



Jordan

FREEDOM ON THE NET 2020

49
/100

PARTLY FREE

A. <u>Obstacles to Access</u>	14 /25
B. <u>Limits on Content</u>	19 /35
C. <u>Violations of User Rights</u>	16 /40

LAST YEAR'S SCORE & STATUS

47 /100 **Partly Free**

Scores are based on a scale of 0 (least free) to 100 (most free)



Overview

Internet freedom in Jordan improved slightly during the reporting period. However, internet freedoms are still undermined by the arrests and

prosecutions of online journalists, activists, and social media users for criticism of the government; the blocking of news sites; and a number of laws that penalize legitimate expression online. Access to the internet has improved significantly in recent years, although concerns about state surveillance of online activity persist. During the COVID-19 pandemic, the government issued an executive order that criminalized spreading misinformation about the virus but that has larger implications for freedom of expression.

Jordan is a monarchy in which the king plays a dominant role in politics and governance. The parliament's lower house is elected, but the electoral system continues to put the opposition at a disadvantage despite recent reforms, and the chamber wields little power in practice. The media and civil society groups are hampered by restrictive laws and government pressure.

Key Developments, June 1, 2019 - May 31, 2020

- After 45 websites were blocked in 2019, a new licensing initiative led to the unblocking of many websites during the reporting period (see B1).
- In an attempt to crack down on misinformation during the COVID-19 pandemic, the government issued a royal decree that prohibited “publishing, re-publishing, or circulating any news about the epidemic in order to terrify people or cause panic among them” (see B5 and C2).
- A number of individuals were arrested, prosecuted, and imprisoned for their online activities during the reporting period. Since September 2019, at least seven activists have been detained, most of whom faced charges related to social media posts that were critical of Jordanian leadership (see C3).

A. Obstacles to Access

Soaring mobile broadband access has improved internet penetration rates in recent years, though geographic and socioeconomic disparities in access persist. Although disruptions to Facebook Live occurred during protests at the end of 2018 and beginning of 2019, no disruptions were reported during the coverage period. New regulations issued in 2017, which were expected to improve competition among fixed-line service providers, had a limited impact during the coverage period.

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?

5 / 6

Jordan's internet infrastructure improved significantly after telecommunications providers launched fourth-generation Long-Term Evolution (4G LTE) technology for mobile networks in recent years. More than 90 percent of Jordan's population is now covered by 4G LTE infrastructure, and download and upload speeds nearly tripled between 2015 and 2017. ¹ As of May 2020, the average download and upload mobile speed were 25.59 Mbps and 17.39 Mbps, respectively, according to Speedtest Global Index. ²

According to Jordan's Telecommunications Regulatory Commission (TRC), the sector regulator, approximately 8.5 million Jordanians had access to the internet in the third quarter of 2019, for a penetration rate of 81 percent. The TRC reported that the mobile penetration rate was 77 percent in the third quarter of 2019, with more than 8 million mobile subscribers. The majority of Jordanians use the internet on their phones: 94.5 percent of all internet subscriptions were mobile broadband subscriptions at the end of the third quarter of 2019, with the number of fiber-optic subscriptions steadily increasing. ³

In December 2018, the mobile service provider Orange Jordan announced that it had invested \$84.6 million into doubling its network coverage and improving infrastructure. According to the company's CEO, its expanded fiber-optic networks will enable Jordan to develop into a regional information and communication technologies (ICT) hub. ⁴

In 2019, the TRC announced that Jordan was preparing to introduce fifth-generation (5G) technology for mobile networks, and test frequencies were allocated to allow operators to conduct technical experiments. ⁵

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	1 / 3
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Internet access varies based on socioeconomic status, gender, and geography. The taxation of mobile internet service is considered a key barrier to access, particularly for low-income individuals. ¹

The latest annual survey published by Jordan's Department of Statistics found that in 2017, 10.5 percent of respondents cited high costs as a reason for not accessing the internet, up from 8.5 percent in 2016. The survey also showed that cost impedes access more in rural areas, where 17.3 percent of residents do not access the internet due to the price of service, compared to 9.5 percent in urban areas. ² However, prices for internet service have dropped in recent years due to competition, despite the fact that the sales tax on internet service increased from 8 percent to 16 percent in 2017. ³

The monthly price for a 1 TB home broadband subscription with one major provider was \$28 in 2020, excluding the 16 percent sales tax. ⁴ Monthly mobile internet prices range from \$12.7 for a 45 GB plan to \$22.6 for a 100 GB plan. ⁵

According to 2018 data from the Pew Research Center, 87 percent of adults in Jordan go online and smartphone usage is widespread. While a majority of adults ages 50 and older use smartphones, older Jordanian adults are far less likely than their younger counterparts to use them. According to the report, gender differences in internet use in Jordan are "modest"; for example, 85 percent of men reported they use at least one social media platform or messaging app, in contrast to 78 percent of women. Home computer or tablet access is relatively rare in Jordan, as

52 percent of adults use the internet but do not have a computer or tablet at home. ⁶

The Economist Intelligence Unit's 2019 Inclusive Internet Index found that women's access to the internet exceeds men's by 5.1 percent, while men's mobile phone access is 6.9 percent higher than women's. ⁷

The mobile service providers Zain ⁸ and Umniah ⁹ both offer access to Facebook's Free Basics initiative, ¹⁰ which provides free access to a limited number of websites under a zero-rating plan known as Facebook Flex.

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?

4 / 6

The government exercises some control over the internet infrastructure to restrict connectivity and access to social media platforms. Amid December 2018 and January 2019 protests against austerity measures, live streaming through Facebook Live was reportedly disrupted on a number of occasions, particularly during demonstrations. The government denied responsibility for the disruptions, attributing the anomalies to a technical error by Facebook. ¹ However, many social media users maintained that the authorities were behind the disruptions (see B3 and B8). ²

Starting in 2015, the government ordered internet service providers (ISPs) to block access to messaging apps on days that secondary school students sit for their national exam (*Tawjihi*). ³ In 2018, the number of blocked apps reached seven, including WhatsApp, Messenger, Twitter, and Instagram. Although the restrictions are confined to locations near examination halls and limited to the time period surrounding the exams, ⁴ they drew criticism again in 2020 from activists who consider them excessively restrictive and lacking a legal basis. ⁵

Voice over Internet Protocol (VoIP) services are restricted by some ISPs. In 2016, the TRC blocked an attempt by Jordanian mobile service providers to impose fees on the use of VoIP services. ⁶ However, providers then blocked VoIP calls on services like WhatsApp and Viber, causing users to see an error message if they try to make such a call, while Messenger, Telegram, and Skype remain accessible.

Orange Jordan remains the landing party for the FLAG FEA submarine cable, ⁷ the only east-west cable that serves Jordan. ⁸ However, a number of providers, like Damamax and LinkDotNet, have independent international connectivity. ⁹ International connectivity is also provided via terrestrial connections from neighboring countries as an alternative to submarine cables. In 2015, the Regional Cable Network (RCN) was launched to provide a high-capacity terrestrial fiber-optic network from Fujairah in the United Arab Emirates to Amman, ¹⁰ an addition to the established JADI (Jeddah-Amman-Damascus-Istanbul) link in operation since 2010. ¹¹

In July 2020, after the reporting period, NetBlocks reported that Facebook Live streaming was restricted by a few ISPs for a few hours during protests against the closure of the national teachers' syndicate. ¹²

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?

3 / 6

Licensing of telecommunications providers and ISPs is regulated by the TRC. Article 20 of the Telecommunications Law requires providers to secure a license in order to establish, operate, and administer telecommunications networks and provide telecommunications services.

¹ For an ISP, the initial license fees are \$42,000. ²

Generally, licenses are awarded “to all qualified applicants” although this doesn’t always apply in practice. The law lists what it calls “objectively justifiable reasons not to grant licenses,” such as national security restrictions, scarce resources, technical limitations, and “when award of

the license would lead to an anticompetitive environment in the market.”

3

Three mobile service providers dominate the market: Umniah, a subsidiary of Batelco Bahrain, Zain, and Orange Jordan. ⁴ Each provider controls more than 30 percent of the market. 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. ⁵ In 2018, the Ministry of ICT (MoICT), which was created in 2002 to drive the country’s ICT development and later became the Ministry of Digital Economy and Entrepreneurship (MoDEE), confirmed that the government had no intention to license a fourth mobile service provider. ⁶

After rejecting proposals from two international providers, the government awarded Zain Jordan the rights to introduce 4G LTE mobile services to the market, which it did in 2014. In 2015, Orange Jordan was awarded the second 4G license for \$100 million. ⁷ Also in 2015, a third 4G license was granted to Umniah for an equivalent price. ⁸ In 2017, FRiENDi, Jordan’s only mobile virtual network provider and part of Virgin Mobile Middle East and Africa, suspended its operations due to financial losses.

9

The market power of the largest telecommunications provider, Orange Jordan, has been diluted in recent years. Orange’s de facto monopoly on the international gateway and local backbone has been eroded by competitive terrestrial international connectivity and new fiber-optic backbones established by other providers. ¹⁰ In addition, long-awaited regulations to enforce full local loop unbundling (LLU) were issued by the TRC in 2017, ¹¹ six years after the move was first announced, in an effort to introduce more competition to the fixed-line sector by forcing Orange to open up its networks to other providers. However, according to a TRC report released in 2019, LLU “has not been implemented effectively,” limiting its competition-encouraging effects. ¹²

A5 0-4 pts

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Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

1 / 4

The TRC, the sector regulator, does not always operate in an independent manner. It is governed by the Telecommunications Law and defined as a “financially and administratively independent juridical personality.” ¹ Nonetheless, it is accountable to the MoDEE. ² The TRC’s board of commissioners and chairperson are appointed upon nomination by the prime minister based on the recommendation of the ICT minister. ³ The Telecommunications Law endorses free-market policies and governs licensing and quality assurance. ⁴

B. Limits on Content

Nearly 50 unlicensed news sites that were blocked in 2019 were unblocked after they were able to obtain licenses during the reporting period. The government issued directives around reporting, misinformation, and false news during the COVID-19 pandemic. Despite numerous online campaigns on political and cultural issues, self-censorship remained pervasive.

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content?

4 / 6

Score change: The score improved to a 4 from a 3 because no new websites were blocked during the reporting period, and many of the sites that were blocked in 2019 were able to obtain a license and were unblocked.

There were no reports of censorship of independent online media during the coverage period. In 2019, after enforcement of new regulations, 45 news websites were blocked after failing to obtain licenses ¹ (see B6). However, many of those sites have since successfully applied for licenses and had access restored. In total, nearly 160 websites obtained licenses

during the coverage period, bringing the total number of licensed news websites to 248 as of June 2020. ²

In March 2019, the Media Commission (previously named the Press and Publications Department) blocked Al-Urdunyya, an opposition news site based outside Jordan, a few hours after its launch, because it did not have a license. The owners were not notified of the decision. ³

The online publication 7iber became inaccessible for 12 hours in July 2018. In a short statement published on the outlet'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. ⁴

In 2017, The Media Commission reissued an order from 2016 to block access to the local LGBT+ online magazine My.Kali after an Islamist member of parliament, Dima Tahboub, requested an inquiry into the site. ⁵ It remained inaccessible at the end of the coverage period.

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content?

1 / 4

State pressure on editors of news sites and online activists to delete content is relatively common.

In December 2018, the Facebook page of the Al-Wakeel News site removed a post containing a doctored image of Leonardo da Vinci's *The Last Supper* that had provoked widespread indignation. In the doctored painting, which was considered offensive to Christians, Turkish celebrity chef Nusret Gökçe, also known as Salt Bae, sprinkles salt on Christ's food. The website's publisher, Mohammed al-Wakeel, apologized and said the post was the result of a mistake by a trainee editor. ¹ However, al-Wakeel was later arrested for inciting religious strife with the post (see C3).

In August 2018, the website of the *Al-Rai* newspaper deleted an opinion piece criticizing government efforts to restore relations with the Syrian regime less than an hour after it was published. *Al-Rai* does not frequently challenge the government's positions, and analysts reported that the removal was due to pressure from "unnamed entities." ²

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?

1 / 4

Restrictions on the internet and digital content sometimes lack transparency and proportionality. The apparent sporadic blocking of Facebook Live around protests in late 2018 and early 2019 (see A3), in addition to 7iber's inaccessibility in July 2018, raised concerns about the lack of transparency in blocking procedures.

During the protests between December 2018 and January 2019 in the Fourth Circle district of Amman, social media users reported that they were unable to access live streaming from Facebook Live. However, users could access Facebook Live when protests were not taking place. The minister of ICT stated that the internet was not blocked in the Fourth Circle area, claiming that the speed of video uploads was reduced by the excessive load on the network on weekends. The minister also added that blocking the internet requires an official lawful order to be sent to telecommunications providers. ¹ However, a joint technical report from the Open Observatory of Network Interference (OONI) and the Jordan Open Source Association analyzing the period between December 20, 2018, and January 10, 2019, found that "Facebook Live Stream was temporarily interfered with during the protests." ²

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 being blocked. Publications subject to this provision are 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.” ³ Articles 48 and 49 of the law enable the head of the Media Commission to block any website for failing to obtain a license or, more broadly, for violating Jordanian law. The law’s expansive definition of news websites could be interpreted to include almost all Jordanian and international websites, blogs, portals, and social networks.

The 2012 amendments to the PPL increased the liability of intermediaries for content posted on news sites, leaving outlets potentially responsible for readers’ comments. 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. ⁴ Moreover, websites must keep a record of all comments for six months after initial publication and refrain from publishing any “untruthful” or “irrelevant” comments. ⁵

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

2 / 4

The majority of Jordanian journalists continue to practice self-censorship, as shown in different reports and surveys on media freedoms published by the Amman-based Center for Defending the Freedom of Journalists (CDFJ). A 2020 report about media coverage during the COVID-19 pandemic indicated that self-censorship escalated as a result of the activation of the Defense Law by the government. ¹

According to a survey covering 2018, the most recently available, a staggering 92 percent of journalists said they practiced self-censorship, down from 94 percent in 2017. ² When asked about taboo topics in the 2017 survey, 92 percent said they avoided criticizing the armed forces, a decrease from the previous year, and 94.5 percent said they feared criticizing the royal court. ³

According to the 2017 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 slightly from the previous year 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.

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

2 / 4

The online information landscape continues to be limited by direct bans on reporting on certain topics, particularly during sensitive or tense events. For instance, during the COVID-19 pandemic, the government issued a defense order that prohibited “publishing, re-publishing, or circulating any news about the epidemic in order to terrify people or cause panic among them” (see C2). ¹

In October 2018, the prosecutor general in the Jordan Valley district of Southern Shounah issued a gag order restricting reporting on an investigation into the deaths of schoolchildren who were killed in a flash flood near the Dead Sea. ² In December 2018, the State Security Court attorney general issued a media ban to “protect the secrecy of the investigation” into a corruption case related to tobacco. ³

In June, 2019, according to Reporters without Borders (RSF), at least four Jordanian journalists were prevented from publishing articles critical of a conference in Manama, Bahrain, where economic aspects of an Israeli-Palestinian peace plan were presented by the US. The conference was widely criticized in Jordan.

Jordanian journalist Oraib al-Rantawi, from the daily *Ad-Dustour*, said that eight of his articles, half of them on the Bahrain conference, were banned from publication. Two journalists from the daily *Al-Ghad*, Majed Tobeh and Jamil Nimri, also said that their articles on the conference were

banned. The editor of a Jordanian news website said the censorship came from the "security services," which told editors not to publish any negative material on Jordan's participation in the conference. ⁴

Since the second half of 2016, two gag orders limiting independent coverage about the armed forces and the king have been enforced. All media outlets, including those that publish online, 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. ⁵ The Media Commission also bans publication of any reports about the armed forces outside of statements made by the forces' media spokesperson.

In July 2020, after the reporting period, the government issued a gag order that prohibited local media from reporting on a teachers' syndicate protest. ⁶

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish content online?

1 / 3

Several economic and regulatory constraints present obstacles for digital media in Jordan. For example, the PPL defines news sites as "electronic publications," which subjects them to the same stringent restrictions imposed on print media by the 1998 PPL. ¹

Recent bylaws regulate online publications through a licensing process similar to that of print media. Specifically, in 2017, the Media Commission issued a new bylaw that imposed a \$2,100 licensing fee on news sites, as well as a \$71 annual renewal fee. ² The amended PPL 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 state-controlled 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. Additional constraints were imposed in a separate bylaw issued in 2017, which requires news sites to hire at least five journalists. ³

In late 2018, the Media Commission began enforcing these licensing criteria more vigorously. In October, the commission’s director announced that, beginning in 2019, both online and print publications without a full-time editor who worked exclusively at that outlet would have 10 days to rectify the situation. ⁴ ⁵

B7 0-4 pts

Does the online information landscape lack diversity?	3 / 4
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Although users can access a wide range of news sources and information online, including through social media, state censorship of online content reduces the variety of information available on the internet.

In 2020, many journalists stated that coverage during the COVID-19 pandemic lacked diversity and that the official governmental narrative was the only one represented in the media. ¹

The government’s blocking of news sites and other web content decreases the diversity of available information. Many of the censored websites focus on individuals and communities not well covered by traditional media, from political opposition based abroad to the LGBT+ community. However, the content of these websites is often accessible through other channels, such as Facebook and Twitter pages. Additionally, some websites provide alternative copies or “website mirrors” accessible through different, non-blocked domains.

Following the 2012 amendments to the PPL, most news sites hired editors-in-chief who were already JPA members in order to meet the criteria to obtain a license, a concerning development for independent media given that most JPA members work in government or government-related media outlets. ² The narrow definition of a “journalist” according

to the JPA law and the dominance of the JPA as a union are additional barriers to pluralism and diversity in online media. ³

Although Jordan has the second-highest per capita proportion of refugees in the world, with more than 750,000 as of April 2019, ⁴ a 2015 study of four news sites found that only 2 percent of the media coverage in the sample focused on refugee issues. ⁵

Google and YouTube are among the top 10 most visited websites in Jordan. ⁶ As of March 2019, 71 percent of adult social media users in the country used Facebook, while 78 percent used WhatsApp. ⁷ In 2017, King Abdullah II launched a personal Twitter account. ⁸ Other state leaders and institutions have established social media channels to communicate with the public, including the Royal Hashemite Court, ⁹ the crown prince, ¹⁰ and Queen Rania, who has millions of followers on Twitter and Instagram, leading ¹¹ *Forbes Middle East* to describe her as “the Queen of Social Media.” ¹² In addition, Omar Razzaz, the prime minister since June 2018, is known for his Twitter activity and for personally replying to many tweets. ¹³

B8 0-6 pts

Do conditions impede users’ ability to mobilize, form communities, and campaign, particularly on political and social issues?	5 / 6
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Digital activism played a key role during the reporting period, as well as in the anti-austerity protests of late 2018 and early 2019. While the use of digital tools was not restricted during protests in May and June 2018, the demonstrations that began in December 2018 were affected by disruptions to Facebook Live.

Social media platforms were crucial in the longest-ever teachers’ strike in Jordan in September 2019. The strike of the 87,000 members of the largest Jordanian syndicate, the Jordan Teachers Association (JTA), started on September 8, 2019. ¹ During the next month, social media platforms provided a strong alternative to the coverage of the strike by traditional media. Many JTA supporters saw that coverage as

government-led, hypocritical, and biased against the teachers. ² Teachers used apps like Facebook and WhatsApp to better organize the strike efforts; to spread messages in a consistent way through images, poetry, slogans, and other forms of art; and to support the JTA's leadership. ³ The hashtags #مع_المعلم [with the teacher] and #إضراب_المعلم [teacher's strike] were prominently used on social media by users who supported the protests. ⁴

In November 2019, a social media campaign demanded the release of two Jordanians detained in Israel, Hiba Labadi and Abdulrahman Meri, and called for a sit-in in front of the Prime Ministry that hundreds of Jordanians joined. Following the campaign, the Minister of Foreign Affairs announced on Twitter that Labadi and Meri had been released. ⁵

Additionally, the hashtag #JordanSpeaksUp was widely used in October 2019 after a short YouTube documentary about women's experiences facing sexual abuse and harassment in Jordan inspired many others to share their stories on Twitter and other online platforms. Although the topic is still largely taboo in Jordan, many saw in #JordanSpeaksUp a resemblance to the #MeToo hashtag and movement. ⁶

Social media and messaging apps were instrumental in mobilizing thousands of participants and securing broad support for a national strike initiated by trade unions in May 2018 and later joined by thousands of Jordanians who opposed a draft law that would raise taxes. ⁷ The protests resulted in the resignation of the government and the withdrawal of the draft legislation. A Facebook event for the first general strike drew more than 25,000 attendees, ⁸ and protest-related hashtags trended throughout 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).

Facebook, WhatsApp, and other social media services were important sources of information for Jordanians during the demonstrations. According to a survey by the University of Jordan's Center for Strategic Studies (CSS), around 60 percent of Jordanians said they obtained

information on the protests through friends and social media, especially Facebook. ⁹ Many protesters used Facebook Live to broadcast the demonstrations, and short video reports on the events received tens of thousands of views, ¹⁰ overshadowing coverage by traditional or official media outlets, particularly in the first days. ¹¹ However, by the end of 2018 and into 2019, Facebook Live was blocked during weekly demonstrations. After the reporting period in July 2020, Facebook Live was once again blocked during a teachers' syndicate protest (see A3).

In November 2018, a social media campaign opposing draft amendments to the Cybercrime Law (see C3) trended on Facebook and Twitter within a day of its launch. ¹²

C. Violations of User Rights

During the COVID-19 pandemic, the government issued a defense order to manage misinformation spreading online about the virus. Throughout the reporting period, numerous activists were detained, arrested, or fined for their social media posts. Companies are still obliged to support government monitoring of users.

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?

2 / 6

Although Jordan's constitution contains some protections for free speech online, several laws, including the penal code, impose disproportionate or unnecessary restrictions in practice (see C2). Several constitutional amendments introduced in 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, among other provisions (see C5). Despite the passage of the Access to Information Law in 2007, a

number of restrictions on requests for information about sensitive social and religious matters remain in place. ¹

Judicial independence is limited. The king unilaterally appoints the entire Constitutional Court and the chair of the Judicial Council, which nominates judges for the civil court system and is composed mostly of senior members of the judiciary.

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities?

1 / 4

A number of laws impose criminal penalties and civil liability for online speech.

With the rise of COVID-19 cases in Jordan, a royal decree was issued to activate the Defense Law No. 13 for 1992, an extraordinary measure that gives the prime minister the power to impose curfews, close businesses and restrict freedom of movement. ¹ Prime Minister Omar Razzaz assured Jordanians that political rights and freedom of expression would continue to be protected, and that the law would be applied to the “narrowest extent.” ² However, one of the executive ordinances issued under the activated law, Defense Order No. 8, prohibited “publishing, re-publishing, or circulating any news about the epidemic in order to terrify people or cause panic among them via media, telecommunications, or social media.” The order set penalties of up to 3 years in prison, a fine of \$4,230, or both. ³

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. ⁴

The amended Cybercrime Law came into effect in 2015, with at least one provision that posed a serious threat to internet freedom. According to Article 11, internet users face at least three months in jail and a maximum fine of \$2,800 if they are found guilty of defamation on social media or

online media outlets. In practical terms, this means that journalists face harsher penalties for defamation online than in print publications, 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,⁵ as they can be jailed for any defamatory articles that appear online.⁶

In 2017, the government proposed a series of controversial new amendments to the Cybercrime Law to explicitly cover hate speech. Protests and pushback from Parliament on the draft legislation's broad language led the government to withdraw the proposal and say it would obtain input from civil society before redrafting it.⁷ However, the revised bill was soon returned to Parliament without feedback from civil society and its provisions attracted renewed criticism. The new text defined hate speech as "every writing and every speech or action intended to provoke sectarian or racial sedition, advocate violence or foster conflict between followers of different religions and various components of the nation," a still-vague description that would leave reporters and social media users who address controversial issues vulnerable to prosecution.⁸ Those convicted of hate speech would face at least three months in jail, and no upper limit for punishment was stipulated, leaving suspects vulnerable to pretrial detention. The bill also criminalizes spreading rumors and false news, without providing a clear definition of the offenses, with up to two years in prison and a fine of between \$1,400 and \$2,800.⁹ The maximum penalty for defamation under the amended law would be two years in prison, and suspects would not face pretrial detention if charged with the offense.

In February 2019, the lower house of Parliament rejected the bill. The legislation was being considered by the Senate as of June 2020.¹⁰

A number of other laws continue to threaten 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 JPA Law, and the PPL.

The PPL bans the publication of “material that is inconsistent with the principles of freedom, national obligation, human rights, and Arab-Islamic values.” ¹¹ 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.” ¹² Journalists, website owners, and other internet users face a range of possible fines for violating the law. ¹³

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 journalists, protesters, and other critics of the government. ¹⁴ 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. ¹⁵ In addition to 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. ¹⁶ 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.” ¹⁷ Rights activists complain that these draconian provisions can be used to prosecute critics of the regime, including those active online.

C3 0-6 pts

Are individuals penalized for online activities?	2 / 6
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A number of individuals were arrested, prosecuted, and imprisoned for their online activities during the reporting period. Since September 2019, at least seven activists have been detained, mostly on charges related to social media posts that are critical of Jordanian leadership. ¹

Several activists and critics of the government were arrested and prosecuted for social media posts, often on charges of insulting the king, in a crackdown that began in March 2019. In October 2019, Moayyad al-Majali was detained for insulting the king through an article on a local news website, and was accused the following month of insulting the queen in a Facebook post. Al-Majali, who was an employee at the Ministry of Justice, has been held in a prison in Amman awaiting trial and all bail requests have been rejected. ²

According to a Human Rights Watch report, Abdul Kareem Shraideh, a lawyer and the head of the Amman-based Arab Organization for Human Rights, was detained by a police unit specializing in “electronic crimes” on September 2, 2019 after publishing a video on Facebook that discussed corruption and high levels of poverty in Jordan. He was charged with criticizing the king and released after two weeks pending the trial. ³

Malek al-Masha’leh was arrested on January 26, 2020 after sharing videos on Facebook from political opponents based abroad. He was charged with “undermining the political system” under Article 149 of the penal code. ⁴ Additionally, Abdullah al-Khalayeh, an activist associated with the *hirak* Bani Hassan coalition, was detained in October 2019 and later arrested on charges of “undermining the political regime” after posting videos criticizing the king and queen on his Facebook page. ⁵

Meanwhile, on April 14, 2020, Selim Akash, a Bangladeshi journalist and reporter for the news website Jago News, was arrested and accused of violating the telecommunications and anti-terrorism laws. After a case was filed against him by the Embassy of Bangladesh in Amman for posting news on Facebook about Bangladeshi migrant workers’ plights during COVID-19 lockdowns, the Ministry of Interior issued a deportation order for Akash, with no date set for his deportation. ⁶

In May 2020, the police cybercrimes unit arrested Ali Sarsour, an activist and blogger, and charged him with insulting the royal family over a Facebook post. At the end of the reporting period, Sarsour was still in jail, on a hunger strike, and suffering deteriorating health. ⁷

In April 2019, a court sentenced activist Abdullah Wreikat to one year in prison for criticizing the king in a tweet. ⁸ In the same month, activist Sabri al-Masha'leh was sentenced to two years in prison after being convicted on lèse-majesté charges for four Facebook posts published in February that allegedly insulted the king. The sentence was later reduced to one year. ⁹

The General Pardon Law, which went into effect in February 2019, pardoned hundreds of individuals who had been convicted in 2018 of defamation, slander, and contempt under the Cybercrime Law, in addition to numerous other offenses. ¹⁰

After the coverage period, in August, 2020, several individuals were detained for their online activities in relation to the arrest of leading members of the Jordanian Teacher's Association, which had been staging protests throughout the summer. ¹¹

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?	2 / 4
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There have been no reports of restrictions on virtual private networks (VPNs) and other circumvention tools or limits on encryption, but anonymous communication is restricted. Cybercafé customers must supply personal identification information before they use the internet (see C6).

SIM Card registration is mandatory for all mobile phone users. ¹ In 2018, the TRC announced that a biometric system for mobile and internet SIM card registration would be established, requiring users to submit their fingerprints. ²

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy?	3 / 6
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State surveillance in Jordan threatens users' right to privacy. 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. ¹

Article 18 of the constitution protects the right to privacy, but allows for surveillance "by a judicial order in accordance with the provisions of the law." The anti-terrorism 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." ²

Jordan lacks a privacy law. In 2019, the MoDEE continued work on a draft data protection law that aims to regulate how personal data is collected, used, and published. The latest draft of the law, however, does not ensure the independence of the proposed Data Protection Authority (DPA) which is supposed to be formed by members of the government and the security forces, among others. ³

Under Article 18 of the 2011 constitutional amendments (see C1), judicial approval was added as a precondition for censorship or confiscation of private communications. ⁴

In a 2018 report by Citizen Lab, a Canadian internet watchdog, Jordan is listed as one of 45 countries worldwide impacted by Pegasus, a surveillance software developed by the Israeli technology firm NSO. Pegasus is known to be used by governments to spy on journalists, human rights defenders, and the opposition. ⁵ A Saudi operator of Pegasus known as KINGDOM reportedly surveilled targets within Jordan and 11 other countries. ⁶

New regulations published in 2018 allow authorities to monitor users of ride-sharing apps, such as Uber, by obtaining direct access to their personal and geographical data (see C6). In 2018, the legality of the surveillance of phone calls became the subject of public debate for the first time. The discussion was triggered by reports about a security officer who inappropriately spied on private phone conversations. ⁷

After the coverage period, the government mandated the use of the COVID-19 contact tracing application “Aman.” The application has access to the geographical locations of users, and there have been concerns raised about the privacy of users. ⁸

C6 0-6 pts

Are service providers and other technology companies required to aid the government in monitoring the communications of their users?

2 / 6

Service providers and technology companies are required by law to assist the government in monitoring user communications. In May 2018, the Ministry of Transportation published new instructions for licensing ride-hailing apps, such as Uber and Careem, which allow the ministry, as well as judicial and security bodies, access to the companies’ servers and databases without a court order. ¹ With the data from the companies, the government can track the movements and activities of users.

The Telecommunications Law requires that telecommunications providers take appropriate measures to enable the tracking of user communications upon a judicial or administrative order. ² In addition, according to a 2019 report published by the London-based ImpACT International for Human Rights Policies and Access Now, some of Jordan’s ISPs clearly violate customers’ privacy by collecting intrusive user information without prominently disclosing that fact or explaining how the data are used. ³ In absence of a personal data protection law, some tech companies state in their privacy policy that, by using their application, users give permission for the company to share user data with authorities if required to do so. ⁴

Since 2010, cybercafés have been obliged to install security cameras to monitor customers. Café owners are required to retain the browsing histories of users for at least six months. ⁵ 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 to the restrictions, as well as increased access to personal internet connections. Cybercafés 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 actions would be legally permissible. Furthermore, clauses within mobile phone contracts give Jordanian companies the right to terminate service should customers use their phones in any way that is “threatening to public morals or national security.” ⁶

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities?	3 / 5
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Score change: The score improved to a 3 from a 2 due to the low number of reported physical attacks on individuals this year; however, people are still harassed and intimidated online for content they post.

Journalists and other users continue to face harassment and assault in retaliation for their online activities. During the COVID-19 lockdown, photographer Muhammad Maghaida from *Al-Ghad* newspaper was forbidden to live stream on Facebook the arrival of Jordanian students stranded abroad who were repatriated on May 5; Maghaida was beaten and mistreated by security guards and was forcibly expelled from the airport. ¹

During the protests of late 2018, the CDFJ reported that several journalists, including some who publish online, were prevented from covering the events and assaulted by security forces. ² In 2017, Ahmed Tamimi of *Al-Ghad* newspaper, Ghaith Tall of the news site Sawaleif, and Jamal Haddad of the news site Alwakaai were assaulted by masked assailants and had their mobile phones seized while reporting on a protest in the northern city of Ramtha. ³ Additionally, journalists who publish controversial stories online risk threats and harassment on social media platforms. ⁴

In April 2019, the YouTube creator known as Joe HaTTab and another individual were reportedly detained for two days after allegedly operating a drone without authorization near a military area in East Amman while

recording a video. HaTTTab denied using a drone. ⁵ HaTTTab's passport, video equipment, and personal computer were confiscated for seven days.

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?	1 / 3
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Cyberattacks against politicians' social media accounts and news websites have been reported in recent years. ¹

In July 2019, the official website of the Constitutional Court was compromised by an "international hacker." A picture with phrases insulting the Jordanian state and security forces was put in place of its home page. ²

The social media accounts of several politicians and prominent figures were also compromised during the reporting period. For example, the Facebook profile of Naser Nawasreh, the deputy head of the teachers' union, was hacked in October 2019. ³

In November 2018, the speaker of the House of Representatives, Atef Tarawneh, confirmed in a tweet that his Facebook profile had been hacked. ⁴ The Facebook account of Tarek Khoury, a member of parliament and former president of the football club Al-Wehdat SC, was hacked in March 2019. The perpetrator was reportedly a supporter of a rival club. ⁵ In May 2019, the Iraqi Ambassador in Amman confirmed that her Facebook account had been hacked. ⁶

In 2017, the news site Ammon News published two stories that were later declared to be false and the result of hackers accessing 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 purported phone call between the king and the Saudi crown prince. ⁷



On Jordan

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Country Facts

Global Freedom Score

37/100 Partly Free

Internet Freedom Score

49/100 Partly Free

Freedom in the World Status

Partly Free

Networks Restricted

No

Social Media Blocked

Yes

Websites Blocked

Yes

Pro-government Commentators

No

Users Arrested

Yes

In Other Reports

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Other Years

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