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Freedom House

Freedom on the Net 2018 - Jordan

Key Developments:

June 1, 2017 - May 31, 2018

- In May 2018, social media and messaging apps were instrumental in mobilizing thousands of protestors and securing public support against a draft income tax law (see Digital Activism).
- *Ammon News* claimed that hackers had gained access to their website and published two articles in November 2017 (see Technical Attacks).
- The government proposed amendments to the Cybercrime Law in September that would prohibit hate speech, raising concerns that the vaguely defined offense could be used to punish legitimate expression (see Legal Environment).
- Authorities detained and sought criminal charges against several individuals for criticizing public officials, accusing them of corruption, or publishing other nonviolent political, social, or religious speech online (see Prosecutions and Detentions for Online Activities).

Introduction:

Internet freedom improved in Jordan due to improved access, the effective use of digital activism, and a slight reduction in the number of blocked news sites in comparison to last year.

During the coverage period, several activists were arrested for criticizing public officials or calling for reform. Authorities continue to block social media applications during school examinations, including WhatsApp, Facebook Messenger, Twitter, and Instagram, with the number of apps increasing to eight in 2018. Internet service providers (ISPs) continue to block internet calling services (VoIP) on popular apps such as Viber, WhatsApp, and Skype, in apparent defiance of Jordan's telecommunications regulator.

Legal restrictions on internet and digital media freedom are principally based on the Cybercrime Law and the Press and Publication Law (PPL). Under article 11 of the Cybercrime Law, online defamation may result in a fine and prison sentence of at least three months. The Law Interpretation Bureau ruled that the law could also be applied to journalists for articles that appeared on their outlets' websites, thereby contravening journalistic protections outlined in the PPL. In September 2017, the government proposed a series of new amendments to the Cybercrime Law to explicitly cover hate speech. The changes could further impede free expression online given the term's vague definition and its propensity to be misused to prosecute reporters and social media users for nonviolent political, social, or religious speech and satire.

Jordanians took to the streets in May 2018 in one of the country's largest protests in recent years. More than 30 trade unions initiated a nationwide strike, and thousands of protestors followed suit in opposition to a draft law on income tax. The demonstrators relied extensively on social media and communication platforms to mobilize and, ultimately, to create effective change: the government resigned and the legislation was withdrawn.

Obstacles to Access:

Soaring mobile broadband access has improved internet penetration rates in recent years, though there are still disparities in access based on age, education, and income level. New regulations issued during 2017 are expected to improve competition among fixed-line service providers by allowing rival operators to use infrastructure owned by the incumbent telecommunications firm.

Availability and Ease of Access

According to the International Telecommunication Union (ITU), 62.3 percent of the Jordanian population had access to the internet by the end of 2017, up from 34.9 percent five years earlier.¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote1sym>) National figures from the Telecommunications Regulation Commission (TRC) estimated that 8.7 million Jordanians had access to the internet, resulting in a penetration rate of 87 percent, as of the third quarter of 2016.

ecoi.net summary:

Report on digital media and internet freedom (reporting period June 2017 - May 2018)



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For the same period, the TRC estimated the number of mobile phone subscriptions to be slightly over 16.7 million, for a penetration rate of 168 percent.² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote2sym>) Ninety percent of all internet subscriptions are mobile broadband subscriptions, with the number of fixed-line ADSL subscriptions steadily decreasing.³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote3sym>)

A survey conducted by the Department of Statistics demonstrated that women made up 47.2 percent of Jordanian internet users in 2016.⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote4sym>) It found that 8.5 percent of respondents cited the high cost of internet service as a reason for not using the internet, down from 13 percent in 2015, while 6.4 percent mentioned social issues and traditional values.⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote5sym>) Prices have dropped in recent years due to competition, in spite of the fact that the sales tax on internet services was increased from 8 to 16 percent in 2017.⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote6sym>)

The price for a monthly home broadband subscription ranges from JOD 16 (US\$22) for a data allowance of 75 GB to JOD 26 (US\$37) for an allowance of up to 1,000 GB.⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote7sym>) However, the main operators provide plans with reduced prices for governorates outside Amman, the capital. Monthly mobile internet prices range from JOD 2 (US\$3) for a 600 MB plan to JOD 9 (US\$13) for 34 GB.⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote8sym>)

According to Pew Research Center, there is a "real and pervasive" demographic divide among internet users in Jordan. While 75 percent of individuals from the ages of 18 to 34 use the internet, the percentage drops to 57 percent for those aged 35 and above. The contrast was even starker with respect to education levels. Ninety-six percent of people with "more education" used the internet, compared with only 41 percent of Jordanians with "less education." The report also shed light on economic differences, with 80 percent of high-income individuals using the internet, compared with 50 percent of low-income individuals.⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote9sym>) Meanwhile, access in many of the country's rural governorates remains poor in comparison with urban areas. For instance, fiber-optic connections (FTTx) are mainly limited to the wealthy areas of western Amman.

Restrictions on Connectivity

Starting in June 2015, the government ordered ISPs to block access to messaging applications on days that secondary school students sat for their national exam (*Tawjihi*).¹⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote10sym>) In 2018, the number of blocked applications reached seven, including WhatsApp, Messenger, Twitter, and Instagram. The restrictions are confined to locations near examination halls and limited to a couple of hours.¹¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote11sym>)

Voice over Internet Protocol (VoIP) services are restricted by some ISPs. In March 2016, the TRC stopped Jordanian mobile operators' attempt to impose fees on the use of VoIP services in order to increase profits.¹² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote12sym>) However, providers then blocked users from making free or cheap phone calls over services like WhatsApp and Viber, while Messenger, Telegram, and Skype remained accessible. In 2017, the Ministry of Information and Communications Technology (MoICT) proposed a new monthly fee of JOD 2 (US\$3) for users in order to unblock VoIP,¹³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote13sym>) with revenues shared between operators and the government. However, the proposed fee was rejected by the Council of Ministers.

The market power of the incumbent telecommunications operator, Orange Jordan, has been diluted in the last few years, as its de facto monopoly on the international gateway and local backbone has faced competitive terrestrial international connectivity and new fiber-optic backbones initiated by other operators.¹⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote14sym>) In addition, long-awaited regulations to enforce full local loop unbundling (LLU) were issued by the TRC in 2017,¹⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote15sym>) six years after the move was first announced, and these are expected to introduce more competition to the fixed-line sector by forcing Orange to open up its networks to other operators.

Orange remains the landing party for the FLAG FEA submarine cable,¹⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote16sym>) the only east-west cable to land in Jordan.¹⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote17sym>) However, a number of providers, like Damamax and LinkDotNet, have independent international connectivity,¹⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote18sym>) and nonincumbent provider VTel signed an agreement to be the landing party for a possible connection of the FLAG FALCON submarine cable to the port of Aqaba.¹⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote19sym>)

International connectivity is also provided via terrestrial connections from neighboring countries as an alternative to submarine cables. In 2015, the RCN (Regional Cable Network) was launched to provide a high-capacity terrestrial fiber network from Fujairah in the United Arab Emirates to

Amman,20 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote20sym>) an addition to the established JADI (Jeddah-Amman-Damascus-Istanbul) link, in operation since 2010.21 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote21sym>)

ICT Market

Three mobile service providers have a similar share of the market: Umniah (a subsidiary of Batelco Bahrain), Zain, and Orange Jordan.22 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote22sym>) Orange Jordan is 51 percent owned by Orange SA of France, with the remaining shares divided between Jordan's Social Security Corporation, Noor Telecommunications, and others.23 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote23sym>) In 2018, the MoICT confirmed that the government had no intention to license a fourth mobile operator.24 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote24sym>)

After rejecting two international operators, the government awarded Zain Jordan the rights to introduce 4G/Long Term Evolution (LTE) mobile services to the market, which it launched in 2014. In January 2015, Orange Jordan was awarded the second 4G license for US\$100 million,25 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote25sym>) and later that June, the third 4G license was granted to Umniah for an equivalent price.26 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote26sym>) In 2017, FRIENDi, Jordan's only mobile virtual network operator and part of Virgin Mobile Middle East and Africa, suspended its operations due to losses.27 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote27sym>)

Regulatory Bodies

The TRC is responsible for regulating the ICT sector. It is governed by the Telecommunications Law and defined as a "financially and administratively independent juridical personality."28 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote28sym>) Nonetheless, it is accountable to the MoICT, which was created in 2002 to drive the country's ICT development.29 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote29sym>) The TRC's Board of Commissioners and its chairman are appointed upon nomination by the prime minister based on the recommendation of the ICT minister.30 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote30sym>) The ICT sector is regulated under Law No. 13 of 1995 and its amendment, Law No. 8 of 2002. The legislation endorses free-market policies and governs licensing and quality assurance.31 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote31sym>)

Limits on Content:

Authorities have increasingly used extralegal means to censor critical coverage in recent years. Licensed news sites have been blocked in murky circumstances and without transparent legal authorization. Self-censorship remains pervasive, particularly regarding the royal family and Islam, although digital activism continued to expand over the past year.

Blocking and Filtering

Sporadic censorship continued during the coverage period. At least three websites were reportedly blocked.

In spite of the fact that it was initially blocked in 2016, the Media Commission in July 2017 reissued an order to block access to the local LGBTI (lesbian, gay, bisexual, transgender, and intersex) online magazine *My.Kali*, after an Islamist member of parliament, Dima Tahboub, requested an inquiry into the site.32 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote32sym>)

Also in July 2017, the online petitions website *Namdi.Net* was blocked for two days until the Media Commission made it accessible again. The website, according to its owners, was not a news site and was reportedly blocked in error by the commission.33 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote33sym>)

In November 2017, the Media Commission announced that it had blocked a news website, whose name was not revealed, that is based outside Jordan and publishes Jordan-related content. Also blocked were an undisclosed number of news sites that had failed to obtain a license. The owners had been notified and given a 90-day grace period.34 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote34sym>)

In less transparent circumstances, the online magazine *7iber* was inaccessible for 12 hours in July 2018, following the coverage period. In a short statement published on the magazine's Twitter account, the editors publicly asked the government to determine the entity responsible for the block, as no order was apparently issued by the government.35 (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote35sym>)

Officially, the blocking of news websites is carried out according to the Press and Publications Law (PPL), amended in 2012, which stipulates that news websites need to obtain a license from the Media Commission or face blocking. The law also requires any electronic publication that publishes domestic or international news, press releases, or comments to register with the Ministry of Commerce and Industry. One of the requirements for a general news website to obtain a license is to have an editor in chief who has been a member of the Jordan Press Association (JPA) for at least four years. In 2014, the JPA law was amended to enable journalists in online media to become members. Prior to that, journalists could only become members if they underwent a period of "training" in an "official" media organization.

According to the amended PPL, an electronic publication is defined as any website "with a specific web address on the Internet which provides publishing services, including news, reports, investigations, articles, and comments, and chooses to be listed in a special register maintained at the Department, pursuant to instructions issued by the Minister for this purpose."³⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote36sym>) Articles 48 and 49 enable the head of the Media Commission (previously named the Press and Publications Department) to block any website for failing to obtain a license or, more broadly, for violating Jordanian law. The law's expansive definition of a news website could be interpreted to include almost all Jordanian and international websites, blogs, portals, and social networks.

In June 2013, 291 news websites were blocked on instructions from the head of the Media Commission after a nine-month grace period following the PPL's 2012 amendment. Most have since applied for a license to get unblocked. In 2018, the number of licensed news websites reached 194.³⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote37sym>) To obtain licenses after 2012, most general news websites hired new chief editors who were already JPA members, a concerning development for independent media given that most JPA members worked in government or government-related media outlets.³⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote38sym>)

Content Removal

The 2012 amendments to the PPL increased the liability of intermediaries for content posted on news websites, placing readers' comments under the same restrictions as normal news content. Clause 3 of Article 49 states that both the editors in chief and the owners of online publications are legally responsible for all content posted to their sites.³⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote39sym>) Moreover, websites must keep a record of all comments for six months after initial publication and refrain from publishing any "untruthful" or "irrelevant" comments.⁴⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote40sym>) As a result, some news websites, such as *JO24*, stopped allowing comments for a limited period of time as an expression of protest.⁴¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote41sym>)

Media, Diversity, and Content Manipulation

The overwhelming majority of journalists continue to practice self-censorship, as shown in the annual survey on media freedoms conducted by the Amman-based Center for Defending the Freedom of Journalists (CDFJ). According to the survey covering 2017, a staggering 94 percent of journalists said they practiced self-censorship.⁴² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote42sym>) When asked about taboo topics, 92 percent said they avoided criticizing the armed forces, a decrease from the previous year, and 94.5 percent stated they feared criticizing the royal court. The judicial system, tribal leaders, and religion were also sensitive topics.⁴³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote43sym>)

According to the CDFJ survey, the percentage of respondents who believed that media professionals avoided discussing sex-related topics increased in 2017, reaching 84.7 percent, the highest level in eight years. Avoidance of religious issues decreased by 3 percentage points to 80.4 percent; the assassination of writer Nahed Hattar by a religious extremist and threats from such extremists against journalists were the main causes of the higher percentage in 2016, the survey noted.

The online information landscape continues to be limited by direct bans on reporting on certain topics, especially at critical moments. For instance, after the shooting of Hattar, the State Security Court banned all forms of publication regarding the case to "preserve the secrecy of the investigation in the public's interest," according to a circular from the Media Commission.⁴⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote44sym>)

Starting in the second half of 2016, two gag orders limiting independent coverage about the armed forces and the king have been enforced. All media outlets are banned from reporting news about the king and the royal family unless it is obtained from official bulletins released by the Royal Hashemite Court.⁴⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote45sym>) The Media Commission also bans publication of any reports about the armed forces except for statements made by their media spokesperson. That order covers social media networks and other websites, supposedly in the "public interest."⁴⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote46sym>)

Facebook and YouTube are among the top 10 most visited websites in Jordan.⁴⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote47sym>) As of April 2016, 89 percent of all social media users in the country used Facebook, while 71 percent used WhatsApp.⁴⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote48sym>) In 2017, King Abdullah II launched a personal Twitter account.⁴⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote49sym>) Other state leaders and institutions have established social media channels to communicate with the public, including the Royal Hashemite Court,⁵⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote50sym>) the crown prince,⁵¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote51sym>) and Queen Rania, who has millions of followers on Twitter and Instagram.⁵² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote52sym>) *Forbes Middle East* has described her as “the Queen of Social Media.”⁵³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote53sym>) In addition, the prime minister since June 2018, Omar Razzaz, is known for his Twitter activity and for personally replying to many tweets.⁵⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote54sym>)

Digital Activism

Digital activism was crucial during the coverage period, as Jordan experienced one of its largest protests in recent years. Starting on May 30, 2018, more than 30 trade unions initiated a nationwide strike and were later joined by thousands of Jordanians who opposed a draft law on income tax.⁵⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote55sym>) The protests resulted in the resignation of the government and the withdrawal of the draft legislation. Social media and messaging apps were instrumental in mobilizing thousands of participants and securing support from a broad swath of the population. A Facebook event for the first general strike drew more than 25,000 attendees.⁵⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote56sym>)

Facebook, WhatsApp, and other social media services were important sources of information for Jordanians seeking to keep track of the demonstrations. According to a survey by the University of Jordan's Centre for Strategic Studies (CSS), around 60 percent of Jordanians said they got their information regarding the protests through friends and social media, especially Facebook.⁵⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote57sym>) Many protesters utilized Facebook's live-streaming feature to broadcast the demonstrations, and short video reports on the events received tens of thousands of views,⁵⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote58sym>) overshadowing the coverage of traditional or official media outlets, particularly in the first days.⁵⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote59sym>) Protest-related hashtags were trending throughout the course of the protests, including #JordanStrikes, #Manash (“We are broke”), and #AdduwwarArRabe’ (a reference to the area in Amman where the prime minister's office is located and where the protests were concentrated).

The government realized the importance of online communications and social networks during the protests. The prime minister's office defended the draft tax law by posting some 12 informative videos and 14 infographics on Facebook, with the heading “Fiscal Reform in Jordan.”⁶⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote60sym>) The government's spokesperson announced that 49 percent of negative social media comments against the government originated in Syria,⁶¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote61sym>) a claim that social media users generally dismissed with sarcasm. On the other hand, a video of the crown prince, in which he confirmed the royal family's support for peaceful protests during a visit to the demonstrations, went viral,⁶² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote62sym>) receiving more than 350,000 views.⁶³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote63sym>)

In a separate development, following years of efforts and campaigning by women's and human rights activists, the parliament voted in August 2017 to repeal the controversial Article 308 of the penal code, which allowed rapists to avoid prison by marrying their victims. On the day of the vote, the hashtag #308Removed generated more than 3,500 tweets.⁶⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote64sym>) The vote took place after the cabinet approved the recommendations of a royal commission and after women's rights activists representing 63 Jordanian organizations mounted a digital campaign with the hashtag #Article308 to push for the article's abolition. The campaign also coordinated an online petition that was signed by over 5,000 people.⁶⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote65sym>)

Violations of User Rights:

The government in September 2017 proposed amendments to the Cybercrime Law that would prohibit hate speech, raising concerns that the vaguely defined offense could be used to punish legitimate expression. Several journalists were arrested on defamation charges stemming from content they posted online, while others received threats for coverage of sensitive topics or faced physical intimidation and interference as they streamed or recorded protests.

Legal Environment

Although Jordan's constitution contains some theoretical protections for free speech online, several laws impose disproportionate or unnecessary restrictions in practice. The penal code forbids any insult of the royal family, state institutions, national symbols, or foreign states, as well as "any writing or speech that aims at or results in causing sectarian or racial strife." Defamation is also a criminal offense.⁶⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote66sym>)

Several constitutional amendments introduced in September 2011 directly or indirectly touched on internet freedom. Terms such as "mass media" and "other means of communication," which likely encompass online media, were added to provisions that protect freedom of expression and concomitantly allow for its limitation during states of emergency (Article 15). With regard to the right to privacy, judicial approval was added as a precondition for censorship or confiscation of private communications (Article 18).⁶⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote67sym>) Despite the passage of the Access to Information Law in 2007, there are still a number of restrictions on requests for information about sensitive social and religious matters.⁶⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote68sym>)

An amended Cybercrime Law came into effect in June 2015, with at least one provision that posed a serious threat to online freedom. According to Article 11, internet users can face a jail term of no less than three months and a maximum fine of JOD 2,000 (US\$2,800) if they are found guilty of defamation on social media or online media outlets. In practical terms, this means journalists face harsher penalties online than in print media, since the PPL prohibits the jailing of journalists for press offenses. In 2015, the Law Interpretation Bureau ruled that Article 11 of the Cybercrime Law supersedes other legislation, rendering journalists' immunity under the PPL largely irrelevant.⁶⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote69sym>) as they can be imprisoned for offending print articles if those articles appear online.⁷⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote70sym>) In 2016, a group of journalists and activists launched a campaign titled "Talking Is Not a Crime," arguing that Article 11 amounts to an unconstitutional infringement on freedom of expression.⁷¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote71sym>) According to the CDFJ, at least seven journalists and activists were detained in the first year after the passage of the Cybercrime Law amendment.⁷² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote72sym>)

In September 2017, the government proposed a series of new amendments to the Cybercrime Law to explicitly cover hate speech, defined as "any statement or act that would incite discord, religious, sectarian, ethnic or regional strife or discrimination between individuals or groups."⁷³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote73sym>) The changes could further constrain freedom of speech online, as the vague definition would allow authorities to persecute reporters and social media users who address controversial issues.⁷⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote74sym>) Although Prime Minister Razzaz confirmed that his government was committed to freedom of expression after taking office in June 2018, he said the draft amendments would not be withdrawn and would be discussed in the parliament later in the year.⁷⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote75sym>)

Many older laws continue to pose a threat to access to information and free expression online. These include the 1959 Contempt of Court Law, the 1960 penal code, the 1971 Protection of State Secrets and Classified Documents Law, the 1992 Defense Law, the Jordan Press Association Law, and the PPL.

The PPL as amended in 2012 bans the publication of "material that is inconsistent with the principles of freedom, national obligation, human rights, and Arab-Islamic values."⁷⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote76sym>) Article 38 of the law prohibits any "contempt, slander, or defamation of or abuse of" religions or prophets. The same article prohibits the publication of any material that is defamatory or slanderous of individuals, who are also protected against "rumors" and "anything that hinders their personal freedom."⁷⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote77sym>) Journalists, website owners, editors in chief, and others face a range of possible fines for violations of the law.⁷⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote78sym>)

In early 2014, a law was passed to limit the jurisdiction of the quasi-military State Security Court to terrorism, espionage, drug felonies, treason, and currency counterfeiting. The court had previously tried citizens and journalists for crimes related to freedom of expression.⁷⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote79sym>) However, amendments to an antiterrorism law passed in mid-2014 essentially reversed that move by expanding the definition of "terrorism" to include a broader range of activity.⁸⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote80sym>) In addition to more legitimate offenses such as attacking members of the royal court or provoking an "armed rebellion," the definition of terrorism now includes any acts that "threaten the country's relations to foreign states or expose the country or its citizens to retaliatory acts on them or their money," an offense that had already been listed in the penal code.⁸¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote81sym>) The law also explicitly penalizes the use of ICTs to promote, support, or fund terrorist acts, or to subject "Jordanians or their property to danger of hostile acts or acts of revenge."⁸² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote82sym>)

Prosecutions and Detentions for Online Activities

Numerous individuals were detained or faced criminal charges related to their online activities over the past year.

Under Article 11 of the Cybercrime Law, journalists and social media users can be detained for publishing allegedly defamatory content online. In May 2017, anticorruption activist Husam al-Abdallat was arrested after a complaint was filed against him by two public officials whom he had accused of corruption in a Facebook post.⁸³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote83sym>) He was released on bail three weeks later.⁸⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote84sym>)

Although fewer Jordanians were detained this year for “incitement to undermine the political regime” under Article 149 of the penal code, the practice continues. In July 2017, student activist Hesham Alayasa was detained for six days, before being released on bail, for a video he disseminated to his 800 followers on Snapchat in which he criticized the Jordanian government after a security guard killed two Jordanian nationals at the Israeli embassy in Amman.⁸⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote85sym>)

Rakan Hyasat, an activist with the secular Jordanian Democratic Popular Unity Party, was detained for 15 days in September 2017 based on a complaint filed by Islamist lawmaker Dima Tahboub. After Tahboub condoned an unlawful police raid on a restaurant that served food during Ramadan, Hyasat posted on his Facebook account a photo collage of Tahboub raising a sword while riding a horse surrounded by black flags in a reference to the Islamic State militant group.⁸⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote86sym>) Tahboub later withdrew the complaint.

In accordance with Article 278 of the penal code, on “incitement to racism and sectarianism, and insulting religious feelings,” a case was filed against Jordanian cartoonist Emad Hajjaj in October 2017 at the request of a Catholic cleric, who objected to a cartoon posted on Twitter and Facebook that depicted Jesus on a cross denouncing the patriarch of the Greek Orthodox Church in Jerusalem.⁸⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote87sym>)

Also in October, the general secretary of the Royal Hashemite Court, in his personal capacity, filed a complaint against seven journalists for defamation in relation to a Facebook post that depicted his mansion and in which he was accused of corruption.⁸⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote88sym>) Four journalists were dismissed with no charges filed,⁸⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote89sym>) another was released the same day, and the remaining two were held in custody for a month.⁹⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote90sym>)

In November 2017, a short video of the arrest of Ashraf al-Refai, owner of the *Absher* news website, sparked several controversies on social media, especially for what was considered police misconduct in front of his wife and children.⁹¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote91sym>) The General Security Department issued a public statement defending the discipline of the officers and asserting that they acted in self-defense.⁹² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote92sym>) Al-Refai was initially prosecuted for a Facebook post he published about the killing of a 17-year-old girl,⁹³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote93sym>) which was the subject of a gag order;⁹⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote94sym>) he was interrogated and released the same day before filing a complaint against the policemen. However, the public prosecutor then issued an arrest warrant for al-Refai, in which some charges were brought under the Cybercrime Law, based on the video of the arrest that was published on his Facebook page, and on another post in which he described the police as a “gang.”⁹⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote95sym>) He was held in custody for one day and then released on bail.⁹⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote96sym>)

In another case that month, reporter Ziad Naserat was arrested for a video he posted on Facebook showing racketeers entering a coffee shop in Irbid and breaking some of its furniture. Naserat was detained for three days as a result of a defamation case filed by one of the individuals who appeared in the video.⁹⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote97sym>)

Two journalists from the website *Jafra News* were arrested in January 2018 over a complaint by Finance Minister Omar Malhas, who objected to a report that accused him of tax evasion.⁹⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote98sym>) The director of the Income and Sales Tax Department, an entity administered by the Ministry of Finance, filed a similar complaint against the journalists, alleging that the report was false.⁹⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote99sym>) The two journalists, Omar Maharmeh and Shadi Zaynati, were detained for two days and then released on JOD 1,000 (US\$1,400) in bail.¹⁰⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote100sym>) The website issued a statement in which it said that the previous reporting was based on information that proved to be inaccurate.¹⁰¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote101sym>)

Surveillance, Privacy, and Anonymity

Article 18 of the constitution protects the right to privacy, but it allows for surveillance “by a judicial order in accordance with the provisions of the law.” The telecommunication law requires that operators take appropriate measures to enable the tracking of communications upon a judicial or administrative order, while the antiterrorism law permits the prosecutor general to order surveillance upon receiving “reliable information” that “a person or group of persons is connected to any terrorist activity.”¹⁰² (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote102sym>)

Jordan currently lacks a privacy law. The MoICT is drafting a Data Protection Law that aims to regulate how personal data are collected, used, and published. The latest draft of the law, however, does not ensure the independence of the proposed Data Protection Authority (DPA) and does not always adhere to international standards for the protection of personal data.

There have been no reports about restrictions on virtual private networks (VPNs) and other circumvention tools, or about any limits on encryption. However, many Jordanians reportedly have a long-standing belief that “someone is listening in” on their phone calls. This attitude has carried over to the internet, where it is believed that security services closely monitor online comments, cataloging them by date, internet protocol (IP) address, and location.¹⁰³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote103sym>)

In 2018, for the first time, the surveillance of phone calls and the legality of how it is executed became the subject of public debate. The discussion was triggered by reports about the ability of a security officer to access private phone conversations.¹⁰⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote104sym>) An online petition that asked for legal actions to be taken against “officials who exploited their positions” and unlawfully monitored phone calls received more than 1,000 signatures.¹⁰⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote105sym>)

Since mid-2010, cybercafés have been obliged to install security cameras to monitor customers, who must supply personal identification information before they use the internet. Café owners are required to retain the browsing histories of users for at least six months.¹⁰⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote106sym>) Authorities claim that these restrictions are necessary for security reasons. Although enforcement is somewhat lax, the once-thriving cybercafé business is now in decline due the restrictions as well as increased access to personal internet connections. Internet cafés are required by law “to take all procedures and arrangements” to ensure that customers are not accessing terrorist-related material, though there is little guidance on what types of actions would be legally permissible. Furthermore, clauses within mobile phone contracts give Jordanian companies the right to terminate services should customers use it in any way that is “threatening to public morals or national security.”¹⁰⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote107sym>)

Intimidation and Violence

Journalists and others continue to face physical harassment for their online activities. Ahmed Tamimi of *Al-Ghad* newspaper, Ghaith Tall of *Sawaleif*, and Jamal Haddad of the news site *Alwakai* were physically assaulted by masked individuals and had their mobile phones seized in October 2017 while reporting on a protest in the northern city of Ramtha. They did not press charges against the unknown suspects.¹⁰⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote108sym>) In July 2017, a journalist from *Ziber*, Dana Gibreel, and a reporter from *Al-Sabeel* daily, Yaqoub Eid, were intimidated by security forces while covering a protest led by the family of one of those killed by a security officer at the Israeli embassy in Amman. Eid, who was live-streaming the event on *Al-Sabeel's* Facebook page, had his mobile phone confiscated and its contents erased; Gibreel was coerced by police officers into deleting a video she had recorded of the protest.¹⁰⁹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote109sym>)

In 2016, Jordanian writer Nahed Hattar was shot dead outside a courthouse in Amman, where he was due to face trial for posting a satirical cartoon deemed offensive to Islam on his Facebook page.¹¹⁰ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote110sym>) Thousands of Jordanians expressed their solidarity with Hattar's family, demanding an end to hate speech and incitement to violence online.

Several cases of online incitement and threats against journalists were reported in the past year. For example, cartoonist Emad Hajjaj was the target of a hostile online campaign, in addition to a legal complaint (see Prosecutions and Detentions for Online Activities), after he published a cartoon on Facebook that was deemed offensive to both Christians and Muslims. He was forced to delete the image and publish an apology to placate the angry reactions on social media.¹¹¹ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote111sym>)

Farah Maraqa, a reporter and writer from the London-based news website *Raiyoum*, received threatening and harassing comments on Facebook as a result of her report covering the case of Jordanian soldier Maarik al-Tawayha, who was sentenced to life in prison by a military court in July 2017 for the deaths of three US soldiers at an airbase.¹¹²

(<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote112sym>) Reporter Tareq Badarin of *Al-Quds al-Arabi* newspaper said he was attacked online after publishing a news article on his Facebook page in October 2017, which was later removed by the author. The article covered a hunger strike by Islamist militants in Jordanian prisons. According to the reporter, police were able to identify the person behind one of the death threats he received, but he did not file a complaint.¹¹³ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote113sym>)

Technical Attacks

Cyberattacks against bloggers and the staff of news websites have decreased in severity compared with previous years. However, recent geopolitical tensions have resulted in the hacking of news sites. In 2016, the state-owned news agency, Petra, confirmed that its website was affected by a cyberattack.¹¹⁴ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote114sym>) Hackers posted a fabricated news story regarding the deputy crown prince of Saudi Arabia. Officials claimed that Iranian hackers were behind the attack.¹¹⁵ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote115sym>)

In 2017, *Ammon News* published two news stories that were later declared to be false after hackers were able to access the site. The first story announced a planned meeting between the chief of the royal court and Syrian president Bashar al-Assad, while the other was related to a phone call between the king and the Saudi crown prince.¹¹⁶ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote116sym>) The same website was also hacked in 2011, after its editors refused to comply with security agents' demands to remove a statement by 36 prominent Jordanian tribesmen who called for democratic and economic reforms.¹¹⁷ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote117sym>)

In October 2017, the website of government-owned Jordan Post, the main provider of postal services in the country, was hacked by unknown persons who displayed a message criticizing the inappropriate treatment of customs employees and the high custom duties on goods imported by Jordanians.¹¹⁸ (<https://freedomhouse.org/report/freedom-net/2018/jordan#sdfootnote118sym>)

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