. At the same time, it indicates that the development index in the kingdom is witnessing noticeable increase as the index stands at 643,000 in 1980, and 760,000 in 2004.

The first chapter also reviews – as part of the initial exploration of the Jordanian society-- the organizational outline of the media institutions in Jordan, pointing out that there are seven daily newspapers in Jordan: Al-Rai, the Jordan Times, Al-Dustour, Al-Arab al-Yawm, Al-Ghad, Al-Anbat, and Al-Diyar. It is expected that an eighth newspaper, namely Al-Itijah, which obtained the license of a daily newspaper after it was a weekly according to a report issued by the Jordan Information Center. Moreover, there are approximately 15 weekly newspapers that are issued regularly every week: Al-Hadath, Al-Sabeel, Shihan, Al-Bilad, Al-Mihwar, Al-l'am al-Badil, Al-Bayda', Al-Kalimah, Al-Shahid, Al-Hilal, Al-Majd, Al-Liwa, Al-Mir'at, Al-Jazeera, and Hawadith al-Sa'ah. Additionally, there are a number of other licensed weekly newspapers that are periodically issued, as the owners of these newspapers resort to issue these weeklies based on their financial circumstances, which determine when they can print and issue them.

The chapter also reviews the radio and television stations and other media outlets in the kingdom in light of the information made available.

The Chapter proved that there is one weekly newspaper for every 133,333 Jordanians, one daily newspaper for every 800,000 Jordanians, and one magazine for 329,412 Jordanians. This represents an indicator on the low percentage of newspapers readership in the kingdom.

The government is still represented in the Social Security Corporation as it holds 56% of the shares of Al-Ra'y Newspaper and almost 34% of Al-Dustur Newspaper-- that is one third of its shares-- which are of the most important newspapers issue in Jordan.

The government also owns Jordan News Agency, Petra, which was founded in 1969 and expresses the views of the government and its policies.

The Jordan Radio and Television Cooperation is run by an independent board of directors, who helped in achieving a better margin of freedom and independence for the television and the radio.

The chapter also indicates that there is a Jordan Press Association that was founded in 1953; however, its impact on the practical life seems to be limited. The law of the Jordan Press Association bans anybody from practicing journalism without being member of the association. The number of registered journalists at the Jordan Press Association is approximately 650 members. The Jordan Press Association is facing several problems and accusations, the foremost of which is that it is not independent and incapable of taking real steps to defend the freedom of media in Jordan or in facing the executive authority and security agencies.

The chapter also discusses briefly the experience of the weekly newspapers, which enthusiastically began publication in 1989 with the return of the democratic and parliamentary life and the cancellation of the martial laws. The chapter discussed the problems facing these weeklies, which were limited to the lack of institutionalism, independence, and professionalism, as well as their diminishing ability to compete with other newspapers, and inability to resist the temptation of money and power.

As for the second part of the study, it discusses the conditions of judges and the status of the judicial system in the kingdom. At the beginning, it reviews the international regulations that outline the principles of the independence of the judicial power in accordance with the various international declarations, and classified them into three groups:

The first group is guaranteeing the independence of the judiciary in accordance with the Constitution, guaranteeing the general jurisdiction of the judiciary in settling all the lawsuits, and providing the needed resources to enable the judiciary to carry out its duties properly.

As for the second group, it includes the qualifications, the options, the training, the conditions of work in the judiciary, and its duration.

The third group is the special group related to the professional confidentiality and immunity, disciplinary measures, and dismissals.

The second chapter reviews the conditions of the judiciary and judges in Jordan and the extent of their adherence to the international standards, starting from the formation of courts to the professional and financial conditions of judges as the judicial system in Jordan is suffering from a shortage in the number of appointed judges, judges' assistants, and administrative assistants, something that constitutes a pressure on the judges on the one hand, and delays the settlement of some of the lawsuits, and makes their settlement even a great burden on the judges, on the other. To prove

the accuracy of this conclusion, we cite the report that was presented by the head of the Higher Judicial Council to his majesty the king on the conditions of judges in the kingdom. The second chapter proves that if we divided the number of lawsuits that were settled in 2006 – without taking into consideration the lawsuits lodged with the municipalities – every judge in the kingdom has settled approximately 515 lawsuits in 2006. These rates would be higher if we take the lawsuits of the municipalities into account as in this case the number of lawsuits that every judge would settle reaches approximately 2940 lawsuits, without taking into account the lawsuits of the Criminal Court and other courts and departments. The second chapter proves that the clear shortage in the number of administrative assistants who support judges, those who are called judges' assistants, influence the efficiency of the judiciary's work despite the remarkable increase in their number as they reached 2917 assistants in 2006.

This number does not meet the minimum number of the needs of the courts and the departments of the public prosecution. The chapter cites one of the judges as saying: "Before discussing the financial status of judges, the amount of effort exerted by the judge due to the great number of lawsuits that overburden him with work should be looked into before the financial issues, as looking into 40 cases a day for example -- and this what is really happening-- is different from looking into 10 cases a day. The impact of this pressure affects the quality of the work and the quality of the decisions issued by the judge."

The second chapter also discusses the financial status of the Jordanian judges and concludes that they do not earn a reasonable income that can be commensurate with their needs in proportion to the regulations imposed on them by their profession, their status, and the standing of the judicial system, even if the income was reasonable compared to the average incomes in the kingdom in general.

After the study has included the viewpoints of a number of lawyers, journalists, deputies, and judges, investigative interviews were held with them on the extent of this independence, the second chapter listed a number of main observations as follows:

The first observation: There is a difference in the independence of the judicial system as an institution and the independence of judges as individuals. Judges can be independent, in principle, even in the presence of a judicial institution which is not independent. The independence of judges in most cases springs from themselves and the appreciation of the role they are playing.

The second observation: The presence of laws and systems that undermine the independence of the judicial institution does not that the executive power always implement them, that is, judicial inspection might not be used for a long period of time to pressure a judge or a number of judges, but they can be used once and in a specific case with aim of interfering in it.

The third observation: Some judges might get used to many actions that might be considered as interference. Hence, they might not consider that as interference

any more. When judges get used to the fact that their salaries are determined and controlled by the Justice Ministry, they do not consider that interference in their affairs. Hence, they do not consider that their independence is incomplete.

The second chapter of the study emphasizes on a number of basic points that affect the independence of the judicial system in the kingdom including:

1. Although the Judicial Council responsible for the judges' affairs in the kingdom enjoys wide-ranging authorities and the majority of its members are from the judges, the executive power represented by the Ministry of Justice is still represented in its makeup through the secretary general of the Justice Ministry and the most senior inspectors of regular courts.
2. The executive power, represented by the justice minister, is still controlling the appointments in the judicial establishment as no one can be appointed in the judicial establishment except for those who are nominated by the minister in accordance with Article 14 of the Judicial Independence Law.
3. The promotion of judges is directly linked – in accordance with the provisions of Article 19 of the Judicial Independence Law – to the reports of the judicial inspectors, who --according to the system of the regular courts inspection system No 47 for the year 2005-- directly report to the justice minister and work under his command.
4. The members of the public prosecution are not independent and directly work for the justice minister.
5. Judges can be dismissed not based on the disciplinary measures in accordance with the Judicial Independence Law for three years following their appointment regardless of their ranks in accordance to Article No. 12 of the Judicial Independence Law.
6. The Justice Ministry, which is controlling the budget of judges, is in charge of all the financial issues related to the judges and it is the party that estimates the needed funds to run this independent authority, and it is the party that is controlling their wages in accordance with the budget.
7. The judges in Jordan are banned from establishing special relations. Thus, they are deprived of a one of the basic human rights, namely the freedom of expression.

The study in its second chapter proves that out of 39 internal activities and 59 external activities in which judges took part, in addition to 133 courses organized by the Judicial Institute of Jordan, no single course was organized on the freedom of expression in the Jordanian laws, the ways to address the crimes ensuing from practicing the right to free expression, or the conclusiveness of the international charters toward the Jordanian judicial establishment, except for one lecture that was held in 2006 with the participation of the legal adviser of the New York Times Newspaper in the presence of 18 judges on the way judges should deal with media litigation, and a training day that was organized by the Center for Defending Freedom of Journalists - Jordan (CDFJ) on the legal protection of media. The training tackled the issue of defamation and libel, the criminal motive behind them, how to discover them, the interpretation of the journalists' articles in order to incriminate them or not.

The second chapter also reviews the principle of the neutrality of the Jordanian judges with regard to the opponents. A test sample of the views of judges, lawyers, journalists, and deputies on their vision of the principle of the judicial impartiality proved that most of them – except for the judges – believed that there are widespread social impacts that might affect the idea of judges' neutrality, the most important of which is the influence of tribalism and social environment in general on the work of the judge, something that was admitted by some of the judges although they denied that this might affect the verdicts they issue.

The second chapter of the study – based on a field survey study conducted in 2005 by the Opinion Poll Department at the Strategic Studies Center at the University of Jordan on the Jordanian judicial body, 42% of polled citizens and lawyers said that judges are being subjected to pressures by various individuals and groups with the aim of influencing their verdicts. Moreover, one third of the other samples – including litigants, courts employees, and judges with whom investigative interviews were held-- expressed the same views.

Despite the high rate of Jordanians' confidence in their judges, apparently the issue of favoritism needs a solution. Although there is a reciprocal professional respect between all the judges and lawyers, 60% of lawyers believe that the judges favor specific lawyers at the expense of other lawyers. More than 65% of opponents and a large number of lawyers and court employees believe that judges show favoritism during court proceedings.

The second chapter concludes by presenting an evaluation of the status of judicial establishment in Jordan and offers a number of its general characteristics indicating that it is:

1. A judicial establishment controlled by the executive power, which has power over all its affairs and control them. However, it is still struggling to preserve its independence. Nonetheless, the Jordanian judicial establishment enjoys-- in a way or another --the confidence of its citizens.
2. Although judges affirmed that the Jordanian judiciary and judges are independent, in addition to the high percentage of them -- that reached in many cases 100%--who affirmed the independence of the judiciary, what casts doubts on the credibility of these percentages is what was mentioned by Judge Mohammad Samid Al Raqqad, chairman of the Jordanian Higher Judicial Council, in an interview with Al-Hadath Newspaper in its issue No. 601 dated 8 October 2007. Al Raqqad indicated to the amount of interference in the work of the judges since "our financial capabilities are limited as we cannot hold seminars or anything else. This is what we call on journalists to write about in order for us to have financial and administrative independence. He told us: I, for example, cannot relocate the bellboy standing at the door of my office because he is appointed by the justice minister. Moreover, I, as a chairman of the Higher Judicial Council, if I need a pencil, I have two choices: Either to write to the justice minister about this issue or to buy it with my

pocket money. The press is urged to focus on this aspect. If we want to hold a seminar, we do not have enough money to buy drinks and biscuit and other things to treat our guests. On the pressures practiced on the judicial apparatus, Al Raqqad said: Our meetings with judges are ongoing and we inform them about what is happening. For example, when a minister or other officials call us, we cannot say anything or resist the wishes of the government. He cited an incident when one of the public prosecutors called one of the ministers working at the current cabinet and summoned him to give his testimony in one of the cases. However, the minister refused to comply and called the justice minister and exercised pressures so that the public prosecutor would go to his officer to document his testimony. Al Raqqad added that the justice minister called me and asked why the public prosecutor would not go to the office of the minister to record his testimony to avoid embarrassing the minister, whom we do not want to go to court. Few days later, the prime minister called me asking the public prosecutor to go to the minister's office to document his testimony, but I refused and said that the public prosecutor is not a barber who shaves heads. Citing another example, Al-Raqqad said that one of the public prosecutors summoned a minister to give his testimony and when he called the minister and sent official letters to him, but the minister abstained from going to the office of the public prosecutor for six months and instead he asked the public prosecutor to go to his office to document his testimony. The justice minister also meddled in this issue, however, I refused that."

3. Tribalism and regionalism have an influence on the neutrality of judges sometimes and we cannot ignore its negative impacts on them regardless of the verdicts they issue in the end.
4. The financial status of the Jordanian judges -- compared to the average incomes in general and the incomes of the government employees in particular -- places them in reasonable situation. However, if we take into consideration what is being asked from the judges to do, the amount of efforts they exert, and the responsibilities they are undertaking, it transpires that the judges in Jordan need to double their salaries once or twice in order to meet their reasonable requirements of decent life.
5. The lawsuits have been piling up, something that undeniably exhausts judges and leads sometimes to the issuance of inadequate verdicts.

The third chapter of the study discusses the international laws on defamation and compared them to the Jordanian legislations. The third chapter proved that the internationally-acceptable defamation laws in general have specific characteristics, the most important of which are:

1. These laws aim to strike the right balance between the reputation of individuals and their freedom of expression. This means the protection of individuals against the incorrect information that might be published or made public, damaging the reputation of victims.
2. These laws should protect the society from the rhetoric that incites hatred or violates the privacy of individuals. The groups of laws that fight the

incitement of hatred are different from the other defamation laws in that they aim to protect the security of the oppressed groups and guarantee social equality away from the protection of reputations. These laws also aim to protect groups of normal or artificial persons, such as companies and non-profitable organization, not individuals per se. As for the laws that ban the violation of privacies, they are laws that ban the illegal interference in the details of the personal life of citizens or publishing them. As for the last group of laws, they are the laws that ban insulting religions, whether through denying or disrespecting them. Such laws do not protect the frankness of individuals or the standing of religion, but the affiliations of the followers of the religion.

3. The need to strike a balance between the protection of individuals and the protection of the right to free expression provided that the defamation laws should not restrict public discussions. The third chapter cites the special rapporteur of the freedom of expression as saying: “The purpose of the draft laws of defamation, vilification, verbal libel, and insults is to protect the reputation of people. This means that vilification applies to individuals – not on states, institutions, or groups etc... Accordingly, these laws are not supposed to be used to ban the criticism of the government nor even using them for the purpose of maintaining public order for which specific and special incitement laws exist. Moreover, the defamation laws “should reflect the principle that says that public personalities are urged to withstand a degree of criticism more than ordinary people. The defamation laws should not grant special protection to the president - or the king – or other top political officials. The articles of laws should detail the methods of establishing justice and paying reparations in the framework of civil laws alone.” Moreover, “the applied standards on the defamation law should not be very strict to the extent that it might cause an appalling and restrictive impact on the freedom of expression.” Furthermore, not everything being published with regard to the public interest should be true, but the publisher should have exerted reasonable efforts to verify the truth.”
4. The defamation laws should protect individuals, not institutions. Laws should not be enacted under any circumstances that ban the defamation of public institutions. The principal problem in the defamation laws in these cases is that they openly seeks to restrict the right to discuss public policies or the policies of the public institutions through imposing a far-reaching ban on the criticism of the head of the state, the flag, all the public institutions, such as the parliament, the armed forces, the influential political figures, or through imposing strict penalties when published reports or articles criticize any of these entities. The presence of such laws encourages the media outlets and individuals to practice self-censorship on what they publish even if these laws were applied with reservation, or even if judges demonstrate open-mindedness in the implementation of these laws.
5. The violation of the defamation laws should not entail a criminal penalty as the international regulations strongly reject the implementation of criminal penalties on people charged with defamation because the main concern related to criminal defamation is that it might prevent citizens from practicing

their right to free expression for fear of criminal penalties. These concerns will remain present even in the presence of laws that stipulate that major penalties, such as fines, should be paid by anyone who is accused of a criminal defamation charges.

The third chapter also lists a number of international rules acceptable in the defense against defamation lawsuits, the most important of which are:

1. Rejecting to shift the onus of proof to the defendant. It is well known that the onus of proof falls on the plaintiff as he should prove every element of the allegation including the wrongdoings of the defendant. Accordingly, the laws that place the onus of proof on the defendant with regard to proving the truth about what has been published is rejected by the international rules and consider it restrictive of the freedom of expression.
2. Nobody should be tried for expressing his opinions as opinion statements should receive the maximum protection. Thus, the law should not decide which of the views is right or wrong, but it should allow citizens to shape their own views.
3. The internationally-acceptable defamation laws should allow the defendant to present his defense based on his good intentions and his willingness to open public discussions out of keenness to allow media outlets to play their role in keeping the public opinion informed properly. When the chapters of an important news story have not been completed, journalists cannot wait at all to verify the truth of all the details before publishing the story and the law should acknowledge that and it should not punish for their good intentions.
4. Individuals should not be held responsible for reporting or citing information or cartoons or other defamatory material issued by others if this information was part of a discussion on a certain issue that affect public affairs. As long as individuals do not declare that they espouse to this information and to be clear in stating that this information or cartoons were issued by somebody else.
5. According to the international laws, all the laws --that hold the publishers, printers, distributors of newspapers and providers of Internet service responsible for what is being published or printed in the printed material they are circulating-- are against the international laws.

The third chapter also cites the legal articles on which the study is based, making a number of observations on them, including:

1. The articles, on which the verdicts of the Jordanian judiciary are based, actually cover all the acts that defamation laws can be enacted to punish them, even those which the international regulations do not allow punishment for. The abovementioned legal articles not only penalize defamation, vilification, and false allegations in the articles from 188-190 of the penal code, but also insulting religions and hurting religious sentiments in accordance with articles 273 and 278 of the penal code; and inciting hatred and racial discrimination according to Article 150. However, there are internationally-unacceptable articles, such as Article 191 of the penal code and Article 38, Paragraph A, of

the Press and Publications Law, in addition to articles 11,13,14,15 of the Court Violation Law No. 9 for the year 1959, which all in all punish for publishing anything that could influence judges or others, such as the parties of the criminal litigation; for falsifying what has taken place during public sessions; publishing news on an ongoing criminal investigation; or publishing an appeal against a judge or a comment on a verdict. The study mentioned that “it can be said that with regard to the report of the violations against the law, some of the articles based on which trials were held and based on which verdicts were issued – which we are discussing in this study-- are in keeping with the international rules, but some of which are not consistent with the international rules in a way or another. This is especially true with regard to criticizing the regular institutions, publishing what might misrepresent the proceedings in public sessions, disrupting the relations with friendly states, or the like, as the international rules do not support punishment for all these acts because punishment might restrict the freedom of opinion and expression and blocking the gateways of political discussions.

2. The legal articles in Jordan imposes heavy restrictions on the freedom of expression and do not provide a positive environment to enjoy it. There is not any kind of balance between the restrictions on the freedom of expression -- which the legal articles included and which we are discussing-- and the protection of reputations, which is the main goal of the defamation laws. Moreover, the legal articles incriminate people who are basically citing some information or ideas and banned publishing some information specifically. For example, Article 40 of the Press and Publications Law banned newspapers from publishing specific information slandering the armed forces or the king, or insult the feelings of the leaders of friendly states, or promote corruption etc... Additionally, the Press and Publications Law in Jordan imposes censorship on the specialized publications and imposes censorship on the content of the press letters coming from abroad. The Jordanian legal articles, which affirm that the Jordanian street is using loose and unspecific terms such as “public insult” in Article 273 of the penal code, the term “contempt” in Article 190 of the penal code, the term “rough behavior” in Article 360 of the penal code, or the term “freedom and national responsibility” in Article 5 of the Press and Publications Law etc... This is what makes these articles internationally unacceptable because they are not specific and are based on select terms. At any rate, this also make them violate the principle of legitimacy of crimes and penalties, which not only includes the need for crimes and penalties to be based on a law as much as the basic elements of crimes should be clearly specified in a way that does not allow various interpretations, or conflicting interpretations in some cases.
3. The legal articles on which the verdicts were based excessively protect the right to reputation. The Jordanian law protects the right to defend reputation even if it was violated for once by an individual contrary to the International Covenant on Civil and Political Rights, which does not protect the right to defend reputation unless if it was violated in the form of organized campaigns as Article 17 of the covenant stipulates: “The campaigns launched against his honor and reputation.” The article also stipulates “the right to protect the law

from these campaigns.” Moreover, the Jordanian law defends the feelings of people more than their reputation, as the penal code in Jordan speaks about honor and dignity in Article 188 and speaks about contempt in Article 190, all of which are in the context of hurting the feelings. This is proved in that the law in these two articles did not stipulate that there should be damage inflicted by the victim and it did not place the onus of proof on him to substantiate that damage, but it considered uttering defamatory terms per se as inflicting damage. This affirms that the Jordanian legislator wanted to protect the feelings of victims, not their reputation, which makes the Jordanian articles internationally discreditable.

4. The defamation laws in Jordan protect the institutions, something that is internationally unacceptable as the defamation laws only enforced on individuals. Therefore, laws that ban defamation of public institutions should not be enacted under any circumstances. We can say without mentioning unnecessary details that the defamation law in Jordan – at least with regard to the lawsuits that we are studying— not only it does not protect individuals, but also it excessively protect institutions, including the parliament, courts, the armed forces, the ministries, and the like.
5. The defamation laws in Jordan imposes criminal penalties on its violators, something that contradicts the international rules that consider the criminal defamation laws as unjustified restrictions imposed on the freedom of expression and categorically rejects implementing any criminal penalty on the people accused of defamation.
6. The Jordanian legal articles violate the internationally acceptable rules in the defense against defamation lawsuits. The Jordanian law does actually protect the freedom of opinion. According to the articles of the law, people can be punished for expressing their opinions if they include defamation, cursing, or contempt. Moreover, the onus of proof in the Jordanian law – contrary to the norms – is placed on the defendants as they are responsible for proving the truth of what they have said to defame their opponents, if there were public employees. The most important thing is that the Jordanian law does not consider good intentions as a good reason for the defense as Dr. Kamil Al-Sa’id says: “Good intentions do not prove false the criminal intention because if the incident per se does not prove false the criminal intention. Therefore, believing that it is right might not have primarily an influence on the elements of this liability. Good intentions are considered as motives that can be noted in deciding the penalty. Publishers might cite terms from a foreign magazine or such terms might have been already published in the kingdom or abroad. However, this is not considered a reason for the dispensation of the penalty, even if the publisher is citing these terms to criticize them and show that they are wrong. Moreover, according to Article 37 of the Press and Publications Law, the press material that was cited or referred to is treated as the authored or original material. The Jordanian law does not take in consideration the principle of “innocent media.” In accordance to Article 42 of the Press and Publications Law, Paragraph “D” and “H,” the common right lawsuits in the crimes committed through periodical publications are filed against the publication, its chief editor or the manager of the specialized publication, the writer of the press material as the principal

actors who are held responsible jointly and severally for the personal rights ensuing from these crimes and the cost of the trial. However, they are not being liable to penalty unless their participation or actual involvement in the crime is proved. The common right lawsuits in the crimes committed through the unpatriotically published publications are filed against the author of the publication as the principal actor and its publisher as an accomplice. If the publisher or the author of the publication is not known, the lawsuit is filed against the owner of the printing press and its official director. This means that not only those who are convicted of the crime are held responsible, but also those whose duties do include following up on what is being published in such publications.

The fourth chapter of this study reviews the general approaches of the international and regional judiciary with regard to the publication lawsuits in general using France, the United States of America, and Egypt as guiding evidence since the Latin judiciary is the main source of most of Arab legislations and judicial precedents. It also important to review the approaches of the Egyptian judiciary with regard to the defamation lawsuits since it represents a historical judicial reference in many Arab states, including Jordan. The provisions of the US judiciary in general, although different from any Arab judicial system, remain valuable and can be invoked in the field of public rights and freedom, especially the right to free expression. The fourth chapter cites some of the general approaches of the European and French judiciary as follows:

1. In order to consider pictures attached to an article a kind of defamation of vilification, they should be tangibly attached to the article. The French Judiciary decided that picture alone cannot be considered defamation or vilification whatsoever unless attached to articles, published terms, or comments provided that none of them can be understood separately.
2. Defamation and vilification of public personalities and politicians can be condoned. The French Judiciary tends to condone defamation and vilification of public personalities more than condoning defamation of individuals although it insists that the plaintiff in defamation and vilification cases in general should undertake the responsibility of proving the damage inflicted on him as a result, since defamation and vilification cannot be punished unless they cause direct and present damage.
3. Any act that damages or leads to damaging the reputation of the president of the state can be considered as an insult to him and might be considered defamation against him. The French judicial system added additional basic protection for the president of the state and banned any kind of defamation or vilification against him, and it was strict in so doing.
4. The French judiciary gave the defendant in defamation and vilification crimes different alternatives to win acquittal of charges. The defendant accused of defamation and vilification crimes in France can obtain acquittal through more than a way as they can prove their good intentions in publication – good intention here means that the goal of the defendant in the publication is achieving public interest even if this interest involves personal interests.

Instead of that or in addition to that, he can prove that the allegations he leveled against the offended party are true. Lastly, the defendant can also, in addition to all of that, prove that what he has published does not affect or harm the dignity or reputation of the plaintiff.

5. The defense based on good intentions and defamation cannot be used if the personal life of individuals was violated. The French Court of Appeals decided that the personal life of individuals regardless of the positions they are occupying is necessarily considered above any other right.
6. Journalists are enjoying a far-reaching protection whether with regard to their sources of information or profession-related issues.
7. The French judiciary is strict in protecting the criminal litigation from the influences related to publications. The French judiciary is trying to add legal protection to the criminal litigation against the influence of publications which could result in shaping public opinion in favor of or against the defendant, or in favor of and against the judges presiding over the court to settle the lawsuits provided that the criminal litigation is still unresolved.

Additionally, the fourth chapter cites a number of legal principles of human rights issued by European courts including:

1. The freedom of expression cannot be an excuse for contempt of religions and the beliefs of others. One of the European courts was cited in one of the lawsuits related to the insults directed to Prophet Mohammad, peace be upon him, as saying that “the duty and responsibility when practicing the freedom of expression necessitate avoiding as much as possible showing enmity to others and insulting their beliefs.” The court affirmed that “this book not only includes insults, but also attack on the gracious prophet, taking into account that Turkey – although secular— Muslims living there who hold on to their religion and those will feel that what was written in this book is unjustifiable and includes attack against their beliefs, taking into account that copies of the book were not confiscated and the penalty that was imposed on the defendant was moderate. With the majority of four members against three, the court decided that the conviction sentence was consistent with the committed act.”
2. Journalists should prove true the claims based on which he is insulting a public personality. At the same time, the penalty pronounced against them should be consistent with the gravity of the committed act.
3. The European courts protect the reputation of the judiciary and prevent influencing them; however, they consider that if the penalty was not in proportion to the act, this per se is a violation of freedom.

The fourth chapter of the study also cites the approaches of judiciary in the United States of America in the cases ensuing from the practice of the right to free expression, the most important of which are:

1. Expanding the standard definition of good intentions, placing the onus of proof always on the plaintiff, not the journalist.
2. Expanding the standard definition of public personalities, setting a specific

definition that explains the difference between public employees and public personalities.

3. Adopting the criterion of objective and balanced press coverage as a means to protect journalists from prosecution.
4. Granting journalists broader freedom when covering news of crimes, taking the social value of news into consideration.
5. The author is not held responsible if the published report is related to public issues of concern to the society.
6. Defendants should not be prosecuted for any personal opinion they made.
7. Placing restrictions on the conditions that should be met in the lawsuits filed to pay damages for defamation and slander.
8. The article should be interpreted as inseparable unit with the importance of noting the reference and warning terms.
9. Journalists have the right to protect their sources and cover the news; however, national security has the priority.

On the approaches of the Egyptian judiciary in the lawsuits filed as results of practicing the right to free expression, the fourth chapter listed 13 main approaches as follows:

1. The Egyptian judiciary tended to highly value the freedom of press and called for activating the journalism code of honor.
2. The Egyptian judges are considering the principle of good intention and do not consider it of the motives, but of the main elements of the crime.
3. The Egyptian judiciary allows more room for the recognition of the right to criticism and takes for granted that the greater the responsibilities undertaken by a person, the better his ability to tolerate criticism.
4. Expanding the standard definition of public employees mentioned in the law to include public personalities and giving the right to newspapers to criticize and confront them.
5. In the criticism of public employees, defendants have to prove the truth of every act they accused the offended party of doing.
6. The public lawsuits are completely dropped in the crimes of cursing and defamation if the claim was compromised.
7. Resorting to circumvention in the methods used in instituting lawsuits is deplorable and does not permit dispensation.
8. The interpretation of the article is considered as *fait accompli* that the Court of Cassation does not interfere in; however, the Court of Cassation can look into the interpretation of the Court of Merits of the article in order to learn about the legal results decided by the court on the interpretation.
9. The Egyptian judiciary expands the definition of insult.
10. The Egyptian judiciary is very strict about the insults directed to the president of the republic.
11. The Egyptian judiciary does not consider a secret actually disclosed unless the competent authority does that even if the secret has become known by everybody.
12. Proving that the defendants have cursed or defamed other people is not a

precondition in lawsuits being brought before the judiciary in order to prove them guilty, even if the victim compromises the case, this will not be of value in the charges pressed with regard to influencing the court.

13. The Court of Merits can change the characterization of the claim received from the general prosecution.

As for the fifth chapter, which is considered the longest and most important chapters of the study, it is divided into three basic topics:

The first topic discusses the general vision of the newspapers that were prosecuted during the period of the study in order to explain its types and the types of verdicts issued against them.

The second topic examines the charges that were cited in the lawsuits discussed by the study in order to facilitate identifying the approaches of the public prosecutor in Jordan and examines the approach adopted by judges in issuing verdicts in general in such lawsuits.

The third topic reviews what we managed to conclude from the approaches of Jordanian judiciary with regard to the defamation litigation and other related or associated lawsuits. These approaches are listed in order based on allegations.

According to the first part, Al-Shahid weekly newspaper tops the list of newspapers that were subjected to judicial prosecution during the period covered by the study. Al-Ra'y Newspaper, one of the most important Jordanian newspapers if not the most important newspaper, ranked second with by a big margin Al-Dustur and Al-Arab al-Yawm are also of the major newspapers in the kingdom, Shihan and Al-l'lam al-Badil come second, then Al-Yarmuk, Al-Hadath, Al-Anbat, Al-Itjah, the Jordan Times, Al-Wihdah, Al-Mithaq, and other newspaper as illustrated. These are the least papers that were legally prosecuted as every one of them was only prosecuted once.

What is funny is that Al-Shahid, which came on top of the Jordanian newspapers in the number of the lawsuits filed against it and the number of verdicts, as it received 15 sentences to pay fines and two imprisonment sentences. It was only cleared of two lawsuits. As for Al-Ra'y, which comes second in the number of lawsuits filed against it, it was only sentenced to pay fines in three lawsuits, while it was cleared of the rest of the lawsuits. Moreover, the analysis of litigation, the core of the study, proved that the weekly newspapers alone constitute up to 75% of the total number of litigation that were settled in Jordanian courtrooms during the period covered by the study. The first part emphasized three main facts:

1. No imprisonment sentence was handed down to workers in daily newspapers.
2. The acquittal and lack of responsibility verdicts almost equal and do not have an impact on the method of issuance. This asserts that when a judge has doubts about the evidence of conviction, he does not look at the way the newspaper is issued, its size, the kind of topics it publishes. Thus, he rushes to clear it of the charges as much as he can.

3. The sentences to pay fines and the ensuing right to reimburse prove that the weekly newspapers need a very hard process to rebuild and rehabilitate them, or else they will collapse due to the damages which they cannot pay, or because they had to resort methods, such as blackmail and defamation in a bid to support their resources to face such verdicts.

This part concludes that the weekly newspapers in Jordan are facing a real crisis and the parties that are interested in the status of the freedom of expression have to be serious in supporting them. This kind of newspapers of limited circulation is the first school that can produce competent and incompetent journalists, well-trained journalists on the basic rules of journalism or untrained journalist. Therefore, we should leave them work without extend a helping hand to them by allotting to them a fair share of the advertisements of the market, rehabilitating their employees in the administrative and technical fields in order to turn them into strong press institutions that would help in raising the ceiling of freedom in Jordan instead of being a cause for controversies over the freedom of expression and its feasibility.

The second part tries to point to the approaches of the public prosecution authorities to keep a record of defamation lawsuits and their consequences. The chapter notes that the violation of articles 4,5,7 of the Press and Publications Law represented in publishing what contradicts national responsibilities, the respect of personal life of others, and the respect of truth are of the best material in defamation lawsuits to refer to courts in the kingdom. These issues or along with other materials constituted 70% of lawsuits referred to courts. The most important is that 53 out of 80 lawsuits, verdicts were based on them. Although they are loose material and contradict the constitutional principle that conforms to the rules, namely the principle of the legality of crimes and penalties regardless of the approach adopted in settling the lawsuits, be it through acquittal, or lack of responsibility, or even conviction, no one single judge stopped to engage in a legal discussion about these articles and to mull over them in light of the legal principle that we indicated earlier.

The most important is that we did not find a single lawyer has ever presented a legal review on the constitutionality of these articles and their contradiction of the legality of crime and penalties. However, we, at any rate, see that defendants are the main responsibility of judges and they should not be held them responsible for the facts found by their lawyers in their legal reviews.

The crime of violating articles 358 and 359 as indicated in articles 188 and 189 of the penal code on defamation, vilification, and contempt come as a group of basic articles in referring these lawsuits to courts.

These articles constitute 45.35% of the articles of law according to which the public prosecutor refers the defamation lawsuits to courts. The number of these lawsuits reached 49 out of 114 lawsuits that were analyzed. Contrary to articles 4 and up of the Press and Publications Law, the courts did not pass judgments in accordance with these articles except in 18 lawsuits with a percentage of 18% and declined to issue verdicts in accordance with these articles in 31 lawsuits that constitute more

than 63% of the lawsuits referred in accordance to these articles.

Then, the other articles according to which cases are referred to courts are the violation of Article 191 of the penal code represented in slandering one of the official departments or public employees while carrying out their duties. In many of these cases, in which public prosecutors based their argument on this article, were not referred to the judiciary in Jordan. The lawsuits that were referred to courts are not more than 7% of the total number of lawsuits being analyzed.

This is followed by a number of law articles according to which lawsuits were referred to courts under the pretext that the violation crime of Article 9 of the Press and Publications Law, which stipulates that people should comply with their professional ethics and decorum, was committed in these lawsuits. Only one case was referred to court in accordance with this article.

The violation crime of Article 150 of the penal code represented in fomenting confessional feud and insulting national unity, a charge that the public prosecutor did not use except in a limited number of lawsuits, namely three lawsuits that represent 2.63% of the total number of cases.

The violation crime of Article 273 of the penal code represented in insulting religious leaders, which is of the uncommon crimes in the Arab societies in general, and the Jordanian society, in particular. The public prosecutor only referred two cases to courts on these charges.

The violation crime of Article 278 of the penal code represented in hurting religious sentiments, a charge that was used by the public prosecutor four times, representing 2.7% of the total lawsuits lodged between 2000 and 2006.

As for the charges of violating Article 11 of the Courts Violation Law No 9 for the year 1959, represented in influencing judges assigned to settle lawsuits before any judicial body, these were of the few crimes being committed. During the period of the study, the public prosecutor only referred five lawsuits to courts related to Article 11 of Law No. 9 for the year 1959.

The crimes violating Article 15 of the Courts Violation Law No. 9 for the year 1959 represented in publishing an appeal against a judge or a court, or a comment on an issued verdict with the intent of questioning and showing contempt to the court. These are of the rare cases as only four lawsuits were only referred to the judiciary, representing 3.5% of the total number of lawsuits at that period.

Moreover, only 1% of the lawsuits being studied were referred to the judiciary on charges of violating Article 14 of the Courts Violation Law No 9 for the year 1959, represented in the disclosure of a secret investigation.

Two lawsuits were referred to the judiciary on charges of violating Article 26 of the Press and Publications Law, represented in writing on issues for which the publication

was not licensed.

2-4-1 The public prosecutor referred around 8% of the cases being studied to the courts on charges of violating Article 27 of the Press and Publications Law, represented in abstaining from publishing the right to response. The judiciary cleared 90% of these cases and passed judgments on one case by issuing a penalty verdict.

Ten second topic reached two fundamental observations:

1. The public prosecution always prefers to use articles 4,5, and 7 of the Press and Publication Law; that is, the articles that punish lack of balance and lack of objectivity, disrespect for other people's right and reputation -- as alternative articles along with other articles. Those articles are generally used with articles 358 and 359 of the Penal Code -- which are the articles that punish for libel and slander and other accusatory articles. We earlier said that the public prosecution's policy against the defendant in Jordan is to press charges arbitrarily against the defendant, thus giving full freedom to the judiciary to select from this variety whatever it deems most applicable to the circumstances of the lawsuit. We reiterate that such a plan would lead to exhausting the judges because they have to respond to each charge and explain why he/she excluded it. In fact, this plan is an indication that the Public Prosecution does not perform the range of duties associated with this position, especially the examination of the evidence and the selection of the applicable charge, and even the issuance of an order preventing the trial.
2. The crimes of lack of balance and objectivity and respect for the rights and reputation of others, followed by the libel and slander crimes are the most common in courts. This is followed by Article 27 of the Press and Publication Law which tackles the right to respond. Afterwards, the figures show that the other charges were repeated once or twice here and there.

As regards the acquittal and indictment in the libel and defamation lawsuits in general, the second topic noted that the judicial authorities try their best to avoid the freedom-robbing penalties in the freedom of speech lawsuits and resort to fines instead. This is a judicial trend that should be both encouraged and warned against. It should be encouraged because it does not lead to enforcing freedom-robbing penalties against journalists for using their freedom of expression in general, and this is acceptable and compatible with the international standards and grants legal protection to the men of letter and encourages the piecemeal approach in enforcing penalties, which an internationally-recognized principle. By the same token, it should be warned against because the fine as a penalty could make the indictment of a journalist and easy thing to do. Some would argue that since all it takes is one hundred or even five dinars, then there is no need to make efforts to prove the libel charges or even verify the information before publishing it. This is despite the fact that indictment even with one dinar would automatically give the defendant the right to claim damage, which is the norm in Jordan.

Compensations range between 750 dinars to 12,000 or even 15,000 dinars at other times. This, in turn could lead to newspapers running out of business and make the owners of newspapers exercise censorship over themselves and their editors. It also makes compensation as a reason for accumulating wealth and not to compensate for damage. The second topic of the fifth chapter mentioned the percentages of indictment and acquittal as well as the financial and imprisonment penalties in the period under study.

- § In 2000, 44.44 percent of the litigations ended in acquittal, while 55.56 percent of the remaining litigations ended in fining. None of the litigations resulted in imprisonment penalties.
- § In 2001, 25 percent of the litigations ended in acquittal, while 83.33 percent of the remaining litigations ended in fining. One litigation, accounting for 16.66 percent, in which the plaintiff was indicted, resulted in imprisonment term.
- § In 2002, 50 percent of the litigations ended in acquittal, while the remaining litigations ended in fining. None of the litigations resulted in imprisonment penalties.
- § In 2003, five out of fifteen litigations, accounting for 33.33 percent, ended in acquittal, while eight litigations, accounting for 80 percent of those ending in indictment, resulted in fining. Two litigations, accounting for 20 percent, in which the plaintiffs were indicted, resulted in imprisonment term.
- § In 2004 which witnessed 26 litigations, ten litigations, accounting for 38.46 percent, ended in acquittal, while fourteen litigations, accounting for 87.5 percent of those ending in indictment, resulted in fining. Two litigations, accounting for 12.5 percent, in which the plaintiffs were indicted, resulted in imprisonment term.
- § In 2005, 55 percent of the litigations ended in acquittal, while 88.89 percent of the remaining litigations ended in fining. One litigation, accounting for 11.11 percent, in which the plaintiff was indicted, resulted in imprisonment term.
- § In 2006 which witnessed 26 litigations, eleven litigations, accounting for 42.31 percent, ended in acquittal, while fifteen litigations, accounting for 57.69 percent, ended in indictment, including eleven litigations, accounting for 73.33 percent, in which the plaintiffs were fined, and four litigations, accounting for 26.67 percent, in which the plaintiffs were sentenced to jail.

The third topic addresses the most salient trends of the Jordanian judiciary in the defamation litigations, the expression crimes that were looked into by the Jordanian courts for the period 200-2006. The topic noted that there are eight kinds of crimes that were tackled in the litigations analyzed in the period 2000-2006. Those crimes,

as noted earlier, are pertinent to violating objectivity and balance and publishing material that harms the sentiments of the nation and its traditions, disrespect for the private life and reputation of citizens, lack of balance and objectivity when reporting about public figures, libel and vilification against a civil servant, libel and vilification against individuals, libel against an official body, the crime of arousing racism, libel against religions and disrespect for religious sentiments, the crime of violating courts with their different designations, the crime of issuing a publication without licensing or violating the licensing terms, and working in the press sector without registration with Press Association's lists.

The study states in the third topic of the fifth chapter that it's impossible to set a measurable criterion for the idea of balance and objectivity or even the nation's traditions and others. The understanding of such notions might well differ from one person to another and from one setting to another. For example, what might be considered as a violation of the traditions in a remote governorate in the kingdom might not be applicable in Amman. Likewise, what might be viewed by some person as extremely balanced and objective might be viewed as a violation of those principles by another. At any rate, the study, based on the rulings that were examined, concluded that balance and objectivity can be viewed differently:

- § Mentioning a family's name within a political context is considered as an instance of lack of balance and objectivity.
- § Failure to uncover the truth by seeking information from all parties on a certain happening is considered as an instance of lack of balance and objectivity.
- § Obtaining information from someone through indirect and deceptive means is also considered as an instance of lack of balance and objectivity.
- § Lack of documentation which a journalist used to build his published material on is a form of lack of balance and objectivity.
- § Tackling issues that don not reflect well on the public interest are considered a violation of the notion of objectivity and balance.
- § Publishing what might foment division among people is also a violation of the notion of objectivity and balance.
- § This could lead us to branding all publication crimes in one crime that would be understood by the judge in a manner that goes on line with his/her culture, social setting, and political vision.

The study states that despite the fact that the crime of lack of balance and disrespect for objectivity and integrity makes no distinction between a civil servant and an ordinary individual, since this point is only applicable when it comes to libel and vilification against the civil servant for the purpose of proving the charges, yet this

could be understood as one way of mitigating the negative impact should legal articles be used by the judge to enforce a freedom-robbing penalty if the plaintiff is found guilty. On the other hand, it can be viewed as an additional protection for the defendants either because the happening does not constitute a crime, as is widely recognized, but the Public Prosecution seeks to indict the journalist or newspaper for one reason or another --like a political acquittal of a minister for example -- or because the plaintiff will make no effort to prove the libel charges if he/she realizes that he will be fined no matter what the circumstances are. The judge can as well have leeway when it comes to proving the validity of the lawsuit since it will all end in inflicting a fine in the range of 25 dinars. Thus, all parties will come out with minimal losses by the end of the day.

The study also states in this regard that the Jordanian judiciary always seeks, as much as possible, to protect the plaintiffs. It looks into the lawsuit taking into account that the charges facing the plaintiff are libel and vilification, and, therefore, discusses the press materials from this angle and grants the defendants a chance to prove the validity of the libel and vilification charges. However, if the charges are proved, the judges' final verdict tends to be in tandem with the commuted penalties stated in Articles 4, 5, 6, and 9 of the Press and Publications Law and labels the disputed press article or report of the crime of violating the principle of integrity and balance or publishing material that offends the nation's values, which are professional, not criminal, issues by all standards.

The study also included some observations with regard to the lawsuits filed against the backdrop of violating Articles 4, 5 and 7 of the Press and Publications Law, which are:

First Observation: The judicial system in Jordan allows in all circumstances the journalist to prove the validity of what he/she attributed to the public employee although the legal procedures in the lawsuit at hand violate Articles 4, 5, and 7 of the Press and Publications Law which do not sanction the verification of the published materials. However, the judiciary assumes that it will look into a case of libel and vilification against a public employee. Thus, it enables the journalist to prove the validity of the published material, but in the end it enforces the fine penalty in accordance with Article 4 and the subsequent articles of the Press and Publications Law, which is a source of ease and support for the freedom of expression that merits commendation.

Second Observation: Although there is no specific definition for public interest, the judiciary accepts in all instances the argument that the disputed statement is meant to serve the public interest. However, it takes into account the understanding of the entire article or piece and views the smooth and gentle language as a sort of balance and objectivity in the press article.

Third Observation: Lack of attribution in any news report means that it lacks objectivity. Any news report must be attributed to a known source or at least can be recognized irrespective whether the journalists wants to, or does not want to,

mention it.

Fourth Observation: The general nature of the article and absence of specific happenings are proof of its lack of objectivity and balance.

In addition, the study identifies some trends in the libel and vilification cases, most important of which are:

1. For the defense to accept the right to appeal, the expressions should be compatible with the topic of the article, and the latter should be of interest to the public.
2. In case of libel and vilification crimes, if the name of the defamed person is explicitly mentioned or if the reference is vague but the proofs and clues leave no room for doubts about reference to the defamed person, the reference should then be viewed as an explicit and direct instance of libel and vilification.
3. The presence of a personal interest for the plaintiff behind the publication of the press material overrides the public interest and makes all his/her writings inspired by personal motives; thus, the right to appeal will be dropped.
4. To pursue a crime of libel and vilification, a lawsuit should be filed by the defendant; otherwise, no action shall be taken with regard to that crime.
5. Some words cannot be considered defamatory unless used in an offensive context.
6. Using Koranic verses in certain instances could be viewed as libel, not offense, in accordance with the context and the circumstances surrounding the publication.

As for the crime of libel against an official body or courts or public administrations or army or against any civil servant while on duty, the study identified the following trends in the Jordanian judicial system:

1. In order to consider the article as libelous of an official body, the libel should be directed against the body itself and not its head.
2. Criticizing an official body is different from defaming it. The benchmark is the overall impact of the expressions used in the article.

As for the crime of arousing racial sentiments and defaming religions and offending religious sentiments, the study has come out with several observations. The most important of those are:

1. Goodwill cannot be a reason for permissibility or punishment in the crimes of

offending religious sentiments. It is inappropriate for a person to fight crimes by committing similar ones.

2. Using well-known religious symbols or signs is not considered offence of religious sentiments.

On the different ways of violating the sacredness of courts, the following are some of the most important issues the study has observed:

1. Newspapers have the right to publish the news of crimes unless they have received something banning that.
2. Irresponsible and impolite phrases that make courts suspicious and affect the course of justice are unacceptable.
3. It is not enough that published phrases are filed in a lawsuit before the judiciary; rather the use of phrases should affect the judiciary.
4. Language used while addressing judges or referring to them must be appropriate to their ranks and positions.
5. In case a judge is slandered, a defendant must prove all slanderous phrases about the public employee.

On working without being enlisted in the press association; the crime of issuing unlicensed publication or violating the license's terms. The most important observations of the study have been:

1. The license's terms should be approached from a wide angle as the license's terms cannot be inflexible.
2. No one can work in journalism save for those whose names are registered with the press association. This is considered a crime even if the defendant adjusts status after the press association issued an ultimatum.

The study concludes that the judiciary in the kingdom depends on full evidence as to the crimes of slander, subjectivity and imbalance. This means that a journalist is tasked with everything attributed to the plaintiff. In addition, the judiciary does not take into consideration the information obtained by tricks, illegal ways, or from a source that has clear enmity towards the plaintiff. The information taken from official documents shall be considered unquestionable pieces of evidence.

The study has also stressed that the judiciary does not follow a certain method in order to prove slander, and that the defendant can follow any way to prove it.

It has also stressed that among of the important judicial conclusions is that a photo must have been published by clear approval from the plaintiff and used lawfully and

harmlessly.

Finally, the study has revealed a significant judiciary practice to refrain from enforcing a law article contradicting the constitution. The conclusion has been that the judiciary in Jordan sees that a judge has the right to refrain from enforcing a law article if it contradicts the constitution. The court of appeals can monitor judges when exercising this right.

3. The Final Recommendations:

The Jordanian judiciary's verdicts and applications in the field of slander cases are better than the laws enforced. This is what can be derived from this additional study. This prompts us to offer some recommendations that can be an ambitious action plan aimed at achieving justice and helping the defenders of legality improve and update not only the Jordanian legislative structure but also the professional skills of judges in such cases, and helping lawyers to do their roles more professionally.

1-2 - Improving the legislations of the freedom of expression and its judicial applications

The legislations governing the freedom of expression in the kingdom are very backward in comparison with the international laws on slander. This does not help the enhancement of discussing public issues that are of concern to the public opinion. In addition, lenient laws help in supporting the freedom of expression. Hence, the study recommends that the Center for the Protection and Freedom of Journalists cooperate closely with the Ministry of Justice, the High Judicial Council, experts from the Judicial Institute of Jordan, deputies and senators, and legal experts to do the following:

2-1 – 1 Measuring, reviewing and assessing the laws regulating the freedom of expression and media in Jordan or relevant laws, including the Press and Publications Law as well as its amendments, the Access to Information Law, the Penal Code, and the Code of Penal Procedure in view of the Jordanian constitution, the international agreements that Jordan signed, and the internationally-recognized guidelines in order to enact bills to replace those laws. Dialogue should also be initiated with media people, deputies, judges and others so as to rally support for these bills and endorse all or some of them.

2-2-2 Translating the laws regulating the freedom of expression and media in the developing countries and democratic countries like the United States and Europe, comparing these laws with the laws enforced in the kingdom, and distributing them to the members of the Cabinet (deputies and senators) so that they can use them when legislating.

3-3-2 Gathering and analyzing the judiciary's trends in the developing countries like Ukraine and India and developed countries like the United States and others, and

distributing them to judges in Jordan. This will enable judges to benefit from the various judicial experiences in reaching verdicts as to the freedom of expression and media for the purpose of spreading lenient judicial interpretations and verdicts in such cases.

2-2-3 Organizing visits for deputies, senators and judges nominated by the High Judicial Council to developed or developing countries so that they can meet with legislators and judges and discuss similar legislations and alternative laws that can be borrowed.

In this regard, the study calls for reconsidering the amendments to the Press and Publication Law No. 27 of 2007, which have added new criminal laws and hefty fines impeding the freedom of expression of the press.

Supporting the Independence of the Judicial Authority

The study has proven that the Judicial Authority in Jordan is suffering from many problems that judicial authorities in various Arab countries are suffering from. The Judicial Authority is somehow dependant on the Executive Authority, and its members are generally deprived of the freedom of expression and of forming special independent unions. Therefore, the study recommends that large-scale discussion be initiated with judges, lawyers, and others to ensure real independence of the Judicial Authority, which is based on solid legal clauses that can make the High Judicial Council only for the men of the Judicial Authority and exclude the men of the Executive Authority, who execute its wills irrespective of their names and titles. This should take place, provided the judicial inspection is directly affiliated with the High Judicial Council, which should supervise the judiciary's budget that is part of the general budget. Judges in Jordan should also be able to form their own unions, the appointment of judges with putting them to the test should be abolished, and judges should not be sacked by anyway other than disciplinary action, provided that disciplinary action and moving judges be the job of the High Judicial Council according to clear rules that cannot be subject to estimation.

As to raising the professional competence, the study recommends that the Center for the Protection and Freedom of Journalists start, in collaboration with the High Judicial Council and the Judicial Institute and in coordination with the Ministry of Justice, integrated training programs for at least 100 young judges and attorney generals in Jordan with the purpose of teaching them how to deal with slander cases. This should be done as follows:

2-2-2-1 Organizing a three-day training discussion in which 25 judges and attorney generals take part to know at least how to adjust claims in slander cases, the criterion of goodwill, the criminal intention in such cases and

its applications. Moreover, they should know how to deal with the laws contradicting the constitution, provide reasons for the verdicts delivered in slander cases, describe cases, and know the need for resorting to experience in order to determine the criteria of imbalance and subjectivity and the acts contradicting the profession's rules of conduct

2-2-2-2 Dispatching the best three trainees in each training course to an advanced training course on slander cases in the United States and Europe to benefit from the international experience in this domain .

Training judges who have not been selected, giving them a one-day advanced course in Europe in order to discuss the latest developments on slander cases, and keeping them abreast of the latest developments on such cases.

2-2-2-4 Designing a training guideline including theoretical and practical practices of slander cases in addition to justified verdicts. Specialized trainers from the Judicial Institute can do this and use it to train the students of the Judicial Institute how to deal with the publication cases.

3-2 Training Lawyers, and Creating a New Generation of Lawyers Who are Specialized in Defending Cases of Freedom of Expression

Reviewing the legal defense demonstrated by the majority of lawyers in slander cases of the study has shown that there is dire need to develop the skills of lawyers who are interested in working in the field of providing legal support for media people. Therefore, the study recommends that the Center for the Protection and Freedom of Journalists adopt a program to improve the professional competence of lawyers and improve the unit extending legal help to media people as follows:

2-3-1 Providing in-depth training for 50 lawyers to prove the unconstitutionality before the judiciary in Jordan, use this argument in Jordanian courts, cite international agreements before a Jordanian judge, file slander lawsuits, and prove the real acts of slander crimes. This should include the training of judicial applications not to mention the advanced Arab and international applications of slander crimes and criminal precedents in the various countries that a Jordanian judge might deem applicable in such cases. The number of participants should not exceed 25 lawyers and enough practical and theoretical practices should be offered in the meantime.

2-3-2 Expanding the work of the legal help unit, and providing this unit with new lawyers, and providing them with regular training with the purpose of raising their professional competence. The capabilities of lawyers should be boosted in such cases through dispatching the unit's lawyers to Arab and European countries to look into the ways of organizing and building legal help units and how services are extended by these units.

3-3-2 Continuing the efforts that have thus far been exerted by collecting the 2006 rulings that could not be added since they were still be debated at courts as well as the 2007 rulings that could be available, sorting, and commenting on them. In addition, a one-day session could be organized to identify the judicial trends in those rulings in comparison with those reached by this study -- a mission that we believe should be undertaken by the center regularly.

4-3-2 The study calls on the center, given the lack of empirical studies on the press and publication cases, to embark on commissioning some experts at the Legal Aid Unit to write booklets that briefly and explicitly explain the defamation laws in the kingdom and the basics of the press responsibility as well as the judicial view of those laws, especially those crimes stated in Articles 5, 7, and 9 and other articles of the Press and Publication Law. This book or booklet should be distributed to the students of the Judicial Institute through their administration and to lawyers through the Bar Association.

4.2 Raising Legal and Professional Awareness for Journalists:

The study has definitely proved that raising the professional and legal awareness of journalists will help in avoiding the negative impacts of slander laws and other laws regulating the freedom of expression. Hence, the study recommends the following:

4-2-1 Designing an internal training program for leading journalists on the concepts of slander, and ways to develop the various journalistic work and alternative legal formulas, provided the training is continuing. This means that there should be weekly visits to press foundations to discuss with its leaders the legal problems they are facing.

4-2-2 Finalizing the legal protection program that contributes to raising legal awareness for journalists and organizing practical training courses to train journalists how to express their opinions without violating the law. This program should also brief journalists on ways to handle the slander laws in the kingdom.

4-2-3 Issuing an experimental newspaper edited by the journalists who are taking part in legal awareness courses and reviewed by the lawyers participating in the courses aimed at improving professional competence in order to issue a free experimental newspaper enjoying the maximum of freedom under the prevalent laws. Further, the issuance of such newspaper will serve as continuing practical training for journalists and lawyers.

Expanding the categories targeted by the legal protection program so that it can reach the largest possible number of media people on TV, radio, and websites.

Annex I

**The Achieved activities which required the
three month extension of time in the project
01 / 01 / 2008 - 31 / 3 / 2008**

The Achieved activities which required the three month extension of time in the project 01 / 01 / 2008 - 31 / 3 / 2008

First:

Conducting, typing and distributing the study of the Jordanian judicial trends in dealing with the press and publication cases.

The final arrangements for the study required an extension of time in project for a term of three months for conducting the following activities:

1. Editing all the notes and comments which were giving by the participant in the “Discussing the Study Draft “convention.
2. Technical and linguistic revise of the study
3. Final revise for all the information in the study to included any recent amendment in the laws and regulations
4. Distributing the study to a number of legal experts, researchers and authors in order to obtain their comments, ideas and suggestions. The reason for that was the sensitivities of the study since it related to the judicial body which required a high degree of skill and professionalism in order to raise with study to league of the rich references for the legal and judicial and media library
5. Editing the comments and amendment of the experts on the study.
6. Choosing the technical frame for the interior pages of the study.
7. Choosing a face book for the study.
8. Translating the executive summary of the study and its recommendation.
9. Publishing the study in a Book form.
10. Distributing the book to several entities that have special relation with the judges –through the judicial council – and on the new judges through the and judiciary institution, in addition to the aforementioned the book was also distributed to the Ministry of juristic, lawyer who are specialized media cases, newspapers, media institutions and their layers, the lawyer union, the media and press colleges in Jordan, several NGO’s and media characters.

Second:

Sustain in defending journalists and media institutions in press and publication lawsuits that were filed against them in January 2008, in addition to the new cases which was referred to media legal aid unit “Melad” in February and March 2008. The aforementioned cases were six¹, in which the journalists were accused in several charges. Such charges vary between the following offences

- 1- The offence of violating the media and publication law, such as incorrect information and Non-objectivity.
- 2- The offense of violation Penal Code such as slander and libel.
- 3- The offence of violating the Code of audio and visual media- such as the offence of publishing news that insult and abuse the reputation and privacy of citizen, in addition to the first case of its kind in the history of the Jordanian Administrative judiciary which is challenging a resolution issued by the council of the prime minister, such resolution include not approving a radio station

1 The six cases

application to transmit at Zarqa City.

Furthermore, the above mentioned case are at their early stages, Melad is currently preparing defense strategy for these cases in addition to hearing the prosecution witnesses

Moreover, Melad is representing two newspapers before the general attorney at the first instance court of Ma'an and Irbid municipalities. Such cases are still in their early stage of instigations and still not referred to competent court

Third:

Melad received many inquiries and request for legal counsel from the head of several newspapers and some writers and journalists via the phone and the hotline at the website.

The Six Cases

No.	Case Number	Competent Court or General Attorney	Name of our Client	Plaintiff Name	Type of the felony
1	81/2008	First instance court at Amman		General Attorney at Irbid + Dr. yosef Al- Moa'shar in his capacity as the director of the cooperation fund at the Doctors association	Publishing incorrect information and non-objectivity, violating the Press and publication law
2	22/2008	High Court of Justice	Amman net radio	—————	The subject of this case is an appeal to challenge a resolution issued by the Prime Ministers Council to reject Amman Net's application to broadcast in zarqa City. The unit has filed this appeal to reverse the mentioned resolution before the high court of justice

3	228/2008	First instance court at Amman	Majdi batya	The State + Dafee il-jama'ani in his capacity as the Secretary General of the Jordan Valley Authority	Publishing incorrect information and non-objectivity, violating the Press and publication law
4	588/2008	First instance court at Amman	Jehad abu bedar & usama alrameny	Judicial Council as an independent body	Insulting the judicial Council violating the Penalty Code. Publishing incorrect information and non-objectivity, violating the Press and publication law
5	670/2008	First instance court at Amman	Jehad abu bedar & ronza abu amereh	The State+ Mohammed Aldouri)IRAQI DIPLOMAT(Invading the public privacy and freedom violating the Press and publication law. Libel and Slanderviolating the Penalty Code
6		Attorney General at Irbid) the case is still at the investigation stage((Feryal belbesy	The state	No charges has been yet brought against the journalist

Annex II

Appreciation Letters

Annex III

MELAD in Jordanian Press

Attachments

- 1. The Brochure**
- 2. American Judges Meeting**
- 3. Workshop Program**
- 4. Participants List (Arabic)**
- 5. Training Paper (Arabic)**
- 6. In-House Training**
- 7. Judges Workshop**
- 8. The Study**
- 9. The Study Workshop**

American Judges Meeting

I. The Press



مركز حماية وحرية الصحفيين
Center for Defending Freedom of Journalists

التاريخ: 2007/11/11

نظمتها مركز حماية وحرية الصحفيين وإيريكس الأردن

حلقة نقاش عن التطبيقات القضائية في قضايا الإعلام في أمريكا والأردن

نظم مركز حماية حرية الصحفيين بالتعاون مع مجلس الأبحاث و التبادل الدولي إيريكس السبت الثالث من نوفمبر الجاري حلقة نقاش استضافت القاضي بيير ليفال قاضي محكمة الاستئناف في الولايات المتحدة الأمريكية و الأستاذ بيتر كروغ أستاذ العلوم القضائية و القانون المقارن في جامعة أوكلاهوما في الولايات المتحدة الأمريكية. وذلك لتبادل الخبرات مع أعضاء وحدة المساعدة القانونية للإعلاميين حول التطبيقات القضائية في كل من الأردن والولايات المتحدة الأمريكية بشأن جرائم الدم والقذح والتشهير.

ولإثراء النقاشات استضاف المركز أيضا عدد من المحامين الأردنيين المتخصصين في قضايا الإعلام .

وتضمن برنامج الحلقة محوريين رئيسيين على ثلاث جلسات، تحدث في أول جلستين القاضي ليفال والأستاذ كروغ حول الاعتبارات الدستورية لقوانين الدم والقذح والتشهير في الولايات المتحدة الأمريكية عارضين عدة أمثلة عن قضايا شهدتها المحاكم الأمريكية تختص في القوانين السابق ذكرها وقضايا حرية الرأي والتعبير، تبعها في الجلسة الأخيرة عرض من قبل المحامي محمد قطيشات مدير وحدة المساعدة القانونية للإعلاميين لقضايا مطبوعات مرفوعة على عدد من الإعلاميين في المحاكم الأردنية .

ملاحظة للمحررين:

من المعلومات يرجى زيارة الموقع الإلكتروني: www.cdfj.org او الاتصال على رقم المركز 5160820

منظمة مستقلة، مقرها عمان، تبنى بالدفاع عن الصحفيين والحرية الإعلامية Cdfj مركز حماية وحرية الصحفيين
.Center for Defending Freedom of Journalists, an independent organization based in Amman that
monitors and defends media freedom and journalists (www.cdfj.org)
amman-queen rania St. – near Ministry of agriculture

E.mail: info@cdfj.org

P.O.Box 961167 Amman 11196 Jordan
Tel: (962-6) 5160820/5
Fax: (962-6) 5602785
E-mail: info@cdfj.org
www.cdfj.org

American Judges Meeting

II. Photos from the Meeting



Workshop Program

Wednesday 13 June 2007	
Time	Topic
10:00 – 09:30	Opening Introduction Objectives Expectations
10:00 – 11:30	First Session Good intent in crimes of aggression on honor and reasons for permissibility (Theoretical discussion/ presentation of judicial rulings about the issue of good intent and reasons for permissibility in libel and vilification)
11:30 – 11:45	Coffee break
12:45 – 11:45	Second Session Interpretation of the phrases of a press article and rationale of rulings in press crimes
12:45 – 01:00	Conclusion Evaluation forms

Participants List

Center for Defending
Freedom of Journalists

الدورة الإلكترونية المتكاملة للمحامين الأتنيين
" الجمعية القانونية للاعلاميين "
24-22 شباط 2007

قائمة المشاركين

#	الاسم	هاتف	الفاكس	الايمل
1	أياد حمارة	5660971	5686320	iyad@yahaww.com
2	صيام هنادة	0796883401 0788484266		eharandeh@yahoo.com
3	محمد القاضي	0795703705		
4	سامر زريقات	0796998000		samerzuraikat@hotmail.com
5	رعد الحكيلاوي	0777767258	5667078	Kelanlaw75@hotmail.com
6	علاء خليفات	0777780173	4644187	Khalid.khalifat@ahco.com
7	سوزان المتوم	0795844070	5532559	
8	داليا البرمي	079519619		Dalia.namahi@hotmail.com
9	تامر غريس	0795545953	5690011	Ahmedsalem.tamer@yahoo.com
10	ماجد صريبات	0795555353	5689523	polomejed@msn.com
11	أحمد العمري	0795515088	5662044	
12	شادة مسلف	0777252777		Ghada.assaf@op.m.gov.ye
13	عالية غريس	0796761159	5653333	Alia.khrais@hotmail.com
14	سامر البلة	0795666033	5668762	s.bileh@khalifeh.gov.ye
15	جمال عموي	0795255148	5527052	jhammami@abaw.com.ye
16	محمد الحسيني	0795940856	5686854	Husain3003@yahoo.com
17	سموود الشوابكة	0795427771	46436611	s.shawabka@hotmail.com
18	علاء القريوتي	0795528721	5532366	
19	علي الديرياني	0777315560	4634277	Ali.diryani@zubair.com
20	سونيا الملو	0799254838		
21	إسراء الدجالي	0795059116		

قائمة للمدونين

#	الاسم	الايمل
1	نجاد البرمي	nejad@un-law.com

Ehab sallam	ehabsallam@hotmail.com	إيهاب إبراهيم	2
الأردن			
Mohammed qubaishat	qubaishat@cdfj.org	محمد قبايشات	3
Nancy dababneh	NDababneh@ablaw.com.jo	نانسي دبابنة	4

مركز حماية وحرية الصحفيين


#	الاسم	المسمى الوظيفي	الهاتف	الايمل
الأردن				
1	نضال متمبول	رئيس المركز	5160820	info@cdfj.org
2	هيثم أبو صليبة	مدير لقطاع الامتثال والوعي	5160820	heytham@cdfj.org
3	هبة جبيلات	منسقة مشاريع	5160820	h.abat@cdfj.org
4	خلود فرج	مساعدة إدارية	5160820	khoud@cdfj.org

بعثة للديمقراطية الأوروبية

#	الاسم	المسمى الوظيفي	الهاتف	الايمل
الأردن				
1	عولمكين تاسو		4607000	Jouakeen tassa
2	خايريبيلا دانزا	مديرة برنامج	4607000	Ghabreilla danza

In-House Training

I. Questionnaire



مركز حماية وحرية الصحفيين
Center for Defending
Freedom of Journalists

Expertise Exchange Workshop

For Development of Skills in Dealing with Legal Problems Resulting from Media

Evaluation Questionnaire

Name: _____

Media Organization: _____

Job Description: _____

These workshops are held within the context of rebuilding and developing the Media Legal Aid Unit, in order to upgrade the quality of its activities, please answer the following questions:

1. Did you benefit from the in-house training workshop on legal protection mechanisms?

Excellent Good Fair Weak No Benefits

2. Can you mention the most important benefits you gained?

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3. How can you utilize the information and experience gained from the workshop in your work in the media? Write down two briefed examples

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4. Do you have suggestions which will help developing the Media Legal Aid Unit? Write down one suggestion.

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II. Some Photos from the In-House Training (All Photos attached with the CD)

ATV



Jordan TV



Daily Newspaper

Alrai Daily Newspaper



Daily Newspaper

Alghad Daily Newspaper



Weekly Newspaper



Judges Workshop

I. Some Photos

