

Shackled

Media Freedom Index in Jordan

2021



Executive summary

In the 2021 World Press Freedom Index, Jordan has scored (215.2) out of 600 points. According to the index's criteria, this score is rated as "restricted".

The "restricted" rating is repeated for the second year in a row, as the 2020 index scored (227.3) points. What's remarkable is that Jordan scored a lower point in 2021 compared to 2020, declining on the Freedom of Press Index by (%4).

The six sections in this year's report received a «restricted» rating, with the exception of the section on the legislative environment that was rated "partially restricted".

Five sections categorized as "restricted" are: the political environment, with a score of (19.9) out of 60, while the right to access information maintained its "restricted" rating for the second year in a row, with a score of (9.8), despite dropping one point from last year's index in 2020.

The Violations and Impunity section was also rated "restricted"; with a score of (77.7) out of 210 points, as well as the section on media independence, which received a "restricted" rating with a total of (34.9) points out of 100, which is the same rating in 2020, but with a lower score of (37.1) points.

This year's report added a new section on online freedom of expression and the press, the first measure of freedom of expression and freedom of press online. It also received a "restricted" rating, with a score of 37.2 points out of 100.

As one of the six main sections, this section was introduced to report on the state of media freedoms in Jordan; as a variable pillar to measure any new issue or situation on the index. In 2021,

this section came to replace the section on "media in light of COVID19- pandemic".

The Legislative Environment section is the only one that maintained its "partially restricted" rating across 2020 and 2021, as it scored (34.9) points out of (90) this year, which is six points lower than what it scored in 2020. Still, it remained within the "partially restricted" rating.

Section I: The Political Environment

This section examines the political environment, to what extent does the government programmatically and actually supports the media, and to what extent does the executive authority and/or its security services interfere with the work of the press? It also examines how keen the government is to preserve the media's independence and whether the government ensures accountability of any official who interferes? Furthermore, it looks at to what extent the Parliament supports the freedom and independence of the press? And do civil society organizations support the freedom and independence of the media?

Previously existing challenges facing the media in its local political context remained persistent; in the form of political, economic, and health challenges; the latter represented by the continuation, expansion, and broad spread of COVID19- in the last quarter of 2021. These are the same challenges present on the Jordanian media map in 2020.

Datum on the Jordanian political environment still clearly direct to the restrictive nature of such an environment for the press and media, and that it is not accommodating or supportive. This notion is confirmed by international and local reports on this matter. "There is no support for the media or

clear strategies or plans." Journalist Falha Brizat, Editor-in-chief of the Nesan news website. This perspective is echoed by Mr. Musa Al-Saket, CEO of Hayat FM Radio, who says: "There is a lack of governmental programs to support the media due to absence of specialists. Also, governments have no vision for the media, and therefore there are no programs. An organizational structure must be established to enforce any existing plans."

For the second year in a row, the Defense Law remained in force due to the continuation of the COVID19- pandemic. Issued by virtue of the Defense Law, Order No. (8) remained one of the most stringent restrictions on freedom of the press, keeping the government the only source of information related to the pandemic.

The problems and challenges the Jordanian media was already facing remained unchanged, despite the general pledges afforded in early 2021 to the House of Representatives by the then-new government of Dr. Bishr Al-Khasawneh, in its ministerial statement. However, the government had failed to prop up such pledges with strategic and action plans.

According to Columnist Suhair Jaradat, addressing the media in the royal discourse is not reflected on the ground by governments, noting that legislation always seeks to dwarf and curtail Jordanian private and public media outlets. On his part, the Director-General of Yarmouk TV, Khader Mashaikh, indicated that government support for the media, if any, is conditional.

According to Journalist Lana Shaheen, any talk of media support, if any, is mere dead letters. One of the main problems that hinder the preparation and implementation of plans and strategies is the lack of stability in the media ministers' posts.

In 2021, emerged the crisis of the media systems proposed by the Media Commission, which the government retracted under pressure from journalists and their protests against it. On its part, the Center for Defending Freedom of Journalists (CDFJ) issued a legal review of these new instructions, shedding light on constitutional and legal violations, as well as being contrary to international conventions and treaties ratified by Jordan.

Also, in 2021, the Royal Committee for the Modernization of the Political System was formed by a Royal Decree. It was mandated to "develop a draft elections law and a draft law for political parties, consider such constitutional amendments that are essentially related to the two laws and the mechanisms of parliamentary engagement, and to make recommendations on developing the regulations governing local administration, broadening the decision-making base of participation, and creating a legislative and political environment that guarantees a role for youth and women in public life."

The Royal Committee's proposals had focused on the media under the "Public Freedoms in the Youth Empowerment Section." The Committee considered "public freedoms to be the basic guarantee of political engagement in Jordan," saying that "political empowerment of the youth requires optimal application of human rights, and the provision of a safe space for public freedoms that guarantee political engagement, in accordance with the laws and regulations in force. This postulates the need to amend some legislation and repeal others in line with the Royal tendency to create an environment conducive to partisan and political engagement, and under penalty of legal accountability for anyone who

harasses or discriminates against young people based on their partisan or political affiliation”.

The teachers’ union crisis continued throughout 2021, casting its shadow over the Jordanian political scene. Despite that the Court of Appeal had dismissed the action brought up against the teachers’ union regarding “donating to the homeland,” the crisis persisted with arresting and detaining some union leaders, forced early retirement of some teachers, shutting down the Internet, banning the “Club House” application, arresting and detaining some media professionals, arresting and detaining some university students who participated in protests against the Jordanian-Israeli Declaration of Intent, banning rallies and demonstrations, etc. These are blatant infringements upon the right to freedom of expression and the right to peaceful assembly. Cases of “Offensive Speech against the King” remain strictly criminalized under the penal code, and it is the prerogative of the State Security Court. Despite that, King Abdullah II has issued directives to the government to study and pardon these crimes.

Furthermore, Jordan’s rating in the CIVICUS Monitor report declined from “obstructive” to “oppressive,” referring to what it called “the steady deterioration of civil rights in Jordan.” The report considers that the shut-down of the teachers’ union, the shut-down of the Internet, and the restrictions imposed on journalists, civil society, and activists, led to this downgrade.

According to the answers of Mr. Faisal Al-Shboul; the Minister of State for Media Affairs and the official spokesman for the government, to the questions we asked him for the purposes of this report, the government claims that “it is working

within a broader pan Arab effort to develop mechanisms for supporting the media nationally, by reaching a joint Arab framework with major global digital companies, including social media companies, to compensate local media outlets for the lost profit incurred due to the use of their content and the acquisition of digital ads. Implementing this framework entails creating funds to support media content at the national level, and after the completion of the said pan Arab framework, a fund to support media content will be developed, which would help in increasing the financial resources that can be mobilized and channeled to support Jordanian media content. Once at that stage, the government will work to develop a concept for the Media Content Support Fund that ensures independent governance, sustainability of funding sources, transparent management of grants, measurement of the impact and results of support, and linking it to the objectives of uplifting public debate and discourse.”

Regarding financial support by the government for media outlets, Abdul-Wahhab Al-Zaghilat explained that it is unthinkable and that they, that is, successive governments, are not interested in improving the context in which the media operates. Unfortunately, they are even at war with the media. No facilitation is afforded to the press, even when it comes to access to information.

The Director-General of Yarmouk TV, Khader Mashaikh, confirms that government support for the media, if any, is conditional. For example, judicial announcements are distributed to 3 specific newspapers only. “I don’t see any influence of CSOs when it comes to supporting freedom of the press. Even for professional associations; although they are elected, they are absent and

have no significant presence in supporting the media and its freedom."

Recommendations

- The government should adopt declared strategies and policies that support freedom of expression and freedom of the press, underpinned by action plans with indicators and a specific time frame.
- Urge the Parliament to adopt a work approach that supports freedom of expression and press, and through its committees, to monitor violations against journalists, and hold the government accountable for such violations.
- Call upon civil society organizations to pay more attention to supporting freedom of the press, as it guarantees society's right to information and acts as a partner to the latter that informs people of what it is doing.

Section II: The Legislative Environment

The questions of the legislative environment index revolved around the extent to which the Jordanian Constitution preserves freedom and supports freedom of expression and press and whether legislation in Jordan is compatible with international conventions and treaties that support freedom of expression and press, especially the International Covenant on Civil and Political Rights. The questions also examine to what extent the legislative system (laws, regulations, and instructions) supports freedom of the press, and do such legislations include custodial penalties (detention and imprisonment)?

They also examine the extent to which financial sanctions in publishing crimes affect the restriction

of freedom of expression and press, and whether current laws support and encourage investment in the media, to what extent does the prior licensing requirement limit freedom of the press, whether laws guarantee pluralism and diversity of media, and do these legislations safeguard internet freedom in Jordan.

The highlight of the year 2021 was the formation of the Royal Committee for Modernizing the Political System. Nevertheless, it was devoid of reference to the media or the freedom of opinion and expression. Contrary to expectations, the Committee completely neglected to propose any constitutional provision, with a view to constitutionally safeguard the Right to Access Information.

In hindsight, regulations have turned into tools of restriction, destroying and violating constitutional rights. The problem is further complicated because challenging the constitutionality of laws is limited to the government and the lower and upper chambers of the Parliament or via a sub-appeal by the courts. Additionally, the legislative provisions governing the media practice are generally restrictive. It seems as though whenever the government finds a space that allows the press to have a margin of freedom, the government endeavors to deliberately close it or tighten its rigor over it. The most striking example of this was the Cybercrime Law, which caused an increase in self-censorship among journalists and even users of social media and the extension of Prior restraint through administrations of media outlets. This self-censorship aims at avoiding the wrath of the law, which has also increased the rate of violations in the past years.

According to the academic and legal expert

Dr. Sakher Al-Khasawneh, some legislative provisions do indeed restrict the freedom of the press. The Law of Publications, especially Article (49) thereof, is contrary to all relevant legislation globally. At the same time, the Audio-Visual Media Law suffers from an out-of-control expansion in issuing regulations and instructions, and censorship of works has expanded a lot. The index of media legislation in 2021 ranked media freedoms as “partially restricted,” which are indicators that have extended for many years. The majority of Jordanian journalists and media professionals continue to perceive these legislations as a restriction on the freedom of the press, as well as freedom of expression and publication.

Credit is due to the House of Representatives for rejecting the proposed government amendment to Article (10) of the Integrity and Anti-Corruption Commission bill, which brings publishing issues under the anti-corruption law. This constitutes a restriction of freedoms and is an expansion of legislation that restricts journalists.

According to the former judge, Muhammad Al-Tarawneh, legislation places innumerable restrictions on the right to freedom of expression, and the way to challenge these laws are blocked.

Such laws need a comprehensive and radical review to purify them from any restrictions on the media. On his part, former judge and Lawyer Louay Obeidat believes that a term like “Provided that it doesn’t contradict the law” squanders the rights provided under Article 15 of the Jordanian Constitution. According to the chairman of the Freedoms Committee in the Bar Association, Mr. Walid Al-Adwan, some principles must be

constitutionally inalienable, which protect rights and freedoms.

In 2021, nothing new had happened to the licensing requirements that represent restrictions on media outlets, such as newspapers, websites, and radio stations that aren’t allowed to broadcast without a prior license. This requirement kept this restriction in place and allowed it to spill over to investment in the media industry.

This year, no fines or financial compensation were ordered against journalists, except that aggravating the penalties in civil compensation against journalists and even citizens who are active on social media has led and will continue to lead to more self-censorship and will plummet objective criticism of public officials and public figures. Furthermore, no law has been legislated to prohibit interference with the work of the media, and no regulation offers journalists remedy by means of suing those who violate the journalist’s rights and freedom to publish, including the constitution itself, which does not provide for such protection.

Former judge, Muhammad Al-Tarawneh, believes that the prosecution in publishing and media cases has recently increased as a result of internal and external interventions and vague laws. Dr. Sakher Al-Khasawneh indicated that the problem of civil compensation lies in the basis of compensation relied on by court expert appraisers. Former judge and Lawyer Louay Obeidat called for setting maximum ceilings for civil compensation in publications cases and granting the judiciary the powers to dismiss claims or reduce the compensation value as it deems appropriate.

There has been no legislative update in relation to the standards of diversity and pluralism

in the media, including any development on the self-organization of journalists and media professionals. This kept mandatory membership as a clear violation of the International Covenant on Civil and Political Rights, as well as in violation of Article (1/16) of the Jordanian Constitution, which stipulated that (Jordanians have the right to form associations, unions, and political parties, provided that their goals are legitimate, their means are peaceful, and that they have systems that do not violate the provisions of the constitution).

According to the Minister of State for Media Affairs, the official spokesman for the government, Faisal Al-Shboul, the government announced its commitment to the outputs and recommendations of the Royal Committee on Modernization of the Political System. It began implementing them at several levels, including a course of action for reviewing and developing these legislations in line with the efforts of political modernization. According to him, the government will undertake this effort in participation and consensus of all relevant parties to ensure the highest levels of consensus in preparing amending bills and then put them on the legislative process path.

Recommendations

- Review the legislation governing and affecting the media to be consistent with the constitutional provisions, significantly Articles (15) and (1/128), which prohibit the adoption of any laws restricting the constitutionally stipulated rights.
- Introduce provisions to legislation that penalize and criminalize public officials, government agencies, or any state entity who

interfere with the media and infringe upon their independence.

- Urgently endeavor to amend legal articles that impose custodial penalties in publication issues and freedom of expression, such as the Cybercrime Law, the penal code, and the Prevention of Terrorism Law.
- Call for introducing an article to the constitution that stipulates and protects the right to access information.
- The Jordanian Government must uphold its commitments by virtue of the treaties and agreements it has ratified related to freedom of expression and press. It must also initiate a plan to approve the Universal Periodic Review (UPR) recommendations related to the media.
- Publishing issues must be treated as civil and not criminal matters while exaggerating civil compensation orders must be avoided so as not to lose the right to freedom of expression and press.
- Legislative incentives; that encourage diversity and plurality of media in society, must be introduced.
- Abolition of mandatory membership at the Jordanian Press Association, and opening the way for union pluralism.
- Work on approving an urgent law for the Complaints Board that would offer a remedy to society against media errors.

Section III: The Right to Access Information

The section on the Right to Access Information maintained a “restricted” rating for the second year in a row, with a score of (9.8) points, despite its decline by one point this year compared to 2020.

This section deals with the Access to Information to find out whether anything new had happened to the law and its applications throughout the year 2021; within four main questions. These questions are: to what extent do the government and public institutions effectively implement the Access to Information Act? Are there declared and transparent criteria for classifying information in public institutions? To what extent do websites of public institutions adequately provide information to the public and journalists? To what extent is the government working to make information available proactively?

In 2021, the government did not indicate any change or amendment to applying the law in public administration. While the House of Representatives is still reviewing the draft law amending the Access to Information Act, the government and the Information Council did not disclose any information about the enforcement of the law.

Jordan was the first Arab country to adopt the Access to Information Act in 2007. However, this pioneering precedence was not translated into a good and advanced law that allows for the enforcement of transparency and ease in the applications of the law, leaving it deficient compared to other regulations approved by many other Arab countries.

In its report for 2021, the Center does not wish to repeat the observations and ratings it previously made in the 2020 report. Nevertheless, the Center would like to emphasize that all the observations it recorded in its report last year are still valid and have not been modified or changed during 2021.

In their testimonies, journalists report seeing no changes in the administration's implementation of the Access to Information Act. In his account, Journalist Basil Al-Akour believes that this right is not safeguarded; due to the act itself as well as the exceptions contained therein, rendering journalists hesitant to use it. Additionally, most of the information held by ministries and public institutions is confidential, whereas the State does not find it necessary to answer people's questions. Khalil Qandeel, a journalist at Al-Bousalah news website, agrees with Al-Akour that this right is not protected and that most of the information is classified.

According to Journalist Ohoud Mohsen, Editor-in-chief of Ahdath Al-Youm news website, the government with its institutions does not abide by the protocols for classifying information. Journalist Ihsan Al-Tamimi also confirms that the Access to Information Act is teeming with exceptions.

An important observation to note is the failure of the Information Council to publish its reports on the status of the information, nor does it allow access to the report by the public, in violation of the Access to Information Act itself. Additionally, there is a lack of oversight over such institutions that have not completed the classification of their information, how the Act is applied, and whether they have an Information Commissioner and an information register?

It should be noted that at the end of 2020, the

government approved three protocols to enforce the Access to Information Act; by establishing a guideline to institutionalize the procedures for accessing information, which is a binding road map for all public institutions. The second one is about classifying information, and the third is about information management, storage, archiving, and retrieval.

These three protocols aimed to institutionalize enforcement of the Access to Information Act, institutionalize enforcement procedures, and circulate them to ministries, institutions, and government departments to comply with them. It also included a protocol for the enforcement procedures, a protocol for classifying information, and a protocol for managing and indexing documents and Ples.

Recommendations

- A new law should be adopted that guarantees the Right to Access Information, takes into account international standards and best practices, transcend other legislation, limits exceptions, and fosters the principle of classifying information according to the harm and public interest tests.
- Prioritize and urgently process any information requests journalists submit to encourage them to use the law.
- Establishing mechanisms to monitor public institutions' implementation of the protocols approved by the government in December 2020, to enforce the right to obtain information, classify, manage and preserve information, and penalize those who do not comply with their application.

- Adopt a new protocol to ensure the quality of the information provided by public institutions.

Section IV: Violations and Impunity

The Violations and Impunity section was rated "restricted," with a total of (77.7) points out of 210. Despite the decline in the reported violations and assaults on freedom of the press in 2021, journalists, in their answers to the freedom of the press Index, indicated that violations have escalated and freedoms regressed. This is why the violations index was rated "restricted," down from 2020, which was rated at the time as "partially restricted."

The most critical violations documented by CDFJ in 2021 were related to media regulations and publication prohibition orders, such as the publication prohibition order in the investigative case Pled by the Higher Council for the Rights of Persons with Disabilities against one of the centers concerned with special cases, the case of "Fitnah/Trial," the teachers' union case, and the lawsuit related to the family of Prime Minister Dr. Bishr Al-Khasawneh.

More than %30 of the respondents in the 2021 index chose a score of "zero" when asked about the impact of detention and imprisonment of journalists on media freedom, which is the worst rating, where a score of "zero" means that the situation is terrible, and a score of (10) means that the situation is excellent. On the other hand, %54, more than half of respondents, believe that detention has significant adverse effects on the freedom of the press.

The opinions of journalists in the brainstorming sessions confirm what the index suggested. «The government and its affiliate agencies, through their expansion in detention in the past years, succeeded in intimidating journalists and making them engage in self-censorship.” The Editor-in-chief of the Jo24 website, Journalist Basil Al-Akour. According to the publisher of Al-Balad News, Journalist Osama Al-Ramini believes that arrests and detention are discretionary powers of the public prosecutor, but now this is legalized under the law; such as the Cybercrime Law.

Regarding the extent to which journalists are subjected to administrative detention by governors, %16.7 of the respondents chose a score of (0), which means that they are administratively detained very often, and %31.3 gave low scores ranging from 1 to 3; indicating that administrative detention has become commonly used against them.

%77.3 of the respondents gave scores ranging from (5-0) when asked if they are often subpoenaed by security agencies due to their work as journalists. These answers mean that security agencies often subpoena them on a large scale and frequent basis. This is a high rate compared to the result of the 2020 index, which was at %71.9.

Journalist Shadi Samhan, the publisher of Amman Joe website, says, "Subpoenas by security agencies continue, and most of them are made by phone. This is another form of interference in media." Journalist Basil Al-Akour explains the non-disclosure of these summons by saying: Security agencies oftentimes form friendships with journalists, and they call them up for a friendly talk. Journalists do not usually disclose such calls for fear of affecting their institutions and thus their livelihoods and jobs. Journalists

also fear losing these beneficial friendships. Regarding prior restraint, %51.4 of the sample gave scores of (3-0), which means that they were subjected to prior restraint through their media institutions' administrations or the frequent and large-scale interference of security agencies. On the other hand, %34 of respondents said they practice self-censorship, a high rate that persisted for ten years; it has not fallen below the %91 barrier in journalists' opinion polls conducted by the Center.

%25.4 believe that law enforcement agencies do not allow journalists to carry-out independent media coverage, while %48.7 believe it is common to be attacked by MPs or unions. %82 believe that the government rarely investigates allegations of violations against journalists, and public prosecutors rarely act on their own to investigate allegations of journalists being violated due to their media work.

%86.5 of respondents believe it is rare for them to seek redress or compensation for the damages they may incur due to their media work when exposed to attacks or violations.

%51.4 of the interviewed male and female journalists believe that government agencies or their affiliates usually carry out defamation campaigns against journalists because of their media work. With reference to the result of the 2020 index, the percentage of respondents who believe this has increased from the 34.5 % rate recorded in 2020.

In this regard, Journalist Basil Al-Akour asserts that "slander and incitement campaigns have become a means of putting pressure on journalists, and that these campaigns are launched against them by the so-called electronic Bies/trolls.»

In June 2021, Columnist Oraib Al-Rantawi was targeted by an incitement campaign and widespread abuse on social media, in addition to accusing him of racism, «insulting the Arab army / the Jordanian army,” and treason. This campaign came on the grounds of publishing an article in the Jordanian newspaper Al-Dustour, titled «The Liberation Organization, from Al-Karama to Saif Al-Quds.” In his article, Al-Rantawi talked about Al-Karama battle in 1968, touching upon the role of the «Fatah» movement at that time and how its insistence on fighting the battle, at a time when other Palestinian factions retreated, had contributed to popular rallying around “Fatah.”

Al-Rantawi’s article was comparing the case of the Palestinian popular rallying around “ Hamas” movement after its role in the last “Battle of Jerusalem” in 2021, with the case of 1968 with “Fatah” movement.

This campaign of incitement and accusation of treason against Al-Rantawi prompted him to resign his membership in the Royal Reform Committee, which Jordanian King Abdullah II instructed two weeks before. This was an attempt by him to put an end to the campaign of electronic incitement he had suffered for a week after he published an opinion piece in "Al-Dustour newspaper."

"I think the campaign of incitement and abuse was organized by parties - he did not specify nor disclose, without justification. For any reader, the article is not in any way offensive to the Jordanian army, and that this campaign was aimed at disrupting the work of the Committee on Modernizing the Political System". Al-Rantawi told CDFJ.

Al-Rantawi indicated that, until the moment of writing this report, he was still suspended from Al-Dustour newspaper without receiving any of his dues. He expressed, “I’m suspended, I’m no longer writing for Al-Dustour, but I haven’t been officially terminated, nor have I received any notification of termination, even after communicating with the newspaper management;” which he described as kind, «However, I do not see any concrete action.»

Al-Rantawi confirmed that the campaign was very harsh, affected him and his family, and created fears of threats and demonization. He expressed his surprise that the official establishment at the time, and even the Committee of which he is a member, did not issue any clarification or statement clarifying the truth of the article.

It is noticeable that there is an increase in the percentage of people who believe that journalists are subjected to sexual harassment in the course of their work. This percentage increased in 2021 to %48 compared to %25.4 in 2020.

Journalist Ohoud Mohsen, Editor-in-chief of the Ahdath Al-Yom website, confirms that «sexual harassment is present in many forms, but it remains to be an untold story.» She said, «I know some female journalists who left the profession because of harassment.» Journalist Basel Al-Akour, however, disagrees with her and explains, “sexual harassment doesn’t live up to a phenomenal pitch, there may be scattered cases, but they are few.”

Recommendations

- The judiciary should prioritize conducting an independent investigation into violations against journalists, and the media, as soon as they become known or published in mainstream media or social media platforms.
- Law enforcement agencies must uphold a declared protocol that guarantees the right of journalists to independent coverage in areas of tension and crisis in a manner that ensures eradication of assaults and violations against them during their coverage of the protests.
- Establish a “freedom of expression violations’ observatory” to document violations, especially those that take place over social media platforms.
- Promote interest in providing assistance and legal aid to victims of violations, male and female journalists, and extend this service to activists who regularly provide information to the public in their blogs or on social media platforms.
- Urge the government to form independent investigation committees to look into claims of violations against the press and male and female journalists.

Section V: Media Independence

Section “V” related to the independence of the media received a “restricted” rating, with a total of (34.9) out of (100) points, a decrease of about 3 points from the 2020 index, which sat at (37.1). However, it remained within the “restricted” rating.

The 2021 Media Independence Index score was distributed to ten questions that examine whether the government supports independent media? Does the government use (advertisements and subscriptions) as a means of interfering with the press and undermining its independence? To what extent does the government interfere in the appointment of editors-in-chief in media outlets? Do the laws and regulations governing mainstream media «public service» preserve its independence? Do the government and its security services give direct or indirect instructions to media organizations on dealing with press coverage?

The questions examine the extent to which publication prohibition orders affect the freedom and independence of the press? To what extent does judicial authorities’ issuance of publication prohibitions affect freedom and independence of the press? To what extent does the government pressure advertisers to choose specific media outlets for their ads? To what extent do government officials give preference to particular media outlets for interviews because of their loyal editorial policies? To what degree do media professionals have the freedom to form multiple unions and associations?

The independence of the Jordanian media has been the subject of extensive research and debate over the past three decades. What has been preoccupying the Jordanian media is the extent of government and security influence on the media, whether through media ownership or soft and coarse interventions.

Journalist Abdel-Wahab Zaghilat believes that there is a conflict of interest between the components of the executive branch of government and its affiliated agencies in dealing with the media. In

principle, we do not have an independent press, as all freedoms are subject to interference under the pretext of political and regional conditions. Governments previously did not interfere with advertisements, he added, but they used to put pressure on the weekly newspapers and were besieging them. He stressed that a policy of preference is at play in favor of some media organizations over others, such as preferring Al-Mamlaka channel over the Jordanian TV.

Journalist Falha Brizat stressed that the government interferes with the media based on multiple pretexts. The government and its security services are not always in agreement regarding the media and its work. Journalist Suhair Jaradat, on her part, confirms what she calls overt and covert government interference with the media to control them. Journalist Saad Hattar believes that the government applies several tactics to interfere with the press through financial support represented by advertisements.

In 2021, the government did not provide any tax exemptions for media organizations, including printed newspapers, nor did it establish a media support fund. The government continues to issue publication prohibition orders. It doesn't allow a plurality of union representation within the principle of "self-organization of journalists," which leaves the only union representative of journalists in its most vulnerable status, having no independence that guarantees the representation of journalists in the Jordanian Press Association's council, as well as having minimal influence.

Due to the mandatory membership, which only recognizes journalists registered in the Jordanian Press Association, anyone who proclaims a journalist status without membership in the Association is rendered susceptible to severe

penalties that could reach imprisonment. These are clear violations of the constitution and the International Covenant on Civil and Political Rights.

According to Journalist Abdel-Wahab Zaghilat, the Jordanian Press Association, similar to other institutions in the public arena, helps within the limitations of its bylaws and regulations and within its capabilities. He believes a new generation in the Association causing many improvements and has established a legal affairs unit, stressing that the government has no tendency to allow journalists to establish associations or have union pluralism in the near term.

Journalist Lana Shaheen believes that the Jordanian Press Association has nothing to offer but rather exacerbates the challenges and difficulties journalists face and does not provide facilities. It actually restricts and makes it difficult to join, noting that there are complications and bureaucratic procedures in accrediting foreign (non-local) media correspondents in the Media Commission.

In contrast, the Minister of State for Media Affairs, the official government's spokesman, Faisal Shboul, affirmed that the government is keen to ensure freedom of opinion and expression within the framework of the law. It must be noted that the process of accrediting journalists in Jordan is regulated through the «accreditation system for correspondents of periodicals and foreign media.» He added this scheme grants facilities to journalists, the most important of which are: exemptions from work permit fees and other facilities provided to journalists regardless of their political orientation, as long as they are compliant with the law and public order. Many news agencies of different political orientations have accredited

offices in Jordan, who receive all the available facilities without discrimination. It should also be noted that the process of accrediting journalists depends on the approval of the Jordanian Press Association, being the body authorized by law to allow correspondents of foreign publications and news agencies to work in Jordan.

Recommendations

- Publication prohibition orders must cease and desist, whether by the government or the judiciary, as such orders contradict the standards of freedom and independence of the press.
- Launch the Independent Media Support Fund, for which an annual financial budget is allocated to assist the media in accordance with declared and transparent professional standards. The fund should be managed by a committee of independent experts.
- The government must cease to exploit governmental and judicial announcements, as well as subscriptions, to undermine the independence of media organizations.
- The government and state agencies must uphold a code of conduct that guarantees fair and impartial treatment and non-discrimination between media organizations.
- Develop policies that encourage citizenry and community-based journalism, reinforcing the principle that diverse independent media is part of the human rights scheme and a safeguard for society to know the truth and participate in policy-making.

- Adopt separate sets of laws for official and public media institutions that reinforce their independence, prevent interference by the executive branch and its agencies, prohibit interference with their editorial policies, where their budgets are not bartered against their independence.

Section VI: Freedom of Expression and Press Online

The section on Freedom of Expression and Press Online was rated «restricted,” with a score of (37.2) out of 100 points, which is a varying section according to the index’s methodology for this year, in which we measure a varying pressing issue.

In this section, ten questions are posed about whether States have guaranteed easy, convenient, and affordable internet access for their people? Is freedom of expression safeguarded online and on social media platforms, and its users are not harassed or prosecuted? Is the Internet safeguarded and protected against control, interference, censorship, or manipulation by the government or any of its agencies? Do Internet operators (telecom companies) carry out their businesses without interference or pressure from public authorities?

Additionally, to what extent are journalists, activists, and users of social media platforms exposed to defamation and incitement campaigns as a result of expressing their opinions online and on social media platforms? Are their accounts on social media platforms and/or their phones hacked? Do users of the Internet and social media platforms practice prior self-censorship lest being harassed and prosecuted?

The questions in this section aim to find out to what extent will the Public Prosecution's announcement of e-patrols for content censorship, in coordination with the Cybercrime Unit, contribute to restricting freedom of expression online? To what extent do the government and its agencies practice "digital tyranny" by directing the so-called "electronic Bies/trolls" to abuse and defame those who disagree with its policies? To what extent do the government and its agencies demand or pressure social media companies to block pages on their platforms?

Some media experts believe that most of the defamation and incitement campaigns are not governmental but rather driven by private entities. Even the attack against some activists on social media, specifically those driven by lobbies and special interest groups, by the so-called "electronic Bies/trolls," are no longer the most popular or the only method of defamation. Nowadays, major institutions and State-owned pages are used for the attacks.

In her perspective, Lawyer and human rights activist Hala Ahed says that many cases of defamation campaigns are governmentally driven against the descent of government policy. Engineer Majdi Qabalin, an expert in cybersecurity, suggests that there are government-driven and individual-driven defamation campaigns, but recently we've noticed fake accounts are being used for defamation and incitement; it is, however, more common to see individual-driven defamation campaigns rather than governmental, noting that in 2013 and 2014, the danger was that official authorities provided some personal account holders with information to lead defamation campaigns against others who oppose the government policies. There are some accounts

belonging to government agencies that act in some cases.

The year 2021 witnessed the blocking of internet service at the sites of demonstrations and protests. The live streaming service was blocked during the incident of COVID19- deaths due to an oxygen outage in Al-Salt Hospital. Furthermore, the "Club House" application was also blocked without any justifications, which forced users to use VPN applications so that they could interact on the application.

Cybersecurity expert Eng. Majdi Qabalin confirms that government contracts with telecommunications companies contain a clause that obliges the latter to comply with any blocking request by the government and its agencies. Technically, monitoring online browser activities is easy through the internet subscription; it's 80% accessible.

Censorship online and on social networks amounted to the government submitting 500 information requests between 2019 and 2020 on individual accounts on the web and Facebook users, as well as censoring content. E-patrols that would monitor social media platforms were also announced, an initiative that was condemned by CDFJ, noting that they would «cause many users to refrain from expressing their opinions, or be afraid to vocalize their criticism.»

According to the Director-General of the Justice Center for Legal Aid, Lawyer Hadeel Abdel-Aziz, the problem lies with the laws that use seemingly vague expressions and terms when speaking of abusive content, and that judicial and administrative detention is one of the violations of internet users' rights. She also believes that

self-censorship among internet and social media users have reached %100.

An expert in digital media, who preferred not to be named, says, «Censorship on social media platforms exists through (RSS) programs, to monitor words or accounts with an artificial intelligence program and keywords. Khaled Al-Ahmad believes that the Internet in Jordan, in general, is monitored.

Issa Mahasneh, Director General of the Jordan Open Source Association, says there are violations and restraints perpetrated against Internet and social media users due to the laws and the vague legal formulations they contain. Government intervention and control over the Internet is not always direct, as there are overt measures such as blocking unlicensed websites, and there are those covert measures of, for instance, blocking apps like Clubhouse.

Majdi Qabalin, an expert in cybersecurity, says that the Internet can be blocked entirely from Jordan through «Hashem» station. Social media accounts and phones can be hacked via smartphone e-mail, text messages «SMS» can be accessed, «Recovery» can be run with a verification code. Accounts are hacked but used under exceptional circumstances.

As a result, this policy led to an increase in the number of prosecutions based on the Cybercrime Law, which led to more detentions and a rise in self-censorship among social media users. Furthermore, the Telecommunications Regulatory Authority decided to block all apps during the high school exams period (June 24 – July 2021 ,15), which prompted Issa Mahasneh to assert that blocking the Internet during high school exams is considered a restraint of Internet

freedom for other users, which is unjustified. In 2021, a scandal surfaced with an Israeli spying company's hacking of 8000 international phones, including 200 Jordanian numbers. The hacking included phones owned by the Royal Court, the Olympic Committee, a former Senator, the CEO of the Jordan Media Institute, human rights activist Hala Ahed, and activist Dima Alam Farraj.


In January 2022, «Access Now» and «Front Line Defenders» had published an investigation titled «No place is Safe: Women Human Rights Advocates Talk About the Pegasus Attacks.» The new Access Now and Front Line Defenders joint investigation revealed that "two women human rights advocates from Bahrain and Jordan had their devices hacked by the use of «Pegasus» spyware, a program of the «NSO Group.» This comes on the heels of what the Pegasus Project revealed about MENA countries' and other governments' use of «Pegasus» spyware to violate human rights and suppress activists and journalists."

Recommendations

- The government must uphold such policies and practices that allow people easy, convenient, and affordable Internet access.

Societal monitoring bodies should be formed to monitor Internet blocking, reducing its speeds, or disrupting its use in a manner that ensures documentation of these violations, to ensure no restriction of the society's right to safe Internet access.

- Introduce legal provisions that criminalize Internet blocking or manipulation by the government or its agencies.



Remove provisions in telecommunication contracts that allow the government to compel Internet telecom providers to block the Internet, reduce speed, or block any services, with a view to ensure these companies carry out their businesses and provide their services independently without interference by the executive authority.

- Form an independent investigation committee to find out and identify hacking operations that target journalists and activists, identify the parties responsible for this, and announce the results of the investigation to the public.