



Media  
Freedom Status  
in Jordan  
2008



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# Change and Support for Press Freedoms Practices, Not Slogans

## Nidal Mansour<sup>1</sup>

Two royal positions have been reflected with regard to media issues in 2008. Those positions need to be further examined providing their significance and potential impact on press freedoms in Jordan.

In the first instance, His Majesty King Abdullah II presented an initiative to setup a designated fund in support of provision of professional training for media practitioners during a meeting with the President of the Press Association, Abd-al-Wahab al-Zugheilat.

This initiative was preceded by his majesty's strong criticism of the use of the media to spread rumors and defaming individuals. His Majesty's critique came during an interview he gave to the official Jordan News Agency (Petra). During this interview, the King emphasized: "I am extremely shocked and dismayed at the low level of debate taking place among the elite as well as media circles."

The second instance was his Majesty's decisive statement that "detaining journalists is a red line...and [detention of journalists] must not be practiced."

In the two instances, his majesty's remarks are indicative that the Jordanian media landscape encounters challenges and still requires the will and the necessary decisions to move forward and stabilize. Although the king's directives have inspired an atmosphere of optimism, yet it's certain that they do not provide a magical solution that would change the current status quo, unless they were accompanied by practical steps on behalf of the government to promote press liberties and societal initiatives to transform into effect the slogan "the sky is the limit of press freedom".

The fact is that press freedoms in 2008 remain unchanged, with some advances and setbacks here and there. In the press freedom status reports for the years 2006 and 2007, we said that "press freedom is a standstill" but some cast doubts on this characterization,

contending that it was inaccurate. Today, figures from the media freedoms status survey and the complaints that have been tracked once again reveal the same old facts, most prominent of which are the following:

1. Legislation continues to constraint press freedoms.
2. Violations are continuing unabated, foremost of which is the detention and apprehension of journalists, government's interference, as well as withholding information and denying access to it.
3. Government's interference continues although its manifestations have receded.
4. Self-censorship exercised by journalists themselves remains very high and is not connected to professional reasons in most instances.
5. Confusion and absence of strategic planning continue to dominate the government's policies in handling the media file.

Obviously, journalists are not satisfied with the status of press freedom and are generally frustrated as they emphatically said in their answers that the overall picture has not changed and that the decisions and measures that have been taken did not affect the status of press freedoms in the kingdom.

Ten years after the establishment of the Center for Defending Freedom of Journalists and seven years after the release of the Center's first press freedoms status report, we reiterate that press freedoms cannot be improved through slogans, but rather through practical measures on the ground that have to be accepted as is.

Making an achievement in the press freedom arena is not the sole responsibility of the government and its affiliate agencies; rather, it's equally the responsibility of the

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parliament, judiciary, and the society as well. More importantly, it is journalists' responsibility where they have to struggle in defense of their rights and the people's right to know and to realize that the price for this freedom is costly.

The press freedoms status report is in your hands. We'd like to thank all those who

contributed to it and those who cooperated with us. We look forward to hearing your comments in order to further develop it and enhance its credibility. We hope that our collective efforts will yield further support for the press freedoms which are a key foundation for reform and democracy.



# Introduction

The 2008 Press Freedoms Status Report sheds light on the current status of press freedoms in Jordan with all their dimensions and seeks to uncover the progress that has been made down this road as well as the obstacles standing in the way, if any.

To this end, the report adopted different methodologies to analyze the status of press freedoms in the country, starting with a survey of the journalists' opinions and assessment of press freedoms as well as the problems facing them. This is in addition to tracking and documenting the complaints received by the Center for Defending Freedom of Journalists or monitored by the Center in the media or through the documentation forms that have been distributed to a large number of journalists to learn about the problems they faced in 2008. The report also relied on the studies that seek to answer the profound questions to issues that have for long preoccupied journalists.

For this year, we selected two studies: the first deals with self-censorship exercised by journalists in Jordan, especially after opinion polls have revealed that it's increasing at an alarming rate. The second study deals with the phenomenon of bloggers in Jordan and the increasing role of journalist citizens within the electronic media revolution.

The report did not forget to shed light on the status of media legislation in Jordan for the year 2008.

The 2008 Press Freedoms Status Report was divided into the following sections:

**First: Journalists' Opinion Poll:** 512 journalists took part in this survey which included a questionnaire that consisted of 157 questions and aimed to identify the following areas:

- To what extent are journalists satisfied with the status of press freedoms?
- What do journalists and media people think of the performance of the official media organizations?
- What were the violations that occurred

in 2008? And what do the polled journalists and media people think of them?

The survey was conducted by a specialized team of independent researchers after sharing the questionnaire form with experts for input and validity check.

**Second: Complaints:** The center has been committed to exert maximum efforts to document and track the complaints and violations of journalists' freedom in a bid to institutionalize this effort. This mission was assigned to the Media Legal Aid Unit (MELAD). The unit's staff earlier received training on the mechanism of tracking and documenting complaints and violations. In its effort to track journalists' complaints, MELAD followed the steps outlined below:

1. Receiving complaints directly from journalists who face problems through filling out a form especially designed for this purpose.
2. Monitoring the problems and violations which faced journalists in their work and which are reported in the media.
3. MELAD has created a new tool for monitoring such violations through tasking a number of colleagues with contacting journalists who work for media organizations and asking them via documented questionnaire forms if they faced any harassment or restrictions while exercising their profession.
4. A lawyer who was commissioned by MELAD reviewed all complaints forms to verify them and identify the information that still needs to be completed with the assistance of a journalist.
5. The opinion poll that was completed by the Center and included in the 2008 Press Freedoms Status Report; has revealed instances of detention, denial of freedom, and harassment that were mentioned by journalists in their answers in the questionnaire but were not reported in the complaints receive

by MELAD or in the media.

6. After identifying the complaints, the center addressed letters to the official and public institutions that were connected with the problems that faced the journalists and asked them to respond to the complaints within 10 days to publish their views in the report.
7. MELAD has documented the responses it received to the complaints in the report in an attempt to achieve balance in presenting views and counter-views in the final report.
8. In 2008, the Center for Defending Freedom of Journalists was keen on making statements when journalists faced any problems or restrictions or pressures. Those statements were included in the context of documenting the complaints.

**Third: Status of Media Legislation:** This section tracks the most significant changes that media legislation witnessed in 2008. The report seeks to uncover whether the progress that was made in this regard has contributed to increasing the margin of press freedoms or whether new restrictions have been imposed. The report presents conclusions and suggestions concerning the Press and Publication Law, the Right to Access Information Law, as well as the Audio-visual Media Law. The report, which was drafted by Muhammad Qutaishat, director of MELAD, cites examples and cases of imposing restrictions on the press freedom, such as the circular issued by the prime minister on 13 February 2008 numbered 11-1-2776 prohibiting any government employee from contacting the press to communicate information or financial or administrative breach in any governmental body to the media. The report also includes an in-depth discussion of the restrictions imposed on the right to access information. In addition, the report discusses His Majesty King Abdullah's directives banning the detention of journalists and the legislations that need to be amended to accommodate the royal orders.

The report also tackles public broadcasting status citing the Jordan Radio and Television Corporation as a model and sheds light on the management, ownership, funding, and independence and also discusses the rules regulating the licensing of privately-owned TV and radio stations.

The legislation section also includes information about the Media Legal Aid Unit (MELAD) and its role in defending journalists.

**Fourth: Media Studies:** The results of the 2007 poll which revealed that 94% of journalists exercise self-censorship have raised wide controversy over this figure and the reasons behind it. This controversy has prompted the Center to select self-censorship exercised by journalists as a key angle of its study.

For this reason, the Center has organized a brainstorming session attended by several journalists to put this problem under the spotlights. Journalist Muhammad Salamah was tasked with reviewing and editing the session and conducting direct interviews with a number of colleagues to explore the dimensions and implications of this phenomenon. The Center also tasked the media researcher Muhammad Husayn al-Najjar with preparing the study with its domestic, Arab, and international dimensions.

In light of the fast-paced and considerable development of electronic media and its impact on the society, the second study was devoted to the phenomenon of blogging and the increasing role of what is known as "citizen journalist."

The study aimed to present a panoramic view of the current status of Arab blogs with a special emphasis on the Jordanian experience which achieved increasing progress last year. The study, which was prepared by Samih al-Mahariq, discussed how the official authorities view blogging as well as attempting to summarize the physical and indirect harassment facing bloggers. The study also included key recommendations to entrench the culture of blogging and its media role.

# Executive Summary



# Executive Summary

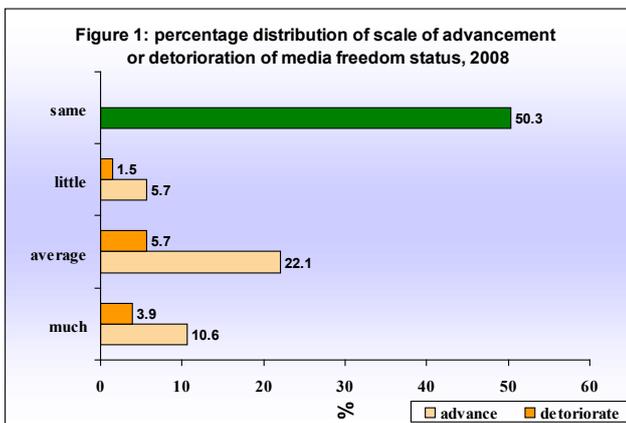
## First: Journalists' Opinion Poll

The opinion poll prepared and implemented by the Center for Defending Freedom of Journalists with regard to the status of press freedoms in 2008, with the participation of 512 journalists has again revealed that 94% of the polled journalists exercise self-censorship; which is the same percentage reached in the 2007 poll and which raised wide controversy in the media circles at the time.

The opinion poll re-affirmed that most journalists in Jordan believe that the current status of press freedoms has not changed despite statements on supporting freedoms and reform.

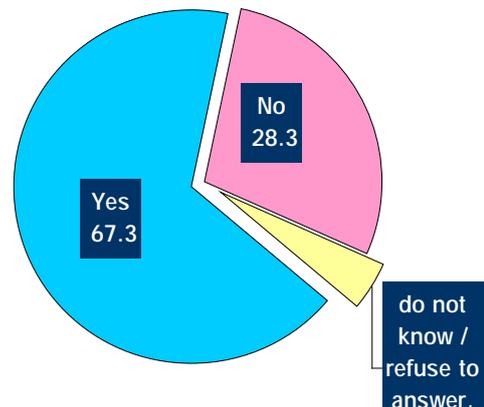
Although the poll included some indications pointing to relative improvement and progress in the media landscape in comparison with the results of the 2007 poll, especially with regard to journalists' view of legislation and its impact on press freedoms and the drop in the number of journalists who face interference in their work; the overall picture does not evoke optimism. It seems that the status of press freedom remains at a standstill.

Fifty percent of the polled journalists said that the press freedom status has not changed, while 38% said that it achieved progress and 11% believed that it encountered setbacks. Approximately 57% described the status of press freedom as moderate and good, compared to only 5% who said it was excellent. Those figures once again show that journalists' view of press freedom has relatively improved compared to 2006 and 2007.

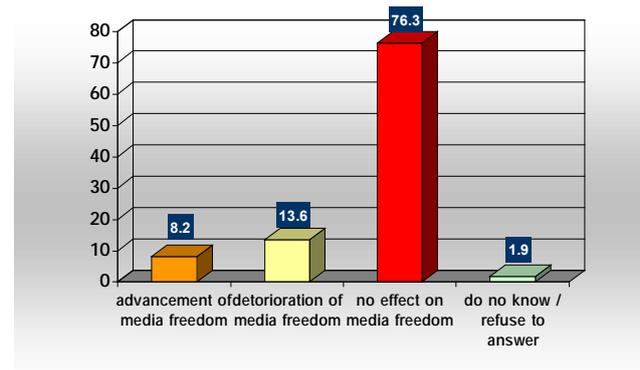


Twenty percent of the polled journalists said that they continue to face pressures and interference in their work, notwithstanding the fact that this percentage has been on the decline over the past years and recorded 28% in 2007.

Ironically, the polled journalists believed that government's interference in the media has increased in recent years and reached 68% in 2008 according to the poll, compared to less than 8.5% in 2004.

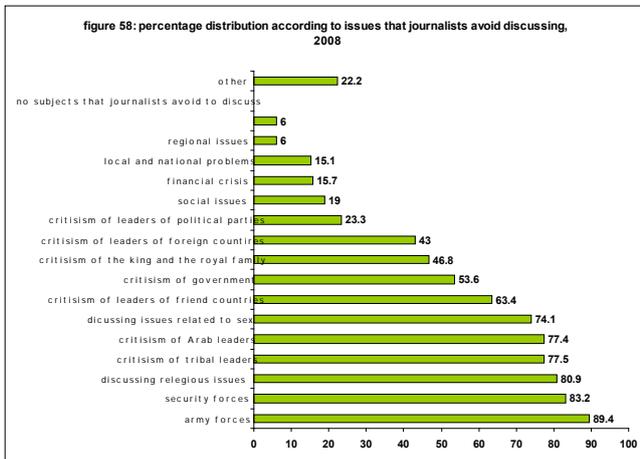


Moreover, 76.3% of the journalists believed that canceling the Higher Media Council had no effect on press freedoms, while 67% said that creating the position of Minister of State for Media and Communication Affairs is a step toward reviving the Ministry of Information.



In addition, 98% of the polled journalists said that on top of the issues that they would mostly avoid discussing and cause them to exercise self-censorship is everything related to the armed forces. Criticizing the security agencies ranked second at the level of 83%. In the same context, 81% said they avoid discussing

religious issues, 78% said they avoid criticizing tribal leaders, 77% said they avoid criticizing Arab leaders, 74% said they don't discuss sex issues, 63% said they prefer not to criticize leaders of friendly countries, and 54% said they avoid criticizing the government.



The questionnaire included 157 questions discussing journalists' views and positions toward press freedom issues in Jordan with all its dimensions. In this poll, we have taken measures to overcome the problems and difficulties which faced the research team last year, especially when answering the open-ended questions. The latter were replaced with closed questions based on the results of the polls conducted in previous years.

Responding to developments in the media landscape, new questions have been added to the poll. Those were related to some events that took place in 2008, such as canceling the Higher Media Council and the Jordan Media Center and His Majesty King Abdullah's directives banning the detention of journalists and the impact of the royal directives on the status of media profession.

The sample of this survey included 1,200 journalists. The survey covered journalists registered in the Press Association's records and others who are registered with the Center for Defending Freedom of Journalists and who are not members in the Press Association until the date of conducting the survey between 23 February 2009 and 13 March 2009.

The percentage of journalists working in the

private sector from among the participating journalists reached 75.8%, while journalists working for state media organizations accounted for 24.2%. Male participants accounted for 76.7% compared to 23.3% female journalists of the polled sample.

The polled journalists were divided into two categories: The first comprising those journalists who work for the public sector and the second comprising journalists working for media organizations in the private sector.

The design of the survey sample was based on stratified random sampling, whereby the sample of the study was distributed to the two categories in a manner commensurate with the size of each category of journalists.

Some amendments were made to the weights of the survey because of the lack of responsiveness by some journalists in addition to other problems such as wrong phone numbers or non-existence in service.

Data was gathered through telephone. The concerned team members trained researchers who have a proven record on collecting data using this method without bias or insinuation in answers to ensure accuracy and validity of the given information. In addition, a smaller team of researchers were trained to review the questionnaire forms and make sure that all data for all applicable questions have been filled out, coded, and then entered into a computer. The final stage included an analysis of the data collected in the survey, and the final results were extracted to be used for the purpose of this report.

The age groups of the polled journalists included 33% aged 35-44, which represents the group of journalists who began to accumulate experience in the media profession in principle. Approximately 30% of the polled journalists were less than 35 years old, which is the age group of journalists who are most efficient and capable of carrying out follow-up activities. This percentage included both male and female journalists, but the latter were more, which could mean that female journalists in the young age group are more than male journalists. The

long-standing journalists and media people (those above 55) with long experience in the press profession accounted for 18% of the total number of polled journalists.

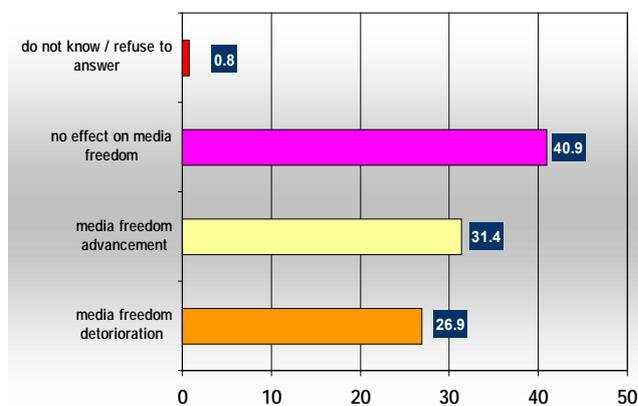
As for the academic qualifications of the polled journalists, it was noticed that two thirds of the journalist, namely 64%, have BA degrees. This percentage varied between male and female journalists (59% for male journalists and 79% for female journalists). This could be attributed to the fact that media organizations have begun to give preference to universities' graduates, especially in view of the diversity of majors that contribute to the media industry. Over two thirds of the polled journalists have degrees in press and media. A total of 13% of the polled journalists are holders of degrees below university education.

The cumulative experience in the field of press and media is one of the key traits of a good and distinguished journalist. It was noticed that over one third of the polled journalists, namely 36%, has between 10 and 19 years of experience in the press domain. Those who had between one and nine years of experience in this domain were 33%. Those with over 20 years of experience were 31%. In the group of journalists with long experience in this domain, male journalists accounted for 37% compared to 8% for female journalists and this could be attributed to the fact that female journalists joined this profession much later than men.

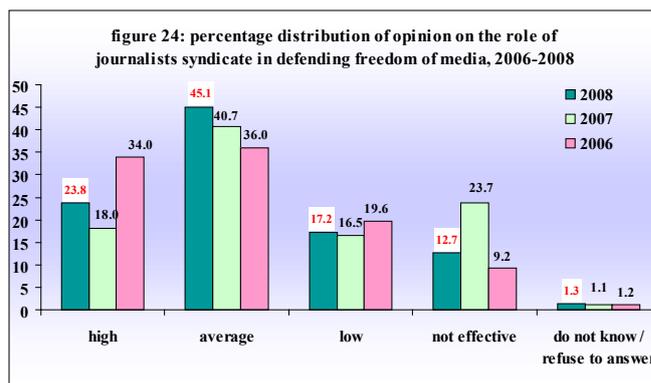
The sample also included members of the Press Association and other journalists, and it was noticed that the polled journalists who said that they are members of the Press Association were 67%, compared to 33% who said they were not members of the Press Association.

As for the results of the survey, 41% of the polled journalists believed that media legislation did not affect press freedoms. Hence, we see a drop in the negative assessment of the role of media legislation in press freedoms. In 2007, 39% of the polled journalists said that legislation imposed restrictions on press freedoms. This change could be attributed to the recent amendments to the existing legislation with positive impact such as the right to access

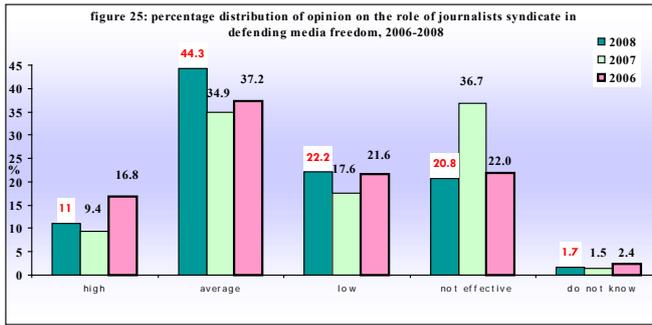
information law and the calls for reviewing all legislations that impose restrictions on journalists and preventing the detention of journalists so that those legislations would be in compliance with the international standards in this regard.



As for the role of the Press Association in defending press freedoms, the indicator has showed some progress by 60%. Approximately 45% of the journalists said that the Press Association plays a moderately effective role in defending the press freedom, while 23% said it plays a considerably effective role. However, 17% said that it plays a slightly effective role in defending press freedoms and 13% of the polled journalists believed that the Press Association has no effective role at all.



In the opposite direction, the professional role of the Press Association is still limited as 21% of the journalists do not believe it is playing a role at all, while 44% said it plays a moderately effective role.



On another front, the contribution of the privately-owned TV and radio stations in promoting the level of press freedoms reached 38.5%, while 35% of the polled journalists believe that those stations did not contribute to promoting press freedoms. The privately-owned radio stations have scored a better result in its contribution to promoting press freedoms than the privately-owned TV stations with a percentage standing at 54.8%.

With regard to the detention of journalists in media-related cases, we find that three journalists were detained in 2008. We also find that the percentage of the detention of journalists between 2004 and 2006 was consistent, but this percentage dropped to 1.6% in 2008. As expected, all those who were apprehended work for the private sector.

The poll also showed a huge gap in the view of those who work for private sector media organizations compared to those working for public sector media organizations in all of the issues that were raised. An example in point is that 94% of the media people working for the private sector believe that the status of press freedom in Jordan is low, compared to only 6% of the journalists working for the public sector who believe so.

Eight percent of the polled journalists said they faced trial on issues related to their profession. As for the parties that filed lawsuits against them, 55% said they were ordinary citizens while 48% said they were government officials. Libel and defamation cases came first in the charges that were pressed against those journalists, with a percentage totaling 86%, followed by lack of balance and objectivity in breach of the Press and Publication Law with

a percentage standing at 25%.

The study also showed that those who stood on trial and were issued a non-final verdict reached approximately 31%. 63% of them said the ruling that was issued against them was financial fine, while approximately 13% said the ruling issued against them was lack of responsibility, or acquittal, or fine with imprisonment.

Regarding the government's interference in the media; over two thirds of the polled journalists said they believe that the government interferes in the media. This result shows that the journalists are not convinced with the government's promises and practices that it does not want to interfere in the media. The most significant part about this indicator is that 73% of the media people believe that this interference contributed to lowering the ceiling of press freedoms in Jordan.

As for the advertising companies and their interference in the policies of the media organizations, around 86% said these companies have a role and impact on the policies of the media organizations.

Concerning the Jordanian newspapers coming under prior censorship, around 50% said that Jordanian newspapers are censored. The Jordanian weekly "Al-Majd" is the newspaper that was subject to the highest censorship with a percentage of 10.7% according to the polled journalists.

The media freedom indicator for the Jordan Radio reached 43.7%, contrasted to 38.7% for the Jordan Television. Based on this result, the Jordan Radio comes ahead of the Jordan Television in terms of freedom. 30% of the respondents said that the Jordan Television does not enjoy freedom at all.

The media freedom indicator for the Jordan News Agency, Petra, which stood at 49.8%, is better than the media freedom indicators of both the Jordanian Radio and the Jordan Television. Approximately 40% of the respondents said that Petra has moderate freedom, while 25% said it enjoys freedom to a

large extent and 19% believed that Petra does not enjoy freedom at all.

The survey also showed that 26% of the polled journalists believe that the government blocks some electronic websites, while 54% said they do not believe so.

Asked about the websites that the government blocks, approximately 24% mentioned “Arab Times” and around 23% mentioned “Ammon News” website.

## **Second: Complaints**

The Legal Media Aid Unit (MELAD) of the Center for Defending Freedom of Journalists, has given due attention to tracking and documenting the complaints filed by journalists and the violations committed against them in 2008.

MELAD has managed to document and track 33 complaints that included 47 violations of journalists’ rights, which means that the complaints include reference to several problems such as ban of coverage and denial of freedom at the same time.

The 2008 report reflects a drop in the number of complaints that were tracked in 2007. The most common complaints tracked by MELAD in 2008 was the denial of freedom followed respectively by threat, harassment, ban of coverage, electronic piracy and assault, detention, labeling as infidel and banning from publication and issuance.

In 2008, MELAD developed its mechanisms for following up, tracking, and documenting journalists’ complaints. By the end of the year, it distributed an information form to 300 journalists asking them if they faced any problems or restrictions in their work. The forms revealed a number of complaints and problems facing many journalists which were not monitored by MELAD or reported by the media.

It could be said that the policies of revealing the problems and restrictions facing journalists have relatively improved, but the opinion poll conducted by the Center and published in this

report showed that those who faced problems, restrictions, and pressures include a number of 100 journalists. This clearly shows that a large number of journalists prefer not to talk about the interference in their work and the pressures they face to avoid any problems resulting from reporting such information.

Despite the training on the mechanisms of tracking and documenting complaints and violations in which the lawyers of the Legal Media Aid Unit participated, yet it is difficult so far to say that we are doing everything possible from a procedural standpoint to verify those complaints and to reach a conviction that those problems, acts of harassment, and complaints can be safely characterized as violations. This is attributed to several reasons, most notably of which are:

- The Center has no legal jurisdictions or mechanisms to investigate and verify the validity of the complaints it receives so that it can confirm that violations have indeed occurred.
- Many journalists prefer not to give detailed information about what they suffered. They suffice by providing generic information that is not enough for verification and some information lack accuracy and circumstantial details, which prompts us to sideline some complaints as they lack objectivity, accuracy, and credibility.
- Although the official and public authorities have thankfully responded to the complaints we forwarded to them and sent us clarifications for what happened, yet a review of these responses clearly reveals that they generally seek to justify and defend what happened while asserting respect for and cooperation with the media. In addition, those authorities probably did not conduct adequate investigation into the complaints that have been forwarded to them in order to reach conclusions and build policies that prevent the recurrence of what happened, which by the end of the day means that joint cooperation to

investigate those complaints has not been quite satisfactory.

- Some journalists still confuse violations with the administrative problems that they face during their work or even with some personal problems which have nothing to do with their media profession. Those journalists seek to push those incidents to the limelight as if they were violations committed against them.

The bottom line is that the issue of documenting complaints and violations and the verification mechanisms will continue to be an issue of concern to the Center for Defending Freedom of Journalists. Regardless of whatever methodologies and mechanisms MELAD would develop to reach the highest levels of accuracy, the cornerstone remains to be the journalists themselves. The responsibility of reporting these violations when they happen rests with them. By the same token, the government and its institutions as well as the public organizations must guarantee the journalists' right to access information without hindrances and bring to account anyone who imposes restrictions on, or violates the journalists' rights.

The complaints that MELAD has received and documented are varied. Following are some samples of the problems which could probably give an idea about the problems facing journalists:

### **Threats and Harassment:**

#### **15 January 2008 – 21 January 2008**

Imad Hajjaj, a featured cartoonists with the Jordanian daily Al-Ghad, said in a complaint he forwarded to the Center for Defending Freedom of Journalists on 13 February 2008 that he was the target of threats and harassment twice following the publication of two caricatures on 15 January 2008 that depicted the lifting of subsidies on basic commodities and on 21 January 2008 depicting Israel's cut of power supply to the Gaza Strip, in which Gaza was depicted as a Palestinian woman crucified

on an electric post. Hajjaj summed up his complaint saying: "I came under a relatively organized campaign from religious extremists who labeled me as infidel and urged repressive measures against me to shackle my freedom of expression in cartoons."

With regard to the first cartoon, Hajjaj said in the complaint he forwarded to the Center for Defending Freedom of Journalists that "the cartoon included a comment by the cartoon character Abu Mahjoob in which he said: "It seems lifting subsidies has reached heavens." Hajjaj added that this comment "infuriated some commentators who posted their comments on the electronic website of Al-Ghad and said that the cartoon was offensive to God. I did not think it was out of the ordinary to receive such angry comments from people with religious backgrounds, and I am used to them in my personal website. However, things took a different course afterwards when the newspaper received an outpouring of phone calls and written requests asking me to apologize for the cartoon because it constituted an affront to Islamic beliefs, and I refused to apologize or even respond to such accusations because I considered this as a retreat on my part in the face of a fabricated case. The newspaper published some angry responses which included accusations of things I did not say or mean because the cartoon discussed a purely economic issue that has to do with the living standards of the ordinary citizens."

As for the second cartoon, Hajjaj said: "I published a political cartoon about Israel's decision to cut off power supply to the Gaza Strip in which Gaza was depicted as a Palestinian woman crucified on an electric post with no wires. The crucifixion is a caricaturist simile that stands for Israeli repression of the Palestinian people. This simile was used in my previous cartoons and in other cartoons by Arab cartoonists such as Naji al-Ali for example. However, some commentators and readers created a new commotion which for me seemed connected with the previous crisis. One of the readers threatened the editor in chief to file a lawsuit against the newspaper if I do not apologize for the cartoon. Once again, the newspaper published angry reactions by

Christian readers and clergy in which they accused me of offending the holy symbols of Christianity.”

The daily Al-Ghad published on 13 February 2008 an article by the then chief editor and journalist George Hawatmeh in which he said: “This attack coincided with two attempts to coerce the freedom of expression and was initiated by extremist religious parties against the backdrop of cartoons published by our colleague Imad Hajjaj. It’s noteworthy that one of the two parties was Muslim while the other was Christian.”

### **Ban of Coverage: 27 February 2008**

On 3 March 2008, “Radio al-Balad” station forwarded a complaint to the Center for Defending Freedom of Journalists signed by the station’s chief editor Sawsan Zaydah in which she said that the “studio employees at the House of Representatives cut off the transmission feeding ‘Radio al-Balad’ on 27 February 2009, thus preventing us from broadcasting the parliament’s session.” In her complaint, Zaydah said that “our correspondent to the House of Representatives Hamzah al-Su’ud asked them about the reasons why they cut off the transmission and they responded: We received orders to this effect from the general secretariat.” She added that the correspondent asked the secretary general of the House of Representatives who responded: “We’ve filed a lawsuit against Amman Net and the case is currently being investigated by the public prosecutor upon the request of 30 deputies against the backdrop of publishing a comment on Amman Net on 29 January 2008 in which the writer described the House of Representatives as “a house of animals.” It’s worth noting that Amman Net is the official website of “Radio al-Balad” station.

Zaydah continued: “Since then, we contacted and met with a number of deputies in an attempt to clear the situation, especially since the commentary was posted by a reader and did not represent the website or the radio station and that the comment was published

automatically and we did not see that it was posted on the website. Once we spotted that comment, we deleted it and apologized for the deputies and expressed readiness to publish an official apology.” Zaydah added that “the main problem lies in linking the deputies’ objection to the comment and filing the lawsuit against us with our right to broadcast the session on our radio station.”

For his part, the secretary general of the House of Representatives Fayiz al-Shawabkeh sent an official response with four points on 30 March 2009 to the complaint filed by “Radio al-Balad” to the Center for Defending Freedom of Journalists. The response included the following four points:

First, “Radio al-Balad” earlier submitted a request to the House of Representatives asking to broadcast the session of the house live, and the house approved the request out of its belief in the importance of media in all walks of life and in its effective role in the democratic process which Jordan has been following. We affirm that the House of Representatives is open to the press and media and offers all facilities to enable them to do their work as fully as possible and in a smooth and easy way under all circumstances.”

Second, the House of Representatives received a report from the Engineering Directorate Monitoring Office which is affiliated with the Audiovisual Commission about “Listeners’ Messages and Comments,” a program broadcast by Radio al-Balad which is owned by David Kuttab and Partner Co. The program, which is presented by anchorwomen Hanin al-Ramahi and Nour al-Amad, was broadcast on 3 February 2008 and included libel and defamation of the House of Representatives and described the house as a house of animals, in violation of Article 20/L of the Audiovisual Media Law Number 71 for the year 2002 and Article 15 of the License Agreement signed with the radio station in addition to article 6/3 and 6/2 of the Regulations of Commercial Programs, Announcements, and Advertisements Number 1 for the year 2006.

Third: The head of the Audiovisual Commission

addressed an official letter to the public prosecutor number Ad/459 in which he asked him to take the appropriate legal measures that are proportionate to the violation.

Fourth, since Radio al-Balad committed an action that directly offended the House of Representatives by describing members of the House as the House of animals, which constituted a flagrant offense not only to the House of Representatives but also to the Jordanian people who are represented by the House, and since the head of the Audiovisual Commission has filed a penal lawsuit against Radio al-Balad for committing several violations of the Audiovisual Media Law including the offense of the House of Representatives and sent a request to the Minister of State for Media and Communication Affairs to suspend the transmission in sync with the referral to the judicial authorities, it has been decided not to cooperate with the radio station, and thus transmission from the House's studio was stopped because it's illogical to give facilities and dedicate technical resources to a radio station that offends the prestige of the house and its dignity as well as the dignity of its members.

It's worth noting that the Legal Media Aid Unit, MELAD, has taken lead in defending Radio al-Balad against the charge that was filed against it before the court.

### **Denial of Freedom and Ban of Coverage: 15 April 2008**

Journalist Hisham al-Adaylah who works for the daily newspaper Al-Ghad faced an instance of denial of freedom, and his camera and mobile phone were confiscated according to a complaint he forwarded to the Center for Defending Freedom of Journalists.

In his complaint dated 16 April 2008, Al-Adaylah said: "There was a homicide and the family of the slain began to assemble. A police captain pointed his gun at one of the family members, and they engaged in an altercation when we began filming. Afterwards, the police

saw me and took my camera. I talked to the police officer who refused to talk to me. In addition, they took my mobile phone and took me to the police vehicle, and they didn't allow me to keep the pictures that I've taken and destroyed the camera film."

Al-Adaylah added: "I was not physically or verbally abused, but I was treated harshly. I was then detained at the police commander's office before they apologized to me. They justified this by saying that I should have filed an official request because there was a homicide." He noted that he showed his journalist ID to the policemen.

Al-Ghad published on 16 April 2008 a short report about this incident under "zawarib" corner in which it said that "the security agencies whose members were extensively deployed in front of Al-Karak State Hospital which received dozens of injured inmates following the riots that broke at Suwaqa Correctional Facility confiscated Al-Ghad camera while trying to take pictures of injured inmates who were transferred from the prison to the hospital." The report added that "the same security agencies destroyed the pictures that were taken by Al-Ghad and returned the camera shortly afterwards. The agencies justified what it did by saying that there were no instructions permitting filming that incident."

For his part, Major Muhammad al-Shra'ah, acting chief of the Gendarme Forces, sent on 29 March 2009 a reply to Al-Adaylah's complaint which was earlier forwarded by the Center for Defending Freedom of Journalists to the General Directorate of the Gendarme Forces. Major Al-Shra'ah's reply included three points as follows:

1. I'd like to inform you that the alleged complaint mentioned in your above letter occurred over a year ago. During that time, the Gendarme Forces were part of the Public Security Directorate, which makes it impossible to investigate the allegation made in this complaint, especially since it occurred a long time ago. In addition, while carrying out their security duties, the Gendarme

Forces focus their efforts on bringing the situation under control especially in relation to large-scale fights which have tribal backgrounds.

2. The General Directorate of the Gendarme Forces seek to maintain distinguished relations with all media outlets out of its conviction that its relations with the media are based on partnership that serves the supreme interests of the country, represented in maintaining the security of the people and homeland. Hence, the General Directorate of the Gendarme Forces does not hesitate to question any member of its forces if it has been proved that he does not respectfully deal with all segments of the society including journalists and media people.

In his third point, Al-Shra'ah noted that the Media Office at the General Directorate of the Gendarme Forces "has not received any complaint to this effect whether in person or in writing or by telephone."

### Electronic Piracy: 26 April 2008

The Media Office of the Muslim Brotherhood in Jordan issued a press statement on 26 April 2008 in which it said that "unidentified parties have targeted the Brotherhood's website for over a week now and damaged its content. Those parties are preventing any attempt to update the website in a pre-planned and organized act of piracy which has been verified through several technical methods. Despite the efforts that have been made by IT experts, it was difficult to restore the website as it was before. The same act of piracy targeted the website of the Islamic Action Front a few days ago."

The statement condemned "this hateful conduct and violation of the freedom of expression, which reflects a non-civilized, aggressive, and rabid mentality." It called on the security authorities to officially monitor and put an end to this practice which constitutes a breach of the security of the homeland and

its citizens and their rights as enshrined in the constitution."

### Threat and Harassment: 14 May 2008

Journalist and director of the Maraya News website Umar Kullab forwarded a complaint to the Center for Defending Freedom of Journalists in which he said that he was threatened and harassed by Jordanian MP Nariman al-Rousan against the backdrop of an article he published in the weekly newspaper Al-Hadath and Maraya News website under "Basim Awadallah: The Shadow of the Place and the Assassination of a Human."

Kullab said "after publishing an article titled 'Basim Awadallah: The Shadow of the Place and the Assassination of a Human,' MP Nariman al-Rousan told Ijbid News website that she will ask the interior minister to reveal the circumstances behind granting me the Jordanian citizenship and described me as rotten and racist and asked the interior minister to withdraw my Jordanian citizenship as she put it."

Al-Balad News website on 15 May 2008 published a news report saying that "MP Nariman al-Rousan said she is going to do everything she can to demand withdrawing the Jordanian citizenship from Umar Kullab against the backdrop of an inflammatory article he published on the Maraya News website under 'Basim Awadallah: The Shadow of the Place and the Assassination of a Human' in which he defended Dr. Basim Awadallah, chief of the Royal Court, who came under a fierce attack and unprecedented harsh criticism by some MP's."

The news report added: "Kullab did not suffice by defending Awadallah but also attacked some deputies who criticized him by name during a stormy session held recently which prime minister attended. Al-Rousan took Kullab's defense as being directed against her. Following this, she launched a fierce attack on Kullab and described his article as rotten and racist and threatened that she was going to send a memorandum to the interior minister to reveal the circumstances of granting him the

Jordanian citizenship three years ago. She said that granting him the Jordanian citizenship to the exclusion of the Gaza citizens was within the context of corruption. Al-Rousan asked the official authorities to strip Kullab of his right to the Jordanian citizenship and that she will go ahead with the procedures of sending an official letter to the interior minister to this effect. Commenting on Al-Rousan's inflammatory statements, he said that "for me, Jordan does not mean a passport. Jordan is bigger than anything else. It's loyalty, commitment, skies, and air."

The Center for Defending Freedom of Journalists on 19 May 2008 issued a press release in which it "expressed its deep concern and rejection of MP Al-Rousan's call for withdrawing the Jordanian citizenship from Kullab against the backdrop of an article that was published in Al-Hadath and republished in electronic news websites." The Center stressed in its statement that "citizenship and constitutional rights are issues that cannot be tampered with or encroached upon," noting that "views should be countered with views, not by threats."

### Electronic Piracy: 2 October 2008

The "Fact International Group" issued a press release on 2 October 2008 in which it said "minutes after announcing the test transmission of the Fact International Radio Station, unidentified authorities, that are believed to be closely linked to the Zionist state and those who support it, hacked the official website of the group and the website of the radio station, [www.factjo.com](http://www.factjo.com), which led to hacking the website and stopping the radio transmission." Dr. Zakariya said in a complaint he forwarded to the Center for Defending Freedom of Journalists that "we earlier received death threats via email after we launched the campaign dubbed as God's Messenger Unites Us."

He added that "afterwards the main server of Fact International was attacked and [we] had to re-design the website. We asked the

government to intervene until it managed to identify those who attacked our electronic website."

For its part, the Center for Defending Freedom of Journalists issued a statement on 5 October 2008 in which it denounced the electronic piracy that targeted the electronic website and the radio station of Fact International. The Center expressed its solidarity with Fact International, noting that electronic piracy is a crime against the freedom of expression and against the media. Nidal Mansour, director of the Center for Defending the Freedom of Journalists, said that "we condemn the attack on Fact International Group and consider it a violation of the media freedom and the right of media organizations to present their views without restrictions."

### Threats, Libel, and Denial of Freedom: 15 October 2008

Journalist and writer Islam Samhan asked the Media Legal Aid Unit which of the Center for Defending Freedom of Journalists to defend him after a lawsuit was filed against him by the Kingdom's Mufti, Shaykh Nooh al-Qudah, who accused him of being infidel and anti-Islam after publishing a poetry collection under "As Agile as a Shadow." In the complaint which Samhan forwarded to the Center on 16 October 2008, he said "there was incitement against him and accusation of infidelity, noting that the Chief Judge; His Eminence Ahmad Hulayyil; described his collection as offensive to the Hashemite prophetic legacy and must therefore be stopped."

He added that "a few days later, the Muslim Brotherhood issued a statement attacking me and calling for taking punitive measures against me," noting that he was surprised when a lawsuit was filed against him while participating in a conference in Thailand and accused him of fleeing the country. He also said: "The publisher of the collection, Jihad Abu Hashish, appeared before the public prosecutor on 16 October 2008. Afterwards, security men in civilian uniform came over

to the Printing Press and confiscated the collection.” Samhan said that “since this issue was raised on an electronic website, he has been receiving threats, noting that he followed all legal procedures before the release of the collection.”

The London-based daily Al-Hayat reported on 26 September 2008 that “the Jordanian Ifta’ Department called for detaining a Jordanian poet and confiscating his book from the market against the charges of offending Islam while the Press and Publication Department threatened to refer the poet and his publisher to the civil court to take a decision and confiscate the book eight months after it was sold in the market.” The newspaper added: “The book titled ‘As Agile as a Shadow’ by Islam Samhan, 27, created uproar in Jordan because it included ‘insinuations and meanings’ that were considered by the Grand Mufti, Nooh al-Qudah, as offensive to God, angels, and the prophet.”

The Arabic Network for Human Rights Information criticized the decision to apprehend Islam Samhan for 15 days for questioning purposes and quoted Samhan as saying that “I did not mean to offend Islam...however, he received several death threats.”

Hamdi al-Asyouti, a consultant at the Media Legal Aid Unit for the freedom of expression, said in the statement “a literary script should not be interpreted by clerics. The only way to critique a literary work is through literary criticism. The interference of clerics in literary affairs open the way for the return of the martial courts and threatens the freedom of expression, art and literary production.”

The Akhir Khabar news website published on 28 September 2008 a news report in which it said that “Nabil al-Moumani, director of the Press and Publication Directorate, affirmed that the book titled ‘As Agile as a Shadow’ which is offensive to Islam and to Prophet Muhammad was banned by the Press and Publication Directorate and that after granting the book a serial number, the directorate referred it to the Ministry of Awqaf and Religious Affairs for consultation.”

Ammon News website published a report on 28 September 2008 in which it said “the deputy Muslim Brotherhood’s controller general Dr. Abd-al-Hamid al-Qudah has called on all concerned authorities to take stringent measures against the author of the book titled ‘As Agile as a Shadow’ Islam Samhan.”

For its part, the Center for Defending Freedom of Journalists issued on 21 October 2008 a press release in which it expressed its “concern over the apprehension of journalist and poet Islam Samhan” and called for “his immediate release after he was arrested in connection with charges of offending Islam and religious sentiments.” The Center said that “continuing the arrests in issues related to the freedom of expression is not in line with the international standards and conventions which Jordan has signed and constitutes restrictions on freedoms in general.” The Center stressed “the importance for citizens, especially the intellectuals, not to pay the price for pressures and political polarization” and said “it’s inconceivable to make accusations and expose people to trial in response to pressures and media criticism and debate.” The Center expressed its solidarity with Samhan and its support for the statement issued by the Writers’ League.

### **Apprehension and Denial of Freedom: 28 October 2008**

Chief Editor of the weekly newspaper Al-Ikhbariyah Fayiz al-Ajrashi was apprehended upon orders from the public prosecutor of the State Security Court against the backdrop of a lawsuit filed by Amman’s governor on charges of fomenting sectarian and religious sedition, according to a complaint forwarded by Al-Ajrashi to the Center for Defending Freedom of Journalists on 3 November 2008.

In his complaint, Al-Ajrashi said: “I was summoned by the State Security Court’s public prosecutor against the backdrop of a lawsuit filed by Amman’s governor but I was released on bail. Two days later, I was summoned again and charged twice and apprehended upon

orders from the State Security Court's public prosecutor on charges of fomenting sectarian and religious sedition among the citizens. Following this, I was held in custody upon the public prosecutor's orders for 14 days at Al-Juwaydah Prison Facility where I stayed for six days before I was released on bail."

Akhbar al-Balad news website published on 3 November 2008 a report in which it said that "the State Security Court's public prosecutor Ali Hisah has agreed to a request to release Fayiz al-Ajrashi, chief editor of the weekly newspaper Al-Ikhbariyah this morning which was submitted by Lawyer Muhammad Quteishat, director of the Legal Media Aid Unit, of the Center for Defending Freedom of Journalists, on a 5,000-dinar bail."

For its part, the Center for Defending Freedom of Journalists issued a number of press releases about this incident first on 28 October 2008 in which it expressed its regret over the decision taken by the State Security Court's public prosecutor to hold Fayiz al-Ajrashi, chief editor of the weekly newspaper Al-Ikhbariyah, in custody for questioning purposes. In its press release, the Center said the public prosecutor's decision violates Jordan's quest to promote press freedoms."

Muhammad Quteishat, director of the Media Legal Aid Unit, said that "holding Al-Ajrashi in custody is a legal violation, since the amended Press and Publications Law number 27 of the year 2007 stipulates that the court that is entitled to look into press and publications crimes is the First Instance Court, thus the State Security Court should not have jurisdiction to look into such crimes..."

Quteishat added "this was one of the reasons causing the amendments to the Press and Publications Law, thus the State Security Court's public prosecutor has no authority to investigate such crimes." He stressed that "the precautionary detention of journalists violates Jordan's international commitments, especially since Jordan signed and endorsed the International Covenant on Civil and Political Rights which was published in the official gazette in 2006."

Nidal Mansour, director of the center, said "we categorically reject the principle of holding journalists in custody. We also reject the referral of journalists to the State Security Court because it constitutes a violation of the international standards of the press freedom." He added that "we earlier warned that the amendments that have been made to the Press and Publications Law are not enough and do not preclude the detention or apprehension of journalists in publication cases." He stressed "the need for a concerted effort again to make the necessary amendments to different Jordanian laws to be in line with His Majesty King Abdullah's directives in which he called for banning the detention or apprehension of journalists."

In another statement issued by the Center on 30 October 2008, Mansour expressed astonishment at the insistence on keeping Al-Ajrashi in custody and refusing to release him on bail and called for launching a solidarity campaign with Al-Ajrashi and exerting pressures to ensure his release without delay."

On 11 November 2008, the Center issued another press statement in which it announced that "the State Security Court's public general Ali al-Hisah issued a ruling dismissing the case for lack of jurisdiction to look into the lawsuit filed against Fayiz al-Ajrashi, chief editor of the weekly newspaper Al-Ikhbariyah, who was held in custody in Al-Juwaydah Prison for two weeks, of which he served five days before he was released on bail upon the Center's appeal." The statement said: "Thanks to the follow-up efforts by Lawyer Muhammad Quteishat, director of the Media Legal Aid Unit of the Center, the State Security Court's public prosecutor dismissed the case for lack of jurisdiction in the lawsuit number 1984/2008 filed against Fayiz al-Ajrashi."

The statement added that the public prosecutor referred the court's lack of jurisdiction to Article 41/A of the Press and Publications Law which stipulates that looking into press and publication cases should be within the sole jurisdiction of the Amman Court of First instance.

Mansour, director of the Center for Defending Freedom of Journalists, welcomed the public prosecutor's decision on the State Security Court's lack of jurisdiction and expressed hope that the referral of journalists to the State Security Court will completely cease. He also hoped that this experience which colleague Al-Ajrashi had been through, will not be repeated. Mansour voiced his hope that instances of apprehension or detention of journalists against the backdrop of press and publication cases will not occur, especially after His Majesty King Abdallah's directives."

## Recommendations

1. Reviewing the legislations that restrict the freedom of journalists so that they would be in line with the international standards.

In this respect, it's worth noting that the Right to Access Information Law did not contribute to developing mechanisms that would allow journalists to access information easily, and so far nobody knows the new rules that ministries and official agencies have adopted to implement the articles of this law. In addition, we can safely say that the problems that face journalists while seeking to access information did not prompt them to forward complaints to the Information Council or seek the judicial authorities' assistance in this regard to defend their right to knowledge. Moreover, the amendment that has been made to the Press and Publication Law banning the detention of journalists during the term of the previous parliament did not succeed in halting the detention and apprehension of journalists, which prompted his Majesty the King to stress that the detention of journalists is a red line that must not be crossed.

2. Activating the role of the official spokespersons of ministries and official agencies in a manner that would

allow them to carry out their duties to help journalists access information in accordance with the international standards for transparency declaring information as well as the right to knowledge and access information.

3. The need to devise a guide to good conduct and rules of action to govern the relations between the security services and journalists to ensure independent media coverage of events in tense and crisis areas.

In light of this recommendation, it's important to recall that the Center for Defending Freedom of Journalists has called for holding a seminar under "Rules of Independent Media Coverage in Tense and Crisis-infected Areas: Challenges, Experiences, and Vision" on 7 February 2009 at the Dead Sea Marriott Hotel which was attended for the first time by government officials, representatives of the commander of security forces, and a large number of journalists. The seminar aimed to build joint visions and mechanisms among all parties to prevent any violations against journalists and allow them to work freely and independently while considering security requirements on the ground.

At the conclusion of the seminar, a declaration of principles on independent media coverage in tense and crisis-infected areas was announced. The declaration underscored the need to devise a code of conduct and rules of action to regulate the relationship between the security services and journalists on the basis of the following rules:

The security forces have to:

- Allow media people – journalists and photographers – to access without hindrance or delay tension areas so that they can carry out their professional duties of media coverage.
- Provide appropriate places for the media people – journalists and photographers – during

crises to enable them to follow, monitor, and cover events.

- Provide the necessary facilities to media people and the information they need and enable them to access information from its sources.
- Protect them against any potential harm.
- Not to restrict them, cause them any harm, assault or offend them.
- Not to interfere in their professional duties during or after the events.

The media people have to:

- Introduce themselves to the security services.
  - Wear a journalist attire to be distinguished from the public.
  - Remain committed to the professional duties in covering the events and not to participate in them.
  - Stay away from danger zones and avoid areas of friction between the public and the security men as much as possible and whenever possible.
  - Not to obstruct the work of the security men.
  - Not to damage or tamper with the evidence in the venue of the event of the crime scene.
4. As a follow-up step, it was agreed during the seminar to form a permanent coordination committee that includes representatives from the Communication Department at the Prime Ministry and representatives from the security services, the Press Association, the Foreign Journalists Club, and the Center for Defending Freedom of Journalists. The committee

shall act as a liaison link to follow up and resolve any problems that occur in the field between the media people and the security services.

5. Based on that, it was agreed that developing and capabilities of the security men especially those who work in the field on dealing the media people in a manner commensurate with the code of conduct which shall be prepared and introduce them to the code of conduct of the personnel in charge of implementing the laws and which was adopted by the United Nations as well as the commitments emanating from the implementation of the Right to Access Information Law.

### **Third: Status of Press Freedom Legislation in 2008**

The study on the “status of press freedom legislation in 2008” in Jordan mainly seeks to clarify the most important legal restrictions that would hinder the press freedoms, especially with regard to the right to access information and audiovisual media. It also deals with the laws related to electronic press.

The study — which was prepared by Lawyer Muhammad Quteishat, director of the Media Legal Aid Unit, MELAD — seeks to discuss the status of media legislations related to the freedom of the press and media and explain the role of the pertinent laws in terms of raising or lowering the ceiling of freedom through showing their impact on the media people.

**Methodology:** The study was prepared on the basis of the legislations regulating the work of the media and the direct and indirect relationship between these legislations and the work of the media and journalism. The amendments that were introduced to these laws were highlighted and the legislations were analyzed based on the status of freedom of journalism and media in Jordan.

The study mainly dealt with the Jordanian

Constitution, the Press and Publications Law No. 8 for the year 1998 and its amendments, the Journalists Association Law, the Right to Access Information Law No. 47 for the year 2007, the Penal Code, the law on the Violation of the Sanctity of Courts, the Law on Protecting the State's Secrets and Documents, the State Security Court Law, the Civil Law, and the Enforcement Law.

The study also relied on judicial precedents to explicate legal texts and to show how they are used on the ground whether by the General Prosecution or the judiciary. It also referred to official documents and circulars issued in 2008 to give legal opinions about them.

The study was divided into three parts: the first part is titled "The Right to Access to and Circulation of Information," the second is titled "the Freedom of Electronic Press in the Press and Publications Law No. 8 for the year 1998 and its amendments," and the third is titled "the Press freedom Under the Audiovisual Media Law." Each section included a number of observations and legal opinions about cases related to the circulation of information and the freedom of print press in the publications law.

The first section – "the Right to Access to and Circulation of Information" – cited legal opinions on the circular issued by Prime Minister Nadir al-Dhahabi on 13 February 2008, preventing any government employee from contacting the press to relay information about financial or administrative violations in the government departments. The study noted that this circular violated the international standards for the access to and publication of information. It also violated the Jordanian legislations guaranteeing the right to access and circulate information.

In the first section, the study tackled the following question: "Why is secrecy the rule in the access to information while disclosure is the exception?"

In the second section of the study, titled "The freedom of the Print Press under the Press and Publications Law No. 8 for the year 1998 and its amendments," the study briefly discussed a

number of legal issues. It questioned whether the detention of journalists stopped in 2008 after the issuance of amendments to the Press and Publications Law in 2007 according to Law No. 27 for 2007. The answer to the question was that the amendments introduced to the law in 2007 included a previously unknown text; that is banning detention against the background of expression of opinion through speech, writing, or other means of expression. The answer to the question also included the following: His Majesty King Abdullah's directives to stop the detention of journalists do not prevent their detention."

The study also tackled the following question: Does the Press and Publications Law prevent the enforcement of other laws against journalists who are the targeted of press and publications lawsuits? Did it reduce or increase the penalties? The answer to the question included a number of real cases involving journalists. It, however, concluded by saying that amendments to Article 38 of the Press and Publications Law would significantly restrict the freedom of the media. It cited the following two reasons for this conclusion:

1. The amendments expanded the scope of incrimination in press and publications cases.
2. The study said that the amendment would result in confusion in implementing the law in view of the repetition of legal texts that were already included in the Press and Publications law No. 89 for 1998.

In the third section, the study offered some explanations and comments on the legal aspects related to the "press freedom under the audiovisual media law." It dealt with the implementation of the principle of the freedom of the media on the audiovisual media in Jordan during this short period. The study included documents and examples of cases that happened since the enactment of the audiovisual media law in 2002 as a temporary law.

In this regard, the study dealt with the

Council of Ministers' refusal to grant a license to a radio that was not intending to broadcast political programs or newscasts. It said: "The serious thing is not the Cabinet's refusal to give a license without explaining reasons but rather the judicial authority's view that the Cabinet can exercise this authority without any monitoring."

The third section was divided into two main parts related to the audiovisual media. In the first part, it dealt with the Jordanian Radio and Television Corporation. It discussed the corporation's administration, ownership, financing, and independence. In the second part, it tackled private broadcasting. It spoke about the right to the freedom of expression and the freedom to the access of information in the legislations governing private broadcasting. It also dealt with the independence of the editorial staff, boosting multiplicity, emergency measures, the independence of organizational bodies, grievances departments, guarantees of independence, the broadcasting policy, membership of organizational commissions, exemptions, financing of the Audiovisual Media Commission, requirements of licensing, responsibility for giving licenses, the competence of the applicant for a license, and licensing measures and conditions. It also discussed what is meant by the general policy of media or the general policy of the audiovisual media.

The third section of the study dealt with "the legal framework for electronic media." The study viewed this legal framework from several aspects and provided legal comments on them. It talked about some judicial cases and tried to give answers to some legal questions pertaining to the electronic media that are raised by media people, judges, and lawyers.

The study raised the following question: "Are the provisions of the Press and Publications Law No. 27 for 2007 applicable to the electronic websites and electronic press?" Part of the answer to this question is that the Press and Publications' provisions pertaining to periodical publications, chief editors, and journalists cannot be implemented on electronic websites.

Finally, the study raised the issue of "civilian responsibility resulting from press and publications crimes." There has been recently an increase in personal cases demanding financial indemnity for the harm done by materials published in the press. It noted that most experts neglect, when dealing with compensation, special aspects related to publication. They deal with these issues like any other criminal issue. They overlook some factors, like the layout of the press reports, the space allocated to such material in the newspaper, the phrases used in the material, the number of distributed copies, and the areas where the newspaper is being distributed. Those experts only seek to verify that the publication of the material did take place. This does injustice to the journalists and the newspapers.

**Extending free-of-charge services:****MELAD won 15 cases last year and handled 74 cases at courts since its establishment**

The Media Legal Aid Unit, MELAD continued to defend journalists before courts during 2008. It also continued its efforts to spread legal awareness and monitor and document violations.

Last year, MELAD handled 25 cases. It has defended journalists in 74 cases since its establishment in 2002. The unit won 15 out of 21 cases filed against journalists in 2008. It extended free-of-charge legal advice to journalists in all media institutions.

MELAD signed memorandums of understanding to extend its voluntary and free-of-charge legal services through lawyers and legal experts with 15 media institutions, including newspapers and radio and television stations.

In 2008, the task of documenting complaints and monitoring violations against journalists was assigned to MELAD, whose lawyers received specialized training on the mechanisms of documentation, monitoring, and verification of violations.

MELAD issued an instructional guide to lawyers to deal with press and publications cases in Jordan. It is the fruit of joint cooperation between MELAD's lawyers and a number of international lawyers from the International Media Lawyers Association, IMLA. A number of judges, lawyers, and journalists took part in the ceremony in which the guide was launched.

Within the framework of its specialized training efforts, MELAD held a number of activities in 2008. The most prominent of these activities were:

- Providing specialized training on the audiovisual media law and intellectual property rights and violations to the students of journalism at Al-Yarmouk University. Videos and pictures were used in the training.

- Providing specialized training to lawyers on the audiovisual media law and intellectual property rights. Videos and pictures were used in the training. They were also trained on using the right to criticism without violating privacy, as well as on the means of identifying legal violations.
- Journalists working in electronic websites and bloggers were trained on the democratic standards related to dealing with the new media (electronic press and blogs).

MELAD, which was established in 2002, aims to achieve the following goals:

1. Assigning lawyers to defend media people who are subjected to detention or trial while performing their duties.
2. Providing preventive legal advice to the media people without increasing restrictions or self censorship.
3. Enhancing the legal knowledge of journalists and media people and helping them exercise their constitutional rights to expression and defend the society's right to knowledge without violating laws in any democratic society.
4. Urging lawyers to take care of the issues of freedom of the press and media and develop their legal skills in this regard.
5. Proposing draft laws to the parliament and government in an attempt to improve the legal structure that governs the freedom of the media in Jordan and in harmony with the international standards.
6. Communicating with the judicial authority to ensure the promotion of press freedoms and to promote understanding of the international standards of the freedom of the media.

**Fourth: Media Studies****1-1 When the Journalists Choose to Remain Silent: Self-censorship in Jordan and the World:**

This study deals with the issue of self-censorship exercised by Jordanian journalists. Self-censorship is one of the most important and serious restrictions that threaten journalistic work and the press freedom. The CDFJ

held a panel discussion on the issue of self-censorship in Jordan for the purpose of using it in this study. It also held a large number of personal interviews with a number of Jordanian writers and journalists to solicit their opinions on this issue.

This study is divided into three main parts. The first part deals with the various definitions of self censorship. It seems that there are four main types governing the degree of self-

editorial censorship practiced by the journalist or media person. The first type is the self-censorship practiced by the journalist or media person based on her/his convictions and awareness of the society and of what should be and should not be published. The main catalyst in this case is the conscience of the journalist. This is what we call positive self censorship. International charters defending the freedom of the media and several developed countries push for replacing freedom-restricting laws, which seek to increase penalties against journalists and media people, with this type of censorship whereby the journalist or media person turns her/his conscience and ethics into a self-censorship tool.

The second type is the self-censorship practiced by the journalist or media person as a result of her/his awareness of red lines that she/he should not come close to. These red lines are specified through the existence of many laws that restrict the freedom of the press and media. Thus, legal prosecution, fines, and even imprisonment would serve as the punishment for the freedom of the press. Many legislation, particularly in the Arab countries, are stringent when it comes to publication cases, especially those related to libel and slander. Thus, fear of legal prosecution prompts the journalist or media person to resort to self censorship. There are also some topics which are considered red lines, like criticizing sovereignty establishments, such as the army and security agencies. There are also red lines represented by the ruling establishment and sometimes the government. Other red lines included issues related to the society's values and ethics, like sex or sensitive religious topics. These red lines force the journalist or media person to exercise self-censorship at varying degrees.

The third type is largely related to the previous two directions. The social environment in which the journalist or media person was raised has a great role in determining censorship. The economic condition also plays a role in prioritizing topics. Other factors include religious beliefs, social and cultural openness of the journalist, whether she/he believes in the right to access to and circulation of information,

and her/his ability to defend her/his ideas and opinions. Each journalist has her/his own set of values regarding customs, traditions, and religious issues. The journalist exercises self-censorship based on her/his convictions and set of values.

The fourth and last type has to do with the role of the press or media institution which force the journalists to exercise self censorship. The institutions exercise pressure on the journalists through setting restrictions and instructions banning criticism of public figures that have relations with the institution or its chief and some companies and businessmen so that they will continue to advertise in the newspaper. The journalists are also instructed not to criticize government and official agencies for fear of legal prosecution of the newspaper and to maintain the newspaper's interests with these agencies. The pressure is exercised in many ways, the easiest of which is banning the article or amending its content. Other means include harsh criticism by the chief editor or even dismissal.

In the second part, the study reviews various forms and reasons of self-censorship in a number of world countries. Self-censorship is practiced in many countries of the world at varying degrees and levels. In East European countries – like Armenia, Georgia, and Belarus – self-censorship is exercised for reasons ranging from fear of judicial prosecution as in Belarus to economic pressure exercised by advertisers as is the case in Armenia and Belarus.

The war on Iraq – which has led to spending huge amounts of money and was associated with the death of soldiers and pictures of explosions and mutilated parts of US soldiers – and the crushing economic crisis have imposed a sort of official pressure in the United States on the mass media to exercise self censorship, especially with regard to the real number of casualties or pictures of US dead and wounded in the war. CNN was accused of exercising self-censorship over all that it broadcast on the situation in Iraq. The revenues of newspapers from advertisements are one of the most important reasons that

impose self-censorship on journalists and media people. A US organization counted 25 press issues that were ignored by the US media. An opinion poll among US journalists showed that they exercised self-censorship and that they were pressured to exercise such censorship. A number of them noted that they had to tone down, rewrite, or remove parts of their articles as a result of pressure.

In Latin America, the situation of the press improved slightly as many journalists and media people used to face kidnapping, torture, and death. As Latin America started moving toward democracy, an increasing number of journalists started to opt for investigative reporting instead of rewriting government statements. Statistics show that the number of attacks (assassinations, threats, and detentions) against journalists in Colombia between January and April 2005 was equivalent to the number of attacks in the same period in 2004. Sixteen attacks on journalists were reported during the first four months of this year compared to 17 attacks during the first four months of 2004. There has also been a drop in assassination attempts against journalists. Only one journalist was killed this year compared to five in 2003 and three in 2004.

Although journalists are less exposed to death threats these days, many of them still face attempts to control them and restrict their freedom. Behind the scenes, governments use financial incentives and censorship authorities to silence media criticism and influence the editorial content of newspapers to serve its goals.

In the Arab world, both governments and newspapers are imposing more self-censorship on journalists and media people. Pursuit by judicial and security authorities and high financial fines are the most important dangers facing the Arab media. Government institutions in most of the Arab countries are the most important red lines. Some countries, like Morocco, consider the ruling system sacred. Other countries give special status to

the ruling system. The military establishment is also an important red line. Most of the Arab laws include a penalty for the charge of affronting the military establishment or public institutions. The social environment and customs and traditions of the society are also considered a red line especially when it comes to issues related to religion or sex.

In an opinion poll conducted for the report on the status of freedoms in 2007 issued by the CDFJ, 94% of Jordanian journalists said they exercise self censorship. In the 2008 poll conducted by the CDFJ and is published in this report in full, Jordanian journalists cited the following reasons for exercising self censorship: 93.8% cited ethical values, 84.3% cited religion, 73.8% said that this was due to their previous knowledge of the policy of the media institution for which they work, 60.7% attributed this to the media institution's instructions regarding what can be published or broadcast, and 44.6% blamed the freedom-restricting laws.

As for the topics which the Jordanian journalists tend to avoid, they included:

89.6% of the journalists said that they avoid criticizing the Armed Forces, 83.2% said that they would not criticize the security agencies, 80.9% said that they avoid discussing religious issues, 77.7% said that they would not criticize Arab heads of state, 77.5% said that they avoid criticizing tribal leaders, 74.2 % said that they refrain from discussing issues related to sex, 63.5% said that they would not criticize the leaders of friendly countries, 53.9% said that they would avoid criticizing the government, and 42.8 % said that they do no criticize the leaders of foreign countries.

The study was concluded with a number of recommendations that aim to liberalize the media environment by removing all restrictions that force the journalists to exercise self censorship. It also calls on the journalists and media people to avoid self-censorship and to remove restrictions imposed on them so that they are enabled to demonstrate and show their creativity.

## 1.2. Future of Blogging in Jordan:

This study seeks to present a panoramic picture of the situation of Arab blogs in general and in Jordan in particular. According to blogging experts, there has been progress in blogging in Jordan in the past year. The media aspect of personal blogs is the basis of the study on blogging and its future. The study sought to propose a vision for employing the techniques of blogging in the work of professional media people or ordinary people and its impact on the media environment in the Arab world. The study raised a question about streamlining and developing blogging so that it will become an active element in development and social reform through raising the ceiling of freedom.

The scarcity of Arab and international statistics on blogging, which is witnessing continued progress, made the study rely on induction regarding important stages in the chronological progress of blogging. It gave attention to the opinions of experts, including media people and academics. The study also featured interviews with bloggers and observers of blogging in Jordan. They expressed their views about their experience and suffering in this regard. This was done through giving a number of selected questions which they were asked to answer by expressing their ideas. This led to enriching the dialogue in order to reach a description of the material provided by the blogs and whether it is a raw media material or fully-fledged stories.

Studying blogging away from the electronic media, the Internet culture, and communication media cannot produce the aspired results. Thus, the study tackled the Internet culture and dealt with international political and social issues, like cultural differences and globalization. These issues are basic to understanding the changes that have resulted from the spread of blogs in the media and life, a development that is in harmony with a set of changes brought about by the technological advancements in all aspects of life.

The study dealt with the official dealing with blogging and tried to briefly discuss the physical and indirect harassment to which the bloggers

are exposed in the Arab world. It also tried to reach major recommendations to activate the culture of blogs and their media role in serving the causes of the media and society through creating groundwork for citizens' media, which would contribute to social movements and build, criticize, and correct the public opinion on a constant basis. This culture is the nucleus of an alternative media that is different in terms of conditions and traditions from the media that has prevailed in the Arab region for decades.

The start of blogging in Jordan coincided with the 9 November 2005 incidents. Some Jordanian bloggers managed to report on the developments on that day which witnessed terrorist bombings in three hotels in the Jordanian capital, Amman. The reporting was a media scoop. Blogging in Jordan, however, needed a longer period than in other Arab countries to prove its existence and start influence the Jordanian media. In 2008, Jordanian press referred on several occasion to the role of blogs. In an article titled "Muhammad Omar's Blog" in Al-Ghad on 12 November 2008, journalist Ibrahim Gharaybah discussed the role of blogging. He said that the "blogs pose a real threat to the journalists and the press. We already have an alternative and reasonable media, which has not yet taken its chance in terms of spread and influence.

However, it could be influential among certain segments of the youths." Muhammad Abu Rumman wrote an article titled "Blogs...an end to Media monopoly" in the same newspaper on 31 October 2008. The writer called on all intellectuals, academics, politicians, and citizens to utilize this new space and to launch human communication that goes beyond the traditional means. He described blogging as a blessing, saying that it creates new horizons for human dialogue and interaction which replace the basic issues that continue to be addressed by the media people time and again. The blogs humanize media space through relaying scenes of daily life and human feelings. They also witness dialogues and debates over humanitarian and social issues that prompt us to investigate the social and cultural changes and better know ourselves."

Describing blogging in Jordan, Abu Rumman says: “In Jordan, blogs are still in their beginnings. They have not become a phenomenon in the society. There are, however, a number of distinguished bloggers although we might disagree with what they write. They stress the importance of blogs and their social and cultural role and give them the attention they deserve.”

Journalist Batir Wardam is seeking to change this situation through his continued follow up of and participation in blogging in Jordan. In an article on 2 May 2008 in Fact International titled “Electronic Democracy in Jordan,” Wardam describes the directions of blogging in Jordan which have remained far from politics, thus keeping it away from Arab and world media attention. In this regard, Wardam says: “Bloggers in Jordan avoid politics. However, there are many distinguished social, cultural, and economic blogs that reflect the real talents. The owners of these blogs represent a new generation of media people who have trained themselves by themselves rather than study and receive training. They, however, need an improvement of their capabilities through professional media institutions.

The absence of political issues in blogs

could be the result of the absence of political organization unlike the situation in Egypt. Most of the bloggers in Egypt are members of political parties and organizations. In Jordan, most of the bloggers are individuals from the middle or high classes who believe that they have different opinions of the situation in Jordan and who do not believe that the traditional mass media presents accurate information and news. This is what prompts them to create their own media.”

These statements represent recognition by Jordanian media people of the blogs as a media tool that carries the seeds of alternative media rather than a means of expression and communication. This alternative media could play a role in the next few years. Thus, the study sought to investigate the chances and horizons of blogs through describing the situation of the Arab media and the situation of the media work in the Arab world. It reviewed the blogs, the solutions they provide to individuals and media people, and traditions of blogging. The aim is to give a clearer picture of the world of bloggers and their interests and ambitions. It shed light on the Arab experience and part of the Jordanian experience in dealing with this new technique which has started to impose its pace in today’s world.

# Center for Defending Freedom of Journalists

## Vision

To contribute towards creating an environment that protects freedom of press and expression and enhances the society's right in knowledge through building professional Journalists committed to the international standards of independent and free media.

## Mission

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

## CDFJ Objectives:

- To defend the freedom and safety of journalists.
- To protect Journalist from violations.
- To improve Journalists skills
- To empower Journalists> access to information
- To increase Journalists> participation in defending human rights and democracy
- To contribute to developing change and update media legal frame work and legislations.
- To contribute to the amendment and development of legislations related to freedom of media and expression.
- To create communication channels between Arab and World journalists