



United Nations
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IPDC THE INTERNATIONAL PROGRAMME
FOR THE DEVELOPMENT OF COMMUNICATION

A central image showing the silhouettes of several people, likely media professionals, working with cameras on tripods. They are positioned against a bright, orange-hued background that resembles a tunnel or a large dome structure. The scene is overlaid with a blue grid and circular patterns, suggesting a digital or technical theme.

Assessment
of Media
Development in

JORDAN

*Based on UNESCO's
Media Development
Indicators*



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Foreword

The UNESCO Amman office is pleased to publish a comprehensive assessment of the Jordanian media landscape based on the Organisation's Media Development Indicators (MDIs). The study is part of the 'Support to Media in Jordan' project, funded by the European Union, aiming to increase media freedom, media independence and journalistic professionalism in the country.

The UNESCO Media Development Indicators offer a comprehensive framework for assessing the contemporary media landscape in any country at any given time, but do not hold the ambition to compare countries with each other. Thus the MDI is not a ranking instrument. It is a tool to measure the media landscape against indicators approved by UNESCO's Member States, and to recommend possible steps to further develop a free, independent and pluralistic media in line with international standards.

Jordan is the fifth country in the Middle East and North Africa covered by UNESCO's MDI series, following Egypt, Libya, Palestine and Tunisia. Outside the region, UNESCO has assessed media development in 10 countries based on the MDI framework, and there are 16 more studies in the making.

The Media Development Indicators define a framework, within which the media can best contribute to, and benefit from, good governance and democratic development. The indicators look at all aspects of the media environment and are structured around the following categories:

1. A system of regulation conducive to freedom of expression, pluralism and diversity of the media
2. Plurality and diversity of media, a level economic playing field and transparency of ownership
3. Media as a platform for democratic discourse
4. Professional capacity building and supporting institutions that underpin freedom of expression, pluralism and diversity
5. Infrastructural capacity is sufficient to support independent and pluralistic media

The MDI assessment was carried out by a team of Jordanian and international researchers during the first six months of 2015, and builds on the rich body of literature on the Jordanian media landscape, as well as on original research and in-depth consultations with stakeholders.

The UNESCO MDI assessment offers a thorough analysis of the media landscape as seen in June 2015, and a set of recommendations on the way forward. In that sense the study is more than an assessment, it provides a UNESCO-validated road map towards a Jordanian media allowing every woman, man, youth and child to express themselves freely, and to have access to information that is relevant to their day-to-day lives. This is especially important as the world moves towards the UN's new Sustainable Development Goals.

It is UNESCO's hope that the findings will contribute to the on-going discussion on how to expand media freedom, independence and professionalism in Jordan. As in any country this discussion never ends, but is a continuous conversation and debate between the media, the Government, the civil society and the public.

July 2015

Guy Berger

UNESCO Director for Freedom of
Expression and Media Development

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Acronyms

ACHPR	African Commission on Human and Peoples' Rights
ACHR	Arab Charter for Human Rights
AFP	Agence France-Presse
ARIJ	Arab Reporters for Investigative Journalism
ATI	Access to Information
AVC	Audiovisual Commission
AWMC	Arab Women Media Center
BBC	British Broadcasting Corporation
CAR	Computer Assisted Research
CDFJ	Center for Defending the Freedom of Journalists
CIDA	Canadian International Development Agency
CLD	Centre for Law and Democracy
CMN	Community Media Network
CPJ	Committee to Protect Journalists
CSO	Civil Society Organisation
CSS	Centre for Strategic Studies
DAPP	Danish-Arab Partnership Programme
FNF	Friedrich Naumann Foundation for Freedom
HMC	Higher Media Council
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICT	Information and Communications Technology
ILO	International Labour Organization
IMS	International Media Support
IPI	International Press Institute
IREX	International Research & Exchanges Board
ISIS	Islamic State of Iraq and Syria
ITU	International Telecommunication Union
JD	Jordanian Dinar
JHR	Journalists for Human Rights
JICA	Japanese International Cooperation Agency
JMC	Jordan Media Commission
JMI	Jordan Media Institute
JPA	Jordan Press Association
JPF	Jordan Press Foundation
JRTV	Jordan Radio and Television
JRTVC	Jordan Radio and Television Corporation
JTV	Jordan Television

JTC	Jordan Transparency Center
KAS	Konrad Adenauer Stiftung
LGBT	Lesbian, Gay, Bisexual and Transgender
MDI	Media Development Indicators
MENA	Middle East and North Africa
MEPI	Middle East Partnership Initiative
NCHR	National Centre for Human Rights
NGO	Non-governmental Organisation
OAS	Organization of American States
OGP	Open Government Partnership
OSCE	Organization for Security and Co-operation in Europe
PPD	Press and Publications Department
PPL	Press and Publications Law
PSB	Public Service Broadcaster
RTI	Right to Information
SSD	Protection of State Secrets and Documents Provisional Law
TRC	Telecommunications Regulatory Commission
UAE	United Arab Emirates
UDHR	Universal Declaration of Human Rights
UNCAC	United Nations Convention Against Corruption
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development
USD	United States Dollar

Executive summary

Democratic reform has been on the agenda in Jordan for decades and media reform has naturally been an important part of that debate. Over the quarter of a century since the restoration of parliamentary elections following the 1989 “April uprising” there have been important democratic gains, including regular democratic elections. There have also been important steps forward in terms of media freedom, and the country now enjoys a lively and reasonably diverse media environment. At the same time the overall framework for media development still has progress to make in important ways to measure up to international standards, as set out in UNESCO’s Media Development Indicators (MDIs). This MDI Assessment provides a detailed review of the different parts of the overall environment for media freedom, in accordance with the MDI methodology, identifying the various strengths and weaknesses and pointing the way to reform needs.

1: A system of regulation conducive to freedom of expression, pluralism and diversity of the media

The Constitution includes strong guarantees for freedom of expression and of the media. However, these do not fully measure up to international guarantees inasmuch as they protect only the right to impart, and not to seek and receive, information and ideas, and fail to place sufficiently strict conditions on restrictions on freedom of expression. The Constitution also lacks guarantees of the right to information, defined as the right to access information held by public bodies. Significant and positive commitments to legal and policy reform were included in the National Agenda (2007-2017). While some have been implemented, many are not yet put into effect.

Jordan was a regional leader in terms of being the first country in MENA to adopt a right to information law, but the 2007 Access to Information Law could be improved and efforts to implement it have been limited. The legal framework also includes extensive rules on secrecy, which seriously undermine the impact of the Access to Information law.

In some cases, the government of Jordan has engaged in extensive consultation around media law and policy reform. In other cases laws have been adopted with less public consultation. For its part, civil society has sometimes provided quality inputs into law and policy reform processes, although not consistently.

The legal framework includes a number of unduly restrictive rules on the content of what may be published or broadcast in the media – including broad and harsh criminal defamation laws with only limited defences, and extensive limitations on freedom of expression to protect national security, the courts and religious feelings. The practice of media workers being tried before military courts (i.e. the State Security Court) for certain types of crimes – which

also allows for detention pending trial – is also problematic from a freedom of expression perspective.

In terms of media regulation, the law provides strong and largely effective protection for the right of journalists to keep their confidential sources secret. At the same time, there are a number of areas where the system of media regulation is not in line with international standards. These include:

- The lack of independence of the Jordan Media Commission, along with the system where that final decision-making regarding the licensing of broadcasters rests with the government.
- Legal limitations on who may practise journalism or be considered to be a journalist, leading to a situation where a large number of individuals who would normally be considered to be journalists are excluded from membership of the Jordan Press Association and are formally banned from working as journalists.
- Licensing of newspapers.
- Undue controls and limitations on websites, including news websites.

These measures are exacerbated by efforts on the part of a number of actors – both public and private – to exert an influence on the integrity of media output, which has been described as ‘soft containment’.

2: Plurality and diversity of media, a level economic playing field and transparency of ownership

The public monopoly on broadcasting was brought to an end in 2002, leading to the establishment of a number of private both radio and television stations, substantially increasing the diversity of media output available to Jordanians. At the same time, the overall framework for the media includes few proactive measures to promote media diversity.

The system for allocating broadcasting licences essentially works on a first-come, first-served basis, which only recognises two types of broadcasters, namely public and private. There are no legal rules governing community broadcasters, which are recognised as an important third broadcasting sector globally, and no measures to allocate or protect frequencies for community broadcasters. Diversity is not formally recognised as a criterion for allocating broadcasting licences, and the process for allocating licences lacks clear rules and a competitive, transparent procedure which allows for public input.

In terms of financial measures, there are no rules limiting concentration or providing for transparency of media ownership, and concentrated media ownership structures are now starting to emerge. The fees for terrestrial broadcasters are high, and so far no terrestrial television licences have been issued. The print media sector, especially the larger dailies, is

facing a serious financial crisis which threatens to lead to further closures, including of some of the larger, more established newspapers. There are questions about whether the price paid by public bodies for advertising is sufficient. Measures to ensure that public advertising is allocated in an objective, transparent and politically neutral way have not yet been put in place.

3: Media as a platform for democratic discourse

Media outlets tend to be concentrated in the capital, Amman, with less attention being paid to issues of concern to those living in other governorates. Women and certain groups such as refugees are also poorly represented both in media content and in the media workforce, particularly at higher levels.

Significant efforts would be needed – both legally and at an administrative and practical level – to ensure that the extensive media in Jordan which is fully or partially state-owned can operate as public service media, in line with international standards. The state broadcast media and Petra News Agency all suffer from a lack of independence from government both in structural terms – including the way that their governing boards and directors are appointed, and in practice – including regular interference in their programming and staffing. These bodies also lack a clear mandate which defines how they are supposed to serve the public, most specifically in terms of the types of content they are supposed to produce. The new state broadcaster, the Independent Public Media Station, which has not yet started broadcasting, holds out more promise of being a public service broadcaster, but needs clearer independence from government to meet international standards on public service broadcasting.

There is also insufficient clarity about the relationship between the government and the state-owned newspapers. Partial public ownership is present via shares held by the Social Security Corporation, which in effect gives the government control over the appointment of the members of the boards and senior staff. At the same time, these media outlets lack the attributes of public service media, including a legal mandate or obligation to operate in the public interest.

The media has yet to put in place an effective, independent system for resolving complaints about media professionalism, including to promote media accountability to the public, although there have been attempts to do so over the years. A system is formally in place at the moment, via the Jordan Press Association (JPA) and its Code of Ethics and Disciplinary Boards. However, it is widely recognised to be problematic and discussions are currently ongoing about putting in place a new system. Among other problems, the current system is undermined by the fact that a large number of media workers are not covered by it, due to their ineligibility for membership of the JPA, by unduly restrictive provisions in the Code of Ethics, and by the system of sanctions, which in some cases are disproportionately severe.

Jordan does not have serious problems in terms of safety of journalists, but there are ongoing challenges in this area, for example in the form of detentions, rough treatment, public insults and threats of physical assaults. Impunity in these cases remains high, with very few either public or private actors having been convicted for aggressions against journalists. In addition to other causes, there appears to be low interest to investigate these cases, in part because they often involve the very bodies that would normally undertake such investigations.

4: Professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity

Jordan has a wide range of organisations providing training to journalists and other media workers and a large majority of journalists have benefited from training of one sort or another. At the same time, the training offered could correspond better to the real needs of journalists, in particular by incorporating a longer-term perspective into training efforts and by promoting better coordination and synergies among training providers and assessments of impact. Other gaps in the area of training include providing more focus on democratic values and media professionalism, promoting gender balance among participants, providing more training opportunities outside of the capital, and engaging senior staff, such as media managers and editors-in-chief, in capacity building.

A variety of academic courses in journalism and communications studies are also available in Jordan. A shortcoming of most of these programmes is the very limited time devoted to practical components. Some courses and staff skills could be updated, such as in regard to social media and computer-assisted research.

The monopoly status of the Jordan Press Association (JPA) as a union for journalists does not accord with international standards, which call for journalists to be able to join the unions of their choice. It also leads to practical problems inasmuch as the same union effectively represents both workers and management. Another challenge in this area is the domination of the JPA by both print media workers – due in part to a narrow definition of who is a journalist, with anyone working for a newspaper being covered but only those working for news departments in the broadcast and online sectors being included – and journalists working for the state media. The JPA has also historically had very limited representation of women on its governing Council.

5: Infrastructural capacity is sufficient to support independent and pluralistic media

In general, Jordan has enjoyed strong telecommunications, ICT and other technological development, especially in recent years, with the result that the vast majority of the population have access to satellite television and mobile phones, with strong and rapidly growing access

to the Internet and smartphone ownership. One challenge is Jordan's relatively weak position in the ICT Price Basket, which reflects high prices in this area.

The significant growth in online media services – provided through the websites of traditional media, through a new generation of Jordanian online media and through international social media platforms – has in recent years been a success for Jordan. This has led to a shift in media consumption trends among the Jordanian public and has provided the tools for media organisations to produce richer content. However, the adoption of overly intrusive regulatory rules for online media, along with the fact that intermediaries and websites which allow third parties to make comments are legally responsible for the content of those comments, has introduced a significant chill into this otherwise very positive adaptation to the digital sphere.

Collaboration between the public and private sectors in coming up with an ICT strategy is another promising area in Jordan. This collaboration enables the country to take into account the rapid technological and competitive changes taking place in this sector, but could engage the non-profit or civil society sector more fully.

6: Way forward

In overview, this Media Development Indicators study has reviewed in depth the media landscape of Jordan in terms of international standards for media development. In the five areas covered, achievements and gaps have been identified with a view to assisting stakeholders in their efforts to further develop a knowledge society in Jordan which can serve those who live in the state in terms of peace, democratic opportunity, and sustainable development. A total of 14 key recommendations (see below) are provided on the basis of the analysis. These flow directly from the identification of gaps, in terms of international standards, and provide a possible roadmap for consideration and dialogue on how Jordan might move forward with enhanced media development.

Key Recommendations

UNESCO recognises the ongoing efforts of the government and other stakeholders in Jordan to improve the overall environment for a free, independent and diverse media. At the same time, much can be done to bring the framework fully into line with international standards, including to meet the positive obligations that international law places on States to foster a free, pluralistic and independent media. The following are the key recommendations for consideration flowing from the Media Development Indicators (MDI) assessment for Jordan. More detailed recommendations are found at the end of the chapters on each of the five main MDI categories.

1. Efforts could be made to try and reinvigorate attempts to meet the commitments in the National Agenda on media reform.
2. The government and Parliament could commit to undertaking a full consultative process whenever they engage in media law reform efforts, and civil society organisations make an effort to ensure that their contributions to such consultations are as professional as possible.
3. A comprehensive review needs to be undertaken of laws which limit freedom of expression and the media and/or provide for secrecy with a view to amending them to bring them into line with international standards. A particular focus here could be on reform of the Protection of State Secrets and Documents Provisional Law and the rules on defamation.
4. The media sector as a whole could make more of an effort to ensure that they serve all of the people living in Jordan, in terms both of giving voice to their perspectives and of providing them with the information they need, and could strive to become a leading sector in terms of equitable employment practices, with a specific focus on ensuring more equal representation of women at all levels of staff.
5. The Jordanian Access to Information Law needs to be substantially revised so as to bring it into line with international standards and better national practice, and public bodies in Jordan take the appropriate steps to implement it properly.
6. Comprehensive broadcasting legislation could be introduced which should, among other things, transform the Jordan Media Commission into a fully independent body which is protected against both commercial and political interference, and put in place a fair and non-discriminatory licensing process which promotes an equitable allocation of licences to all three tiers of broadcasting – namely public service, commercial and community – and otherwise promotes diversity in broadcasting.
7. The Press and Publications Law could be amended to remove websites, including news websites, from its ambit. No registration or other administrative obstacles should be imposed on the establishment of news websites.

8. Jordan Radio and Television needs to be transformed into a true public service broadcaster which is protected in practice against both political and commercial interference, which has a mandate to serve the public interest and which benefits from adequate funding. A consultation could be undertaken to determine the future of the other public media, with a view to ensuring that they are also protected against political interference.
9. The media needs to put in place an independent complaints mechanism(s) for the public.
10. Where attacks against journalists and/or media outlets do occur, the relevant authorities should condemn them and allocate adequate resources to ensure that a proper investigation takes place and that those responsible are brought to justice.
11. Officials, and in particular members of the security forces, should never engage in physical abuse of or threats against media workers, whether directly or via third parties, and the authorities should condemn such actions when they do occur and bring the perpetrators to justice.
12. Organisations providing media training and education could endeavour to coordinate between themselves more effectively, among other things to ensure that training responds to the real needs of the media sector in Jordan. Key measures to be considered include offering a wide range of subjects and specialisations, ensuring that participants are broadly representative of Jordanian society, including in terms of gender, and substantially increasing the proportion of practical training in academic programmes.
13. The legal monopoly status of the JPA as a union/association for journalists should be removed and journalists should be free to join the union/association of their choice, while consideration should be given to democratising the JPA and opening it up to wider membership.
14. Ongoing support could be provided to ensure that the collaboration between the public and private sectors on the national ICT strategy continues and that the strategy is updated as needed to reflect technological and other changes.

Introduction

Democratic reform has been on the agenda in Jordan for decades and media reform has naturally been an important part of that debate. For many years, Jordanians have demonstrated their wish for political and democratic transformation but, while important progress has been made, there are many who argue that the results are modest.

The 1989 “April uprising” was an important point in Jordan’s democratic trajectory.¹ The uprisings were a response to increases in the prices of oil, transportation and food, and they led to significant changes in terms of political pluralism, freedom of expression and freedom of the press. Perhaps the most important manifestation of this was the restoration of parliamentary elections after a 33-year ban on political parties.

In the aftermath of the April uprising, all of the martial laws in place were annulled and a number of more progressive laws were put in place. A multi-party system was established, while greater freedom to print newspapers was heralded in via the enactment of the 1993 Press and Publications Law (PPL).

Since then, Jordan has shifted slowly towards a “restricted democracy”, in the words of a prominent Jordanian historian,² or a process of “defensive democratization,” in the words of an American scholar.³

King Abdullah II bin Al Hussein assumed his constitutional powers as Monarch of the Hashemite Kingdom of Jordan almost exactly a decade after the April uprising, on 7 February 1999. Since coming to the throne, King Abdullah II has launched a number of political reform initiatives.⁴

In November 2002, King Abdullah II introduced what was termed “Jordan First” to promote the idea of a modern, democratic state. More than a slogan, Jordan First is a plan of action to consolidate the spirit of belonging among citizens, with a view to their acting as partners in building and developing their country.⁵ Among other things, Jordan First aims to strengthen parliamentary democracy, the rule of law, media freedom, government accountability, transparency, justice and equal rights.

In December 2002, a Royal Decree established the National Center for Human Rights, a semi-autonomous public body with a mandate “to promote human rights, ensure equality and

1 Yahia Shukkeir. 2007. Status of the Media in Jordan, p. 5.

2 Mahfza, A. 2002. Restricted Democracy. Beirut, Arab Unity Studies Center. The book is still banned in Jordan until today.

3 Robinson, G. 1998. Defensive Democratization in Jordan. International Journal of Middle East Studies, Vol. 30, pp. 387-410.

4 Muasher, M. 2011. A Decade of Struggling Reform in Jordan.

5 See: Initiatives at King Abdullah’s official website: http://kingabdullah.jo/index.php/en_US/initiatives/view/id/3.html.

justice, fight discrimination, enhance democracy and to observe the Kingdom's commitment to international conventions".⁶ Also in 2002, Jordan was one of the early Arab states to adopt legislation opening up the airwaves to private broadcasters.⁷ These measures contributed to Jordan being ranked first in terms of democratic reforms out of fifteen Arab countries in the 2010 version of the Arab Democracy Index, published by the Arab Reform Initiative.⁸

These measures of gradual liberalisation were essentially successful in terms of maintaining peace and order until the Arab Spring swept the Middle East and North Africa (MENA) in early 2011. In Amman, on 24 March 2011, hundreds of students, activists and others protested next to the Interior Circle, or Jamal Abdel Nasser Square, named after the late Egyptian president, and the public movement for political reform and anti-corruption measures was widespread throughout the country.

When the protests first spread to Jordan, its leaders did not attempt to repress them, and instead responded to public demands for change in a more nuanced way. In February 2011, in an early response to the Arab Spring, and following street protests, King Abdullah II appointed Marouf Bakhit as the new Prime Minister and asked him to form a new government with a mandate to launch a "genuine political reform process" and to put the country on the path "of strengthening democracy".⁹

Early in the Arab Spring period, King Abdullah II instructed the government to create a National Dialogue Committee (NDC) comprising representatives of political parties, professional associations, the economic sector and civil society, including youth and women's movements. The Committee was tasked with engaging in a comprehensive dialogue with Jordanians from across the Kingdom in order to arrive at a consensus on legislation relating to political reform.¹⁰ The NDC's recommendations highlighted the importance of respecting human rights, the rule of the law and equality of opportunity, of combating corruption, of promoting transparency and good governance, of ensuring separation of powers between the three branches of government, and of supporting freedom of expression and press freedom.

In April 2011, King Abdullah II established the Royal Committee to Review the Constitution, with a mandate to revise the Constitution. In September 2011, Parliament amended 42 central articles of the Constitution, representing over a third of the Basic Law. Among other

6 The National Center for Human Rights Law, no. 51 of 2006.

7 Via the Provisional Law for Audiovisual Media.

8 Lisa Bryant. 28 March 2010. Report Card on Democratic Reforms in Arab World Issued. Voice of America. Available at: <http://www.voanews.com/content/report-card-on-democratic-reforms-in-arab-world-issued-89461557/160141.html>. The most recent version of the Index, from November 2014, is available at <http://www.arab-reform.net/arab-democracy-index-iv> and Jordan is ranked second.

9 Jordan's King Abdullah Replaces Prime Minister Amid Protests. 1 February 2015. Bloomberg Business. Available at: <http://www.bloomberg.com/news/articles/2011-02-01/jordan-s-prime-minister-rifai-resigns-king-asks-bakhit-to-form-government>.

10 Hani Hazaimeh. 25 May 2013. Outline of Jordan's reform process. The Jordan Times. Available at: <http://jordantimes.com/article/outline-of-jordans-reform-process>.

things, these amendments limited the King's constitutional prerogatives to postpone elections or dissolve the Lower House indefinitely, established a Constitutional Court in Jordan for the first time and provided greater protection for civil and political liberties. To boost efforts to fight corruption and enhance accountability in government, in December 2012 the King established the National Integrity Commission with a mandate to fight corruption.

On 12 June 2011, King Abdullah II delivered a speech on the occasion of the Great Arab Revolt, Army Day and Coronation Day in which he announced his Reform Vision. Key elements of this were of building Jordan as a state which respects the principles of “democracy, pluralism and participation through political reforms that are concrete and measurable and that meet the aspirations of our people for reform and change, away from the dictates of the street and the absence of the voice of reason.”¹¹

There are those who argue that, despite all of these efforts to open up the political system, real democratic progress has been hindered by strong opponents. Marwan Muasher, a former Minister of Information, has written:

“But all efforts to open up the political system have been thwarted by a resilient class of political elites and bureaucrats who feared that such efforts would move the country away from a decades-old rentier system to a merit-based one. This group accurately predicted that reform would chip away, even if gradually, at privileges it had acquired over a long period of time in return for its blind loyalty to the system. It thus stood firm not just against the reform efforts themselves, but also in opposition to the king's own policies.”¹²

In terms of the media, King Abdullah II delivered a Royal Message to the government on 22 March 2011 urging it “to develop a Media Strategy that is founded on the principles of freedom and responsibility, and takes into consideration modern advancements in communication.” In his Message, the King affirmed that, “freedom of the media, the national media in all its forms – print, visual, audio, and electronic – should reflect the highest standards of professionalism and a patriotic responsibility.” He also noted that the state media had ‘eroded’ and was failing “to properly deliver the message of the Jordanian State as well as the voice of its citizens.”¹³

The resulting Jordan Media Strategy (2011-2015) notes the importance of media to the reform process and makes a number of concrete commitments to media reform (see below).

In terms of the wider environment, the Syrian conflict and the subsequent emergence and spread of the Islamic State (ISIS) have captured the world's attention and transformed the region in ways one could not previously have imagined. A perhaps less widely touted impact

11 King Abdullah II's Reform Vision. 12 June 2011. Available at: <http://www.jordanpolitics.org/en/documents-view/27/king-abdullah-iis--reform-vision/42>.

12 Muasher, M. 2011. A Decade of Struggling Reform in Jordan.

13 Jordan Media Strategy (2011-2015), p. 1. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

of the conflict is that it has seriously undermined regional trade, which in various ways affects all of the region's economies.¹⁴

In March 2015, as the Syrian conflict entered its fifth year with no end in sight, the negative impact on Jordan, in economic, social, institutional, political and natural resource terms, continues. The massive influx of refugees, first from Iraq and now from Syria, has put a strain on the Jordanian economy and social systems. And the escalation of conflicts in neighbouring countries has highlighted the importance of security needs, sometimes to the detriment of other interests.

As of April 2015, over 628,000 Syrians had registered with the UNHCR in Jordan¹⁵ and there are a large number of others who have not registered. The influx of refugees has placed critical pressure on the country's infrastructure and is posing a threat to social cohesion and peace.¹⁶ The Government of Jordan has granted free access to primary and secondary education to all Syrian refugee children, which has exacerbated vulnerabilities for the poorest segments of the Jordanian population and led to a deterioration of access to quality basic services in the most affected governorates. Tensions between host communities and Syrian refugees are palpable in the Northern Governorates.¹⁷

At the end of 2013, the Jordanian government issued the National Resilience Plan 2014-2016 (NRP), detailing how the country proposes to address the challenges of the massive influx of Syrian refugees. The NRP includes a programme of high priority investments by the Government of Jordan to support host communities and bolster the Jordanian economy.¹⁸

A less well-documented but certainly important aspect of the security crises surrounding Jordan has been their impact on political will and prioritisation relating to media reforms. Jordan has faced various security threats more-or-less throughout its history. These escalated with the second Iraq war but the security situation has become even more serious with the presence of ISIS on the very doorstep of the country, which has to some extent diverted attention away from media reforms. Furthermore, there is a tendency – observed

14 Ianchovichina, Elena and Ivanic, Maros. 2014. Economic effects of the Syrian war and the spread of the Islamic state on the Levant.

15 Syrian refugees in Jordan. Available at: http://syrianrefugees.eu/?page_id=87. The largest concentrations of Syrian refugees were in the Amman Governorate (26.4 per cent), Mafraq (24.8 per cent), Irbid (22.6 per cent) and Zarqa (11.6 per cent), with the rest living in the southern area of Jordan. Twenty per cent of the Syrian refugees live in the Za'atari, Mrajeeb Al Fhood, Cyber City and Al-Azraq camps. See UNHCR, Registered Syrian Refugees. Available at: <http://data.unhcr.org/syrianrefugees/country.php?id=107>.

16 Ibrahim Saif, Minister of Planning and International Cooperation. 8 January 2014. Impact of Syrian crisis on Jordan. The Jordan Times. Available at: <http://jordantimes.com/impact-of-syrian-crisis-on-jordan>.

17 Jordan's Ministry of Planning and International Cooperation. November 2013. Needs Assessment Review of the Impact of the Syrian Crisis on Jordan, p. 6. Available at: <http://inform.gov.jo/Portals/0/Report%20PDFs/0.%20General/2013%20Needs%20Assessment%20Review%20of%20the%20Impact%20of%20the%20Syrian%20Crisis%20on%20Jordan.pdf>.

18 National Resilience Plan 2014-2016. Available in Arabic at: <http://un.org.jo/publications/national-resilience-plan-2014-2016>.

elsewhere around the world – to exert greater control over freedom of expression in the name of combating terrorism.

In terms of the media situation in Jordan, traditional print media outlets are currently struggling to survive. *Ad Dustour*, the oldest daily newspaper in Jordan, along with *Al Rai* and *Al Arab Al Yawm*, are facing significant financial headwinds. *Al Rai*, for example, announced a significant loss of USD 3.7 million in 2014.¹⁹ There are a number of reasons for this including the challenge from the new media and a shift of advertising spend to them, administrative problems such as over-employment in both *Ad Dustour* and *Al Rai*, and the fact that *Al Rai* purchased a very expensive new printing press just as the print media started to decline.

The liberalisation process has led to the establishment of a large number of new privately-owned television and radio stations. However, the licensing framework originally privileged entertainment over news, due to the fact that stations which wished to feature news had to pay a 50 per cent premium on the licence fee,²⁰ although this was abolished in 2012. Television stations which wish to broadcast terrestrially still face significant barriers, including as a result of the extremely high licensing fees, which is part of the reason why all of the new television broadcasters distribute via satellite.²¹

News websites have become a vital source of information²² in a country where traditional media freedom has been limited. Backed by high literacy (98 per cent)²³ and Internet penetration rates reaching 76 per cent,²⁴ news websites have been springing up like mushrooms in recent years. News websites first started to emerge in 2006, with the establishment of AmmonNews,²⁵ and there are now some 300 registered news websites in Jordan.²⁶ A number of these operate only online (i.e. do not have offline versions), including Ammonews, Sarayanews, Khabarni, Almadenahnews, Jordanzad, Jo24, Gerasanews, Assawsana and Samaalordon. Their share of digital advertising is growing rapidly, up from one per cent in 2009 to over 11 per cent in 2013.²⁷

Blogging is also flourishing in Jordan. Mohammad Omar, one of the early Jordanian bloggers,

19 17 March 2015. Alarai share price falls dramatically in Amman stock Exchange. Available at: <http://www.sahafi.jo/files/bdecfb61b0ae427f74200f58c85cd628afd1e9c2.html>.

20 Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan, p. 6.

21 The names of licensed TV and radio stations are available in Arabic on the Audiovisual Commission website: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=30>.

22 Mohammad Ghazal. 22 March 2012. News websites most popular destination for Jordanian Internet users. Available at: <http://jordantimes.com/news-websites-most-popular-destination-for-jordanian-internet-users---study>.

23 The World Bank. Literacy rate, adult total (per cent of people ages 15 and above). Available at: <http://data.worldbank.org/indicator/SE.ADT.LITR.ZS>.

24 Telecommunications Indicators (Q2/2014-Q1/2015). Available in English at: http://trc.gov.jo/index.php?option=com_content&task=view&id=2599&lang=english&Itemid=1231&lang=english.

25 Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan.

26 Abdullah Altawalbeh, senior officer at Jordan Media Commission, focus group discussion on the print media of 19 March 2015.

27 Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan, p. 6.

commented: “It seems that the [role of the] majority of blogs and social networks has turned completely since the ‘Arab Spring’. . . . Now it’s more about following up on public affairs and politics.”²⁸ Bateer Wardam, one of the early Internet activists, has noted that, “the main feature of the websites is that they allow for reader comments,” adding that social media “facilitates the dissemination of opinions contrary to those of the government.”²⁹

In this context, the UNESCO-run, EU-funded project ‘Support to Media in Jordan’ is being implemented from 2014 to 2017. The project aims to increase freedom, independence and professionalism of the Jordanian media. It builds on the Jordan Media Strategy 2011-2015 (for more information, see p. 30) and its Action Plan, and is being implemented in close cooperation with the media community in Jordan, including state and non-state media, journalism training institutions and media development organisations.³⁰ This Media Development Indicators assessment has been funded under this project.

The above provides the background for this study. To provide a baseline understanding of the media needs – for this project and for the benefit of a wide range of stakeholders in Jordan – it is important to undertake an assessment of media development in Jordan. Such an assessment requires an examination of the strengths and weaknesses of both the internal and the external environments in which the media operate. UNESCO’s Media Development Indicators (MDIs), provides a standard methodology for conducting such an assessment.

Taken as a whole, the MDIs provide an aspirational view of the overall environment for the media from the perspective of ensuring freedom of expression, media diversity and independence including professionalism. The MDIs offer a comprehensive structure for assessing media development needs in a country, using a methodology that has been endorsed by an UNESCO Intergovernmental Council composed of 39 Member States. MDI assessments do not set priorities; rather, they assess all of the media development needs in a country. As such, an MDI assessment can serve as an important tool for guiding the efforts of actors working in the area of media development, including policy makers. The aim of MDI assessments is to provide local stakeholders – including civil society groups, officials, leading decision-makers, media workers and legal professionals – with a comprehensive and objective mapping of the key media development needs in a country, based on the internationally accepted and tested MDI methodology. This, it is hoped, will provide local actors with an overview of the wider needs, thereby helping them to identify priorities and plan their programmes of action.

28 Yahia Shukkeir. 2011. New media in social resistance and public demonstrations. Global Information Society Watch. Available at: <http://www.giswatch.org/en/country-report/freedom-expression/ammannet.net/blogs/MohammadOmar>.

29 Wardam, February 2008. Electronic Democracy in Jordan, p. 3. Available at: <http://www.factjo.com/pages/ArticleViewPage.aspx?id=1948>.

30 More information is available on the project website, www.stmjo.com.

Background Information

Jordan is located in the Middle East and had an estimated population of 6.53 million in 2013.³¹ The population has skyrocketed since independence in 1946, multiplying more than twelvefold. This is due to both natural increase and inflows of population from surrounding countries as a result of various periods of regional turmoil. The population is projected to keep growing substantially in the near future.³²

Jordan's stability in the midst of the conflict and political chaos around it presents a puzzle for many analysts, who have remarked on how skilfully Jordan has managed to survive in this environment.³³ One consequence of being situated in such a turbulent region has been the emergence of a very strong executive branch of government, which has relied heavily on the security apparatus. Jordan allocates more than 25 per cent of its annual budget to the military and security sectors.³⁴

Since it was first established in 1921,³⁵ Jordan has suffered from a lack of natural resources. Among other challenges, 99 per cent of its territory is classified as dry zone and it is the fourth poorest country in the world in terms of water.³⁶ In response to its scarce natural resources, Jordan has invested in human resources and education, providing qualified Jordanian workers to fill vacancies in companies and countries around the world and especially in the oil producing Arab Gulf countries. As of 2014, the number of Jordanian workers abroad was estimated to be more than 500,000.³⁷

Arabic is the official language of Jordan,³⁸ although English is widely spoken and understood. Arabs make up the vast majority (98 per cent) of the population but one also finds Circassians

31 Department of Statistics, Jordan Statistical Yearbook 2013. Available in Arabic at: http://www.dos.gov.jo/dos_home_a/main/yearbook_2013.pdf.

32 Emmanuel Comolet. 2014. Jordan: The Geopolitical Service Provider.

33 Ibid.

34 The total general budget for 2015 is JD 6.096 billion (approximately USD 8.6 billion) of which the budget for the military has been increased to JD 955.1 million (approximately USD 1.35 billion) from JD 918.5 million in 2014, representing an increase of about four per cent. See General Budget Department. Available in Arabic at: <http://www.gbd.gov.jo/gbd/content/budget/MD/ar/2015/0801.pdf>. The budget for the Public Security Directorate (PSD), in turn, was also increased to JD 585.85 million in 2015, from JD 563.2 million in 2014. See General Budget Department. Allocation for the Public Security Directorate. Available in Arabic at: <http://www.gbd.gov.jo/gbd/content/budget/MD/ar/2015/1003.pdf>. The budget for the Gendarme Forces was increased from JD 182 million in 2014 to JD 192.3 million in 2015 (approximately USD 270 million). General Budget Department. Allocation for the Gendarme Forces. Available in Arabic at: <http://www.gbd.gov.jo/gbd/content/budget/MD/ar/2015/1005.pdf>. The budget of the General Intelligence Department is secret.

35 As Transjordan.

36 World Bank. 11 March 2013. Coordinating Stakeholders in Jordan on Crucial Water Issues. Available at: <http://wbi.worldbank.org/wbi/stories/coordinating-stakeholders-jordan-crucial-water-issue>.

37 Emmanuel Comolet. 2014. Jordan: The Geopolitical Service Provider, p. 11.

38 Article 2 of the Jordanian Constitution. The official English version of the Constitution is available at: http://www.representatives.jo/pdf/constitution_en.pdf.

and Chechens (one per cent of the population) and Armenians (also one per cent).³⁹ Islam is the official and dominant religion, with Sunnis representing 92 per cent of the population along with a few thousand Shiites. Christians make up six per cent of the population, most of whom are members of the Orthodox Church.⁴⁰ The Druze make up two per cent of the population

In terms of its Human Development Index (HDI) rank, Jordan is placed 77th out of 187 countries in the 2014 report, falling into the category of 'high human development'.⁴¹ Jordan's HDI score has increased substantially since 1980 but it has not increased for the last five years. Life expectancy in Jordan at birth in 2012 was 74.4 years (72.7 years for males and 76.7 years for females).⁴²

Jordan has experienced positive economic growth in the last 15 years, averaging over five per cent annually, with the World Bank forecasting a GDP growth rate of 3.5 per cent for 2015.⁴³ Gross domestic product per capita in 2013 was JD 3,653 (approximately USD 5,152).⁴⁴ According to the UNDP Human Development Report 2014, gross national income (GNI) per capita in Jordan was USD 11,337 in 2013.⁴⁵

Table 1: HDI Score by Year

Year	1980	1990	2000	2005	2008	2010	2011	2012	2013
HDI	0.587	0.622	0.705	0.733	0.746	0.744	0.744	0.744	0.745

Note: Higher scores are better for HDI

Despite these positive overall economic figures, the country has not been able to bring down the high unemployment rate, which declined modestly from 12.6 per cent in 2013⁴⁶ to 12.3

39 The Official Site of the Jordanian e-Government. Facts about Jordan. Available at: http://www.jordan.gov.jo/wps/portal/!ut/p/b1/04_SjzQyNzSONDIOMNOP0I-KSyzLTE8syczPS8wB8aPM4sMsvS3CvNONDdwDTlwMPL0sfMLMDU2NDQKN9INT8_RzoxwVAUwd0I4!/.

40 The Official Site of the Jordanian e-Government. Facts about Jordan. See: http://www.jordan.gov.jo/wps/portal/!ut/p/b1/04_SjzQyNzSONDIOMNOP0I-KSyzLTE8syczPS8wB8aPM4sMsvS3CvNONDdwDTlwMPL0sfMLMDU2NDQKN9INT8_RzoxwVAUwd0I4!/.

41 United Nations Development Programme (UNDP). 2014. Human Development Report 2014. Data by indicator, year and country. Jordan. Available at: http://hdr.undp.org/sites/default/files/hdr14_statisticaltables.xls.

42 Department of Statistics, selected indicators. Available in Arabic at: http://www.dos.gov.jo/dos_home_a/jorfig/2013/1.pdf.

43 World Bank. June 2014. Global economic prospects. Shifting priorities, building for the future, p. 81.

44 Department of Statistics, Jordan Statistical Yearbook 2013. Available in Arabic at: http://www.dos.gov.jo/dos_home_a/main/yearbook_2013.pdf.

45 United Nations Development Programme (UNDP). 2014. Human Development Report 2014, p. 161. Available at: <http://www.jo.undp.org/content/dam/jordan/docs/Publications/HDR/HDR2013/UNDP%20Human%20Development%20Report%202014%20English%20%20.pdf>.

46 Department of Statistics, Jordan Statistical Yearbook 2013. Available in Arabic at: http://www.dos.gov.jo/dos_home_a/main/yearbook_2013.pdf.

per cent in 2014.⁴⁷

Jordan's telecommunications infrastructure is growing at a very rapid pace. Internet first became available in the early 1990s and in 1995 the Telecommunications Regulatory Commission (TRC) was established to regulate the country's information and communication technology (ICT)⁴⁸ sector, now worth some USD 2.2 billion.⁴⁹ Recognising the economic potential of the Internet, the authorities have actively promoted ICT development in the Kingdom.⁵⁰ As a result, Internet is not only an important forum for public debate but it has grown into a vital instrument for business and a key economic pillar.⁵¹ A leading example of Jordan's ICTs success was when Yahoo! acquired *Maktoob*, which offered the first Arabic-language email service, for USD 164 million in August 2009.⁵²

Landline telephone subscriptions in Jordan have been declining over the past eight years, while mobile telephone subscriptions have grown significantly, according to the TRC. According to the TRC report for the first quarter of 2015, there were 376,473 fixed telephone subscriptions and 11.563 million mobile subscriptions representing 147 per cent of the total population.⁵³ By 2014, there were some 1.94 million Internet subscriptions (24 per cent of the population) of which nearly 1.6 million, or 82 per cent, use mobile broadband to access the Internet. Overall, Internet use is assessed at 5.9 million people, or 76 per cent of the population, with a strong upward trend according to the TRC.⁵⁴

Jordan has seven Arabic dailies of which *Ad Dustour*, *Al Ghad* and *Al Rai* claim a circulation in excess of 50,000, while *Al Arab Al Yawm*, *As Sabeel*, *Al Diyar* and *Al Anbat*, as well as the English language *The Jordan Times*, have smaller circulations. There are 37 FM radio stations in Jordan,⁵⁵ three of which – namely BBC, Monte Carlo Doualiyya (MCD) and Sawa – are produced abroad and rebroadcast in Jordan. There are also 45 licensed satellite TV stations: 17 of which are Jordanian, 13 Saudi, nine Iraqi, two Omani, two Algerian, one Kuwaiti and one Yemeni.

The media do not operate in a political and social vacuum. In order to operate freely and in a manner which promotes the public interest, they must enjoy a favourable legal setting, sometimes referred to as an “enabling legal environment.” Legal recognition of media freedom

47 Department of Statistics. Press release in Arabic. Unemployment rate 12.3 per cent in 2014. http://www.dos.gov.jo/dos_home_a/main/archive/unemp/2014/Emp_q4_%202014.pdf.

48 The TRC was established by the Telecommunications Law no. 13 for the year 1995, as amended by Law no. 8 for the year 2002.

49 Endeavor Jordan. 2014. *Multiplying Impact: Amman's High-Growth ICT Industry*, p. 5.

50 Freedom House. 2014. *Freedom on the Net 2014*, Jordan Chapter.

51 *Ibid.*

52 Endeavor Jordan. 2014. *Multiplying Impact: Amman's High-Growth ICT Industry*, p. 11.

53 Telecommunications Indicators (Q2/2014-Q1/2015). Available in English at: http://trc.gov.jo/index.php?option=com_content&task=view&id=2599&lang=english&Itemid=1231&lang=english.

54 *Ibid.*

55 Interview with of Audiovisual Commission Director General Amjad Alaqadhi, 4 March 2015.

is an essential pre-requisite for the development of systems of democratic governance. The media has long been recognised as the fourth estate or a watchdog over the abuse of power, as a civic forum for political debate and as an agenda setter.

At the same time, press freedom is not absolute. It is a challenge to find the appropriate balance between protection of this right and the need to ensure that other public and private interests, which can be threatened by abuse of press freedom, are not at risk. The evolution of media law in Jordan over the past 20 years is somehow a reflection of an effort to meet this challenge and to find the right balance between sometimes competing interests.⁵⁶

Since at least as far back as the watershed period of 1989-1993, against the backdrop of the termination of martial law and the movement toward parliamentary democracy and the rule of law, Jordan has been engaged in a search for rules and institutional structures that provide a proper balance between freedom of the press and competing public and private interests. On the one hand, there has been a strong publicly announced commitment to democratisation and enhancing press freedom. On the other hand, there has been an impetus toward control, prompted by concerns that increasing democratisation and openness will unleash expressive activity (particularly within privately-owned media) which is detrimental to Jordan's international relations, internal stability, and other interests.⁵⁷

Two factors have had a particular influence on the evolution of media freedom in Jordan:

1. The existence of powerful executive authorities, especially in comparison with legislative and judicial authorities.⁵⁸
2. A practice whereby implementation of laws can be described not as the rule of law but as rule by law. In other words, the authorities have broad discretion as to how they implement the law.

The legal framework governing the media in Jordan is complex with overlapping rules in different pieces of legislation. More than 20 laws and regulations govern the media and journalists in Jordan, many of which discourage journalists from exercising their freedoms due to the risk of legal sanctions, including fines and imprisonment. The Press and Publications Law (PPL), the Penal Code and the Protection of State Secrets and Documents Law constitute the principal tools used by successive Jordanian governments to control the media. The

56 IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 17.

57 IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 11.

58 The Cabinet of Ali Abu Al-Ragheb promulgated 211 provisional [temporary] laws in less than three years (2001-2003), exploiting the permission granted by the Constitution to promulgate provisional laws in the absence of parliament. In comparison, in the 80 years from 1921 to 2001, Jordanian cabinets promulgated only 150 provisional laws. See Yahia Shukkeir. 2007. Status of the Media in Jordan, p. 7, footnote 7.

Jordanian Penal Code, for example, contains a number of articles that provide for lengthy prison terms and harsh fines for offenses such as inciting sedition, defamation and publishing false news.⁵⁹

Beyond the legal framework, there are unwritten laws and taboos that influence the content which is found in the media in Jordan. The most concrete examples of 'difficult' topics are sex, religion and politics.⁶⁰ According to a recent study, the army remains the public institution that the media avoids criticising the most, followed by the judiciary, tribal sheikhs and leaders, and security agencies.⁶¹

The enactment of the 1993 PPL was an important part of the liberalisation process brought about by the 1989 "April uprising". The PPL facilitated the establishment of dozens of private weekly newspapers which experienced great success and even posed a threat to the (public) dailies. By May 1997, however, the government's tolerance for the weeklies, many of which tested hitherto established red lines, was at an end. In the absence of Parliament, the government promulgated Provisional Law no. 27 for the year 1997⁶² which led to the closure of 13 of the 35 weeklies due to their having insufficient capital to meet the conditions of the law.⁶³ However, the Higher Court of Justice held that the law was unconstitutional on procedural grounds, thereby nullifying all of the closures.⁶⁴

Until 2002, the government held a monopoly over radio and TV broadcasting. Jordan TV 1, the main public channel, was launched in 1968 and a public Jordanian satellite channel was launched in 1993. Both Jordan TV and Radio Jordan were controlled by the government, falling under the supervision of the Minister of Information. The adoption of the Provisional Law for Audiovisual Media (Audiovisual Media Law) opened up the space for private broadcasters and the licensing of a number of private satellite television stations and private radio stations.

Before Jordan liberalised the audiovisual sector in 2002, few households had the capacity to receive foreign satellite channels, mostly because satellite dishes were very expensive. However, the past decade has seen a dramatic shift in favour of satellite television as the dominant viewing platform. This has brought regional and global news providers – such as Al Jazeera, Al-Arabiya and BBC – along with hundreds of other free-to-air channels, into over

59 Pamela M. Gross. 2011. Jordan Press, Media, TV, Radio, Newspapers. Available at: <http://www.pressreference.com/Gu-Ku/Jordan.html#ixzz3VK8afC8R>.

60 Abdulla Altawalbeh, senior official at Jordan Media Commission, focus group discussion on the print media of 19 March 2015.

61 The Center for Defending Freedom of Journalists. 2013. Media Freedom Status in Jordan 2013 Report. Available at: <http://jordantimes.com/article/media-freedom-in-jordan-dropped-by-12-percentage-points-in-2013>.

62 Provisional Law no. 27 for the year 1997, published in the Official Gazette No. 4205, p. 2428, 15 May 1997. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

63 IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 25.

64 The Higher Court of Justice Grand decision published in Bar Association Bulletin, issues 1 and 2 in January and February 1998, p 389.

90 per cent of households.⁶⁵

The shift from analogue to digital television broadcasting will have little impact in this context, which may explain in part why the authorities have been slow to prepare for the transition.⁶⁶

Jordan Media Strategy (2011-2015)

An important development for the media in Jordan was the launch of “the national media strategy for the years 2011–2015, which aims to create an environment that supports the development of an independent media and to put in place a legal framework which ensures a balance between freedom and responsibility”.⁶⁷

The strategy is the result of numerous meetings and dialogues with diverse institutions and actors from the public and private sectors. The Committee which was appointed to draft the strategy included the Minister of State for Media Affairs, the Minister of Awqaf and Islamic Affairs and the Minister of Culture, along with the General Secretaries of various ministries and the directors of state media institutions.⁶⁸ As part of the consultation, the Committee met with a wide range of stakeholders including members of the National Steering Committee in the House of Representatives, the Jordan Press Association, editors of daily newspapers, the Artists Association, Jordan Radio and Television (JRTV), the Jordan News Agency (Petra), local radio and satellite channels, deans of media faculties of Jordanian universities, the Jordan Media Institute, the Center for Defending Freedom of Journalists, judges and legal experts involved in media affairs, representatives of the media cities, the Association of Producers, the Writers Association, website owners, the Jordanian Advertising Association, civil society organisations focusing on civil liberties and media issues, and experts in the media and the cultural field.⁶⁹

The Introduction to the Jordan Media Strategy notes that media is not only an essential component of the reform process but also an important forum for promoting reform. It emphasises the importance of a “free and professional media, based on the concepts and requirements of social responsibility” and its value in “spreading ideas and fostering national education and civic values.”⁷⁰

65 Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan, p. 6.

66 Comments by Ramadan Rawashdeh, former General Director of JRTV, at the UNESCO meeting at the Dead Sea, 2 March 2015.

67 Minister of State for Media Affairs, Mohammad Al-Momani, speaking at the Working Group on the Jordan Universal Periodic Review, 7th meeting on 24 October 2013. Available at: <http://goo.gl/xcEcyw>.

68 18 June 2011. Council of Ministers approves the Media Strategy. Available at: <http://www.sarayanews.com/index.php?page=article&id=75132>.

69 Jordan Media Strategy (2011-2015). Main Outputs, p. 3. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

70 Jordan Media Strategy (2011-2015), Introduction, p. 2. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

The Strategy states as its aim to establish an environment which is conducive to an independent and informed media in Jordan, based on the following principles:

- A favourable legislative environment that balances freedom with responsibility.
- High levels of professionalism based on objective, sustainable training.
- Self-regulation and adherence to ethical standards.

The Jordan Media Strategy takes the Royal Vision of Media of 2002 as a foundational document, upon which it bases its vision for developing and modernising the Jordanian media. The most important elements of the Royal Vision of Media are:

- Building a modern media system which serves as the foundation of political, economic, social and cultural development and which enhances the policy of economic, social and cultural openness that Jordan has pursued.
- Building a modern state media by encouraging pluralism, respecting difference of opinion and representing the nation in all of its aspects.
- Supporting the independent management of media outlets, paving the way for the private sector to own media outlets and enabling those outlets to perform a watchdog role.
- Improving media professionalism through training, qualification and specialisation. This includes reviewing media laws, developing media codes of conduct and adapting to modern technical realities.⁷¹

An important element of the Media Strategy is its recognition of the importance of “International conventions and treaties in the fields of communication, media and human rights that have been ratified by Jordan, including the *United Nations Charter*, the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights*.”⁷² To deliver on this, amendments were introduced into the Constitution in 2011⁷³ which provided for stronger guarantees of civil rights and liberties, freedom of expression and press freedom.

Despite these bold pronouncements and commitments, a number of press freedom assessments show that Jordan is in fact receding in terms of press freedom. In these assessments, Jordan ranks either as a non-free or a partly free country, and its scores have deteriorated rather than improved in recent years (see Table 2). One reason for this is the way the formal legal rules are implemented, which does not always respect the letter of the law. Another is that many laws have not been brought fully into line with international and

71 The Royal Vision of Media. 2003. Available at the Audiovisual Commission website in Arabic: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=35>. Also cited in Jordan Media Strategy (2011-2015). Main Outputs, p. 5. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

72 Jordan Media Strategy (2011-2015). Main Outputs, p. 5. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

73 Amendments to the Constitution were published in the Official Gazette No. 5117 of 1 October 2011.

constitutional standards.

Table 2 shows Jordan’s scores over the past five years in press freedom rankings developed by Reporters without Borders (RSF), Freedom House and the Jordanian Press Association (JPA):

Table 2: Scores on Various Press Freedom Indices

Year	2010	2011	2012	2013	2014	2015
RSF, World Press Freedom Index ⁷⁴ (197 countries)	120	128	128	134	141	143 ⁷⁵
Freedom House, Freedom of the Press ⁷⁶ (197 countries)	140 Not free	141 Not free	144 Not free	145 Not free	155 Not free	145 Not free ⁷⁷
Freedom House, Freedom on the Net ⁷⁸ (91 countries)	N/A	42 Partly free	45 Partly free	46 Partly free	46 Partly free	N/A
JPA press freedom indicator			51% Partly free ⁷⁹	44% Partly free ⁸⁰	47.61% Partly free ⁸¹	

Note: On the RSF and Freedom House rankings, the higher the number the lower the ranking of the state is with respect to others, while on the JPA indicator, the higher the percentage, the better the score.

74 Reporters without Borders. World Press Freedom Index. Available at: <http://en.rsf.org/press-freedom-index-2011-2012,1043.html>

75 Reporters without Borders. 2015. World Press Freedom Index 2015. Available at: <http://index.rsf.org/#/>.

76 Freedom House. Freedom of the Press. Statistics. Available at: <http://www.freedomhouse.org/report-types/freedom-press#.UzWLSaK9aqq>.

77 Freedom House. 2015. Freedom of the Press 2015. Available at: https://freedomhouse.org/sites/default/files/FreedomofthePress_2015_FINAL.pdf. Jordan did improve on the Freedom House Freedom of the Press ranking in 2015 from 155 to 145, but only moved back to its score of 2013 and was still classified as 'not free'..

78 Freedom House. 2014. Freedom on the Net 2014, Jordan chapter.

79 JPA. 2012. Press Freedom Indicators.

80 JPA. 2013. Press Freedom Indicators.

81 JPA. 2014. Press Freedom Indicators.

Methodology

The methodology used in this Assessment is based on the five main Media Development Categories found in UNESCO's MDI methodology. These Categories can be described as follows:

Category one is comprised of indicators that assess existing constitutional and legal guarantees for freedom of expression, pluralism and diversity of the media, and the compatibility of these guarantees with international conventions. It focuses on the legal and policy framework in which the media operate, looking at issues such as freedom of expression and restrictions thereto, the right to information, editorial independence, the right of journalists to protect their sources, and the role of civil society in shaping public policy.

Category two assesses the extent to which the authorities actively promote the development of the media sector in a manner which prevents undue concentration and ensures diversity and transparency of ownership and content across public, private and community media.

Category three analyses a large range of topics related to the media's role in promoting democracy and dialogue, ranging from the media's ability to reflect social diversity and serve the needs of all members of society, to verifying the existence of a public service broadcasting model. It also covers media self-regulation, public trust in the media and the important topic of the safety of journalists.

Category four looks at the availability and accessibility of training opportunities for media professionals, focusing on both vocational training and academic courses related to media. It also analyses the presence of trade unions and civil society organisations (CSOs) dealing with media issues.

Category five analyses the availability of modern infrastructure, facilities and equipment for media professionals, as well as the extent to which all of society, including marginalised groups, has access to modern forms of communication and ICT.

The Categories are broken down into more detailed Issues and Key Indicators. These provide the main headings for this Jordan MDI Assessment report. Recommendations are provided at the end of each of the five main Category sections. This Assessment is being complemented by a comparative analysis of better public service media (PSM) practices in selected European Union (EU) countries and the contemporary practice in Jordan.

The Jordan MDI Assessment and the comparative PSM analysis are intended to form the basis for a review of the government's Action Plan for the Media Strategy, leading to a revised Action Plan being agreed upon by relevant stakeholders. The Assessment provides a roadmap for the future of Jordan's media. If implemented, the recommendations in the Assessment should help realise the Royal Vision of "creating Jordanian media based on the foundations

of freedom and responsibility”.⁸²

The Jordan MDI Assessment was carried out by a team of four local researchers and an international expert between January and June 2015. The team was managed by International Media Support (IMS) and worked in close collaboration with UNESCO. The MDI assessment is based on a series of semi-structured interviews with focus groups and individual stakeholders, including leading local legal experts, journalists, editors, owners, academics, civil society organisation (CSO) representatives, regulators and officials. At the centre of the process were ten focus group discussions, held in February and March 2015, and concentrating on the following issues and groups: training and education; legal and policy framework; news websites; refugees; community media; broadcasting; the Jordan Press Association; print media; gender; and Journalists. These were supplemented by over 30 individual interviews.

The process also involved a series of eight UNESCO-facilitated national consultations, to obtain broad geographic input into the process. These were held from April to June 2015 in Ajloun, Jordan Valley, Karak, Maan, Madaba, Mafraq, Tafileh and Zarqa. Finally, UNESCO also facilitated four two-day thematic workshops and one one-day thematic roundtable, also held between April and June 2015, specifically focusing on public service broadcasting, training and education, self-regulation in the media, local radio and media information literacy. The participants in all of the interviews and meetings are found in Annex 3.

The findings from the interviews and focus groups were supplemented by a very extensive literature and legal review. A list of the key legal documents consulted is found in Annex 1 and a list of other key documents consulted is found in Annex 2.

Finally, invaluable advice and support was provided during the process by a Jordanian Advisory Board of experts in media development and by two peer reviewers. A list of the members of the Advisory Board and the peer reviewers is found in Annex 3. UNESCO also provided extensive feedback and support to the research and drafting process.

⁸² Jordan Media Strategy (2011-2015), Main Outputs, p. 26. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

Category 1

A system of regulation
conducive to freedom
of expression, pluralism
and diversity of the media



Key Indicators

A. LEGAL AND POLICY FRAMEWORK

- 1.1 Freedom of expression is guaranteed in law and respected in practice
- 1.2 The right to information is guaranteed in law and respected in practice
- 1.3 Editorial independence is guaranteed in law and respected in practice
- 1.4 Journalists' right to protect their sources is guaranteed in law and respected in practice
- 1.5 The public and civil society organisations (CSOs) participate in shaping public policy towards the media

B. REGULATORY SYSTEM FOR BROADCASTING

- 1.6 Independence of the regulatory system is guaranteed by law and respected in practice
- 1.7 Regulatory system works to ensure media pluralism and freedom of expression and information

C. DEFAMATION LAWS AND OTHER LEGAL RESTRICTIONS ON JOURNALISTS

- 1.8 The state does not place unwarranted legal restrictions on the media
- 1.9 Defamation laws impose the narrowest restrictions necessary to protect the reputation of individuals
- 1.10 Other restrictions upon freedom of expression, whether based on national security, hate speech, privacy, contempt of court laws and obscenity should be clear and narrowly defined in law and justifiable as necessary in a democratic society, in accordance with international law

D. CENSORSHIP

- 1.11 The media is not subject to prior censorship as a matter of both law and practice
- 1.12 The state does not seek to block or filter Internet content deemed sensitive or detrimental

Category 1

1: A system of regulation conducive to freedom of expression, pluralism and diversity of the media

A. Legal and Policy Framework

1.1 Freedom of expression is guaranteed in law and respected in practice

INTERNATIONAL STANDARDS AND TREATIES

Respect for the rights to freedom of opinion and freedom of expression are indispensable conditions for the full development of the person and essential underpinnings of a free and democratic society.⁸² The *Universal Declaration of Human Rights* (UDHR)⁸³ is generally considered to be the flagship statement of international human rights, a sort of *Magna Carta* for all mankind.⁸⁴ Important parts of the UDHR are generally considered to have crystallised into international customary law,⁸⁵ which is binding on all states.

The UDHR guarantees the right to freedom of expression and information in the following terms in its Article 19:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The *International Covenant on Civil and Political Rights* (ICCPR)⁸⁶ is a legally binding treaty that gives formal effect to many of the rights found in the UDHR. As of May 2015, the ICCPR had

⁸² UN Human Rights Committee. 12 September 2011. General comment No. 34: Article 19: Freedoms of opinion and expression. UN Doc. CCPR/C/GC/34, para. 12. Available at: <http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>.

⁸³ Adopted by UN General Assembly Resolution No. 217 of 10 December 1948. Available at: <http://www.un.org/Overview/rights.html>.

⁸⁴ Article 19. 1993. The Article 19 Freedom of Expression Handbook. London, p. 10.

⁸⁵ Many scholars consider important parts of the UDHR, including the guarantees of freedom of expression, to be legally binding as international customary law.

⁸⁶ Adopted by UN General Assembly Resolution 2200A (XXI), 16 December 1966, entered into force 23 March 1976. Available at: <http://www2.ohchr.org/english/law/ccpr.htm>.

been ratified by 168 states including Jordan.⁸⁷ Article 19 of the ICCPR guarantees freedom of opinion and expression in the following terms:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - a. For respect of the rights or reputations of others.
 - b. For the protection of national security, public order, public health or morals.

Article 19(1) provides absolute protection for the right to hold opinions, as indicated by the words “without interference”. This is, therefore, a right to which the Covenant permits no exception or restriction. Freedom of opinion extends to the right to change an opinion freely, whenever and for whatever reason, and includes freedom not to express one’s opinion.⁸⁸

Article 19(2) requires States Parties to guarantee respect for the right to freedom of expression, including the right to seek, receive and impart information and ideas of all kinds and regardless of frontiers. Because it protects not only the right to ‘impart’, but also to ‘seek’ and ‘receive’ information and ideas, this right protects both the expression and the receipt of every form of idea and opinion capable of transmission to others.⁸⁹ It protects all forms of expression, including audiovisual as well as digital and Internet-based modes of expression.⁹⁰

International law recognises that freedom of expression is not an absolute right, and that it can be limited when it conflicts with other rights.

To protect the core of the right to freedom of expression Article 19(3) places clear limits on any national legal restrictions on this right. Restrictions are treated as exceptions and are legitimate only if they fall within the very narrow conditions defined by Article 19(3), which establishes the following three-part test for assessing restrictions:⁹¹

⁸⁷ See: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en.

⁸⁸ UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 9.

⁸⁹ *Ibid.*, para. 11.

⁹⁰ *Ibid.*, para. 12.

⁹¹ Article 19. Limitations. Available at: <http://www.article19.org/pages/en/limitations.html>.

1. Is prescribed by law. Vague laws have a 'chilling effect' and inhibit discussion about matters of public concern. They create a situation of uncertainty about what is permitted, resulting in people steering far clear of any controversial topic for fear that it may be illegal, even if it is not.
2. Serves a legitimate interest. A restriction is legitimate only if its aim is to protect one of the 'legitimate interests' set out in Article 19(3). The list of interests is not open-ended; this list is exclusive and cannot be added to.
3. Is necessary in a democratic society. Necessary implies the existence of a pressing social need. A restriction must be truly necessary to protect a legitimate interest to pass this part of the test. The necessity part of the test includes several sub-tests, including that the restriction is proportionate in the sense that the benefits outweigh the harm to freedom of expression. In the great majority of cases where international courts have found restrictions to be impermissible, it was because they were not deemed to be 'necessary'.

In September 2011, the UN Human Rights Committee adopted General Comment 34⁹² elaborating in some detail on States Parties' obligations under Article 19 of the ICCPR. Paragraph 23 of General Comment 34 notes that, in addition to not imposing excessive restrictions, states have to be proactive in putting in place "effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression".

Article 20 of the ICCPR imposes two specific restrictions on freedom of expression, namely prohibitions on propaganda for war and incitement to hatred, stating:

1. Any propaganda for war shall be prohibited by law.
2. Any advocacy of national, racial or sectarian hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

It is, however, clear that restrictions imposed to satisfy Article 20 must still meet the conditions of Article 19(3).

Jordan has ratified several legally binding international treaties protecting and guaranteeing media freedoms including the ICCPR⁹³ and the *Arab Charter for Human Rights* (ACHR).⁹⁴ Both

⁹² UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83.

⁹³ UN General Assembly Resolution No. 2200 of 16 December 1966, entered into force 23 March 1976. The ICCPR was published on 15 June 2006 in Jordan's Official Gazette no. 4764, p. 2227. Also published in the same issue were: the International Covenant of Economic, Social and Cultural Rights, p. 2239; and the International Convention on the Elimination of All Forms of Racial Discrimination, p. 2220.

⁹⁴ Jordan has ratified the Arab Charter for Human Rights and it was published in the Official Gazette twice (due to errors in wording) in issue No. 4658 on 16 May 2004 and in issue No. 4675, p. 4478 on 16 September 2004. Entered into force 24 January 2008. Available in Arabic at: <http://www1.umn.edu/humanrts/arab/a003-2.html>.

treaties protect the right to seek, receive and impart information, respectively in Articles 19 and 32.

Article 32 of the Arab Charter states:

1. The present Charter guarantees the right to information and to freedom of opinion and expression, as well as the right to seek, receive and impart information and ideas through any medium, regardless of geographical boundaries.
2. Such rights and freedoms shall be exercised in conformity with the fundamental values of society and shall be subject only to such limitations as are required to ensure respect for the rights or reputation of others or the protection of national security, public order and public health or morals.

Jordan has also ratified a number of other international treaties and instruments which include guarantees of freedom of expression. It is, for example, a party to the *Convention on the Rights of the Child*,⁹⁵ which provides for children's right to freedom of expression in Article 13, which is similar in language to Article 19 of the ICCPR.

Jordan has also signed and ratified the Euro-Mediterranean Association Agreement with the European Union and its Member States.⁹⁶ Adherence to democratic principles and fundamental rights are an essential element of the association agreements.⁹⁷

The *Sana'a Declaration on Promoting Independent and Pluralistic Arab Media*, endorsed by UNESCO's General Conference in November 1997, also includes important standards relating to freedom of expression. Among other things, it establishes:

Arab states should provide, and reinforce where they exist, constitutional and legal guarantees of freedom of expression and of press freedom and should abolish those laws and measures that limit the freedom of the press; government tendencies to draw limits/red lines outside the purview of the law restrict these freedoms and are unacceptable.⁹⁸

EARLY PROMISES

1991 – **The National Charter**:⁹⁹ Following the 1989 "April Uprising", in 1990 the late King

95 UN General Assembly Resolution 44/25 of 20 November 1989, entered into force 2 September 1990. Available at: <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>. Jordan ratified the Convention by virtue of Law no. 50 for the year 2006, published in the Official Gazette No. 4787, 16 October 2006.

96 The Jordanian Parliament ratified the Agreement by virtue of Law no. 31 for the year 1999, published in the Official Gazette 1999, p. 4594. Available at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

97 The Euro-Mediterranean Association Agreements are available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:r14104&rid=1>.

98 UNESCO. 1996. *Sana'a Declaration on Promoting Independent and Pluralistic Arab Media*.

99 Available at: <http://www.un.org.jo/sites/default/files/Jordanian%20National%20Agenda.pdf> and at: <http://www.kinghussein.gov.jo/charter-national.html>.

Hussein appointed a 60-member royal commission to draft guidelines on political party participation. In June 1991, the National Charter was adopted at a national conference attended by 2000 leading Jordanians. While not legally binding, the National Charter describes itself as providing, along with the Jordanian Constitution, “a compass for the national debate on fundamental issues” and can be considered as a sort of social contract with the King.

The National Charter, states, in the section entitled “Information and Communication,” that the mass media “play an important role in strengthening democratic processes”. Some of the key statements in the Charter on this issue include the following:

- 2 Freedom of thought and expression and access to information must be viewed as a right of every citizen, as well as of the press and other mass media. It is a right enshrined in the Constitution and should under no circumstances be abridged or violated.

(--)

- 11 The circulation of news and information must be regarded as an indivisible part of the freedom of the press and information. The state must guarantee free access to information to the extent that it does not jeopardise national security or the national interest. It must enact legislation to protect journalists and other information personnel in the fulfilment of their duties and to provide them with material and psychological security.

Although these early promises were welcome, there was no concerted attempt to bring laws into line with the standards they proclaim.

The National Agenda (2007-2017):¹⁰⁰ The National Agenda represents an ambitious effort to create a master plan for the reform, future growth and development of Jordan. King Abdullah II introduced the concept in 2005 as a way to create a comprehensive strategy for social, political and economic transformation, with a view to putting Jordan on a trajectory of rapid, sustainable economic growth and greater social inclusion.

The 26-member National Agenda Steering Committee was created by a Royal Decree on 9 February 2005. The Committee included representatives from government, Parliament, civil society, the private sector, the media and political parties. It also brought on board community stakeholders from various sectors of society. The National Agenda was adopted by consensus by the Committee and, to that extent, represents a national consensus on the aspirations and ambitions of Jordanians.

Proposals in the National Agenda in the area of Basic Rights and Freedoms were intended, among other things, to expand freedom of speech and to foster a free and responsible media

¹⁰⁰ See the official website of King Abdullah II. Available at: http://kingabdullah.jo/index.php/en_US/initiatives/view/id/2.html.

sector. The National Agenda emphasises the need to revise media legislation to bring it into line with Article 15 of the Constitution, guaranteeing freedom of expression and of the media, and the idea of the media as a fourth estate. The following principles are supposed to underpin the drafting of laws which regulate the media:

1. Jordanians have the right to media ownership, as individuals, institutions, parties and public and private sectors without any limitations and within the law.
2. Limit state ownership of media to a certain percentage and introduce a by-law to separate ownership from editorial control.
3. Prevent state censorship of the media and interference in its work.
4. Prevent detention of journalists and refer all cases to the courts. Also, prevent the closure or licence withdrawal of media organisations for any reason until the case has been settled in court.
5. Abolish the Higher Media Council and encourage media representatives to form their own council.
6. Establish a commission to regulate the media sector, and serve as an umbrella organisation for the Audiovisual Commission and the Press and Publications Department.
7. Prohibit public servants, government officials and state authorities from offering any financial or in kind assistance to editors, journalists or writers in media organisations.
8. Abolish mandatory membership in the Jordan Press Association in compliance with Article 19 of the [Universal Declaration of Human Rights].

Although the National Agenda brought some positive changes in its wake, over time it has largely fallen by the wayside, at least in the area of media reform. Concrete examples of National Agenda recommendations which were not implemented include the provisions to “prevent detention of journalists” and to “abolish mandatory membership in the Jordan Press Association”. However, in accordance with recommendations 5 and 6, the Higher Media Council was abolished at the end of 2008¹⁰¹ and in 2014 the Jordan Media Commission (JMC) was established to regulate the media sector, and to serve as an umbrella organisation for what used to be the Audiovisual Commission (AVC) and the Press and Publications Department (PPD).¹⁰² It may be noted that the rules relating to the Director of the AVC,

101 Law no. 57 for the year 2008 Abolishing the Law of Higher Media Council. Published in the Official Gazette No. 4941, p. 6055, 1 December 2008. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

102 The Jordan Media Commission was established 30 April 2014 by the Restructuring Institutions and Government Departments Law no.17 for the year 2014, published in the Official Gazette No.5283, p. 2788. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

including as to his or her appointment, were carried over to the new JMC and that the same person was retained in the post.

CONSTITUTIONAL GUARANTEES

Jordan's Constitution is the fundamental law of the land and has supremacy over every other law. All acts of public actors, whether they are legislative, executive or judicial, must be in conformity with the Constitution or they can be deemed invalid.

Article 15 of the Constitution of Jordan guarantees the freedoms of expression, opinion and the press, and states in full:

1. The State shall guarantee freedom of opinion; and every Jordanian shall freely express his opinion by speech, writing, photography and the other means of expression, provided that he does not go beyond the limits of the law.
2. The State shall guarantee the freedom of scientific research and literary, technical, cultural and sports excellence provided that such does not violate the provisions of the law or public order and morality.
3. The State shall guarantee the freedom of the press, printing, publication and information media within the limits of the law.
4. Newspapers and information media may not be suspended nor the licence thereof revoked except by a judicial order in accordance with the provisions of the law.
5. In the event of the declaration of martial law or an emergency, the law may impose a limited censorship on newspapers, publications, books and information and communication media in matters related to public safety and national defence purposes.
6. The law shall regulate the method of control of the resources of newspapers.

When the Constitution provides that “the State shall guarantee”, this means that there is a positive obligation on the state, as represented by its different branches, to protect these rights and freedoms.

These are strong constitutional guarantees. At the same time, they fall short of international guarantees in a number of respects. First, unlike international law, they do not protect the rights to ‘seek’ and ‘receive’ information and ideas but only the right to express oneself. More importantly, in its various clauses the protections in Article 15 are limited by phrases such as “beyond the limits of the law”, “within the limits of the law” and “in accordance with the provisions of the law”. This does not mean that the government or the legislature are entirely free to pass laws which may impinge upon the stated rights and freedoms, because Article

128(1) of the Constitution provides: “The laws issued in accordance with this Constitution for the regulation of rights and freedoms may not influence the essence of such rights or affect their fundamentals.” At the same time, this does not go nearly so far as Article 19(3) of the ICCPR in terms of imposing clear and specific limitations on any restrictions on freedom of expression, notably in the form of the three-part test indicated above.

Pursuant to Article 33 of the Constitution, the King has the legal authority to conclude international treaties. If these treaties affect the rights of Jordanians or impose spending obligations on government, they must be passed into law (or ratified) by Parliament. Once ratified, a treaty is published in the Official Gazette and becomes part of domestic law.

Although Article 33 of the Constitution does not explicitly determine the status of treaties and international agreements in the Jordanian legal system and, in particular, whether they are of equal or overriding status to national law, judicial rulings have held that international treaties have a higher status than national laws. The Jordanian Court of Cassation has issued several rulings recognising that international treaties have a higher status than national laws in cases of conflicts between the two. For example, the Court of Cassation has stated: “Bilateral or international treaties or agreements are binding and they are of a higher rank than the domestic law in case of contradiction”.¹⁰³ Furthermore, Article 24 of the Jordanian Civil Code explicitly gives international treaties precedence over incompatible domestic legislation.

The Constitution also limits the protection of freedom of expression and press freedom to Jordanian citizens, whereas the 1946 Jordanian Constitution stated that “each human” has the right to express his opinion and international law also protects the right of ‘everyone’ to freedom of expression. The Constitution also does not prohibit the licensing of newspapers, which is not considered to be compatible with international law.

Articles 124 and 125 of the Constitution provide for the declaration of states of emergency and martial law. Article 124 allows for a special Defence Law to be adopted by the Council of Ministers where necessary to defend the country. Article 125 provides that, in case of “dangerous emergencies where the actions and measures under the preceding Article of this Constitution are considered insufficient for the defence of the Kingdom”, the King, upon a decision of the Council of Ministers, may declare martial law in all or part of the country. In this case, the King may by a Royal Decree issue instructions which override ordinary laws. Jordan has neither adopted a Defence Law nor imposed martial law for the last 25 years.

NATIONAL BODIES WHICH PROMOTE RIGHTS

The National Center for Human Rights¹⁰⁴ (NCHR) is a semi-independent public body which has a juridical personality and financial and administrative autonomy, and a mandate to

¹⁰³ Cassation Court’s (Civil) ruling no. 2426/1999 of 25 April 2000. Journal of Bar Association, Volume 7 and 8, July and August 1999, pp. 1788-1795.

¹⁰⁴ The NCHR was established by Law no. 51 for the year 2006.

promote intellectual, political and humanitarian activities related to human rights. The NCHR's mission is to protect human rights, promote a human rights culture, monitor the status of respect for human rights, provide legal consultations and assistance, handle complaints, and observe human rights violations with a view to ending them and eliminating their effects. In its annual report on the state of human rights in Jordan, it devotes a chapter to freedom of expression.¹⁰⁵

The Center for Defending the Freedom of Journalists (CDFJ),¹⁰⁶ a non-profit civil company¹⁰⁷ set up in 1999, plays a vital role in providing legal protection to journalists and promoting press freedom. CDFJ offers training for journalists, issues monitoring reports and undertakes advocacy for freedom of the media. There are also a number of other NGOs defending freedom of expression and press freedom, but with a lower profile than CDFJ.

1.2 The right to information is guaranteed in law and respected in practice

INTRODUCTION TO THE RIGHT TO INFORMATION

The right to access information held by government authorities (or public authorities), increasingly referred to as the right to information (RTI), is now widely recognised as a human right, as well as a lever for ensuring respect for other human rights. An essential condition of effective and professional journalism is journalists' ability to gather information from public bodies.¹⁰⁸ Without access to such information, members of the public, including journalists, are often left to speculate on what is happening inside of government.

Legally, Article 19(2) of the ICCPR has been recognised as embracing the right to information. This includes all information held by any public body, regardless of the form in which the information is stored, its source and the date of production.¹⁰⁹

The core characteristic of effective right to information legislation is an express presumption that all information held by public bodies should be accessible. The presumption of openness is grounded in the principle that information in the control of public bodies should be made public unless it is covered by an exception expressly set forth in a legislative act. This places the burden of justification for refusing to disclose information on the public body which holds that information.¹¹⁰

¹⁰⁵ National Center for Human Rights. 2013. Annual Report. The section on freedom of expression starts on p. 48. Available in Arabic at: <http://goo.gl/PJzKpp>.

¹⁰⁶ See: <http://cdfj.org/>.

¹⁰⁷ See: <http://www.ccd.gov.jo/e-services/home/search-link11-result>.

¹⁰⁸ Krug, P. and Price, M. 2002. *The Legal Environment for News Media*, p. 88.

¹⁰⁹ UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 18.

¹¹⁰ Mendel, Toby. 2008. *Freedom of Information: A Comparative Legal Survey*, p. 34.

UNESCO has traditionally been a strong advocate for the right to information.¹¹¹ The World Press Freedom Day conference in Brisbane, Australia, on 3 May 2010, adopted the Brisbane Declaration on Freedom of Information: The Right to Know, which calls on states, among other things:

To enact legislation guaranteeing the right to information in accordance with the internationally-recognized principle of maximum disclosure;

Such legislation should establish limited exceptions, proactive obligations to disclose information, clear and simple procedures for making requests, an independent and effective oversight system, and adequate promotional measures;

To ensure the effective implementation of the right to information by allocating sufficient financial and human resources for the structures and systems that are required to successfully implement legislation;¹¹²

A growing number of states have recognised the importance of the right to information and have adopted laws giving effect to the right. These laws can be traced back to 1766 when Sweden passed the first ever such law. By 1966, however, only three countries had adopted such laws while the number had grown to 14 by 1990. Since then, the number has increased much more quickly and, by the end of 2014, more than 100 states had adopted RTI laws,¹¹³ with 70 of those laws having been adopted in the last 15 years.

NATIONAL LEGAL GUARANTEES AND IMPLEMENTATION

Although many of the new constitutions in the Arab world – including the recent Moroccan,¹¹⁴ Tunisian¹¹⁵ and Egyptian¹¹⁶ Constitutions – do provide for specific guarantees of the right to information, the Jordanian Constitution does not mention this right. There are, however, two legal regimes governing the right in Jordan. The first is the Press and Publications Law (PPL), which provides for general guarantees of the right for Jordanian journalists,¹¹⁷ and the second

111 UNESCO. Freedom of Information in Arab States. Available at: <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/freedom-of-information/foi-in-arab-states/>.

112 UNESCO. 2010. Brisbane Declaration: Freedom of Information: The Right To Know.

113 Freedominfo.org. 18 September 2014. Reaching 100 FOI Laws, Movement Looks to Future. Available at: <http://www.freedominfo.org/2014/09/reaching-100-foi-laws-movement-looks-future/>. See also the RTI Rating, a tool for assessing the quality of RTI laws which has assessed all national RTI laws. Available at: www.RTI-Rating.org.

114 Article 27 of the 2011 Moroccan Constitution. Available in Arabic at: <http://www.mcpr.gov.ma/constitution.aspx>; in French at: http://www.maroc.ma/en/system/files/documents_page/bo_5964bis_fr_3.pdf; and in English at: http://www.constitutionnet.org/files/morocco_eng.pdf.

115 Article 32 of the 2014 Constitution of Tunisia. Available at: https://www.constituteproject.org/constitution/Tunisia_2014.pdf.

116 Article 68 of the 2014 Egyptian Constitution. Available in Arabic at: <http://www.sis.gov.eg/Newvr/consttt%202014.pdf>; and in English at: <http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>.

117 Law no. 8 for the year 1998 as amended.

is the Jordanian Access to Information Law, which guarantees the right for everyone.¹¹⁸

Article 6(c) of PPL provides: “Freedom of the press shall include: Obtaining information, news, and statistical reports of concern to the citizen from the various sources, and analysing, circulating, publishing, and commenting on them”.

Article 8 of PPL requires public agencies to take positive obligations to facilitate access to information for journalists. It establishes that journalists have the right to access information held by public bodies and that a response to a request for information should be provided as soon as possible and in any case within two weeks. It also gives journalists the right to attend public meetings.

Despite these legal guarantees, journalists often face challenges in obtaining information. Thus, in the 2013 report on press freedom by the Jordan Press Association (JPA), access to information was identified as the main obstacle facing journalists.¹¹⁹ Furthermore, the PPL only extends the right to information to journalists who are members of the JPA and not to other journalists or to the wider public.

Jordan was the first country in the Arab world to adopt a right to information law, in the form of the 2007 Access to Information Act (ATI). Despite showing strong leadership on this issue, the Law is weak and implementation in the eight years since the Law was adopted has been limited.¹²⁰

The National Center for Human rights (NCHR) noted in 2009 that it was receiving continuous complaints by citizens and journalists about the failure of ministries and public bodies to provide them with the information they need. The NCHR reiterated that failing to make information available to reporters and citizens creates a state of “no-confidence between public institutions and citizens”.¹²¹

Many activists state that the Jordanian ATI Law lacks the “maximum disclosure” and “fewer exceptions” principles which characterise more enabling legislation. Journalist and Executive Director of Arab Reporters for Investigative Journalists (ARIJ), Rana Sabbagh has noted: “The ATI Law was expected to stimulate a white revolution, but the community’s failure to make use of it, the vagueness of its provisions, and the government’s failure to implement it have undermined the effectiveness of the Law”.¹²² In a focus group discussion, Sabbagh added: “From our experience in the ARIJ and based on simple questions that are directed to authorities whether in the public sector or private sector, usually it is not possible to obtain information. Many ministries have not classified their information into confidential/not

¹¹⁸ Law no. 47 for the year 2007.

¹¹⁹ Jordan Press Association. 2013. Annual report on press freedom for the year 2013, p. 19.

¹²⁰ Shukkeir, Y. 2013. The Jordanian Freedom of Information Law: A Comparative Legal Study, p. 91.

¹²¹ National Center for Human Rights. 2009. Annual Report for 2009.

¹²² Sabbagh, R. 2 July 2010. Why Jordanians do not use right to access information. Ammonnews. Available in Arabic at: <http://www.ammonnews.net/article.aspx?articulo=54159>.

confidential and/or do not have the form for making requests for information.”¹²³

In terms of legal issues, according to the Right to Information Rating - created by Access Info Europe¹²⁴ and the Centre for Law and Democracy¹²⁵ - Jordan's ATI is ranked in the bottom five RTI laws, specifically in 98th position out of 102 countries with national laws which have been assessed.¹²⁶ Jordan scores 53 points out of a possible 150 (higher scores are better). The RTI Rating provides RTI advocates, reformers, legislators and others with a tool for assessing the overall strength of the legal framework for RTI in their country, and its indicators are drawn from international standards and better national practice. In its evaluation of the Jordanian ATI, the Centre for Law and Democracy noted: “Jordan's access law has many problems, most notably its vagueness. The lack of procedural detail and its overly broad exceptions regime are also major problems”.¹²⁷

There have been ongoing demands for the ATI Law to be amended to strengthen it. In early September 2012, the Jordan Council of Ministers approved a draft law modifying the 2007 Access to Information Law,¹²⁸ although this has still not yet been adopted by the Parliament at the time of writing. The draft amendments grant non-Jordanians the right to obtain information from public bodies if they have a legitimate interest in the information. They also strengthen the representation of civil society in the Council of Information, the oversight body, specifically to include the Director of the Press and Publications Department (now the Jordan Media Commission), the president of the Jordanian Lawyers Association and the president of the JPA. The amendments also stipulate that the Information Council shall report on implementation of the Law to the Prime Minister, the House of Representatives and the Senate.

Additionally, the amendments require the official in charge to respond to information requests within 15 days (as compared to 30 days under the current law). The draft amendments allow requesters to submit an appeal to the Council of Information within 15 days (previously 30 days) if their request is denied. The Council must then issue a decision on an appeal within 15 days (again previously 30 days). If denied, the requester has the right to appeal to the Administrative Court within 60 days of the Council's decision.

While the proposed amendments constitute a step in the right direction, they are not sufficient to bring the law into line with international standards. Many CSOs and other stakeholders

¹²³ Focus group discussion on the legal and policy framework of 18 February 2015.

¹²⁴ See: <http://www.access-info.org/>.

¹²⁵ See: <http://www.law-democracy.org/>.

¹²⁶ See: <http://www.rti-rating.org/country-data>. The RTI Rating is continuously updated and so its rankings are always current.

¹²⁷ Available as part of the RTI Rating at: http://www.rti-rating.org/view_country?country_name=Jordan.

¹²⁸ Cabinet endorses draft amendment to Access to Information Law. 1 September 2012. The Jordan Times. Available at: <http://jordantimes.com/cabinet-endorses-draft-amendment-to-access-to-information-law>. See also Shukkeir, Y. 2012. Jordan Approves Modifications to FOI Law. Available at: <http://www.freedominfo.org/2012/10/jordan-council-approves-modifications-to-foi-law>.

have welcomed the amendments but they do not consider them sufficient and so they are asking for more significant reform efforts. For example, Hilda Ajeilat, President of Jordan Transparency Center (JTC), which is leading a consortium pushing for improvements to the ATI Law, noted: “These minor amendments [proposed to the Parliament by the government] are insufficient and inadequate”.¹²⁹

“There is an enabling environment to improve ATI Law” according to the Head of the Research Unit at the Jordanian Parliament, lawyer Saddam Abu Azzam, in the sense that he believes that the government and Parliament are in agreement that the Law needs to be improved.¹³⁰

Assessments of the Jordanian ATI Law show that the mere passage of ATI legislation does not in itself open up access to information. “The most important factor is the effectiveness of the law and its implementation”, said Saddam Abu Azzam, the Head of the Research Unit at the Jordanian Parliament.¹³¹

In terms of implementation, the Center for Defending Freedom of Journalists (CDFJ) has published a case study on ATI in Jordan called *The Wasted Right*. It tested the readiness and response to information requests made to the Prime Minister’s Office, six ministries and the National Librarian (in his capacity as Information Commissioner, see below). The study revealed that only the Ministries of Finance and Justice and the Information Commissioner’s office had made the form for making requests for information available. The study also revealed that most ministries were not aware of the ATI Law, most also failed to respond to requests in a timely manner, and some requests were lost. In addition, few ministries have appointed an information officer or designated employee to receive requests, and most ministries have not undergone a process of classifying their documents or archiving them in a proper way.¹³²

The World Bank has recently issued a study on implementation of the Jordanian ATI. The study observed that, “there is no use of new information and communication technologies in processing requests for information. A citizen wanting public information has to go to the specific agency and fill in a form (if it exists) to request it”. The study also noted that, “the absence of sanctions in the ATI Law has contributed to the current weak compliance, as there are no consequences for public officials and agencies that ignore the Law’s requirements. The broad scope and use of exemptions and the limited success in processing appeals limit the use of the ATI Law”.¹³³

¹²⁹ Freedominfo.org. 14 June 2013. Consortium in Jordan Plans to Push RTI Amendments. Available at: <http://www.freedominfo.org/2013/06/consortium-in-jordan-plans-to-push-rti-amendments/>.

¹³⁰ Focus group discussion on the legal and policy framework of 18 February 2015.

¹³¹ Focus group discussion on the legal and policy framework of 18 February 2015.

¹³² Husni, W. 2013. *The Wasted Right*. Center for Defending Freedom of Journalists, pp. 7-14.

¹³³ Meknassi, S. 2014. *Implementing Right to Information*, p. 374.

INTERNATIONAL OBLIGATIONS

Jordan has ratified the UN *Convention Against Corruption* (UNCAC).¹³⁴ Articles 10 and 13 of the Convention call on States Parties to adopt measures to enhance transparency and guarantee that citizens have access to information in order to participate effectively in fighting corruption.¹³⁵ Freedom of the press and access to information are negatively correlated with levels of corruption.¹³⁶

Jordan has also joined the Open Government Partnership (OGP), a major international movement for expanding transparency, accountability and civic participation in government. Facilitating people's access to information is one of four main pillars of the OGP. Jordan committed in its first OGP Action Plan to "[improve] access to information through adopting amendments to the existing Access to Information Law in view of further improving it and ensuring that it is consistent with international best practices".¹³⁷

PUBLIC AWARENESS ABOUT THE RIGHT TO INFORMATION

There are few reliable studies on how the public exercises the right to information in Jordan. According to the former Information Commissioner, Ma'amoun Al-Talhouni, there was "no government mechanism to monitor the number of applicants for obtaining information, whether among journalists or others".¹³⁸

An investigative report from 2010 supported by Arab Reporters for Investigative Journalism (ARIJ) revealed that "only five per cent of [Jordanian] journalists used the Access to Information Law."¹³⁹ An independent researcher has also noted: "The majority of Jordanians have no knowledge of the Law, and those who know about it have not tested government openness fully".¹⁴⁰

According to the Information Commissioner, Muhammad Yunus Abadi, the total number of requests for information from Jordanian public bodies in 2013 was 2,209 while there were 2,286 requests in 2012.¹⁴¹ However, a large majority of all of Jordan's requests – more

134 UN General Assembly Resolution 58/4, 31 October 2003, entered into force 14 December 2005. Available at: <https://www.unodc.org/unodc/en/treaties/CAC/>. Jordan has ratified this Convention by virtue of Law no. 38 for 2004, published in the Official Gazette No. 4669, p. 3719, 1 August 2004.

135 The World Bank. 2000. *Anticorruption in Transition: A Contribution to the Policy Debate*, p. 18.

136 Jeff Huther and Anwar Shah. 2000. *Anti-Corruption Policies and Program, A Framework for Evaluation*, p. 7. See also Rick Stapenhurst. 2000. *The Media's Role in Curbing Corruption*.

137 Jordan first National Action Plan, p. 3. Available at: <http://www.opengovpartnership.org/country/jordan>.

138 Arab Reporters for Investigative Journalism. 23 November 2010. *Law on the Right to Access of Information: Part II*. Available at: <http://en.arij.net/report/law-on-the-right-to-access-of-information-part-ii/>. This was published in Al Arab Al Yawm on 11 June 2012. It is not available at the moment in Al Arab Al Yawm website, but it is available at: <http://www.sahafi.jo/files/d6c0a7e9c2720576312f4bef2c6a3b66e9887f4.html>.

139 Arab Reporters for Investigative Journalism. 23 November 2010. *Law on the Right to Access of Information: Part II*. Available at: <http://en.arij.net/report/law-on-the-right-to-access-of-information-part-ii/>.

140 Almadhoun, S. *Access to Information in the Middle East and North Africa Region: An overview of recent developments in Jordan, Lebanon, Morocco and Tunisia*.

141 Interview with the Information Commissioner, Muhammad Yunus Abadi, 2 February 2015.

than 80 per cent – were addressed to the Department of Statistics (1,893 requests in 2013 and 1,798 in 2012, see Table 3). Some CSOs and observers have criticised the accuracy of these statistics on the basis that many of these requests were not proper ATI requests but just information queries to the Department of Statistics, the mandate of which is precisely to provide this sort of information to the public. These critics believe that even requests that had been presented without filling out the forms were considered as requests, especially in the case of the Department of Statistics.¹⁴²

Table 3: Number of Requests for Information by Year

Year	Total no. of requests	Requests to Department of Statistics	Percentage of total requests to Department of Statistics
2013	2,209	1,893	85.7 per cent
2012	2,286	1,798	80.7 per cent

Apart from the Department of Statistics, the agencies receiving the most requests in 2012 were: the Royal Jordanian Geographic Center: 172 requests, the Meteorological Department: 72, the Social Security Corporation: 57 and the National Library: 44.¹⁴³ The Information Commissioner informed the research team that, in addition to the Department of Statistics, agencies which disclose information on demand in a satisfactory way are the Ministry of Justice, the Ministry of Health, the Audiovisual Commission, the Social Security Corporation, Zarqa Municipality and the Information Commissioner in his capacity as General Director of the National Library.¹⁴⁴

The requesting process is at the heart of the right to information system. If the volume of requests is low, there is a serious risk that the whole system will wither into irrelevance. It is important that many people living in Jordan are aware of the importance of making requests for information.¹⁴⁵

EXCEPTIONS

Article 13 of the ATI Law sets out the main regime of exceptions to the right to information, providing for the following types of exceptions:

- Secrets protected by other legislation.
- Information classified as confidential and provided by another state.
- Secrets pertaining to national defence, state security or foreign policy.

¹⁴² Mknassi, S. 2014. Implementing Right to Information. A Case Study of Jordan, pp. 381-382.

¹⁴³ Interview with the Information Commissioner, Muhammad Yunus Abadi.

¹⁴⁴ Interview with the Information Commissioner, Muhammad Yunus Abadi.

¹⁴⁵ Mendel, T. 2010. Implementation of the Right to Information: Lessons for India from Canada, Mexico and South Africa, p. 15.

- Analyses, recommendations or suggestions provided by officials before a decision is taken, including correspondence.
- Personal information, including correspondence.
- Information the disclosure of which would affect negotiations between Jordan and any other state or party.
- Criminal investigations or cases and investigations relating to customs or banking violations.
- Information which has a commercial, industrial, financial or economic character the disclosure of which would undermine the rights of the author or fair competition.

A serious weakness with the ATI Law is that one of the implications of Article 13(a) is that if another law renders information secret, the information is automatically protected as a secret under the ATI Law. In other words, if there is a competition between secrecy legislation and the principles of the right to information, the latter are pushed aside. As an automatic result, the Protection of State Secrets and Documents Provisional Law (SSD)¹⁴⁶ supersedes the ATI Law.

Media lawyer Khaled Khaifat notes that the ATI Law was from the beginning based on the idea of protecting secrecy and not promoting disclosure.¹⁴⁷ The former General Commissioner of Human Rights, Ali Al-Dabbas, notes that the exceptions in the Jordanian ATI make it “very difficult to activate the citizen’s right to obtain information”.¹⁴⁸ The Information Commissioner, who is the Director General of the National Library pursuant to Article 15 of the ATI Law, has clarified that various laws, and especially the SSD, give officials broad scope to classify documents. He also noted: “As the National Library we do not interfere in the classification process. Classification of secrecy of the document is determined at the discretion of the document’s creator”.¹⁴⁹

The ATI Law provides strong protection to privacy but fails to reflect the fact that in some circumstances the “public interest” should override privacy interests, as is the case with many right to information laws. While protecting privacy is a legitimate exception to the right to information, it must be “narrowly interpreted”.¹⁵⁰

National security is an exception in all right to information laws. At the same time, the government’s desire to keep information secret on national security grounds can conflict with the public’s right to information. Striking a balance between these competing interests

¹⁴⁶ Law no. 50 for the year 1971.

¹⁴⁷ Focus group discussion on the legal and policy framework of 18 February 2015.

¹⁴⁸ Ali Al-Dabbas. May 2008. Right to Access to Information in the Hashemite Kingdom of Jordan.

¹⁴⁹ The Information Commissioner, Muhammad Yunus Abadi, focus group discussion on the legal and policy framework of 18 February 2015.

¹⁵⁰ Welsh, W. and Greenwood, W. 2001. Essential Law for Journalists, p. 183.

is difficult. The *Tshwane Principles on National Security and the Right to Information* (the Tshwane Principles)¹⁵¹ focus specifically on the question of how to ensure public access to government information without jeopardising national security interests. Based on international and national law and practice, the Tshwane Principles set out in unprecedented detail guidelines on the appropriate limits of secrecy, the role of whistleblowers, and other issues in order to support those engaged in drafting, revising or implementing relevant laws and policies.

Some of the key elements of the Tshwane Principles (paraphrased) are as follows:

Principle 1: Everyone has a right to access government information, including information held by private entities that perform public functions or receive public funds.

(---)

Principle 4: It is up to public authorities to prove the necessity of restrictions on the right to information. Public authorities may legitimately withhold information in narrowly defined areas, such as defence plans, weapons development, and the operations and sources used by intelligence services.

(---)

Principle 10A: Public authorities should never withhold information concerning serious violations of international human rights and humanitarian law, including information about the circumstances and perpetrators of torture and crimes against humanity, and the location of secret prisons. This includes information about past abuses under previous regimes, and any information they hold regarding violations committed by their own agents or by others.

(---)

Principle 16: Information should be classified only as long as necessary and never indefinitely. Laws should establish the maximum permissible period of classification.

Principle 17: There should be clear procedures for requesting declassification, with priority procedures for the declassification of information of public interest.

Within Jordan, the Protection of State Secrets and Documents, Provisional Law (SSD) is

¹⁵¹ Tshwane Principles on National Security and the Right to Information. 12 June 2013. Available at: <http://www.opensocietyfoundations.org/sites/default/files/tshwane-principles-15-points-09182013.pdf>. The Principles were drafted by 22 civil society organisations and academic centres, facilitated by the Open Society Justice Initiative, in consultation with the four special mandates on freedom of expression at the UN, African Commission on Human and Peoples' Rights (ACHPR), Organization of American States (OAS) and Organization for Security and Co-operation in Europe (OSCE), and are based on more than two years of consultation around the world with government actors, the security sector and civil society.

the main legal document protecting information relating to national security. One of the key problems is that it makes confidentiality of information the general rule, and disclosing information the exception. According to media lawyer Khaled Khlaifat, the SSD is “the biggest obstacle to ensuring the legal right to information” and the most detrimental to access to information in Jordan.¹⁵² The National Center for Human Rights (NCHR) has remarked in its annual reports that the SSD is one of the main obstacles to the implementation of the ATI Law. In its reports, the NCHR has called on the government to amend the SSD to harmonise it with the ATI and PPL.¹⁵³

The SSD creates a nearly comprehensive system for the secrecy of official documents. Under it, state documents are categorised as: strictly confidential, confidential, and restricted. Official documents that do not fall within the scope of these categories are categorised as ‘ordinary.’ Public officials must not disclose the contents of even ordinary documents to anyone other than officials unless they are specifically authorised to. An example of the protection provided to documents that are not remotely sensitive on grounds of national security is Article 8(f) of the SSD, which renders secret: “any protected information or document impairing the reputation of an official personality or the standing of the State”.

Unduly broad legal rules on secrecy have been actively reinforced by successive governments. The Prime Minister periodically issues circulars and memos warning public officials against giving information to the press unless this has been approved by the Minister or the chief bureaucrat in charge of the office.¹⁵⁴ Article 68(8) of the Civil Service Statute of 2014 states: “A public servant is prohibited from engaging in any of the following activities subject to the disciplinary penalty: [...] To write or give statements to the media that cause harm to the state or its employees or disclose work secrets.”¹⁵⁵ In a number of countries, the presumption is that civil servants may speak to the media within their area of competence about matters that are not categorised as confidential.

APPEALS

The availability of a right of appeal, both administrative and judicial, is crucial to the successful implementation of a right to information law. The ATI Law provides requesters with the right to challenge refusals to release information or records either by filing a suit directly before the High Court of Justice (the Administrative Court)¹⁵⁶ or by lodging an appeal before the Information Council in an administrative process.

Two cases challenging refusals by the government to disclose information have been filed

¹⁵² Lawyer Khaled Khlaifat, focus group discussion on the legal and policy framework of 18 February 2015.

¹⁵³ National Center for Human Rights. 2010. Annual Report for 2010, p. 50.

¹⁵⁴ See, for example, a Circular by the Prime Minister issued on 13 February 2008. Available in Arabic at: <http://www.sahafi.jo/arc/art1.php?id=56bb5cc03dbbb27e65caa47784f756be9f271cea>.

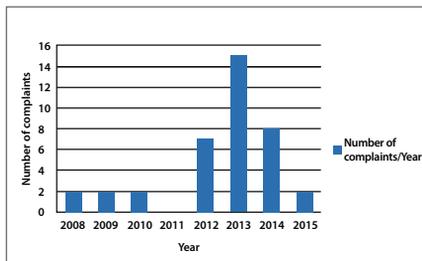
¹⁵⁵ Civil Service Statute of 2014.

¹⁵⁶ Administrative Jurisdiction Law no. 27 for the year 2014.

before the High Court of Justice but both were unsuccessful.¹⁵⁷

The Information Council has received only 37 complaints about refusals to provide access to information between when it was established in 2008 and 18 February 2015. The year 2013 saw the largest number of complaints being lodged, namely 15, with only eight in 2014. Information Commissioner, Muhammad Yunus Abadi has argued that, “there is a significant difference between the quality of the law and enforcement of the law. Even the Information Council’s decisions aren’t binding but the Council has succeeded in resolving the majority of the complaints against refusals by agencies to disclose the requested information”.¹⁵⁸

Figure 1: Numbers of complaints to the Information Council (2008-2015):¹⁵⁹



The Ombudsman also has a mandate to resolve disputes between citizens and public bodies which refuse to disclose information.¹⁶⁰ For example, in the past, the Social Security Corporation (SSC) refused to disclose copies of executive regulations relating to social security benefits. The SSC argued that it was only required to disclose these regulations if a court had ordered it to do so. The Ombudsman asked the SSC to disclose all of these regulations as citizens have a right to access them under the law, and the SSC agreed and now publishes them.¹⁶¹

PROMOTIONAL MEASURES

Many stakeholders informed the research team that poor records management is endemic at all levels of government.¹⁶² The lack of sound records management policies and poor

¹⁵⁷ Majdoleen Allan. 13 November 2010. Al Arab Al Yawm Files the First Lawsuit for the Right of Access to Information in Jordan. Arab Reporters for Investigative Journalism. Available at: <http://en.arij.net/report/al-arab-al-yawm-files-the-first-lawsuit-for-the-right-of-access-to-information-in-jordan/>.

¹⁵⁸ The Information Commissioner, Muhammad Yunus Abadi, focus group discussion on the legal and policy framework of 18 February 2015.

¹⁵⁹ The Information Commissioner, Muhammad Yunus Abadi, focus group discussion on the legal and policy framework of 18 February 2015. Chart generated by the authors.

¹⁶⁰ Shukkeir, Y. 2013. The Jordanian Freedom of Information Law: A Comparative Legal Study, p. 68.

¹⁶¹ The Ombudsman Bureau Annual Report 2010. Available in Arabic at: <http://www.ombudsman.org.jo/echobusv3.0/SystemAssets/12219cef-e910-4bb4-90ec-7a73c158b6cc.pdf>.

¹⁶² Participants in focus group discussion on the print media of 19 March 2015.

records management practices means that officials often find it difficult to locate and produce records which are the subject of a request. The Information Commissioner has noted that the government is discussing the idea of promulgating a National Documents Act to protect national documents: “The National Documents Act, which is being discussed now, will be a lever to the ATI Law in the sense of requiring officials to archive and conserve records”.¹⁶³ This proposed legislation aims to protect national documents by requiring officials to collect and conserve public documents, historical manuscripts and pictures.

Training for officials is an essential part of efforts to raise awareness about and promote implementation of the right to information. The Information Commission has noted that, since the law was adopted, 54 representatives of ministries and other public bodies have been trained on how to classify files, provided with request forms for ATI, and asked to report on how many requests for information they have received.¹⁶⁴ In general, however, public officials know very little about the ATI Law. The case study conducted by the Center for Defending Freedom of Journalists (CDFJ) on the Jordanian ATI, *The Wasted Right*, mentioned earlier, revealed a serious lack of awareness about the right to information and the ATI Law in most ministries surveyed.¹⁶⁵

1.3 Editorial independence is guaranteed in law and respected in practice

There are no legal provisions specifically guaranteeing editorial independence as such. Government officials use different means to influence the editorial content of the media. Besides direct contacts, advertisements and subscriptions are the main tools in this regard. The “carrot and stick” model is one of the preferred methods to achieve ‘soft containment’ of the industry, as elaborated upon below.

INFORMAL MEASURES OF CONTROL

The Al-Quds Center for Political Studies conducted a survey of 504 journalists and correspondents from various written, visual, audio and electronic media, including public, semi-public and private media, between 28 March and 12 April 2012 on “Soft Containment”.¹⁶⁶ 82 per cent of the interviewees believed that government officials used soft containment methods to illegitimately influence the media.

The most common forms of soft containment used by government officials to influence the media, according to the survey, are set out below in Table 4 (percentages reflect the rate of

¹⁶³ The Information Commissioner, Muhammad Yunus Abadi, focus group discussion on the legal and policy framework of 18 February 2015.

¹⁶⁴ The Information Commissioner, Muhammad Yunus Abadi, focus group discussion on the legal and policy framework of 18 February 2015.

¹⁶⁵ Husni, W. 2013. *The Wasted Right*. Center for Defending Freedom of Journalists, pp. 7-14.

¹⁶⁶ Jordanian Media Monitor. 2012. *Soft Containment and its Effect on the Independence of Media*.

positive responses by respondents to the question of whether they thought public officials engaged in this sort of behaviour).

Table 4: Soft Containment by Government Officials

Forms of soft containment most often used	Percentage of respondents who identify the specific form
1. Financial grants and gifts	70 per cent
2. Facilitating services and procedures at official institutions	42 per cent
3. Appointment in a government or semi-governmental position and the opportunity to attend important meetings and travel with officials	36 per cent
4. Facilitating access to information rather than blocking such access	28 per cent
5. Exemptions from custom duties or the provision of free medical services or education	21 per cent

The respondents to the survey suggested that they had personally been the subject of government measures of soft containment as follows:

- Private media: 41 per cent;
- Semi-public media (i.e. media owned indirectly by the government, like Al Rai and Ad Dustour): 42 per cent;
- Correspondents: 35 per cent; and
- State media (i.e. JRTV): 16 per cent.

The latter figure was explained in the survey as being the likely result of the fact that the government had access to more direct methods to control the state media.

85 per cent of the respondents said parties other than government officials practise methods of soft containment on journalists. The survey found that the non-governmental actors which practise methods of soft containment include businessmen, security apparatuses, influential figures, CSOs, political parties, Members of Parliament and tribal chiefs and notables. Table 5 shows the responses of respondents when asked about which non-official parties practise methods of soft containment.

Table 5: Soft Containment by Non-Government Actors¹⁶⁷

Forms of soft containment most often used	Percentage of respondents who identify the specific category of actors
1. Businessmen	69 per cent
2. Security forces	50 per cent
3. Influential figures	32 per cent
4. Civil society organisations	31 per cent
5. Political parties	27 per cent
6. Members of Parliament	19 per cent
7. Tribal chiefs and notables	12 per cent
8. Outside parties and embassies	2 per cent
9. The Royal Court	2 per cent

When asked why they believe that officials and other actors attempt to influence the media in this way, 62 per cent of the respondents indicated that they believed officials did this to limit media coverage of public movements demanding political reforms.¹⁶⁸

Another survey was conducted in 2015 by the Center for Defending Freedom of Journalists (CDFJ) as part of their recently launched study *Taht Al Mijhar* (Under the Microscope). CDFJ interviewed a sample of 200 journalists by telephone between 27 September and 22 October 2014, of whom 58 per cent were JPA members and 23 per cent were female.¹⁶⁹ The survey suggests that a number of bodies influence the media, of which the government, intelligence services and the Royal Court are more significant. Detailed figures on who is perceived to influence the media most are provided in Table 6.

Table 6: Soft Containment by Different Actors¹⁷⁰

Forms of soft containment most often used	Percentage of respondents who identify the specific actors
1. Government	15 per cent
2. General Intelligence Department	13 per cent
3. The Royal Court	12 per cent

¹⁶⁷ It should be mentioned that embassies and the Royal Court were not listed as options in the list of the given questions and so these were added by respondents as 'others'.

¹⁶⁸ Jordanian Media Monitor. 2012. *Soft Containment and its Effect on the Independence of Media*, p. 6.

¹⁶⁹ Center for Defending Freedom of Journalists. (2015). *Taht Al Mijhar* (Under the Microscope), diagnosing media status in Jordan, p. 18.

¹⁷⁰ Center for Defending Freedom of Journalists. (2015). *Under the Microscope*, pp. 389-390.

4. Other security forces	11 per cent
5. Business people and companies	10 per cent
6. Advertising agencies	9 per cent
7. Civil society organisations	7 per cent
8. Members of Parliament	6 per cent
9. Public relations departments	5 per cent
10. JPA and other associations and political parties	4 per cent
11. The general audience	1 per cent

The research team was informed that, in the past, editors used to receive phone calls from top officials asking them not to carry stories, but nowadays this has become rare. However, from time to time senior officials offer to bring journalists up-to-date on an issue, briefing them with the latest developments and leaving it up to them to decide how to report on it.¹⁷¹

Officials also occasionally used to circulate announcements requesting that the media refrain from publishing news or information relating to the army or police without prior approval.¹⁷² In some cases, journalists have reported being contacted or summoned by security services, with a view to exerting soft pressure over them and sometimes to make threats in the event of non-compliance.¹⁷³ The research team also heard that news websites sometimes receive “friendly calls” from officials or security officers requesting that certain articles be deleted, and that they usually comply with such requests.

The government also influences, or seeks to influence, editorial content of the public media in different ways including through the appointment of top officials at public broadcasting outlets and through the Social Security Corporation’s ownership of *Al Rai* and *Ad Dustour* (see below).¹⁷⁴

OTHER MEASURES RELEVANT TO EDITORIAL INDEPENDENCE

Private broadcasters are not required to allocate broadcasting time to, or carry specific broadcasts on behalf of, the government. At the same time, the research team was informed that some private media use press and video releases sent by the government and its agencies with little if any investigation or verification. During elections, official media, and especially Jordan Radio and Television (JRTV), allocate space and time for candidates to

¹⁷¹ Interview with Osama Rantisi, editor-in-chief of Al Arab Al Yawm. 7 February 2015.

¹⁷² Rose Nasr. 11 December 2014. Preventing publishing security news. Available in Arabic at: <http://ar.ammannet.net/news/240998>. See also Yahia Shukkeir. 14 December 2014. Going back to memos on preventing publishing. Available in Arabic at: <http://alarabalyawm.net/?p=409182>.

¹⁷³ Interview with a journalist who has been summoned to security services several times. He preferred to remain anonymous.

¹⁷⁴ Osama Rawajfeh, focus group discussion on the print media of 19 March 2015. The Social Security Corporation is the public body that deals with social security issues, including pensions.

disseminate their views and programmes.

1.4 Journalists' right to protect their sources is guaranteed in law and respected in practice

Jordanian journalists benefit from an absolute right not to reveal their confidential sources of information, even before the judiciary. This right is respected in law and in practice in Jordan. The PPL guarantees the right of both periodical newspapers and journalists to preserve the secrecy of their sources of information.¹⁷⁵ The Jordan Press Association (JPA) Law also guarantees this right.¹⁷⁶ It is worth mentioning that the PPL and JPA Laws both define a journalist as any person who is a member of JPA, so that anyone who is not a member of the JPA does not benefit from this right.

The research team is not aware of any credible claims of officials having tried to use pressure to get journalists to reveal their sources. Journalists can voluntarily reveal their sources of information if the source agrees or if the source did not ask not for confidentiality in the first place.

1.5 The public and civil society organisations (CSOs) participate in shaping public policy towards the media

Many laws have been promulgated behind closed doors without any consultation with stakeholders. Two recent examples are the 2012 amendments to the PPL to expand its mandate to cover news websites and the 2014 amendments to the Prevention of Terrorism Law to make it a crime, *inter alia*, to "use the Internet or create a website to facilitate terrorist acts or support groups, organisations or associations undertaking terrorist acts or to promote their ideas".¹⁷⁷

The Head of the Research Unit at the Jordanian Parliament, lawyer Saddam Abu Azzam, says: "In principle, the country is supposedly going towards enhancing democracy and freedom of information; still there are challenges in the institutional framework for legislation. In Jordan we lack a binding manual or guideline on passing legislation or practices such as hearing sessions."¹⁷⁸

Ultimately, the ability of CSOs to contribute to shaping media laws depends upon the willingness of the government and/or Parliament to open up the legislative process to consultation and debate. The JPA and the Center for Defending Freedom of Journalists (CDFJ) are very active

¹⁷⁵ Article 6(d) of the PPL states: "Freedom of the press shall include: The press publication and the journalist have the right to keep secret the sources of their information and news."

¹⁷⁶ Article 43 of the JPA Law no. 15 for the year 1998 as amended states: "The journalist is committed to reserving his secret resources and in inspecting the credibility of the information and news before publishing them."

¹⁷⁷ Article 3 of the Prevention of Terrorism Law no. 18 for the year 2014 amending the original Law no. 55 for the year 2006.

¹⁷⁸ Saddam Abu Azzam, focus group discussion on the legal and policy framework of 18 February 2015.

in providing input on draft media laws. Media lawyer Khaled Khlaifat noted that CSOs engage effectively in terms of debating legislation and media policies, but their suggestions and recommendations are not always taken into account as much as they could be.¹⁷⁹

The number of CSOs in Jordan is mushrooming and there is a perception among some Jordanians that some of these organisations are really profit-seeking companies, with the aim of absorbing foreign funding. Some of these groups do not work in a transparent and accountable manner and this negative impression may reduce the desired impact of their mission.¹⁸⁰ This view has been taken by the government and the Parliament, for example, and on several occasions CSOs have been criticised harshly by the Prime Minister¹⁸¹ and Members of Parliament in official parliamentary sessions. The President of the Bar Association, Saleh Armouti, refuses to refer to these as civil society, non-profit bodies and instead considers them to be for-profit companies. Armouti noted that, “most of these companies are family-owned.”¹⁸²

There is also the issue of CSO capacity to participate effectively in law and policy reform debates. In some cases, the achievements in this regard are limited by a lack of capacity among some CSOs. Some stakeholders, including journalists, informed the research team that the last-minute lobbying which some CSOs engage in is not fruitful.

At the same time, there have been a number of more effective consultative exercises. For example, the drafting of the Media Strategy (2011-2015) was a highly representative example of partnership between state and non-state actors. The Strategy was a case of intense debate and consultation with a wide range of stakeholders and beneficiaries from both the public and private sectors which have a direct and/or indirect connection to the media.¹⁸³

The government, through the Legislation and Opinion Bureau (LOB), often provides opportunities to give input before finalising draft laws, for example posting drafts on its website and allowing for comments to be submitted.¹⁸⁴ Pertinent committees at the House of Representatives often invite representatives of JPA, CSOs, experts and activists to their sessions when they discuss media legislation. In addition, the newly established Jordan Media Commission, the result of merging the Audiovisual Commission and the Press and Publications Department, has demonstrated more openness to hearing the views of stakeholders. For example, a three-day meeting was held in Aqaba in January 2014 with the

¹⁷⁹ Khaled Khlaifat, focus group discussion on the legal and policy framework of 18 February 2015.

¹⁸⁰ Interview with a journalist who requested to remain anonymous.

¹⁸¹ 23 September 2014. The Jordanian Prime Minister says: most CSOs were created for corruption. Al Arab Al Yawm. Available in Arabic at: <http://alarabalyawm.net/?p=395622>.

¹⁸² Samai Mahasneh. 21 May 2014. 70 million JDs of foreign fund to NGOs. Al Arab Al Yawm. Available in Arabic at: <http://alarabalyawm.net/?p=186077>.

¹⁸³ Jordan Media Strategy (2011-2015), p. 3. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

¹⁸⁴ To see how the LOB facilitates the receipt of comments and suggestions visit: http://www.lob.jo/List_LawsLegislations_Public.aspx?Page=Vote.

National Guidance and Legislative Committees of the Lower House of Parliament to discuss proposals for amending the Audiovisual Media Law.

B. Regulatory System for Broadcasting

1.6 Independence of the regulatory system is guaranteed by law and respected in practice

The regulatory framework for the media in Jordan has been at the centre of a very intense debate for several years. In 2001, the government abolished the Ministry of Information, which had long served as the focal point for media regulation in Jordan. After that, responsibility for regulating the print media returned to the direct supervision of the Council of Ministers, through the Press and Publications Department (PPD). Two new institutions were then established to regulate the media: the Audiovisual Commission (AVC), responsible for regulating the newly liberalised broadcast media sector,¹⁸⁵ and the Higher Media Council (HMC), responsible for promoting professionalism among the print media.¹⁸⁶ The Higher Media Council was, however, abolished at the end of 2008.¹⁸⁷ On 30 April 2014, the Jordan Media Commission (JMC)¹⁸⁸ was created which has become the umbrella organisation for what had been the AVC and the PPD. The JMC was essentially built on the provisions of the Audiovisual Media Law, which now apply, for example, to the appointment of the director of the JMC and to the powers of the JMC in respect of broadcasting.

INDEPENDENCE OF THE AVC (NOW JMC)

Article 3(a) of the Provisional Law for Audiovisual Media (Audiovisual Media Law) states that the Commission shall enjoy financial and administrative autonomy as an independent corporate entity. However, Article 3(b) states: "The Commission is financially and administratively affiliated to the Minister." Although the AVC (now part of JMC) is formally (legally) an autonomous body, in practice it falls under the supervision of the government.¹⁸⁹

Pursuant to Article 6(b) of the Audiovisual Media Law, the director of the AVC (now the Director of JMC) is appointed by a decision of the Council of Ministers upon the recommendation of the Minister, provided that such decision should define his or her salary and other financial

¹⁸⁵ Prior to 2002, broadcasting was a State monopoly. The liberalisation of the sector and the creation of the Audiovisual Commission were achieved through the adoption of Provisional Law for Audiovisual Media no. 71 for the year 2002.

¹⁸⁶ IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 60. Available at: <http://www.irex.org/resource/introduction-news-media-law-and-policy-jordan>.

¹⁸⁷ By Law no. 57 for the year 2008, published in the Official Gazette No. 4941, p. 6055, 1 December 2008. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

¹⁸⁸ The Jordan Media Commission was established on 30 April 2014 by Law no.17 for the year 2014.

¹⁸⁹ See Mendel, Toby. 2015. Assessment of Media Regulation in the Southern Mediterranean Region, p. 14.

rights, and his or her services shall be terminated in the same manner. Article 8 also provides: “The director shall be responsible before the Minister for the progress of the Commission’s works”. The law does not impose any obligation on the government to consult with Parliament or civil society organisations (CSOs) in appointing the director and this does not happen in practice. The appointment of the director is, therefore, at the discretion of the government.

Article 9(a) of the Audiovisual Media Law provides that neither the director nor any of the senior executive staff of the Commission or their spouses or relatives of the first or second degree may have any direct or indirect benefit or investment in the audiovisual media sector during the term of his/her service with the Commission. In practice, then, the AVC is independent from partisan or commercial interference, but not from the executive branch of the government.

The near absolute power of the government to appoint the director of the AVC (now JMC) does not conform to international standards, which call for regulators to be independent of government. In countries with established public service broadcasters, the boards of these bodies are often made formally accountable to the public through appointments by the legislature or parliament as a multi-party body of representatives elected by citizens. In many cases these are combined with representatives selected by civil society constituencies.¹⁹⁰

POWERS OF THE AVC (NOW JMC)

Even if the AVC were independent, its powers do not extend to actually issuing licences to broadcasters. Instead, the director makes a recommendation to the Minister who then makes a further recommendation to the Council of Ministers, which has the final word. Article 8(d) of the Audiovisual Media Law states, as one of the responsibilities of the director: “Providing recommendations to the Minister regarding the granting, renewal, amendment or cancellation of broadcasting licences under the provisions of this law and the bylaws issued thereunder and in accordance with the national plans for information.” Article 18(b) states: “The Council of Ministers **may refuse** to grant broadcasting licences to any entity **without stating the reasons** for such rejection.” [emphasis added] It is thus clear that final power over licensing lies with the Council of Ministers.

Article 4 of AVC law states that the Commission shall assume the following responsibilities:

- a. Developing and regulating the audiovisual media sector in the Kingdom, as well as fostering a positive environment for investment in the sector.
- b. Studying the licence applications.
- c. Monitoring the work of licensees.
- d. Approving software/recorded materials and granting the licences

required for their display and dissemination according to the provisions of this law and its bylaws.

- e. Approving the location of offices for correspondents of radio and TV stations under a special bylaw issued for this purpose.
- f. Licensing technical equipment to be used for radio and TV broadcasting, in coordination with the Telecommunications Regulatory Commission (TRC).

In general the powers of the AVC are reasonably clear. One exception is Article 8(j), which describes as one of the duties of the director of the AVC: “Considering complaints presented to him by the public against licensees and taking the proper steps to address them”. This provision, along with Article 8(k), which gives the director similar powers to resolve disputes between licensees, affords the director a huge and highly discretionary authority. This is especially the case given the power of the Commission to monitor the work of licensees.¹⁹¹ The director also has the power to address any matter relating to any violation of the provisions of the law through collecting a payment from the violator which shall be not less than twice the amount of the fine set for the violation under the provisions of the law.¹⁹² To allocate such broad and discretionary powers to a regulator does not conform to international standards where these matters are dealt with via an independent complaints council or a self- or co-regulatory body.

Clear rules on the application of these provisions, including a requirement to adopt a clear and precise code of conduct governing the behaviour of broadcasters, are absent from the AVC. “In light of the broad nature of the A-V Law’s content regulation provisions and the apparent lack of legal certainty in regard to their enforcement, it can be assumed that these practices will increase the possibility that broadcasters will engage in self-censorship”.¹⁹³

FUNDING FOR THE AVC (NOW JMC)

All of the monies acquired by the Commission from service charges and fees collected from licence applications, licence renewals or modifications, and fines imposed under the Audiovisual Media Law must be returned to the General Budget rather than be kept by the Council.¹⁹⁴ Article 10 of the Law limits the financial resources of the Commission to the annual amounts allocated to it from the General Budget, any donations, gratuities and grants, and any other resources acquired by the Commission with the approval of the Council of Ministers. This means that the Commission is fully dependant on the government for its

¹⁹¹ Article 4 of the Provisional Law for Audiovisual Media no. 71 of the year 2002

¹⁹² Article 31 of the Audiovisual Media Law.

¹⁹³ IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 45.

¹⁹⁴ Article 12 of the Provisional Law for Audiovisual Media no. 71 of the year 2002.

income. In practice, a lack of funding hinders the AVC from conducting such activities as holding consultation meetings or providing training to audiovisual journalists, and the AVC relies totally on donors to support such activities.

1.7 Regulatory system works to ensure media pluralism and freedom of expression and information

The AVC is accountable to the government rather than to the public. As noted above, Article 3(b) of the Audiovisual Media Law provides that the Commission is financially and administratively affiliated to the Minister, while Article 8 provides that the Director is responsible before the Minister for the work of the Commission. There is also not any obligation on the AVC to publish an annual report on its work for review by the public or Parliament.

Freedom of opinion and expression are guaranteed in Article 15 of the Jordanian Constitution, but there is nothing in the legal framework that places a positive obligation on the authorities to promote pluralism and diversity in the audiovisual media sector.

C. Defamation Laws and Other Legal Restrictions on Journalists

1.8 The state does not place unwarranted legal restrictions on the media

There are some 12 main statutes in Jordan that directly govern the media, including:

- Press and Publications Law (1998) as amended¹⁹⁵
- Penal Code (1960) as amended¹⁹⁶
- State Security Court Law (1959) as amended¹⁹⁷
- Contempt of Courts Law (1959)¹⁹⁸
- Protection of State Secrets and Documents Law (1971)¹⁹⁹
- Jordan Press Association Law (1998) as amended²⁰⁰
- Jordan Television and Radio Corporation Law (2000)²⁰¹

¹⁹⁵ Press and Publications Law no. 8 for the year 1998.

¹⁹⁶ Penal Code no. 16 for the year 1960.

¹⁹⁷ State Security Court Law no. 17 for the year 1959.

¹⁹⁸ Contempt of Courts Law no. 9 for the year 1959.

¹⁹⁹ Protection of State Secrets & Documents, Provisional Law no. 50 for the year 1971.

²⁰⁰ Jordan Press Association Law no. 15 for the year 1998. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>

²⁰¹ Jordanian Radio and Television Corporation Law no. 35 for the year 2000.

- Provisional Law for Audiovisual Media (2002)²⁰²
- Prevention of Terrorism Law (2006) as amended²⁰³
- Access to Information Law (2007)²⁰⁴
- Jordan News Agency Law (2009)²⁰⁵
- Cyber Crimes Law (2010)²⁰⁶

RULES ON WHO MAY PRACTISE JOURNALISM

Both the Press and Publications Law (PPL) and the Jordan Press Association (JPA) Laws define who is entitled to practise journalism in Jordan. These laws stipulate that only practitioner members of the JPA can be considered as journalists. The PPL and JPA Laws stipulate that it is impermissible for any person who is not a journalist to be a correspondent for a foreign periodical or any other news media,²⁰⁷ to present him- or herself as a journalist,²⁰⁸ or to engage in any other work than being a journalist, including business or representing companies in their trade or industrial work.²⁰⁹

Article 10 of PPL states:

It is impermissible for any person who is not a journalist to practise journalism in any form, including as a correspondent with a foreign press or other news media, or to present himself as a journalist. This shall not apply to persons whose work is confined to writing occasional articles.

There are several articles in both laws which limit certain positions to practitioner members of the JPA. According to the PPL, the editor-in-chief of any print publication, including a news website, must be a practitioner journalist.²¹⁰ According to the JPA Law, “no media outlet in the Kingdom can hire any person to do journalist work unless he is enlisted in the practising journalist list”.²¹¹ However, there are an estimated 550 people working as journalists in Jordan who are not JPA members.²¹² At the time of writing, there are approximately 1100 members of the JPA.

²⁰² Provisional Law for Audiovisual Media no. 71 of the year 2002.

²⁰³ Prevention of Terrorism Law no. 18 for the year 2014.

²⁰⁴ Access to Information Law no. 47 for the year 2007.

²⁰⁵ Jordan News Agency Law no. 11 for the year 2009.

²⁰⁶ Cyber Crimes Law no. 30 for the year 2010.

²⁰⁷ Article 9 of the PPL and Article 18(a) of the JPA Law.

²⁰⁸ Article 10 of the PPL.

²⁰⁹ Article 42(a) of the JPA Law.

²¹⁰ Article 23-A-I of the PPL.

²¹¹ Article 16(a) of the JPA Law.

²¹² Ezzedine Al Natour. 2 February 2014. One third of journalists outside Jordan Press association. Available in Arabic at: <http://ar.ammannet.net/news/238892>.

LEGAL DEFINITION OF A JOURNALIST

A person must apply and meet certain requirements in order to be a member of the JPA. Article 5 of JPA states, in part:

To be registered in the association, a person shall:

- a. Be a Jordanian national.
- b. Not be convicted with a misdemeanour or felony.
- c. Enjoy full legal capacity.
- d. Have one of the following qualifications from an accredited college or university:
 1. PhD in media or journalism.
 2. M.A degree or high diploma in journalism with six-months of practice experience.
 3. BA degree in journalism with a one year of practice experience.
 4. Diploma certificate in journalism with two years of practice experience.
 5. At least a BA degree in any other specialisation and two years of practice experience.
 6. Diploma certificate in any specialisation other than journalism and three years of practice experience.
 7. General Secondary School certificate or any other equivalent certificate and a minimum of four years of practice experience.

(---)

- f. Be a full-time journalist.

The latter is understood to mean that journalists must work at a media outlet that is registered with the Social Security Corporation and have a record of continuous social security contributions since starting their job as a journalist.

In terms of the period of 'practice experience' referred to in Article 5(d) of the JPA Law, the individual must work in an organisation which is considered by the JPA to be a media outlet, and their work is considered to be a sort of training. In practice, the training period is counted starting from the date of the application to join the JPA. During this period, the trainee is not eligible for any of the rights and privileges of JPA membership, such as social security, pension and health care. At the end of the training, candidates must "pass a test conducted by the Association's Council in line with instructions it issues and approved by the concerned minister. Upon a recommendation by the exam committee, the Council has the power to extend training by a period that does not exceed the duration of the original training,"

according to Article 16 of the JPA Law.

Article 14 of the 1998 JPA Law²¹³ refers to four categories of members: “Practising journalists, Non-practising journalists, Trainee journalists and Non-Jordanian journalists who have been licensed according to the provisions of this law”. Two new categories were added with the 2014 amendments:²¹⁴

Associate journalists, in which category the names of Jordanian journalists residing outside the Kingdom and practising as journalists abroad may be listed, and

Advocate journalists, in which category the names of journalism and media graduates who do not work for the media may be listed.

The latter category is for journalism graduates who are not working for the media.

Meanwhile, the 2014 JPA Law redefines a ‘journalist’ by adding the word ‘practising’ after the phrase ‘journalists’ list’. In effect, this means that the protections provided for in the Law only apply to those listed as ‘practising journalists’. Former JPA Council member and managing editor of *Al Rai*, Rakan Saaideh, states: “The new JPA lists are a deception to contain pressures from non-members. The door which was opened by amending Article 14 was closed again by amending the definition of a journalist. Only members on the practitioners list are entitled to the JPA’s privileges. The other lists mean nothing legally.”²¹⁵

Since the JPA Law was first enacted in 1952, it has been amended on three occasions to expand the membership base, which was originally limited to workers at newspapers. The first amendments were made in 1983 to allow workers at the Jordan News Agency (Petra) to join the JPA.²¹⁶ In 1998, amendments paved the way for journalists working at the news department of Jordan Radio and Television to join.²¹⁷ In June 2014, the third set of amendments extended membership to include those working as news reporters at news websites or in the newsrooms of private television and radio stations.²¹⁸

The last changes were to some extent dictated by amendments to the Press and Publications Law in 2012 which required news websites, which have been mushrooming for the past decade, to seek a licence from the Press and Publications Department to operate. Among the key conditions for obtaining a licence was that the editor-in-chief of the website should have been a JPA member for at least four years (i.e. the same as for regular publications).

213 Jordanian Press Association Law no. 15 for the year 1998.

214 Jordanian Press Association Law amendments no. 24 for the year 2014.

215 Interview with Rakan Saaideh, former member of the JPA council and managing editor of *Al Rai*, 9 February 2015.

216 Press Association Provisional Law No. 1 for the year 1983, published in the Official Gazette No. 3119, 1 January 1983.

217 Jordanian Press Association Law no. 15 for the year 1998.

218 Jordanian Press Association Law amendments no. 24 for the year 2014.

Despite these amendments, hundreds of individuals who work as journalists still cannot join the Association. For example, those working at radio and television stations in programme sections other than the news departments are not allowed to join, while print journalists in all fields – politics, sports and entertainment, and even photojournalists – are entitled to join. Those working for non-news websites (or websites that are not registered with the JMC) are also not allowed to join. The requirement that journalists must work fulltime in the profession at a recognised media outlet leaves out freelancers and a large number of workers at news websites, some of whom work for more than one website at the same time. Even among websites which are registered at the JMC, many do not have a social security number and their employees are not insured, which prevents them from joining the JPA.

Some people have sought to justify compulsory membership in the JPA on the basis that it can help promote high-quality professional standards and respect for ethical standards. The JPA argues that only a unified association can promote journalistic ethics and blames slipping standards on the work of unlicensed journalists. Concerns about abolishing compulsory membership of the JPA are also attributed to the fear that it could be an introduction to cancel compulsory membership requirements for other professional unions, based on the view that governments are not enthusiastic about the intervention of unions in politics and tried several times to restrain these unions.

Many journalists and human rights activists in Jordan strongly resist the idea of compulsory membership arguing that it is a violation of the Jordanian Constitution and international human rights law. The system of mandatory membership establishes, in practice, a system of licensing that allows for undue state and JPA control over who practises journalism which may be subject to abuse and which may lead to freedom of expression being curtailed.²¹⁹

Rana Sabbagh, a prominent journalist, former editor-in-chief of the English daily, *The Jordan Times*, and the Executive Director of Arab Reporters of Investigative Journalism (ARIJ) has stated: "I oppose mandatory membership in the JPA because in ten years print newspapers will have disappeared, and I also oppose defining who is a journalist. ... Media outlets must have their own criteria of accreditation of journalists rather than leaving this to the JPA".²²⁰ Media professor Isam Musa noted that the definition of journalist must be revised to take into account the digital communication revolution.²²¹

Opponents of mandatory membership in the JPA also argue that the Constitution does not stipulate that every Jordanian has a right to be a physician, engineer or lawyer, but it does stipulate that the state shall guarantee freedom of opinion and that every Jordanian has the right freely to express his or her opinion by speech, writing, photography and other means

²¹⁹ Strasser, S. 2010. Registering Reporters: How Licensing of Journalists Threatens Independent News Media, p. 11.

²²⁰ Focus group discussion of on the legal and policy framework of 18 February 2015.

²²¹ Focus group discussion on the legal and policy framework of 18 February 2015.

of expression.²²² Online journalists also complain that the obligation to have an editor who is a JPA member discourages competition and effectively bars young journalists or those with experience in online media who are not members of the JPA from launching news websites.²²³ However, in the focus group discussions and other interviews no consensus was reached on the matter of obligatory membership in the JPA.²²⁴

Arab and international media law experts assembled in Tunis, Tunisia, from 6-7 March 2015 at the joint invitation of the Arab Network for Human Rights Information, the Centre for Law and Democracy, International Media Support, and Vigilance for a workshop titled “Media Regulatory Reform in the Middle East and North Africa. The Regulation of the Profession of Journalists”. The workshop adopted a clear statement on issues relating to the regulation of journalists, which was based on the understanding that the profession of journalism involves the exercise of a fundamental human right, which included the following:

1. It is not for governments to decide who is and who is not a journalist.
2. The right to freedom of expression, as protected under international law and the constitutions of countries across the region, includes a right to engage in the profession of journalism and there should be no formal, legal restrictions on who may practise journalism. In this sense, journalism is different from other professions because the substance of what journalists do is a fundamental human right.
3. Journalists’ syndicates and unions should not act as gatekeepers for the profession but, rather, should serve to protect and promote the rights of their members, and to advance freedom of expression and professional and ethical standards.
4. Journalists have the right to choose freely which associations, syndicates or unions they wish to belong to and neither the law nor employers should impose any mandatory or compulsory conditions on them to join any particular association, syndicate or union.²²⁵

Human rights NGOs such as Human Rights Watch also believe that mandatory membership in journalists’ associations violates Jordan’s obligations under the ICCPR. Sarah Leah Whitson, Middle East Director, Human Rights Watch, has noted: “The JPA should not confuse the proposal to lift mandatory membership with government attempts to exercise control. The

²²² Article 15-1 of the Constitution.

²²³ International Press Institute. 28 May 2014. Report on Press freedom in Jordan, p. 5.

²²⁴ Focus group discussion on the legal and policy framework of 18 February 2015 and focus group discussion on the JPA of 18 March 2015.

²²⁵ Available at: <http://www.law-democracy.org/live/wpcontent/uploads/2015/03/Statement.TunisJournosW-S.Mar15.pdf>.

human rights case is clear: journalists must be as free in their choice of words as they are in their choice of who represents their interests."²²⁶

The Inter-American Court of Human Rights has issued an Advisory Opinion, requested by the government of Costa Rica, on mandatory membership in a professional organisation for the practice of journalism.²²⁷ The Court concluded that laws mandating membership in a professional association for the practice of journalism violate freedom of expression, stating:

That reasons of public order that may be valid to justify compulsory licensing of other professions cannot be invoked in the case of journalism because they would have the effect of permanently depriving those who are not members of the rights that Article 13 of the Convention grants to each individual.

This Advisory Opinion has become the prevailing standard on this issue globally and the Opinion is frequently cited for its thorough analysis of the nature and scope of the right to freedom of expression in general. Licensing of journalists has for some time been a tool used in some countries to undermine the independence of the media.²²⁸

ACCREDITATION

The government has usually implemented accreditation procedures in a fair way, even in the past, in the sense that it has rarely denied accreditation on unfair grounds. The JPA, however, has asked the government not to accredit non-members. In 2005, for example, the JPA requested the government to invite only members of the association to cover press conferences and events in order to "limit the excesses and violations that non-members inflict upon the profession of journalism." In response, on 22 August 2005, the Prime Minister issued a circular to ministries and other public bodies along these lines. Prime Minister Abdelraouf al-Rawabdeh had issued a similar circular in June 1999, which enclosed a list of the names of the JPA members for reference.²²⁹ In June 2004, a number of journalists were denied accreditation to be parliamentary correspondents for different media outlets at the request of the JPA because they were not members.²³⁰

More recently, in October 2014, the JPA Council wrote to the Prime Minister, the State Minister for Media Affairs, the Speaker of the Lower House and the Senate President requesting

²²⁶ Human Rights Watch. 23 November 2005. Jordan: Reform Proposal Would Expand Press Freedom. Available at: <http://www.hrw.org/en/news/2005/11/22/jordan-reform-proposal-would-expand-press-freedom>.

²²⁷ Claude-Reyes et al. v. Chile, 19 September 2006, Series C, No. 151. Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_151_ing.doc.

²²⁸ 16 October 2013. How Jordan's Press Law Violates Human Rights? Available at: <http://www.7iber.com/2013/10/blog-action-day-2013-how-jordans-press-law-violates-human-rights/>.

²²⁹ Yahia Shukkeir. 2007. *Status of the Media in Jordan*, p. 26.

²³⁰ Ezzedine Al Natour. 2 February 2014. One third of journalists outside Jordan Press association. Available in Arabic at: <http://ar.ammannet.net/news/238892>.

them to “issue circulars instructing officials not to cooperate with or extend invitations to persons who are not JPA members or allow them to accompany them in tours and visits, in implementation of the law and in a bid to end violations by those who pose as journalists.” The Association also underlined amendments to its law that it claimed allowed all eligible media workers to register with the Association.²³¹ As described above these amendments still have their limitations, and hundreds of individuals working as journalists are still hindered from joining the JPA.

1.9 Defamation laws impose the narrowest restrictions necessary to protect the reputation of individuals

Defamation laws can serve a legitimate purpose, namely protecting reputations, by providing redress against certain types of statements. At the same time, unduly broad or harsh defamation laws can exert a chilling effect on freedom of expression.

Prominent media lawyer Mohammad Qtaishat estimates that there are currently 200-300 cases involving journalists before the First Instance Courts in Jordan, many of them in Amman, saying also that the majority are defamation cases.²³² There is also a wider perception that one-half of all of the cases involving crimes of expression are defamation cases.²³³ Ironically, the first case under the PPL was filed against a journalist by the first Parliament which was elected after the process of democratisation started in the 1990s.²³⁴

CORE OFFENCES

Jordan has a number of broad prohibitions on slander, libel and “harming the reputation” of others, especially in the Penal Code and the PPL. For example, Article 7 of the PPL imposes an obligation on journalists to respect privacy and to “safeguard the rights of others and refrain from encroaching on their private life”. Violators may be punished by a fine of up to JD 500.²³⁵ Article 38(d) prohibits publishing: “Anything that constitutes libel, slander or humiliation of individuals or that violates their freedom”. Violators may be punished by a fine of between JD 500 and 2000.²³⁶

At the same time, the PPL prohibits pre-trial detention for publication of allegedly illegal statements. Thus, Article 42(g) of the PPL stipulates: “It is not permissible to arrest a journalist as a result for expressing an opinion verbally, in writing, or through any other means of

231 Tariq Hmeidi. 19 October 2014. JPA demands not to cooperate with non-JPA members. Al Rai. Available at: <http://www.alrai.com/article/675413.html>.

232 Interview with media lawyer Mohammad Qtaishat, 10 February 2015.

233 Focus group discussion on the legal and policy framework of 18 February 2015.

234 Yahia Shukkeir. 2007. Status of the Media in Jordan, p. 35. In March 1994, the first judgment under the PPL no. 10 for 1993 held that Raed Salha, the editor-in-chief of Al Bilad, was not liable for “slandering and defaming the parliament” and offending the President of an Arab State and libelling the security services.

235 Article 47(b) of the PPL.

236 Article 46(f) of the PPL.

expression.”²³⁷ Similarly, journalists are not detained pending trial for crimes falling within the jurisdiction of the Court of Conciliation, which are crimes for which the maximum sentence is not more than two years (including the crimes of slander and libel). The Penal Procedure Law only permits the prosecutor to order placement of a suspect in custody if the crime in question carries a penalty of more than two years’ imprisonment.²³⁸ However, other legal acts give the authorities the power to detain suspected violators so that in practice the problem is less with the PPL than with the Penal Code.²³⁹

Most defamation cases involving journalists, and especially news websites, are said to involve alleged violations of Articles 5, 7 or 38(d) of the PPL.²⁴⁰

Articles in the PPL most commonly used to prosecute journalists

Article 5

Publications shall respect the truth and refrain from publishing anything that conflicts with the principles of freedom, national responsibility, human rights, and values of the Arab and Islamic nation.

Article 7

The code and ethics of journalism are binding on the journalist. They include:

- a. Respecting public liberties, safeguarding the rights of others and refraining from encroaching on their private life.
- b. Treating freedom of thought, opinion, expression and access to information as equal rights for the press and for the citizen.
- c. Maintaining balance, objectivity and honesty in presenting press material.
- d. Refraining from publishing material which is likely to stir up violence or discord among citizens.
- e. Refrain from placing or obtaining advertisements on behalf of the media outlets they work for.
- f. Compliance with the provisions and principles of the Code of Honor issued by the JPA.

Article 38

Publications are prohibited from publishing the following:

- d. Anything that constitutes libel, slander or humiliation of individuals or that violates

²³⁷ See also Article 42(i) of the PPL.

²³⁸ Article 114 of Criminal Procedural Law no. 9 for the year 1961.

²³⁹ Center for Defending Freedom of Journalists. 3 January 2005. Head of Press freedom Committee at JPA requests the parliament to reject draft amendments to Press and Publications Law. Available in Arabic at: <http://goo.gl/YW1kuY>.

²⁴⁰ Lawyer Mudar Al Jayroudi, focus group discussion on the legal and policy framework of 18 February 2015.

their freedom.

Articles 188-199 of the Penal Code regulate the crimes of libel and slander, the sanctions for these crimes and their exceptions. The Penal Code treats these as criminal offences that are punishable by imprisonment rather than as civil offences.

The Penal Code defines libel and slander in Article 188 as follows:

1. Libel: attributing a given act or fact to a person – even if by way of doubt and questioning – that is susceptible to impairing his/her dignity and honour or exposing him/her to hatred or loathing, whether or not such attribution relates to criminal conduct.
2. Slander: Harming the dignity, honour or standing of others – even if by way of doubt and questioning – without proof.
3. If the name of the individual is not expressly mentioned or the proofs are ambiguous in relation to a libel, but it is still clear that the allegations refer to the individual and their nature is clear, the individual should be regarded as if he/she was referred to explicitly and as if the nature of criminal act was express.

Article 132 of the Penal Code, on impairing the reputation of the state, stipulates:

Any Jordanian knowingly propagating false or exaggerated news abroad that would undermine the state's prestige or status shall be sentenced to imprisonment for a period of not less than six months and a fine not exceeding fifty dinars.

Article 191 of the Penal Code also contains a number of rules which criminalise defamation against entities that are not individuals such as government institutions and symbols. These sorts of seditious libel laws, criminalising “insult” of state institutions and officials, have in different countries been subject to abuse by public officials seeking to insulate themselves from the scrutiny and criticism of the news media and the public.²⁴¹

Defamation under the Penal Code in Jordan is classified as a misdemeanour which means that the injured person can sue within three years from the date the alleged crime has been committed.²⁴²

It may be noted that these definitions of libel and slander are very broad indeed. Many journalists and legal experts consider expressions like ‘state dignity’, ‘national unity’ and ‘harming good relations with foreign states’ to be ambiguous terms which give the authorities broad discretionary powers to suppress freedom of expression and which, as a result, exert

²⁴¹ Krug, P., Monroe P. 2002. *The Legal Environment for News Media*, p. 200.

²⁴² Article 339 of the Criminal Procedures Law as amended no.16 for the year 2001.

a chilling effect on the media.

A special system applies to the prosecution of crimes committed by print media and broadcasters, pursuant to Article 42 of the PPL. This article provides for a specialised chamber in the First Instance Court to deal with cases involving the media, which has more expertise in media cases and which has generally been more understanding of the operating needs of the media.

Litigation and the cost of defending defamation actions have a chilling effect on free discussion on matters of public interest even if the defendant eventually wins his or her case. The threat of legal liability imposes a particular chilling effect on those engaged in news media reporting. In such an environment self-censorship poses a threat to democratic governance.²⁴³ Osama Rantisi, editor-in-chief of *Al Arab Al Yawm*, states that he has been prosecuted ten times for allegedly violating different articles of the Penal Code but in all ten cases the court has found him to be innocent. Rantisi and *Al Arab Al Yawm* journalist Radad Alqallab were recently the subject of a defamation action brought by the Minister of the Interior, but the case was later dropped.²⁴⁴

There is evidence that members of governments, political bodies and public figures often resort to defamation laws. At the same time, government members lost 90 per cent of the 300 cases brought on their behalf in the regular courts under the PPL and Penal Code against media professionals and outlets between 1993 and 2005. In the ten per cent of cases which they won, the minimum fine of JD 5 was imposed most of the time.²⁴⁵ These cases may constitute a form of intimidation and harassment that engenders a climate of fear and discourages individuals from criticising the authorities. Accused journalists are usually required to be present in the court until the end of the trial, which clearly affects their ability to continue working as usual.

DEFENCES

There are limited defences to crimes of defamation in Jordanian law. Article 192 of the Penal Code provides that the truth of the assertion shall serve as a defence against a charge of libel, but only in those cases where the alleged victim is a public official and even then only when the asserted facts concern that individual's employment or official duties or the commission of a crime. Furthermore, even in this case, the journalist must prove his or her good intent in addition to proving truth. In most countries, proof of truth is enough on its own. The law does not differentiate between an allegation of fact and a value judgment, contrary to international law, which recognises that it is not possible to prove the truth of a value judgment (which reflects the right to hold opinions without interference, as discussed in regard to the ICCPR

²⁴³ Krug, P. and Price, M. 2002. *The Legal Environment for News Media*.

²⁴⁴ Interview with Osama Rantisi, editor-in-chief of *Al Arab Al Yawm*, 7 February 2015.

²⁴⁵ Shukkeir, Y. 2002. *Press Freedoms in Jordan: A Comparative Legislative Study*, Jordan Press Association, p. 39.

earlier).

There is no public interest (or social interest) defence in Jordan, unlike in some countries. Similarly, there is no defence of reasonable publication, whereby the media are not held liable where they have behaved professionally, even if they happen to make a mistake. As noted above, in Jordan, proof of good intent is an additional requirement for the truth defence.

The law also provides for certain special occasions when statements are protected. There is no special protection for the publication or broadcasting of statements during elections or during a live transmission. However, immunity is provided to any witness or lawyer for statements made during a court proceeding. Article 101(2) of the Constitution provides: "Sittings of the courts shall be public unless the court considers that it should sit in camera in the interest of public order or morals." This allows for media coverage of court proceedings (except those involving minors and family disputes). Furthermore, Article 39(b) of the PPL provides that a "publication may publish and cover the proceedings of the sessions of courts unless the court decides otherwise". Sentencing is always public and it is clear that the media can publish any final judicial rulings as there is no Jordanian law prohibiting this.²⁴⁶

Article 87 of the Constitution states:

Every Senator or Deputy shall have complete freedom of speech and expression of opinion within the limits of the Internal Regulations of the Senate or Chamber of Deputies, as the case may be, and shall not be accountable for any vote cast, opinion expressed or speech made thereby during meetings of the House.

Therefore, neither Senators nor Deputies can be held liable for opinions expressed during meetings of the Senate, House or committees thereof. This protection also extends to the media so that there is no liability for publishing or broadcasting the statements of Senators and Deputies. However, this does not extend to deliberations conducted in secret sessions. Furthermore, written documents and statements of the House are only covered by this immunity if they are formally listed on the agenda or are formally referred to by the government.²⁴⁷

SOME LEADING CASES

Journalists and activists have been prosecuted on charges of libel and slander for publishing their opinions or information on public affairs. A leading example of this is a case against the president of the Jordanian Writers League, Mwafaq Mahadeen, and a human rights and

²⁴⁶ The Higher Court of Justice decision no. 20 in the case 223/1994, cited in Ibrahim Bakr. 1995. Human Rights in Jordan, p. 994.

²⁴⁷ IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 18.

environmental activist, Sufian Tell in 2010. The two were charged, *inter alia*, with “disturbing [Jordan’s] relations with a foreign state [USA]”, in violation of Article 118(2) of the Penal Code. The case followed interviews of the two men in early 2010 by the popular Al-Jazeera satellite television channel in which they expressed their views about Jordanian foreign policy, including Jordan’s participation in the Afghanistan conflict,²⁴⁸ including the Khost operation in Afghanistan.²⁴⁹

Both men were charged with five crimes:

- Disrupting relations with a foreign state in violation of Article 118(2) of the Penal Code.
- Spreading news that could undermine the prestige of the state and its stature in violation of Article 132(1) of the Penal Code.
- Inciting racism in violation of Article 150 of the Penal Code.
- Verbally encouraging others to demand a change in the government in violation of Articles 161 and 159(1)(b) of the Penal Code.

Many observers and human rights organisations issued statements condemning the case, including the United States Department of State and Human Rights Watch (HRW).²⁵⁰ The United States Department of State’s human rights report for 2010 cited the prosecution of Tell and Mahadeen as a violation of freedom of speech and the press.²⁵¹

In May 2013, Tell and Mahadeen were finally acquitted on all counts and the court held that three of the charges, including under Article 118 of the Penal Code, which criminalises “disturbing relations with a foreign state”, conflicted with constitutional free speech guarantees because they were based on the expression of personal opinions in television interviews.²⁵²

On 17 September 2013, the prosecutor of the State Security Court arrested Nidal al-Fara’anah and Amjad al-Mu’ala, the publisher and editor-in-chief of news website Jfranews.com.jo, respectively, and detained them for more than three months. Their alleged crime had been to post a third-party YouTube video that the authorities deemed was insulting to the brother of Qatar’s ruler. Prosecutors charged both men with “disturbing relations with a foreign state” before the State Security Court, whose judges include serving military officers.

²⁴⁸ 2 June 2014. Appellate Court Acquits Mowaffaq Mahadeen and Sufian Tell. Al Arab Al Yawn. Available at: <http://alarabalyawn.net/?p=205436>.

²⁴⁹ The Khost attack or Camp Chapman attack was a suicide operation executed by Humam al-Balawi, a Jordanian intelligence double agent, against a CIA facility inside the Camp, on 30 December 2009.

²⁵⁰ Human Rights Watch. 4 May 2013. Jordan: End Free Speech Prosecution. Court Twice Ruled in 2 Intellectuals’ Favor. Available at: <http://www.hrw.org/news/2013/05/04/jordan-end-free-speech-prosecution>.

²⁵¹ United States Department of State. 8 April 2011. 2010 Human Rights Report: Jordan. Available at: <http://www.state.gov/j/dri/rls/hrrpt/2010/nea/154464.htm>.

²⁵² Yahia Shukkeir. 2 June 2014. The Appeal Court acquitted Tell and Mahadeen. Al Arab Al Yawn. Available in Arabic at: <http://alarabalyawn.net/?p=205436>.

At the end of 2013, both men were finally released on bail and they are still awaiting trial.²⁵³

PENALTIES AND CRIMINAL DEFAMATION

Article 191 of the Penal Code stipulates: “Libel shall be penalised with a prison period varying between three months and two years in the event it is addressed to the National Assembly (Parliament) or any of its members during his/her work or because his deeds related to his/her work; or to any official bodies, courts, public administrations, army or to any employee during performing his/her duty or for his deeds dictated by the latter.” Article 193 provides for prison sentences of between one and six months for slandering the institutions or persons mentioned above. Article 358 provides for penalties of between two months and one year for libelling an ordinary person, while slandering an ordinary person is penalised with a prison sentence of between one week and three months or a fine of JD 5 to 25. No judge in a regular court in Jordan has ever sent a journalist to jail but three journalists have been jailed in cases before the State Security Court.²⁵⁴

Jordanian law thus makes it a criminal offense carrying prison terms to engage in defamation. This runs contrary to 2011 General Comment No 34 of the UN Human Rights Committee, which states:

States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases [of defamation] and imprisonment is never an appropriate penalty.²⁵⁵

The UNESCO-sponsored Declaration of Sana’a stated: “Disputes involving the media and/or the media professionals in the exercise of their profession... should be tried under civil and not criminal codes and procedures”.²⁵⁶

It is clear, therefore, that the above mentioned articles which provide for jail sentences for defamation do not match up to international standards. They also run counter to the commitments in the Jordan Media Strategy, which calls for an end to “custodial penalties for crimes committed by publications and crimes of opinion” and the transformation of defamation from a criminal to a civil matter, as well as for penalties to be proportionate.²⁵⁷

253 31 December 2014. Releasing Amjad al-Mu’ala and Nidal al-Fara’anah. Available in Arabic at: <http://alarrabnews.com/newsView.php?id=58691>.

254 IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 68.

255 UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 47.

256 UNESCO. 11 January 1996. Sana’a Declaration on Promoting Independent and Pluralistic Arab Media.

257 Jordan Media Strategy. p. 12. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

There is also the question of civil or monetary remedies for defamation which can, if they are excessive, also exert a chilling effect on freedom of expression. In Jordan, any aggrieved party in a publication-related crimes case may also claim breach of a personal right, which entails claiming “civil” financial compensation for damages.²⁵⁸ The Criminal Procedures Law states: “Anyone who believes he or she has been harmed by a felony or misdemeanour may file a personal rights claim with the public prosecutor or competent court”.²⁵⁹ The law gives the aggrieved party the right to claim compensation either by initiating a separate civil action before the competent civil court or by claiming a breach of a personal right before the court hearing the criminal case. Plaintiffs in Jordan often prefer the criminal defamation route because this opens up the possibility of jailing the journalist and obliging him or her to attend the court’s hearings in person.

Plaintiffs may request large amounts of money in compensation to deter and threaten defendant journalists. In a rare case, the plaintiff (a private hospital) demanded compensation of JD 10 million but, in the end, the Court awarded compensation of just JD 3,000.²⁶⁰ In another case, which was still pending by June 2015, the plaintiff, who is a senior leader of the Islamic Brotherhood Movement, demanded JD 1 million.

In practice, the usual civil remedy is an award of damages and damage awards have not usually been large in Jordan. Participants in a focus group discussion organised for this study estimated that a moderately severe defamation published to a wide audience would probably be worth about JD 500-5,000 and that there have been few defamation awards over JD 40,000 for ordinary persons and JD 20,000 for public officials.²⁶¹ For natural persons, “general damages” compensate for the harm to the plaintiff’s reputation. The plaintiff does not have to prove this harm; it is presumed when the defamation is proved. The court usually appoints one or more experts to evaluate the damage. However, where the plaintiff is a corporate entity, the court measures damages based on the financial losses which are directly attributable to the defamation.

Another remedy that allows for a proportionate response to the publication of defamatory statements or incorrect information is a right of reply or correction. The PPL grants persons (natural persons or corporate entities) and governmental bodies the right to reply to reports or articles or to demand a correction.²⁶² The editor-in-chief may refuse to publish the reply or correction if the publication has already corrected the information, if the reply or correction is under a pseudonym signature or if the contents of the reply or correction are themselves

²⁵⁸ IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 72.

²⁵⁹ Article 52 of the Criminal Procedures Law as amended no.16 for the year 2001.

²⁶⁰ Interview with the defendant journalist, Osama Rantisi, Editor-in-Chief of Al Arab Al Yawm, 7 February 2015.

²⁶¹ Focus group discussion on the legal and policy framework of 18 February 2015.

²⁶² Article 27 of the PPL.

illegal or contrary to public order or public morals.²⁶³ Many newspapers in Jordan do offer to carry replies or corrections upon receiving complaints from readers. Another remedy, albeit scarcely used in Jordan, is for the court to order the convicted party to publish the text or a summary of the final sentence free of charge. The court may, if necessary, order the publication of the text or the summary of the sentence in two other papers at the expense of the convicted party.

SPECIAL PROTECTION FOR OFFICIALS

The Jordanian Penal Code provides for longer prison sentences for defaming officials than ordinary citizens, as noted above.²⁶⁴ This is contrary to international standards, which hold that government officials should not be shielded from public scrutiny. According to General Comment 34 of the UN Human Rights Committee, “in circumstances of public debate concerning public figures in the political domain and public institutions, the value placed by the Covenant upon uninhibited expression is particularly high.”²⁶⁵

The UN Human Rights Committee has further expressed concern regarding laws on such matters as, “*lèse majesté, desacato*, disrespect for authority, disrespect for flags and symbols, defamation of the head of state and the protection of the honour of public officials”, noting that States Parties should not prohibit criticism of institutions, such as the army or the administration.²⁶⁶ A court ruling relevant to this issue advocates that it is of the highest public importance that a democratically elected governmental body should be open to uninhibited public criticism.²⁶⁷

In Jordan, special rules apply to the King. Article 30 of the Jordanian Constitution states: “The King is the Head of the State and is immune from every liability and responsibility”. This effectively prohibits the publication of anything disparaging about the King. This is supported by the Penal Code, Article 195 of which states:

1. Anyone who commits the following acts shall be penalised by imprisonment of between one and three years:
 - a. Is proven to have dared to verbally offend His Majesty the King.
 - b. Sends a written, oral or electronic statement or any caricature or drawing to His Majesty or features the said letter, picture or drawing in such a way as to offend the dignity of His Majesty; the same penalty

²⁶³ Article 28 of the PPL.

²⁶⁴ There is also a view that civil or monetary awards in defamation cases involving officials are higher than for ordinary citizens, according to media lawyer Mohammad Qtaishat, 10 February 2015.

²⁶⁵ UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 38. The reference to ‘Covenant’ here means the ICCPR.

²⁶⁶ UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 38.

²⁶⁷ *Derbyshire County Council v. Times Newspapers Limited and others* [1993] 1 All ER 1011 (House of Lords), p. 6.

- shall be applied if someone incites others to commit any of these acts.
- c. Transmits via any media or disseminates material which is contrary to clause b of paragraph (1) of this article.
 - d. Wrongfully attributes statements or deeds to His Majesty or attempts to spread such ideas among the people.
2. A person shall be penalised as stipulated in paragraph (1) of this article if what is mentioned therein applies to Her Majesty the Queen, the Prince of the Throne, a regent or a member of the deputyship body.

According to the State Security Court Law,²⁶⁸ the State Security Court (SSC) is competent to adjudicate prosecutions involving allegations of violating Article 195 of the Penal Code. Over the years, the SSC interpreted the law broadly in a manner that exerts a chilling effect on freedom of expression. A particular problem is that the law governing the SSC allows for pre-trial detention for up to two months in cases involving misdemeanours and six months for felonies.²⁶⁹

WHO MAY SUE IN DEFAMATION

Under the Jordanian Penal Code, any person – which would include natural or corporate persons, a governmental body, the legislature or the judiciary – has the power to initiate a defamation action. This is potentially problematic from the perspective of freedom of expression, and international and various national courts have held that this is not legitimate in that defamation as such refers to the rights of individuals, not public institutions.

1.10 Other restrictions upon freedom of expression, whether based on national security, hate speech, privacy, contempt of court laws and obscenity should be clear and narrowly defined in law and justifiable as necessary in a democratic society, in accordance with international law

According to international law, any legislation which restricts the right to freedom of expression must comply with the conditions set out in Article 19(3) of the *International Covenant on Civil and Political Rights* (ICCPR). This article expressly states that the exercise of the right to freedom of expression carries with it special duties and responsibilities. For this reason, two limitative areas of restrictions on the right are permitted, namely to protect the rights or reputations of others and to protect national security, public order (*ordre public*), public health or public morals. Restrictions must be prescribed by law and be necessary to protect the interests listed above. It is up to the State Party to demonstrate that a restriction on freedom of expression is necessary, including by not being overbroad, and that there is a direct and

²⁶⁸ State Security Court Law no. 17 for the year 1959.

²⁶⁹ Article 7 of the State Security Court Law no. 17 for the year 1959.

immediate connection between the expression and the threat.²⁷⁰

A number of restrictions in Jordanian law appear to come in below these international standards. In terms of media-specific rules, although the PPL guarantees freedom of expression, it also contains a number of prohibitions that restrict the exercise of this right. These are drafted in a vague manner without clear definitions of scope and purpose. They include, but are not limited to, requirements that, “[p]ublications shall respect the truth and refrain from publishing anything that conflicts with the principles of freedom, national responsibility, human rights, and the values of the Arab and Islamic nation”.²⁷¹ Terms like ‘national responsibility’ and ‘values of the Arab and Islamic nation’ are vague and open to broad interpretation, and can therefore be misused to prosecute journalists. Articles 4, 5 and 7 of the PPL are among those used most frequently to bring cases against journalists.²⁷² Articles 5 and 7 have been cited above, while Article 4 provides:

The press shall freely exercise its task of presenting news, information, and commentaries and shall contribute to the dissemination of thought, culture, and science within the limits of the law and within the framework of preserving public liberties, rights and duties as well as respecting the private life of others.

Pursuant to Article 45(a) of PPL, a breach of Article 5 may attract a fine of between JD 500 and 2,000, while the same as regards Articles 4 and 7 is punishable by a fine of up to JD 500.²⁷³

From 2000 to 2006, Jordanian media law expert Yahia Shukkeir (the lead researcher for this MDI study) estimated that some 114 lawsuits were filed against journalists, 92 of which were against weekly newspapers and 22 of which were against dailies. Eighty of these lawsuits were filed for alleged violations of Articles 4, 5 and/or 7 of the PPL (see Table 7; in some cases, journalists were accused of violating more than one article, hence the number of charges exceeds 80).²⁷⁴

Table 7: Violations of Various Provisions of the PPL from 2000-2006

²⁷⁰ UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 21.

²⁷¹ Article 5 of the PPL.

²⁷² Interview with media lawyer Mohammad Qtaishat, 10 February 2011. See also IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 33.

²⁷³ Article 47-b of the PPL states: “For every other contravention of the provisions of this law, where no penalty has been stipulated, the perpetrator shall be penalized by a fine of not more than five hundred dinars.”

²⁷⁴ IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 33.

Types of cases	No. of cases	Verdict: Innocent	Verdict: Guilty
Violating Article 4	12	7	5
Violating Article 5	67	37	30
Violating Article 7	72	43	29
Total		87	64

The Audiovisual Media Law requires that broadcasting licensees refrain from broadcasting or re-broadcasting any material that would incite sectarian or ethnic bias, undermine national unity, instigate terrorism or racial or sectarian discrimination, or undermine the Kingdom's relations with other states.²⁷⁵ Anyone violating these rules shall be penalised with a fine of between JD 10,000 and 50,000 for a first offence and double that amount in case of repetition.²⁷⁶

NATIONAL SECURITY AND RELATIONS WITH FOREIGN STATES

National security presents a particular challenge for freedom of expression because, while it is essential that state authorities have the capacity to address real threats to security, without which all rights are at risk, states have often abused these powers to unduly restrict freedom of expression.

The 1995 Johannesburg Principles²⁷⁷ try to strike a balance between freedom of expression and national security. Principle 6 states that expression may be punished as a threat to national security only if a government can demonstrate that:

- a. the expression is intended to incite imminent violence;
- b. it is likely to incite such violence; and
- c. there is a direct and immediate connection between the expression and the likelihood or occurrence of such violence.

Various provisions in the Penal Code allow authorities to detain, prosecute and imprison journalists if they commit crimes against the internal or external security of the state. This includes publishing state secrets or material which is broadly defined as that which causes damage national unity, harms Jordan's relations with other states, instigates sectarianism or racism, insults religions or lowers confidence in the national currency.²⁷⁸

For example, Article 118 of the Penal Code provides:

²⁷⁵ Article 20(n).

²⁷⁶ Article 29(b).

²⁷⁷ The Johannesburg Principles on national security freedom of expression and access to information were adopted on 1 October 1995 by a group of experts in international law, national security, and human rights convened by ARTICLE 19, in collaboration with the Centre for Applied Legal Studies of the University of the Witwatersrand, in Johannesburg. Available at: <http://www.article19.org/data/files/pdfs/standards/joburgprinciples.pdf>.

²⁷⁸ IREX. 2006. Media Sustainability Index 2005: Middle East and North Africa, p. 79.

Shall be penalised by temporary detention for a minimum period of five years whoever performs acts, writings or speeches not allowed by the government thus exposing the Kingdom to the danger of hostile acts or impairing its relations with a foreign country or exposes Jordanians to acts of revenge against them or their assets.

This allows a government to interpret any criticism of another state as “impairing its relations with a foreign country” and the journalist might then be brought before the State Security Court and, if convicted, be sentenced to imprisonment of between five and ten years.

Many journalists and citizens have been prosecuted for alleged breaches of Article 118 of the Penal Code. These include veteran journalist Fahd Rimawi, who was prosecuted in 2004 under Article 118 for disturbing Jordan’s relations with Bahrain.²⁷⁹

The National Center for Human Rights (NCHR) has remarked that prosecuting journalists and citizens for violating Article 118 of the Penal Code increased after the second Gulf War,²⁸⁰ stating:

Article 118 of the Penal Code was also used more than once to bring journalists to trial on charges of writing essays that could undermine the Kingdom’s relations with a foreign country. It has been noticed that this article has been frequently used since the U.S occupations of Iraq in 2003, where individuals are brought to trial on charges of collecting funds or trying to recruiting elements for the support of resistance in Iraq.²⁸¹

One interviewee who has analysed many cases regarding Article 118 suggested that the government, when initiating legal action under this article, had overestimated the extent of the damage that the impugned statements might really cause.²⁸²

Article 163 of the Penal Code provides that anyone who prints or publishes a statement via any means for an illicit association or for its benefit shall be subject to imprisonment for up to six months or a fine of up to JD 50.

Amendments to the Prevention of Terrorism Law in 2014²⁸³ mean that the State Security Court is now entitled to prosecute cases involving “disturbing relations with a foreign state” where the crime is committed over the Internet, including on social networks and social media

279 Yahia Shukkeir. 2001. Press Freedom in Jordan. Amman, Ad Dustour Printers, p. 36.

280 National Center for Human Rights (NCHR). Annual Report for 2006, p. 3. Available in Arabic at: http://www.nchr.org.jo/Arabic/ModulesFiles/PublicationsFiles/Files/HRState_arabic2006.pdf.

281 National Center for Human Rights. Annual Report for 2006, p. 38 (English version). Available at: <http://goo.gl/m28sK0>.

282 Interviewee who requested not to be identified.

283 Prevention of Terrorism Law no. 18 for the year 2014.

such as Facebook, YouTube and Twitter.²⁸⁴

An example of the use of these provisions was when Zaki Bani Rsheid, deputy leader of the Jordanian branch of the Muslim Brotherhood, was arrested for a post on his Facebook page criticising the United Arab Emirates (UAE). He was accused of “acts that could harm Jordan’s relations with a brotherly state”.²⁸⁵ In mid-February 2015, the State Security Court sentenced Rsheid to 18 months in jail for breach of Article 3 of the Prevention of Terrorism Law.²⁸⁶

Human Rights Watch (HRW) has criticised Jordan for this case, arguing that the law is inherently unjust.²⁸⁷

Many of these cases fall within the jurisdiction of the State Security Court, which is competent to examine crimes committed in contravention of the provisions of the State Security Court Law, which covers treason, espionage, terrorism, drugs and counterfeiting, as well as the Law on Protection of State Secrets and Documents, Provisional Law. Although the State Security Court is supposed to be a special tribunal, its legal jurisdiction has been expanded significantly over the years, including because of a broad understanding of security to include things like economic security. According to the National Center for Human Rights, the actions of this Court have led to significant self-censorship by journalists, thereby deterring them from exercising their right of expression and undermining their ability to act as watchdog of the powerful.²⁸⁸

A prosecution took place in January 2015, when Hashim al-Khalidi and Seif Obeidat, the publisher and the editor-in-chief, respectively, of a popular news website, sarayanews.com, were arrested by the State Security Court’s prosecutor for allegedly violating the Prevention of Terrorism Law. Specifically, al-Khalidi and Obeidat were arrested for allegedly spreading rumours that an Iraqi jihadist, Sajida al Rishawi, had been freed in exchange for a Japanese hostage, journalist Kenji Goto, who had been held by the Islamic State. Sarayanews reported that Rishawi had been freed and had arrived in Iraq to be handed over to IS in exchange for Goto, which the Jordanian authorities quickly denied. Both publisher and journalist were

²⁸⁴ Yahia Shukkeir. 2011. New media in social resistance and public demonstrations. Global Information Society Watch. Available at: <http://www.giswatch.org/en/country-report/freedom-expression/jordan>.

²⁸⁵ Mohammad Ghazal. 23 Nov 2014. Debate over arrest of Brotherhood leader continues. The Jordan Times. Available at: <http://jordantimes.com/debate-over-arrest-of-brotherhood-leader-continues>.

²⁸⁶ 15 February 2015. Muslim Brotherhood leader sentenced to 1.5 years in jail. The Jordan Times. Available at: <http://jordantimes.com/muslim-brotherhood-leader-sentenced-to-15-years-in-jail>.

²⁸⁷ 20 February 2015. HRW slams Jordan for jailing Brotherhood leader who criticised UAE. Middle East Monitor. Available at: <https://www.middleeastmonitor.com/news/middle-east/17079-hrw-slams-jordan-for-jailing-brotherhood-leader-who-criticised-uae>.

²⁸⁸ The National Center for Human Rights. Annual Report for 2006, p. 38 (English version). Available at: <http://goo.gl/m28sKO>.

accused of using the media to “propagate the ideas of a terrorist organisation.”²⁸⁹ After spending 40 days behind bars, from 29 January to 8 March 2015, al-Khalidi and Obeidat were released on bail.

CONTEMPT OF COURTS LAW

The Contempt of Courts Law is an important battleground between media freedom and the idea of an independent judiciary. A challenge in this area is to achieve a balance between protecting the integrity of judicial proceedings, supporting media freedoms and protecting the idea of public supervision of the work of the courts. The balance can be at risk if the authorities seek to shield the criminal process from public scrutiny.²⁹⁰

Article 15 of the Contempt of Courts Law states:

Anyone who publishes an objection to a judge or court or a commentary on a ruling with the intention to question, or bring into contempt, the course of justice shall be sentenced to imprisonment for a period not exceeding one year or a fine not exceeding one hundred dinars or both penalties.

According to this provision, fines and imprisonment for a period of between six months and one year can be imposed on anyone who makes a statement that seeks to influence judges, the prosecution, witnesses or public opinion, or to expose judges to questioning or contempt. International standards recognise that freedom of expression may need to be restricted to protect the administration of justice, but the scope of this law, and the heavy penalties it envisages, are excessive and have reportedly led to self-censorship on the part of journalists and editorial decision makers in terms of their exercising a watchdog role.²⁹¹

A number of journalists have been prosecuted under the Contempt of Courts Law. One case occurred in the Amman First Instance Court on 18 March 2008, when it jailed the former editor-in-chief of *Al Arab Al Yawm*, Taher Al-Odwan, and the former editor-in-chief of *Ad Dustour*, Osama Al-Sharif, as well as two journalists, for three months on charges of contempt of court following the publication of a statement by a lawyer, also charged with contempt, who had accused a court of “committing a grave mistake” in November 2007.²⁹² A General Pardon Law was issued in 2010 absolving them.²⁹³

289 29 January 2015. Jordan Arrests Two over Hostage Swap Rumors. Available at: <http://vista.sahafi.jo/art.php?id=f00f2a326aa565ceb4d7d15fab2234da162b049a>.

290 Krug, P. and Price, M. 2002. *The Legal Environment for News Media*, p. 202.

291 IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. *Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program*, p. 55.

292 18 May 2008. Five journalists facing prison. Available in Arabic at: <http://www.sahafi.jo/arc/art1.php?id=cbb463d3070a4044496280f0e2b888abb6599b1f>.

293 General Pardon Law no. 10 for the year 2011, published in the Official Gazette No. 5096, p. 2557, 8 June 2011.

BLASPHEMY

A number of provisions in the Penal Code relate to blasphemy. Article 273 states: “Any one proven to have publicly offended any prophet shall be sentenced to imprisonment for a period of between one and three years.” Article 278 adds to this:

Anyone found guilty of any of the following shall be sentenced to imprisonment for a period not exceeding three months or a fine not exceeding JD 20:

1. Publishing any material that is offensive to other people’s religious feelings or beliefs, or
2. Publicly, with another person listening, making a speech or sound that is offensive to the other person’s religious feelings or beliefs.

In February 2006, two Jordanian weeklies, *Shihan* and *Al Mehwar*, reprinted some of the Danish *Jyllands-Posten* newspaper cartoons which were deemed to have depicted the Prophet Muhammad, and in an offensive manner. As a result of this, the editor-in-chief of *Shihan*, Jihad Momani, and the editor-in-chief of *Al Mehwar*, Hashem al-Khalidi, were both convicted of “attacking religious sentiment” and sentenced to two months’ imprisonment on 30 May 2006.²⁹⁴

In the aftermath of that case, the Jordanian Government introduced amendments to the PPL by incorporating blasphemy provisions into Article 38, which now provides, in part:

It is prohibited to publish any of the following:

- a. Material containing defamation, slander, insult or abuse to those religions which have their freedom guaranteed by the Constitution.
- b. Material which challenges or abuses masters of religious law or Prophets, by writing, drawing, pictures, symbols, or any other means.
- c. Material which insults religious feelings or beliefs, or incites to racial or sectarian hatred.

Article 46(d) of the PPL provides for fines of between JD 10,000 and 20,000 for breach of these provisions. The result is that blasphemy through the media now attracts fines rather than the possibility of imprisonment. No one has so far been prosecuted for violating Article 38. However, it may be noted that fines for breach of this article are significantly higher than for other crimes in the PPL and, as such, could be viewed as disproportionate.

HATE SPEECH

Hate speech is one type of speech that states are, pursuant to international law, required to

²⁹⁴ BBC. 10 February 2006. Cartoon editors face mixed fates. Available at: <http://news.bbc.co.uk/2/hi/europe/4700842.stm>.

prohibit, with Article 20(2) of the ICCPR providing:

Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

Article 150 of the Penal Code states:

Any writing or speech or action intended to incite, or resulting in, sectarian or racial hatred or encourage conflict between religions or different elements of the nation, shall be penalised by imprisonment for a period not less than six months and not exceeding three years and a fine not exceeding five hundred dinars.

On 11 June 2006, four Members of Parliament from the Islamic Action Front (IAF) – Muhammad Abu Faris, Ali Abu Sukkar, Ja'far al-Hurani, and Ibrahim al-Mashukhi – were charged with violating Article 150 of the Penal Code on the basis that they had made statements which “intended to incite, or resulting in, sectarian or racial hatred or encourage conflict between religions or different elements of the nation.” In August 2006, Abu Faris and Abu Sukkar were sentenced, respectively, to two years’ and one and a half years’ imprisonment, which was later remitted by the Court of Appeal to one year and one month imprisonment each. The other two were released in July and August 2006. The King then pardoned Abu Faris and Abu Sukkar on 30 September 2006 but both were prevented from resuming their duties in Parliament and were stripped of their parliamentary seats.²⁹⁵

D. Censorship

1.11 The media is not subject to prior censorship as a matter of both law and practice

Prior censorship

The Jordanian Constitution clearly prohibits prior censorship of the media as a general rule, but allows for limited prior censorship where martial law or a state of emergency has been declared.²⁹⁶ In practice, the print media are not subjected to any prior censorship. In a very rare occurrence, *Al Majd* weekly newspaper was able to publish only after one of the news items in it had been removed.²⁹⁷ *Al Majd* used to print its editions at *Al Rai's* newspaper printer. In that case, the printing house refused to print the edition until a story relating to the then Prime Minister, Samir Rifai, had been deleted. The story alleged that Rifai had

²⁹⁵ United States Department of State. 6 March 2007. Human Rights Reports 2006: Jordan, Section 2: Respect for Civil Liberties, including: a. Freedom of Speech and Press. Available at: <http://www.state.gov/j/drl/rls/hrrpt/2006/78855.htm>. See also National Center for Human Rights (NCHR). Annual Report for 2006, p. 38 (English version). Available at: <http://goo.gl/m28sKO>.

²⁹⁶ Article 15-5 of the Constitution.

²⁹⁷ National Center for Human Rights. 2010. Annual Report for 2010, p. 68, Available at: <http://goo.gl/OrtMJ7>

complained that members of a security body had criticised him in an offensive manner.²⁹⁸

Apart from this case, there are no explicit or concealed restrictions on access to newsprint, to distribution networks or to printing houses. A number of private companies run printing houses and distribution networks and the government does not interfere with them.

There are no known cases of formal complaints by broadcasters of being exposed to prior censorship. However, there have been a number of cases of satellite television outlets being closed in Jordan in 2013-2014 as they were broadcasting without licences.²⁹⁹

Media outlets may also be closed for breach of the rules. The Audiovisual Media Law states:

If the licensee is involved in the broadcasting and re-broadcasting works contrary to the terms of the licence agreement or to any of the provisions of this law, he shall pay a fine of not less than (10,000) ten thousand JD but not more than (50,000) fifty thousand JD, and shall be forced to compensate for and remove the damage resulting from such violation.

The Commission has the right to suspend the broadcasting for a maximum of two months; this clause is not applicable to violations committed by the licensee in connection with his staff and employees, who will be subject to application of the provisions and terms stipulated in the licence agreement.³⁰⁰

Regarding periodicals, the court, upon a request from the Press and Publications Department (now part of the JMC), may nullify the licence if the publication contravenes the conditions of its licence without getting prior consent from the Minister, *inter alia* because it fails to conform to the content rules relating to its area of specialisation. However, this is applicable only if the publication has already been warned twice for having breached its licence conditions and in practice these rules are very rarely applied.³⁰¹

Prior to 2007, books were subject to prior censorship in Jordan but this was brought to an end with amendments to the PPL in 2007 and now there is a system of post-publication application of sanctions. Since the 2007 amendments, Article 35 now states:

- a. The author and the publisher must supply the Department with a copy of the printed book.
- b. If the director of the PPD determines that a printed book in the Kingdom violates the provisions of the legislation in force, he may, after obtaining a decision from the court, confiscate it and prevent it from circulation.

²⁹⁸ 12 October 2010. Prior censorship prevent printing Al Majd. Available in Arabic at: <http://www.sarayanews.com/index.php?page=article&id=32637>.

²⁹⁹ Interview with Amjad Al-Qadi, General Director of JMC, 2 March 2015.

³⁰⁰ Article 29(b)(1) of the Audiovisual Media Law.

³⁰¹ Article 19(b) of the PPL.

1278 books were banned between 1955 and 1987.³⁰² From the beginning of 2013 to August 2014, the Press and Publications Department (now the Jordan Media Commission) had 52 books banned.³⁰³

REGISTRATION AND LICENSING OF THE MEDIA

Both the Audiovisual Media Law and the PPL require, respectively, broadcasters and newspaper publishers to get a licence prior to commencing distribution. Article 15 of the Audiovisual Media Law states: “It is prohibited for any person to engage in broadcasting unless he obtains a broadcasting licence issued in accordance with the provisions of this law”. Article 12 of the PPL also requires one to obtain a licence to issue a newspaper, although these are usually given out without many constraints. According to the PPL, if a periodical publication is issued without a licence, the authorities may confiscate its copies³⁰⁴ and the person responsible may be punished by a fine of between JD 1,000 and JD 5,000.

The Audiovisual Media Law imposes heavier punishments:

Anyone who is involved in transmission of content without obtaining a transmission licence shall be subject to imprisonment for a minimum of one year and a maximum of five years or to pay of a fine not less than (100,000) one hundred thousand JD or to both penalties, as well as confiscation of all the appliances and equipment used and repairing of any damage resulting from such violation.³⁰⁵

Amendments introduced recently by the Parliament have removed all jail sentences from the Audiovisual Media Law.³⁰⁶

1.12 The state does not seek to block or filter Internet content deemed sensitive or detrimental

Jordan does not have a history of extensive blocking of websites. For a number of years, the only blocked website was the U.S.-based Arab Times. Starting in 2008, the government used indirect ways to control access to content online, first blocking access to 600 websites on internal government networks “to prevent public service employees from wasting time online”,³⁰⁷ then using religious slogans to push for the blocking of pornographic websites.

This has, however, changed recently. Political news websites have been flourishing in Jordan

³⁰² Interview with Abdallah Hammodeh, publisher and member of Jordanian Writers League, 17 February 2015.

³⁰³ Rimaz Mousa et al. 19 August 2014. More than 50 books have been banned since 2013. Available in Arabic at: <http://www.7iber.com/2014/08/book-censorship-2/>.

³⁰⁴ Article 48 of the PPL.

³⁰⁵ Article 29(a)(1) of the Audiovisual Media Law.

³⁰⁶ Audiovisual Provisional Law no. 26 for the year 2015.

³⁰⁷ Freedom House. 2014. Freedom on the Net 2014.

because the “old media” are considered less free in reporting on corruption and wrongdoing by the government³⁰⁸ and due to advances in the ICT sector. Perhaps in response to this, recent amendments to the PPL in 2011 and 2012³⁰⁹ expanded the scope of the law and then imposed other obligations on news websites, in particular. In 2011, the definition of “publication” was amended to include “electronic, digital or technical” forms of content and the following definition of an electronic publication was introduced: “A website is a specific domain on the network which provides publishing services, including news, reports, investigations, articles, comments, and is registered in a special register established in the department in accordance with instructions issued by the Minister for this purpose.”³¹⁰ Furthermore, Article 49(a)(1) of the amended PPL states:

If the dissemination of news, features, articles and comments related to the Kingdom’s internal or external affairs is among the activities of an electronic publication, the publication shall be obliged to register and obtain a licence from the director [of the Press and Publications Department].

As a result, websites are required to register with the Press and Publications Department (now part of JMC) and news websites are also required to get a licence from the JMC to operate.

When these changes were introduced, news websites were obliged to register and also to appoint a responsible editor-in-chief (who must be a journalist and also have been a member of the JPA for at least four years, work as a full-time journalist and not work in any other profession).³¹¹ The amendments also meant that website owners were responsible for posted comments.

Media lawyer Mohammad Qtaishat informed the research team that there are almost 30 cases currently proceeding regarding third party comments published on news websites.³¹² According to Article 49 of the PPL, news websites must keep a record for at least six months of all published comments which includes “all the information related to the sender of the comment and the content of the comment”. Many news websites have disabled their commenting function out of fear of being held accountable for comments by visitors. Some news websites have also been prosecuted on allegations of producing a publication without first obtaining licence, in violation of Article 48 of the PPL.³¹³ Some media organisations, such as 7iber, a Jordanian online magazine, challenged the amendments in court.³¹⁴

³⁰⁸ Yahia Shukkeir. 2012. *The Internet: a critical tool in exposing corruption*, para. 13.

³⁰⁹ Amended Press and Publications Law no. 17 for the year 2011 and Law no. 30 for the year 2012.

³¹⁰ Article 3 of the PPL.

³¹¹ Article 23 of the amended the PPL.

³¹² Interview with media lawyer Mohammad Qtaishat, 10 February 2015.

³¹³ Interview with media lawyer Mohammad Qtaishat, 10 February 2015.

³¹⁴ Lina Ejeilat. 1 July 2014. *Jordanian Government Blocks 7iber Again*. Available at: <http://www.7iber.com/2014/07/jordanian-government-blocks-7iber-again/>. The case is still ongoing.

Significantly, according to Article 42(g) of the amended PPL, the Director of the PPD, “must block unlicensed websites in the Kingdom if they violate the provisions of this or any other law”. As a result of these amendments, according to Human Rights Watch, the PPD blocked more than 290 unregistered news websites based in Jordan in June 2013.³¹⁵

The blocking was denounced by many press freedom organisations as a major violation of international standards regarding freedom of expression. According to the Center for Defending Freedom of Journalists (CDFJ), in 2013 the self-censorship index for the media as a whole rose to 91.3 per cent in the country.³¹⁶ The most logical explanation for this, according to the Centre, was that the restrictions imposed by the Press and Publications Law on electronic media were not limited to journalists but also extended to comments posted by citizens on the news published on news websites, including the online versions of traditional media outlets.³¹⁷

The Director of Advocacy and Communications of the International Press Institute (IPI), Steven M. Ellis, stated recently: “Licensing regimes such as these run afoul of Jordan’s commitment to respect free expression under international law, including Article 19 of the International Covenant on Civil and Political Rights”.³¹⁸ CPJ called these developments “a huge step backward in Jordan’s press freedom record”,³¹⁹ while HRW also expressed criticism.³²⁰

The Centre for Law and Democracy (CLD) released a detailed set of *Comments on the Law Amending the Press and Publications Law of 2012*, which highlights problems with these amendments from the perspective of freedom of expression. “If [these amendments] were really properly implemented, they would threaten the very viability of the Internet in Jordan, as they require the authorities to block access to most social media websites,” said Toby Mendel, Executive Director of CLD (and International Expert for this MDI Assessment).

The main problems the CLD Comments identified with the amendments include the following:

- The scope of the Law is extremely broad, inasmuch as it applies to any website that hosts any comment on current affairs in Jordan.
- The Law imposes onerous registration requirements on ‘news websites’.

315 Human Rights Watch. 4 June 2013. Jordan: Rescind Order to Block Websites. Available at: <http://www.hrw.org/news/2013/06/04/jordan-rescind-order-block-websites>.

316 Please refer to the Report for a description of the methodology used to obtain this figure. See Center for Defending Freedom of Journalists (CDFJ). 2013. Electronic Blackout, Media Freedom Status in Jordan. Available at: <http://en.gerasanews.com/wp-content/uploads/2014/05/English-Jordanian-Report-22-4-Final.pdf>.

317 Ibid., p. 20.

318 21 May 2015. Jordan urged to meet pledges to end website licensing: IPI welcomes comments by Media Commission head, MPs, calls for action. Available at: <http://www.freemedia.at/newssview/article/jordan-urged-to-meet-pledges-to-end-website-licensing.html>.

319 Committee to Protect Journalists. 3 June 2013. Authorities block hundreds of websites in Jordan. Available at: <https://cpj.org/2013/06/authorities-block-hundreds-of-websites-in-jordan.php>.

320 Human Rights Watch. 10 September 2012. Jordan: A Move to Censor Online Expression. Available at: <http://www.hrw.org/news/2012/09/10/jordan-move-censor-online-expression>.

- Websites which breach the law, including by failing to register, are subject to mandatory blocking provisions applied by a government department.
- Websites must record information about all users who submit comments.
- The Law treats comments submitted by users as journalistic content authored by the website, effectively forcing websites to vet all user-generated content.

CLD called on the Jordanian government to introduce significant changes to the 2012 amendments to the Press and Publications Law to bring it into line with international human rights standards, including by repealing the registration, moderation and tracking obligations for websites, as well as the blocking rules.³²¹

In rare cases, news websites have been blocked even without an order of the Director of the PPD (now the Director of JMC), as authorised by Article 49(g) of the PPL. The last example was the blocking of *sarayanews.com*, one of the most popular news websites in Jordan, for a month at the end of January 2015.³²² This happened when the prosecutor of the State Security Court ordered ISPs to block the site.³²³

In late December 2014, the head of the News Websites department at the JMC, Ayman Arabiyat, told *Al Ghad* that JMC had blocked Alkawn News website for a few days following the publication of a report on the website on 28 December with some news from a Syrian website in Idlib considered by the Commission to be “an insult to the Jordanian Pilot Muath Al-Kasasbeh, to his family and to Jordanians”.³²⁴ This case is the first time the JMC has blocked a news website without a court order. The Press and Publications Law gives the Commission the right to block a website only if the website is not licensed or if it is acting in accordance with a court order.³²⁵

According to international standards articulated by the UN Human Rights Committee, “any restrictions on the operation of websites, blogs or any other Internet-based, electronic or other such information dissemination system, including systems to support such communication, are only permissible to the extent that they are compatible with paragraph 3 [of Article 19 of the ICCPR].”³²⁶ These standards maintain that blocking of websites is also a violation of the rights of those who wish to receive information. In extreme circumstances, blocking could be a last resort, if there are no other less intrusive means to address the harm, like deleting the

³²¹ The Centre for Law and Democracy. 24 June 2013. Jordan: Press Law Amendments Seriously Threaten Online Speech.

³²² The phrase “This webpage is not available” appeared when browsing its web address. This arose out of the case involving al-Khalidi and Obeidat noted above. See CPJ. 2015. Jordan arrests two journalists on aiding terrorism charges. Available at: <https://cpj.org/2015/01/jordan-arrests-two-journalists-on-aiding-terrorism.php>.

³²³ Information provided by a high ranking official on an anonymous basis

³²⁴ 28 December 2014. Audiovisual Commission block Alkawn News website. *Al Ghad*. Available at: <http://goo.gl/YJ0gHy>.

³²⁵ See Article 49(g) of the Press and Publications Law no. 8 for the year 1998 as amended.

³²⁶ UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression, footnote 83, para. 43.

controversial content, but even then this is legitimate only if it has been ordered by a court.

In Jordan, subjecting Internet users to interrogation or sanctions for accessing or trying to access blocked websites or to access sensitive or illegal content is either non-existent or very rare. However, Internet users are subject to sanctions for publishing content on the Internet deemed to be sensitive or detrimental, even through Facebook or Twitter.

Regulations governing Internet cafés were issued at the end of 2001. According to the regulations, Internet café owners are obliged to register the names and identity numbers of their clients and to keep a monthly record of the websites they browse. In 2009, the government shut down 36 Internet cafés in Amman because they permitted customers to access pornographic sites.³²⁷

One local observer has suggested ending the licensing system for online publications and replacing it with a simple registration system. "This would involve ending the onerous requirements for news website editors and replacing them with a system that merely ensures that the editor is an adult, is not bankrupt and has not had her/his competency restricted."³²⁸

³²⁷ Yahia Shukkeir. 2014. Confiscating the carrier pigeon: Jordan's response to online surveillance.

³²⁸ Interview with Member of Parliament Jamil al-Nimri, 28 March 2015.

Recommendations

1. Efforts could be made to try and reinvigorate attempts to meet the commitments in the National Agenda on media reform.
2. In due course, consideration could be given to amending the constitutional guarantees of freedom of expression and of the media to:
 - extend the protection of these rights to everyone and to the rights to 'seek' and 'receive' information and ideas;
 - provide for more robust limitations for any restrictions on freedom of expression and of the media;
 - prohibit the licensing of the print and online media; and
 - provide explicit protection for the right to information.
3. In due course, consideration could also be given to amending the Constitution to make it clear that treaties ratified by Jordan have the force of law and take precedence over ordinary national laws in case of contradiction.
4. The Jordanian Access to Information (ATI) Law needs to be substantially revised so as to bring it into line with international standards and better national practice and public bodies in Jordan should take the appropriate steps to implement the ATI Law properly.
5. Laws providing for secrecy, in particular the Protection of State Secrets and Documents Provisional Law, need to be reviewed and amended, as necessary, to bring them into line with international standards.
6. Officials and public bodies should stop using 'soft containment' measures to exert control over the media. Private actors should also refrain from seeking to influence media content through illegitimate means.
7. The government and Parliament need to commit to undertaking a full consultative process whenever they engage in law reform efforts that affect freedom of expression and of the media. For their part, civil society organisations should make an effort to ensure that their contributions to such consultations are as professional and high quality as possible.
8. There is a need to adopt a comprehensive broadcasting law which should, among other things, ensure the independence of the Jordan Media Commission from both the government and commercial actors while promoting its accountability to the public, and allocate full powers to the Commission to license broadcasters.

9. The government need to undertake a comprehensive review of laws which affect freedom of expression and the media – in particular the Press and Publications Law (PPL), Audiovisual Media Law, JPA Law, State Security Court Law, Prevention of Terrorism Law, Contempt of Courts Law, Penal Code and Cyber Crimes Law – with a view to amending them to bring them into line with international standards.
10. The PPL and JPA Laws need to be amended so as to remove limitations on who may practise journalism, including the prohibition on individuals who are not members of the JPA from working or presenting themselves as journalists and any conditions on who may be considered to be a journalist or editor-in-chief.
11. The offences of libel, slander and insult to public office need to be removed from the Penal Code, in accordance with international law, and be replaced by civil defamation rules which ensure an appropriate balance between protecting reputations and respecting freedom of expression, including by providing for adequate defences to an allegation of defamation, by not providing for special protection for officials and by not allowing public bodies to sue in defamation.
12. Military courts (in particular the State Security Court) should not have the power to hear cases relating to crimes of publication or expression involving the media or civilians, and the power to detain individuals in cases of crimes of expression should be limited to the most extreme cases such as genuine incitement to terrorism.
13. The system of prior licensing of newspapers should be abolished.
14. The PPL should be amended to remove websites, including news websites, from its ambit and no registration or other administrative obstacles should be imposed on the establishment of news websites. Websites should not be liable for third party comments that they simply host unless and until an authoritative decision declaring them to be illegal has been brought to their attention.

Category 2

Plurality and diversity of media, a level economic playing field and transparency of ownership



Key Indicators

A. MEDIA CONCENTRATION

- 2.1 State takes positive measures to promote pluralist media
- 2.2 State ensures compliance with measures to promote pluralist media

B. A DIVERSE MIX OF PUBLIC, PRIVATE AND COMMUNITY MEDIA

- 2.3 State actively promotes a diverse mix of public, private and community media
- 2.4 Independent and transparent regulatory system
- 2.5 State and CSOs actively promote development of community media

C. LICENSING AND SPECTRUM ALLOCATION

- 2.6 State plan for spectrum allocation ensures optimal use for the public interest
- 2.7 State plan for spectrum allocation promotes diversity of ownership and content
- 2.8 Independent and transparent regulatory system

D. TAXATION AND BUSINESS REGULATION

- 2.9 State uses taxation and business regulation to encourage media development in a non-discriminatory manner

E. ADVERTISING

- 2.10 State does not discriminate through advertising policy
- 2.11 Effective regulation governing advertising in the media

Category 2

Plurality and diversity of media, a level economic playing field and transparency of ownership

A. Media Concentration

2.1 State takes positive measures to promote pluralist media

There are no special rules on concentration of ownership in the media. The Competition Law³²⁹ regulates “market concentration” in all industries. Article 9 stipulates that “the Industry and Trade Minister’s approval is required if an institution or a group of institutions own over 40 per cent of a certain market, and the Minister’s decision shall be based on a study of the negative effect of this concentration on the market”.

The Jordan Media Strategy (2011-2015) includes the following general objective: “To provide the legal, political, social, and scientific incubating environment for the development of media pluralism in Jordan”. The Strategy also includes the following objective:

To support and develop social media directed to local communities, particularly in the governorates, through an approach that supports local media outlets (community radio and television stations), enabling local communities to express opinions, engage in dialogue, and access information, while at the same time enabling the state to deliver its message to these communities.³³⁰

In practice, however, very little has been done to promote the implementation of these objectives.

Until 2002, the state had a monopoly over broadcasting. The Provisional Law for Audiovisual Media,³³¹ adopted in 2002, brought the government’s monopoly over the broadcasting sector to an end, with radio and satellite television licences being granted to the private sector. The Royal Vision of Media, issued in 2003, complemented the Audiovisual Media Law and

³²⁹ Competition Law no. 33 for the year 2004.

³³⁰ Jordan Media Strategy (2011-2015). Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

³³¹ Provisional Law for Audiovisual Media no. 71 for the year 2002.

supported its enforcement.³³² One of its pillars was to support “the independence of media institutions and their administrations by enabling the private sector to own media outlets”.

However, there are no dedicated provisions in the law, regulations or bylaws governing the broadcasting sector which prevent undue ownership concentration. Specifically, neither the Audiovisual Media Law nor the Bylaw for Radio and Television Broadcast Licences³³³ include any articles on ownership within the broadcasting sector or on cross-ownership between broadcasting and other media sectors.

The Audiovisual Media Law includes disclosure requirements in relation to ownership and sources of revenue. Article 16(b) stipulates that “sufficient data disclosing the financial capabilities of the applicant and the sources of financing available to him/her” be included in the application for a licence to broadcast, along with “the names and shares of shareholders or partners who own more than five per cent of the applicant’s capital”. Article 21(h) requires broadcasters to provide “the commission within two months after the fiscal year concludes with a copy of the licensee’s end of year financial statement audited by a certified auditor”. Article 11 of the Instructions for Radio and Television Broadcast Licences³³⁴ requires licensees to “notify the Commission about any foreign funds that are to be made available to the licensee”.

This financial information is not, however, made public. As a result, the transparency of the licensing regime is undermined and the public has no insight into this aspect of the Audiovisual Commission’s (now the Jordan Media Commission’s) decision-making regarding licences. Furthermore, the audience does not know about broadcasters’ sources of funding. Some financial information about broadcasting companies, including the shareholders’ names and their shares in the company capital, is made public on the website of the Companies Control Department,³³⁵ as is the case for all companies registered with the Ministry of Industry and Trade.

The Audiovisual Media Law amendments for the year 2015³³⁶ did not include any provision addressing concentration of media ownership. However, the Lower House’s National Guidance and Media Committee, which is concerned with media laws, discussed an amendment to address ownership concentration issues, according to Zakaria Sheikh, head of the National Guidance and Media Committee. The amendment, which was not ultimately approved by

332 King Abdullah II. 2003. Royal Vision for Media. Available at: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=35>.

333 The Bylaw for Radio and Television Broadcast Licences and Fees, no. 163 for the year 2003. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/1cf78c90-462f-496d-8d96-a729a0c89dc1.pdf>.

334 The Instructions for Radio and Television Broadcast Licences. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

335 The Companies Control Department, webpage titled Inquiries About Companies. Available at: <http://www.ccd.gov.jo/ar/home/e-services/companies-query>. The Companies Control Department is run by the Ministry of Industry and Trade.

336 The Audiovisual Media Law Amendments, no. 26 for the year 2015.

the Parliament, would have prevented “one party from owning two radio or two television channels at the same time”, according to Sheikh, who added:

This amendment is to ensure that businessmen do not monopolise or control the sector. This issue was discussed at length, because when control over media outlets is concentrated this threatens not only the government, but also the media sector. This can cause grave damage to the sector and the audience, in addition to the fact that it is a monopoly. We also discussed examples of this in the country.³³⁷

Although the 2002 Audiovisual Media Law brought the government monopoly over broadcasting to an end, the state-owned media are still dominant in the market. Signs of ownership concentration are also starting to emerge in the private sector. Out of 24 private radios, four companies own 12 stations, while 12 different companies each own one of the other 12 stations. One company owns a satellite television channel and a radio station, while another owns a daily newspaper and a satellite television channel.³³⁸

While the Jordan Media Commission (JMC) has not prepared any reports or written evaluations on the issue, it may consider the topic going ahead. “There are cases of cross-ownership,” noted JMC Director Amjad Al-Qadi, “and we might take that into consideration when deciding whether to award licences in the future.” Amjad Al-Qadi added that when the AVC was first established, there was no expectation that there would be challenges with concentration of ownership, so the law did not address them. But now, concentrations have started to emerge so that the matter needs to be dealt with in law.³³⁹

2.2 State ensures compliance with measures to promote pluralist media

As noted above, there are no provisions in the media laws, bylaws or regulations to protect against undue concentration of media ownership, so there is no question of such rules being applied. So far, in no case have the regulatory authorities used their power to prevent further concentration of ownership. Pursuant to Article 18 of the Audiovisual Media Law, the Cabinet has the power to “grant, renew, amend or cancel a broadcast licence” and “refuse to grant broadcast licence to any party whatsoever without specifying the reasons”. But they have not used this power to address concentration issues.

³³⁷ Interview with Zakaria Sheikh, Head of the parliamentary panel and the owner of private satellite channel Al Haqiqa Al Dawliya, 11 February 2015.

³³⁸ Lists of satellite TV and radio stations provided by Jordan Media Commission, March 2015. This includes information about owners (names of companies and people who own them and their nationalities and contacts), type of programming, type of licence and coverage area.

³³⁹ Interview with Amjad Al-Qadi, Jordan Media Commission Director, 4 March 2015.

B. A Diverse Mix of Public, Private and Community Media

2.3 State actively promotes a diverse mix of public, private and community media

ACCESS TO INFORMATION FROM PUBLIC BODIES

There are no provisions in media laws or regulations that discriminate between the public, private and community media in terms of access to information held by public authorities. On the contrary, there are rules in the Press and Publications Law and the Access to Information Law that safeguard the right of access for the media.

However, the evidence suggests that in practice it is different. Bilal Khasawneh, a producer and presenter on Yarmouk FM radio in Irbid,³⁴⁰ says official sources discriminate against small or community media outlets and prefer to have their news or information published through national official media outlets. Ahmad Ereikat, the publisher of a community-based news website in Zarqa,³⁴¹ supports this view noting, for example, that the Mayor of Zarqa would rather disclose information to national media outlets in the capital than make statements to local or community media in Zarqa.

Fares Sayegh, the owner and director of Ro'ya private satellite channel, has noted that the Royal Court sends video footage of the King's activities only to Jordan Television, from which Ro'ya obtains it. News websites use the weekly video summary of the King's activities published by the Royal Court on its social media pages, but Ro'ya's daily newscast cannot wait until the end of the week to broadcast the news.

According to Sayegh, a similar situation happened in regard to news from the Office of the Prime Minister. He explained that Ro'ya receives video footage from the Office of the Prime Minister, and recalled an incident when an official from the Office came to the station and tried to provide direction as to the station's programming. When he refused to comply with her requests, the Office of the Prime Minister did not send Ro'ya video footage for about a month and a half.³⁴²

According to the Minister of State for Media Affairs, Mohammad Al-Momani,³⁴³ "the government does not discriminate between public, private and community media in the granting of access to information. When a source gives information to a journalist from Petra

³⁴⁰ Comments by Bilal Khasawneh, producer and presenter on Yarmouk FM radio in Irbid, during a focus group on community media, 1 March 2015.

³⁴¹ Comments by Ahmad Ereikat, publisher of a community news website in Zarqa, during a focus group on community media, 1 March 2015.

³⁴² Interview with Fares Sayegh, owner and director of Ro'ya private satellite channel, 3 March 2015.

³⁴³ Interview with Mohammad Al-Momani, Minister of State for Media Affairs, 29 March 2015.

News Agency, JTV or any other media institution, the source knows that the information will be available to the rest of journalists and media outlets”.

START-UP FEES

The issue of fees is linked to pluralism inasmuch as fees can pose an obstacle to starting a media outlet. Article 5 of the Instructions for Radio and Television Broadcast Licences³⁴⁴ requires applicants to provide “an equivalent of 50 per cent of the radio and television broadcast licence fee as a guarantee to ensure proper implementation for a year, which can be extended for the same duration”. Article 6 of the Instructions stipulates that, “the applicant shall deposit at a Jordanian bank a minimum of between JD 50,000 and JD 1 million [approximately USD 70,600-1.4 million], depending on the licence type, from the registered capital”. This is a sort of initial guarantee – a form of capital deposit requirement – that the station will commence operations properly.

2.4 Independent and transparent regulatory system

JMC has no written or formally announced plans to promote diversity in media ownership or content through the licensing system and allocation of radio or television broadcast frequencies. However, according to its Director, Amjad Al-Qadi, the JMC promotes diversity and a just distribution for the media’s three sectors:

The private sector has its needs, and we advise them to cover different specialties when they apply for licence, but – unfortunately – they all go for the same commercially-oriented media most of the time. We now have a vision to distinguish between three types of media – commercial, public and community – and to allocate fair quotas to them. We encourage community media, and we now have some 10 university and municipal radios, such as the Zarqa Municipality’s radio station and the Greater Amman Municipality’s radio station, and we welcome more.³⁴⁵

What Al-Qadi refers to as community radio is mostly local stations owned, funded and run by public bodies, including five public universities and three municipalities. For example, Yarmouk FM is a university campus radio providing journalism students with training and practical experience, and serving the local community in the northern city of Irbid, according to its manager, Ghaleb Shatnawi.³⁴⁶ However, some journalism students at the university complain that they do not have access to the radio and that programmes are mostly produced

³⁴⁴ The Instructions for Radio and Television Broadcast Licences, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

³⁴⁵ Interview with Amjad Al-Qadi, Jordan Media Commission Director, 4 March 2015.

³⁴⁶ 26 March 2014. Journalism Faculty at Yarmouk University hosts a meeting for community radio managers. Yarmouk University News Network. Available at: http://yunn.yu.edu.jo/index.php?option=com_content&id=5532%3A2014-03-26-10-06-38&Itemid=114.

by faculty staff.³⁴⁷ A number of students who did produce programmes signed a petition complaining that the radio administrators interfere in programming content.³⁴⁸ One of the students complained that her programme, which was intended to cover controversial issues related to Jordanian national identity, was stopped.³⁴⁹

Community radio is not recognised either in law or in the practice of the JMC, which inhibits the development of community radio stations owned and run by local communities. The regulatory system for broadcasting is based on the Audiovisual Media Law, which only distinguishes between two different types of broadcasters: those owned by the state and others. This is true at all levels of the regulatory system, including the Regulations for Radio and Television Broadcast Licences³⁵⁰ and the Bylaw for Licensing Radio and Television Broadcasting,³⁵¹ which also only recognise two types of licence applicants, namely public bodies and private companies.

Radio stations owned by civil society organisations are classified by the JMC as private radios and are required to register as private companies to get licences.

PLURALISM IN PRACTICE

In practice, the frequency spectrum is not distributed equitably among different types of broadcasters. Out of 41 radio stations, 17 are owned by public bodies: five by public universities (Yarmouk FM, Sawt Al-Janoub, Sawt Al-Karak, University of Jordan, Tafila Technical University),³⁵² four by Jordan Radio, two by the Jordan Armed Forces, two by municipalities (the Greater Amman Municipality and Zarqa Municipality), and one each by the Public Security Department, the Jordanian Hashemite Fund for Human Development, the Awqaf Ministry and the Aqaba Special Economic Zone Authority.³⁵³

Terrestrial television broadcasting remains a government preserve, consisting of JTV's two channels: Jordan Television and the Sport channel, which also broadcasts Lower House sessions. JMC Director, Amjad Al-Qadi, noted:

347 28 December 2011. Is Yarmouk FM community radio or training radio? Al-Mejhar news website. Available at: <http://www.almejharnews.com/index.php?page=article&id=16601>.

348 18 April 2012. A strike by Yarmouk radio program producers. Almadenah News website. Available at: <http://goo.gl/8kFmwW>.

349 26 December 2011. Yarmouk FM radio stops a program about the Jordanian national identity. Gerasa News website. Available at: <http://www.gerasanews.com/print.php?id=63553>.

350 The Regulations for Radio and Television Broadcast Licences. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/1cf78c90-462f-496d-8d96-a729a0c89dc1.pdf>.

351 The Bylaw for Licensing Radio and Television Broadcasting. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

352 23 December 2014. Jordan Media Commission grants a radio broadcast licence to Tafila Technical University. Jordan News Agency (Petra). Available at: http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=177269&CatID=14&Type=Home>ype=1.

353 Jordan Media Commission website, list of licensed broadcasters. Available at: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=30>.

The law allows terrestrial television licences to be given to private broadcasters, and the Commission encourages public service broadcasting on satellite as well as terrestrially. But because of the broadcasters' weak financial condition, they prefer satellite television broadcasting which costs less and has a greater reach. We expect that the transformation to digital broadcasting will reduce the costs for broadcasters to cover governorates or the whole Kingdom.³⁵⁴

It is considerably more expensive to establish a terrestrial than a satellite television station. For example, the licence fees are JD 100,000 [approximately USD 140,000],³⁵⁵ and then there are the capital deposit requirements noted above.³⁵⁶ A satellite television licence costs only JD 5,000 (see D.2.9 below).

There are 45 licensed satellite television channels in Jordan which broadcast from the Media City. Only 17 of these are owned by and directed at Jordanians, while the rest are Arab channels (mainly Saudi and Iraqi). Of the Jordanian channels, 15 are private and two are public (one owned by Jordan Television while the other belongs to the Royal Cultural Center). Only seven of the private channels broadcast locally produced programmes and, of these, two have not yet started broadcasting. The other four broadcast a variety of social and entertainment programmes, and current affairs talk shows and programmes, but only two, Ro'ya television and Al-Haqiqa Al-Dawliya, broadcast news.

The other nine Jordanian satellite channels are what are known as 'slide television' which depends mainly on running ticker advertisements scrolling across the bottom of the screen, while showing still images and songs on the main screen. Unlike more traditional television stations, these stations do not have studios where they can produce their programmes. Some of these kinds of stations broadcast without a licence and the JMC closes dozens of them every year, according to Al-Qadi.³⁵⁷

In the print media sector, the government owns the country's only news agency, Petra.³⁵⁸ The government is also the main shareholder in three out of the country's seven daily newspapers. It owns 55 per cent of the shares of the public shareholding company that publishes the country's only English daily, *The Jordan Times*, and *Al Rai*, the largest circulation Arabic

³⁵⁴ Interview with Amjad Al-Qadi, Jordan Media Commission Director, 6 May 2015.

³⁵⁵ Jordan Media Commission's Bylaw for Radio and Television Broadcast Licences and Fees, no. 163 for the year 2003. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/1cf78c90-462f-496d-8d96-a729a0c89dc1.pdf>.

³⁵⁶ Jordan Media Commission's Instructions for Radio and Television Broadcast Licences, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

³⁵⁷ 1 April 2014. Closure of 15 Slide TV. Assawsana news website. Available at: <https://www.assawsana.com/portal/pages.php?newsid=172323>.

³⁵⁸ The Public Budget Law no. 6 for the year 2014. General Budget Department. According to the budget law the News Agency is a governmental unit which is 100% funded by the public budget. Available at: <http://www.gbd.gov.jo/web/Budget/Default.aspx?d=2c2e5b89-4216-402a-b67b-a985065a1ca4&OP=budget&CH=GU>.

daily.³⁵⁹ The government also owns 35 per cent of the public shareholding company that publishes *Ad Dustour*, the third daily in terms of circulation. Moreover, *Al Rai* and *Ad Dustour* own two out of the four printing presses in the country.³⁶⁰

PUBLIC PARTICIPATION IN LICENSING

Decision-making processes regarding the allocation of frequencies are not governed by plans or announced policies, or awarded on the basis of tenders in which the best applicants are selected. Instead, licences are allocated based on a first-come, first-served approach and each application is evaluated on a case-by-case basis according to established prior conditions.

Community Media Network Director, Daoud Kuttub, suggests imposing “must-carry obligations” on applicants, including those from the private sector, as conditions for receiving licences. He suggests, as examples, “requiring twenty per cent of the station’s programming to address youth issues and five per cent to cover issues of interest to marginalised communities. Another option is to stipulate that channels broadcast a ratio of public service announcements that are, for example, against smoking or against child labour or any other cause.”³⁶¹ He also calls for having an independent commission, in line with international standards, run by “a board which represents all segments of society and which is responsible for setting media policies and licensing systems”. He ascribes the lack of media plurality to “the executive authority’s dominance over the sector and its regulation”.³⁶²

The JMC’s Instructions for Programmes and Commercial Advertisements and Promotion³⁶³ include one positive content obligation which promotes plurality in broadcasting. Article 6(h) requires radio and satellite television stations to include at least 15 per cent domestic productions in their daily programming. This does not apply to stations which broadcast in other languages, so that the six radio stations broadcasting in English are not obliged to carry any domestic programming. This is a relatively easy condition for stations to comply with it, as it is common for Jordanian television and radio stations to broadcast one to two-hour long live call-in shows. Most radio stations have two-hour morning programmes in which presenters read newspaper headlines, comment on the news, chat with callers and interview officials.

Some meetings and discussions take place between the JMC and media outlets and other stakeholders, but they are limited to general regulatory issues, while the Lower

359 The SSC provided this information in an answer to a question from a Member of Parliament on 7 March 2014. See: <http://www.maqar.com/?id=49368>.

360 Sawzan Zaidah. 25 August 2013. The Social Security Corporation’s two newspapers: *Alrai* with no profits and *Addustour* with losses, 7iber online magazine. Available at: <http://www.7iber.com/2013/08/rai-dustour-gains-and-losses/>.

361 Interview with Daoud Kuttub, Community Media Network Director, 11 February 2015.

362 Interview with Daoud Kuttub, Community Media Network Director, 11 February 2015.

363 Jordan Media Commission’s Instructions for Programmes and Commercial Advertisements and Promotion, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/3efd8c05-f493-4d27-b0dd-a6b3769edb5c.pdf>.

House meets with media outlets and civil society organisations to listen to their opinions and recommendations on legal issues. However, there are no discussions between the government or the regulator, on the one hand, and any other party, on the other, regarding decisions about allocating frequencies or licences to broadcasters.³⁶⁴

2.5 State and CSOs actively promote development of community media

In its book on the regulation of community media, *Tuning into Development: International Comparative Survey of Community Broadcasting Regulation*, UNESCO identifies a number of key characteristics of community media, including that they should be run by not-for-profit organisations and that they should “be required to serve and have links to an identifiable community, which might be a community of interest, a geographic community or both”.³⁶⁵

As indicated earlier, Jordan classifies media outlets into just two types: public and private. Community-based radios, or those working to serve the community and operating on a not-for-profit basis, are legally required to be registered as stations owned by public bodies or private companies. As a result of the lack of definition of community broadcaster, there are no quotas or targets for the reservation of parts of the frequency spectrum for this sector.

However, a number of civil society organisations, in partnership with activists and local institutions, have sought to utilise the 2002 Audiovisual Media Law to bolster plurality in the media by supporting the establishment of various types of stations that purport to be community in nature although they are registered as public or private stations.

Over the past 10 years, six FM radio stations have been launched as radio development projects funded by the international community. In 2005, AmmanNet obtained a radio broadcast licence and moved from online to FM in Amman under the name Al-Balad Radio, out of which sprang the Community Media Network (CMN), a non-profit organisation that seeks to support community media in the Arab region. In 2006, three radio stations were launched: Maan or Sawt Al Janoub Radio at Al Hussein Bin Talal University in Maan, with support from the British Council, Yarmouk FM at Yarmouk University in Irbid, with support from Internews, and Princess Basma Youth Resource Centre's Farah Al Nas radio, which is supported by several national and international organisations and targets women and young people. In 2009, Sawt Al Karak FM was established at Mutah University, with support from the International Research & Exchanges Board (IREX). In 2013, the Aqaba Special Economic Zone Authority launched its own radio, Voice of Aqaba, with support from USAID. In addition to these stations, the European Commission supports a weekly community paper in Zarqa, *Hona Zarqa*, and a radio programme produced by female citizen journalists in Zarqa.

According to Community Media Network Director Daoud Kuttub, this component of pluralism

³⁶⁴ Interview with Daoud Kuttub, Community Media Network Director, 11 February 2015.

³⁶⁵ Toby Mendel. 2013. *Tuning into Development: International Comparative Survey of Community Broadcasting Regulation*.

grew out of the efforts of the radio stations themselves:

The government has not taken any specific steps to support plurality. While there may be some sense of plurality, it is neither intentional nor planned. There are no incentives or regulations that give priority to the plurality of licences or their ownership. There are attempts to develop community radio models, but without a legal recognition for this type of station. The government did not help these radio stations come to be; it did not award them fee exemptions; it did not give them priority in licensing; and it did not offer them any legal or regulatory incentives to bolster plurality in ownership or content.³⁶⁶

The six community-based radio stations noted above have developed various mechanisms to enable local communities to give their input to the stations at regular intervals. Al-Balad Radio and Sawt Al Karak FM have boards of trustees made up of representatives of the local communities. The boards set the strategic plans that govern the stations' editorial, administrative and financial decision-making. Sawt Al Janoub radio and Aghwar online radio have consultative councils which comprise representatives of the local community who set the tone and direction of the station's programming. Al-Balad Radio also has a listeners' club which submits recommendations and contributes to setting the direction for the station's programming.

University radios, such as Maan, Yarmouk and Sawt Al Karak FM, depend mainly on students as volunteers to produce and present programmes. The community weekly newspaper *Hona Zarqa* is open to young women from Zarqa who are interested in the media and allows them to participate in producing its reports.

FINANCIAL ISSUES

Public radios are exempt from paying licence fees under Article 20 of the Audiovisual Media Law, which allows "the Cabinet, based on a recommendation by the Minister which is in turn based on the director's recommendation, to exempt public departments and institutions from broadcast licence fees". Article 5(b) of the Regulations for Radio and Television Broadcast Licences and Fees exempts government directorates and institutions from the broadcast licence fees imposed by the bylaw on radio and television stations.

There has been some confusion in the way the fee waiver has been applied. In March 2006, the United Nations Development Fund for Women (UNIFEM, now part of UN Women) supported the establishment of a community radio station for women in the two villages of Libb and Mleih in the governorate of Madaba, as part of a larger UNIFEM project, The E-Village. The studio was set up, a group of volunteers were trained by the CMN, and radio

programmes were produced and broadcast by Al-Balad Radio. However, the station could not afford the fees to obtain a licence. To get around this, ownership of the station was transferred to Libb and Mleih municipality in order to be eligible for a licence fee waiver.³⁶⁷ A request in 2007 for a fee waiver was rejected by the Audiovisual Commission, despite the existence of a waiver for all public bodies, on the basis that half of the municipal council of the two villages was appointed by the government, while the other half was elected by people, and the applicant was therefore not considered as fully governmental.³⁶⁸ The Libb and Mleih radio project continued for some time in the hope of obtaining a licence, but eventually ceased operations in 2010.

In September 2013, the Audiovisual Commission granted a radio licence to Aqaba Special Economic Zone Authority,³⁶⁹ but the Aqaba Authority, which falls under the Office of the Prime Minister,³⁷⁰ did not get a fee waiver, according to the Voice of Aqaba radio manager, Farid Elokour.³⁷¹ One year later, in November 2014, the Audiovisual Commission (now part of JMC) granted a radio licence to the municipality of Zarqa,³⁷² which did get the licence fee waiver due to its status as a government body. The same thing happened with Amman Municipality's radio Hawa Amman.

The way the four different fee waiver cases were treated indicates a lack of clear criteria in the way the Commission applies the law.

According to the chairman of the National Guidance and Media Committee, Zakaria Sheikh, the amendments to the Audiovisual Media Law allow an applicant for a broadcast licence to “submit a request for fee exemption, provided that no commercials are broadcast. The request is referred to the Minister, who presents his recommendation to the Cabinet, and the Council of Ministers approves the request or denies it and outlines the reasons”.³⁷³ JMC Director, Al-Qadi, says the amendment is aimed at promoting fair competition between the public and private media.³⁷⁴

³⁶⁷ 24 September 2007. Village FM radio to be launched soon in Libb. Jordan News Agency (Petra). Available at: <http://www.sahafi.jo/arc/art1.php?id=59bae81f694123d628082fd99ec3810a2467273c>.

³⁶⁸ Daoud Kuttab. 27 September 2009. Where is the audiovisual media in serving the community? Available at: <http://www.daoudkuttab.com/arabic/?p=479>.

³⁶⁹ 15 September 2013. Audiovisual Media Commission grants an FM radio licence to Aqaba Special Economic Zone Authority. Jordan News Agency (Petra). Available at: http://petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=124028&CatID=14

³⁷⁰ Organization Structure, Aqaba Special Economic Zone Authority's website. The Authority is equivalent to a local government in the city of Aqaba. Available at: <http://www.aqabazone.com/en/about-aseza/organization-structure2/>.

³⁷¹ Comments by Fareed Okour, Voice of Aqaba radio manager, during a focus group on community media on 1 March 2015.

³⁷² 17 November 2014. Audiovisual Media Commission grants an FM radio licence to Zarqa Municipality. Jordan News Agency (Petra). Available at: http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?SiteId=2&lang=1&NewsID=172745&CatID=14&Type=Home>ype=1.

³⁷³ Interview with Zakaria Sheikh, Head of the parliamentary panel and the owner of private satellite channel Al Haqiqa Al Dawliya, 11 February. 2015.

³⁷⁴ Interview with Amjad Al-Qadi, Jordan Media Commission Director, 4 March 2015.

There is no preferential government treatment for community media in Jordan, for example in the areas of pricing, discounted tariffs and so on. Furthermore, no part of the revenues from the sale of spectrum or cable and telecommunications licences is reinvested in or allocated to community media outlets and there is no other source of public funding for the sector.

Kuttab is of the view that, “radio licensing fees are exorbitant”, and lowering them will enable governorate residents to start their own radios and better utilise the frequency spectrum. In the Arab region, only 10 per cent of the available frequencies are used.³⁷⁵

Fathi Hweimel, Director of the Social Rehabilitation Society in Ghor Safi and director of the online community radio Sawt Al-Aghwar, says that broadcast fees are hindering the station from broadcasting on an FM frequency:

At first our problem was that we were a society and not a private company, so JMC rejected our application for a licence, although we had obtained the approval of the Ministry of Social Development, with which we had registered as a society. We registered as a private company and applied, but then we faced a new problem; we were, according to broadcast licence regulations, required to deposit a minimum of JD 50,000 [approximately USD 70,000] from the registered capital at a Jordanian bank. This amount was on top of the JD 20,000 [approximately USD 28,000] we had had to scrape up to pay broadcast and relay tower fees to the Telecommunications Commission, especially since Ghor Safi is classified by the government as a poverty pocket and the local community cannot financially contribute to pay the fees.³⁷⁶

Lowering the fees for community broadcasters would help stimulate more activity in this important broadcasting sector.

³⁷⁵ Interview with Daoud Kuttab, Community Media Network Director, 11 February 2015.

³⁷⁶ Comments by Fathi Hweimel, President of the Social Rehabilitation Society in Ghor Safi and the director of Aghwar online radio, during a focus group on community media, 1 March 2015.

C. Licensing and Spectrum Allocation

2.6 State plan for spectrum allocation ensures optimal use for the public interest

Article 6(i) of the Telecommunication Law³⁷⁷ provides that it is the duty of the Telecommunication Regulatory Commission to manage the Radio Frequency Spectrum, which includes three tasks:

1. Preparing and maintaining the National Table of Frequency Allocations.
2. Preparing the National Plan for Frequency Allocations and the National Register of Frequency Assignments, in collaboration with the concerned parties in the military and Security entities.
3. Maintaining the civilian portion of the National Plan for Frequency Allocations and the National Register of Frequency Assignments, and making them available to the public.

In practice, however, TRC exercises what can best be described as joint jurisdiction over the spectrum with the Armed Forces. Thus, Article 48 of the Statement of Government Policy 2012 on the Communications, Information Technology, and Postal Sectors³⁷⁸ states:

The government recognises the execution of an agreement between the Jordanian Armed Forces and the Commission concerning the allocation of radio frequency spectrum. Nevertheless, as specified in the 2007 Policy Statement, the Government continues to require that the management of the Kingdom's radio frequency spectrum be under the Commission's control and that non-civilian spectrum that currently is not used for military purposes should be identified and transferred to the Commission's management as soon as possible.

In the Jordan National Information and Communications Technology Strategy (2013-2017),³⁷⁹ the government notes:

Access to the radio frequency spectrum is the domain of the TRC. Much of the radio frequency spectrum has been released by TRC for commercial use, but a large part of it remains allocated for military use. As the demand for radio spectrum increases for commercial exploitation, there will be increasing demand on the military to release more of the spectrum allocated to it for the public good. ... This will require TRC and the industry to come

³⁷⁷ The Telecommunication Law, no. 13 for the year 1995, published in the Official Gazette on 1 October 1995, edition No 4072, p. 2939. Available at: http://www.trc.gov.jo/index.php?option=com_content&task=view&id=101&lang=arabic.

³⁷⁸ Statement of Government Policy 2012 on the Communications, Information Technology, and Postal Sectors, p. 20. Available at: <http://www.moict.gov.jo/ar/arabic/documents/GeneralPolicyStatement2012.pdf>.

³⁷⁹ The Jordan National Information and Communications Technology Strategy (2013-2017). Available at: <http://www.moict.gov.jo/documents/Final%20Draft%20Jordan%20NIS%20June%202013.pdf>.

to some sort of an agreement with the military on spectrum use that maximises economic benefit from this public good without compromising national security.

In addition to managing the frequencies with the Armed Forces, another challenge facing the TRC is the “shared jurisdictions of the TRC and JMC over management of the radio frequencies spectrum for civilian use, as well as the authority to license such spectrum”, according to the Statement of Government Policy 2012.³⁸⁰ Articles 74-75 of the Statement note:

The government believes that this shared jurisdiction and the regulatory gap related to new media, as well as with respect to broadcasting through the internet will result in confusion among both providers of converged services and the two commissions and will delay the development, introduction, and licensing of certain forms of these services in Jordan.

Accordingly, the government directs the Ministry, with appropriate input from the Commission and the Audiovisual Commission, to closely examine the relationship of the two laws and the two commissions in light of convergence issues. This review should include the amendments that should be made to clarify issues of jurisdiction and to eliminate overlap in the provisions of the two laws as well as to address any regulatory gaps.

Government discussions about a convergence and redistribution of missions between the Audiovisual Commission, the TRC and the Press and Publication Department started in 2010. The Cabinet meeting on 22 August 2010 discussed merging the Audiovisual Commission and the PPD, and transferring the Audiovisual Commission’s tasks regarding broadcast licensing to the TRC. However, the decision was postponed for further study and analysis.³⁸¹ In June 2013, the Parliament voted to merge the Audiovisual Commission and the PPD under the umbrella of the Jordan Media Commission,³⁸² but none of the Audiovisual Commission’s responsibilities were transferred to the TRC.

Jordan’s National Plan for Frequency Allocation is not available on the TRC website and the relevant webpage appears as “Under Construction”.³⁸³ According to the Director of Radio Spectrum Management Department at the TRC, Moh’d Al-Wathiq Shaqrah, “the TRC set the plan, but it needs to be updated in a short and long term process”.³⁸⁴ It may be noted that

³⁸⁰ The Statement of Government Policy 2012 on the Communications, Information Technology, and Postal Sectors, p. 30. Available at: <http://www.moict.gov.jo/ar/arabic/documents/GeneralPolicyStatetement2012.pdf>.

³⁸¹ 22 August 2010. Convergence of government institutions and cancellation of others. Jordan News Agency (Petra). Available at: <http://www.ain.jo/node/85767>.

³⁸² 5 June 2013. MPs converge the Press and Publications and AudioVisual under Jordan Media Commission. Ad Dustour. Available at: <http://goo.gl/Qd74Gd>.

³⁸³ The National Plan for Frequency Allocation, TRC. Available at: http://www.trc.gov.jo/index.php?option=com_content&task=view&id=1137&lang=arabic.

³⁸⁴ Interview with Moh’d Al-Wathiq Shaqrah, Director of Radio Spectrum Management Department at Telecommunications Regulatory Commission, 1 April 2015.

the development of the plan took place without consultation with CSOs and the media sector, and the research team for this report was unable to obtain a copy of the plan. The TRC does make available on its website the National Table of Frequency Allocations of Jordan,³⁸⁵ the Jordanian Frequency Allocation Chart,³⁸⁶ and the Frequency Use and Planning Policy issued in 2008.³⁸⁷

2.7 State plan for spectrum allocation promotes diversity of ownership and content

The Regional ITU-R Conference, held by the International Telecommunication Union (ITU) in Geneva in June 2006, agreed on a plan for the transition to digital television broadcasting covering 116 countries, including Jordan. Under this plan, known as the GE06 plan, the latest date for the transition from analogue to digital television broadcasting was 17 June 2015.³⁸⁸ A number of countries have been granted extensions, including Jordan, which got an extension until August 2015, according to Moh'd Al-Wathiq Shaqrah, Director of Radio Spectrum Management Department at the Telecommunications Regulatory Commission. But Shaqrah added that Jordan will not be ready by this date, so the TRC will ask for another extension until the end of 2015. The delay is due to the lack of availability of equipment that enables viewers to receive digital TV signals.³⁸⁹

In general, there has been very little consultation with civil society on the digital transition. However, on 22 June 2014, Daem Center for Media, a local NGO, brought public and private media outlets, the two relevant regulatory bodies, the TRC and the JMC, and the Minister of State for Media Affairs together for a first meeting to discuss the issue.³⁹⁰ Fares Sayegh, the owner and director of Ro'ya television, noted that they attended three consultation meetings in total organised by Daem Center for Media.

In terms of the process, Sahar Ali, Media Expert with the EU programme, noted in September 2013:

³⁸⁵ The National Table of Frequency Allocations of Jordan. Available at: <http://www.trc.gov.jo/images/stories/pdf/NationalTableofFrequencyAllocationsofJordan.pdf?lang=arabic>.

³⁸⁶ The Jordanian Frequency Allocation Chart. Available at: http://www.trc.gov.jo/images/stories/pdf/FreqTab_arb.pdf?lang=arabic.

³⁸⁷ 2008. The Frequency Use and Planning Policy, p. 7. Available at: http://www.trc.gov.jo/images/stories/pdf/Frequency_use_and_planning_policy.pdf?lang=english.

³⁸⁸ 3-4 July 2012. Digital Terrestrial Television and Optimal use of the Digital Dividend. Amman, Telecommunication Regulatory Commission. Available at: http://www.trc.gov.jo/index.php?option=com_content&task=view&id=2509&lang=english.

³⁸⁹ Interview with Moh'd Al-Wathiq Shaqrah, Director of Radio Spectrum Management Department at Telecommunications Regulatory Commission, 1 April 2015.

³⁹⁰ 22 June 2014. Daem Center concludes a workshop on digital broadcast transmission. Jordan News Agency (Petra). Available at: http://petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=155867&CatID=20&Type=Home>ype=1.

Jordan planned to transit to digital in two phases. The first phase concerns the main television radio broadcasting station (JRTV) (11 towns), and it started at the beginning of 2012. The second phase concerns rural and isolated areas and will be implemented between 2013 and 2015. At the end of the first stage, there will be an overlapping period of one year between the analogue and the digital system, to enable the final users to adapt their receivers. Jordan Radio and Television, which is responsible for overseeing the smooth transition, was allocated a budget for this purpose for 2012 and 2013.³⁹¹

These deadlines were not met, even though the digital transition is significantly simplified in Jordan due to the fact that only Jordan Television transmits its signals terrestrially. An initial first phase in the process started in March 2015, JTV launched its digital broadcasting with JD 14 million worth of new digital equipment in 2014. Another JD 14 million will be allocated for the second and third phases in 2015 and 2016.³⁹²

In terms of “must-carry” obligations for private broadcasters, these do not apply to satellite stations and cable carriers in Jordan.

2.8 Independent and transparent regulatory system

As noted above, the licensing process in Jordan is done on a first-come, first-served basis. The licensing process meets international standards in part by setting out the licensing conditions in advance. The licence applications, which are available on the JMC website, include the criteria for eligibility to obtain a licence and the conditions with which all licensees must comply. The conditions are incorporated into the terms of the licence via the contract which is signed between the JMC and the broadcaster. These are found in Articles 16 and 17 of the Audiovisual Media Law,³⁹³ including that an applicant must be a legal entity and that neither it nor any of its partners or major shareholders have had bankruptcy judgments entered against them.

There is some confusion about what the requirement to be a legal entity consists of. The term “legal person” normally applies to companies, societies, organisations, associations, federations, parties and other registered entities. However, the Bylaw for Licensing Radio and Television Broadcasting³⁹⁴ requires, as attachments to a licence application, a statement of the company’s registered capital and the amount it has paid in as part of the capital deposit requirement. Based on these rules, the JMC rejected an application, as mentioned above, for

391 Sahar Ali, “Statistical Data Collection Project on the Film and Audiovisual Markets in 9 Mediterranean Countries”, p. 27.

392 3 March 2015. JTV, Yawm Jadid (New Day) morning show. Available at: <https://www.youtube.com/watch?v=POkDNA0Nev8>.

393 Provisional Law for Audiovisual Media no. 71 for the year 2002.

394 The Bylaw for Licensing Radio and Television Broadcasting. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

a radio licence from the Social Rehabilitation Society in Ghor Safi (the Jordan Valley) because it was registered as a society, instead of a company, even though it had the approval of the Ministry of Social Development.³⁹⁵

The licensing procedure starts by submitting an application form along with the documents listed in Article 16(b) of the Audiovisual Media Law, which include:

1. The receipt confirming the payment of the fees for the application.
2. Detailed statements describing the applicant's technical and administrative capability, including its technical plans and previous experiences.
3. Detailed statements describing the applicant's financial potential and the financing resources available to it.
4. The types of services to be provided and the geographical area to be covered by those services as well as the technology used to provide them.
5. The applicant's registration number and date.
6. The names of shareholders or partners who own more than 5 per cent of the applicant's capital, as well as the shares held by each of them.
7. Name of the legal signatory of the applicant.
8. Any other data or documents required by the commission.

Pursuant to Article 4 of the JMC's Bylaw for Radio and Television Broadcast Licences and Fees,³⁹⁶ applicants must provide their "programming grid", in addition to the requirements noted above. Article 17(b) of the Audiovisual Media Law stipulates that the applicant must also submit a performance bond in accordance with the terms of the licence. Article 5(a) of the JMC's Instructions for Radio and Television Broadcast Licences specifies that the performance bond is 50 per cent of the annual licence fee. Before making a recommendation on a licence application, the commission must liaise with the Telecommunications Regulatory Commission to ensure that there is an available frequency for the service, according to Article 19 of the Audiovisual Media Law.

According to Article 9 of the JMC's Instructions for Radio and Television Broadcast Licences: "After the approval of the Council of Ministers the duration of the broadcast licence is for five

³⁹⁵ Comments by Fathi Hweimel, President of the Social Rehabilitation Society in Ghor Safi and the director of Aghwar online radio, during a focus group on community media, 1 March 2015.

³⁹⁶ Jordan Media Commission's Bylaw for Radio and Television Broadcast Licences and Fees, no. 163 for the year 2003. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/1cf78c90-462f-496d-8d96-a729a0c89dc1.pdf>.

years, unless the applicant asks for less than that”.³⁹⁷

The licence agreement is arranged between the Commission and the licensee after approval of the licence by the Council of Ministers. Article 20 of the Audiovisual Media Law lists the terms and conditions which must be included in the agreement, including:

- The fees and possible fines that may be imposed by the Commission for breach of the rules;
- The obligation of the licensee to provide information to the Commission either on an ad hoc or periodical basis;
- The obligation of the licensee to comply with instructions from the Commission;
- The right of the licensee to operate relevant equipment which meets the technical standards set by the Commission;
- The obligation of the licensee to cooperate with the Commission and other licensees;
- Details about how disputes with the Commission will be resolved;
- The obligation of the licensee to give priority to Jordanian human and material resources;
- The obligation of the licensee to respect the intellectual property and other rights of others;
- The licensee’s obligation to respect “the human entity, freedom and rights of others, the multilateral expression of thoughts and ideas, the objectivity of broadcasting the news and events and the observation of public order, national security requirements and public interest prerequisites.”
- The licensee’s obligation not to broadcast “racially provocative materials or anything that might disrupt the national unity or invoke terrorism, racism and religious discrimination or offend the Kingdom’s relations with the other countries” or “any economic issue or comment which would jeopardise the integrity of the national economy and monetary system”.

Article 16(c) of the Audiovisual Media Law provides: “The Director shall refer his approval or rejection recommendations to the Minister, requesting his approval or rejection of the application within thirty days. The Council of Ministers shall issue its decision regarding the application within (60) sixty days from the date of the Minister’s recommendation”.

According to Article 18(a), the Council’s decision is made “in pursuance of the provisions of this law and the bylaws issued thereunder, and in line with the national plans determined for information”. Article 18(b) provides: “The Council of Ministers may refuse to grant

³⁹⁷ Jordan Media Commission’s Instructions for Radio and Television Broadcast Licences, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

broadcasting licences to any entity without stating the reasons for such rejection". According to Daoud Kuttab: "An attempt to challenge the law that allowed the Cabinet to reject an application without an explanation to the Jordanian High Court in 2008 failed."³⁹⁸ However, this article has been amended and the rules now state that the Council "shall provide a justification and those affected can appeal to the judiciary".

Before the amendment, in 2007, an application for a radio licence by the Community Media Network to broadcast in Jordan's second largest city, Zarqa, was rejected. The Cabinet, in its meeting on 27 January 2009, rejected another radio licence application from same organisation, CMN, to broadcast in the Jordan Valley, again without giving any reasons, although the conditions set by the Media and Telecommunications Commissions and the Council of Ministers had been met.³⁹⁹

Also in 2007, the Audiovisual Commission granted a terrestrial television licence to ATV, set to be Jordan's first private terrestrial television station, but there were disputes about how it would be disseminated and the planned launch was put off.⁴⁰⁰ As of the date of writing, ATV has still not come on air.

The London-based freedom of expression organisation, ARTICLE 19, published a critique of the Audiovisual Media Law, describing the procedure for deciding on licence applications as "problematic because it is highly susceptible to politically motivated awarding of licences. Substantial change is necessary in order to ensure that private broadcasting in Jordan will in fact increase the diversity of information available to citizens and stimulate democratic debate within the country". The analysis "reiterates the need for the licence procedure to be administered entirely by an independent regulator". It calls for removing "the Minister of Information and the Council of Ministers from the licensing procedure, and to place responsibility for it with the Audiovisual Commission alone".⁴⁰¹

³⁹⁸ Daoud Kuttab. 3 July 2009. Jordanian Government Rejects Jordan Valley Women' Radio. The Huffington Post. Available at: http://www.huffingtonpost.com/daoud-kuttab/jordanian-government-reje_b_163277.html? The High Court of Justice rejected the application in its decision no. 22/2008 issued on 12 March 2008.

³⁹⁹ Daoud Kuttab. 6 February 2009. Media Development Disappointment. Al Ghad. Available at: <http://goo.gl/xqtx3M>.

⁴⁰⁰ See Saad Hatter. 2009. Media Sustainability Index 2009, Jordan at a Glance, p. 67. See, also 23 August 2007. ATV to resort to legal channels if efforts to launch broadcast fail. The Jordan Times. Available at: <http://www.jordantimes.com/news/local/atv-resort-legal-channels-if-efforts-launch-broadcast-fail> and Mohammad Ghazal. 25 September 2007. ATV general manager quits post. The Jordan Times. Available at: <http://jordantimes.com/news/local/atv-general-manager-quits-post>.

⁴⁰¹ Article 19. March 2006. Memorandum on the Audiovisual Media Law (Provisional law No 71, 2002) of the Kingdom of Jordan, pp. 16-17.

D. Taxation and Business Regulation

2.9 State uses taxation and business regulation to encourage media development in a non-discriminatory manner

Applicants for a broadcasting licence have to pay a non-refundable fee of JD 5 [approximately USD 7.50] to the JMC. The fees for different types of licences are set out in Article 11 of the Bylaw for Radio and Television Broadcast Licences and Fees,⁴⁰² based on the type and specifications of the licence, and are collected by the JMC. The fees for a five-year licence are as follows:

- Terrestrial television licence fee: national JD 100,000; Amman, JD 50,000; Zarqa and Irbid, JD 30,000, other governorates, JD 20,000
- Satellite television licence fee: JD 5,000
- FM radio licence: Amman, JD 25,000; Zarqa and Irbid, JD 15,000, other governorates, JD 10,000. This applies for a transmission power of up to five kilowatts and is increased by 20 per cent for up to 10 kilowatts and 30 per cent for up to 20 kilowatts

In addition to the above fees, according to Article 14 of the Bylaw, the Commission collects an annual fee for television at a rate that starts at 10 per cent of the licence fee in the first year and rises to 20 per cent in the second year, 30 per cent in the third, 40 per cent in the fourth and 50 per cent as of the fifth year and then continues at the rate of 50 per cent, if the licence is renewed for another five years. For FM radios, the fee is collected at the rate of 20 per cent of the fee in the first year, 25 per cent in the second year, 30 per cent in the third, 40 per cent in the fourth and 50 per cent as of the fifth year and continues annually at the rate of 50 per cent after the fifth year.

Zakaria Sheikh, MP and owner of the private satellite channel Al-Haqiqa Al-Dawliya, notes that in addition to the original licence fee for satellite television, paid to the Commission, and which was only JD 5,000, another JD 5,000 had to be paid once to the Telecommunications Regulatory Commission. There are also substantial transmission costs of around USD 10,000 (approximately JD 7,000) per month for every 1MG. Jordan Television broadcasts 3.5MG monthly while Ro'ya broadcasts 4MG, which means they pay, respectively, USD 35,000 and USD 40,000 every month (approximately JD 25,000 and JD 28,000).⁴⁰³

Until September 2012, Article 12(g) of the Bylaw for Radio and Television Broadcasting Licences⁴⁰⁴ imposed additional licence fees of 50 per cent on broadcasters which wished

⁴⁰² Jordan Media Commission's Bylaw for Radio and Television Broadcast Licences and Fees, no. 163 for the year 2003. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/1cf78c90-462f-496d-8d96-a729a0c89dc1.pdf>.

⁴⁰³ Interview with Zakaria Sheikh, Head of the parliamentary panel and the owner of private satellite channel Al-Haqiqa Al-Dawliya, 11 February 2015.

⁴⁰⁴ The Modified Bylaw for Radio and Television Broadcasting Licences, no. 67 for the year 2012 issued on 19 September 2012. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/1cf78c90-462f-496d-8d96->

to carry political and news programmes. This was done away with in 2012, with the aim of “encouraging political and news programmes in the service of the local community”, according to Amjad Al-Qadi, JMC Director.⁴⁰⁵

The government imposed “start-up fees” on new licensed print media titles in December 2008 and the Press and Publications Department (now part of JMC) has collected JD 2,000 [approximately USD 2,800] in one-off licensing fees from dailies, JD 1,500 from non-dailies and JD 500 from specialised journals.⁴⁰⁶ The print media, represented by the JPA, opposed the government decision.⁴⁰⁷

Signs of a crisis in the daily newspaper sector started to appear in 2011. For example, around this time losses started to accumulate for *Al Rai* and *Ad Dustour*, in which the government, represented by the Social Security Corporation, owns 55 per cent and 33 per cent of the shares, respectively.⁴⁰⁸

In 2011, *Ad Dustour* reduced its staff from 614 to 537 persons and stopped producing its English weekly, *The Star*. In 2014, *Ad Dustour* sold various properties to its main shareholder, the Social Security Corporation, and further reduced its staff to 320.⁴⁰⁹ In May 2015, *Ad Dustour* laid off a further 46 staff, including eight journalists. The daily’s employees issued a statement urging the authorities to resolve the print media crisis in Jordan, calling on the Lower House’s National Guidance and Media Committee to prevent further restructuring plans at the dailies.⁴¹⁰ The financial crisis at *Ad Dustour* has reached a point where the daily has been unable to pay staff salaries for four consecutive months. The salaries which were due in January were paid in April 2015,⁴¹¹ but this was the last salary payment as of end June 2015.

In March 2011,⁴¹² *Al Rai*’s board stopped paying annual bonuses to its employees due to

a729a0c89dc1.pdf.

405 3 September 2012. News report: AVC modifies the Regulations for Radio and Television Broadcast Licences. Jordan News Agency (Petra). Available at: http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?lang=1&site_id=2&NewsID=82653&Type=P.

406 Bylaw for the Fees and Licensing of Printing, Publishing and Distributing Houses, Periodical Publications, Studies and Polls Centres and Advertisement Agencies. Bylaw no. 112 for the year 2008, published in the Official Gazette on 1 December 2008, edition No. 4941, pp 6066. Available at: <http://www.pm.gov.jo/DWWebClient/IntegrationViewer.aspx?DWSubSession=18289&v=1891>.

407 15 December 2008. JPA opposes the Bylaw for the Fees and Licensing of Printing Press and Publishing Houses. Ad Dustour. Available at: <http://goo.gl/G1DMxP>.

408 Sawasan Zaidah. 25 August 2013. The Social Security Corporation’s two newspapers: Alrai with no profits and Addustour with losses. 7iber online magazine. Available at: <http://www.7iber.com/2013/08/rai-dustour-gains-and-losses/>.

409 Sawasan Zaidah. 18 June 2014. Social Security Corporation compensates its losses in Addustour by buying its properties. 7iber online magazine. Available at: <http://www.7iber.com/2014/06/social-security-media-investments/>.

410 3 May 2015. Ad-Dustour lays off 46 employees as JPA reiterates rejection of restructuring. The Jordan Times. Available at: <http://jordantimes.com/ad-dustour-lays-off-46-employees-as-jpa-reiterates-rejection-of-restructuring>.

411 15 April 2015. Salaries of Addustour’s workers for January to be paid today. Assawsana news website. Available at: <https://www.assawsana.com/portal/pages.php?newsid=212849>.

412 25 March 2011. Written agreement ends Alrai crisis. AmmanNet news website. Available at: <http://ar.ammannet.net/news/100188>.

financial losses, which sparked a series of strikes by employees. Staff got the yearly bonus they asked for, but the salaries were not restructured as they had asked. In 2013, *Al Rai* reduced its number of columnists from 53 to eight, not counting freelance columnists.⁴¹³ In March 2015, the *Al Rai* administration decided to close some of its offices outside of the capital.⁴¹⁴ This time *Al Rai's* workers took “an unprecedented twist in its editorial line, publishing articles critical of the government of Prime Minister Abdullah Ensour”, according to *The Jordan Times*: “The usually pro-government newspaper rarely criticises state policies.”⁴¹⁵ According to *The Jordan Times*, *Al Rai* employees accused some Board members of preparing a restructuring plan while failing to address the continuous fall in revenues and of failing to find a solution to the costs associated with the commercial printing press on the airport road, which cost over JD 35 million (approximately USD 49 million).⁴¹⁶

The crisis has also affected private dailies. *Al Arab Al Yawm* was sold to a new owner in 2011 who then reduced the number of staff. In July 2013, *Al Arab Al Yawm* suspended publication for two months, with the aim of internal restructuring, in line with the suspension period allowed by the Press and Publications Law before closure is mandatory. The paper weathered the crisis and resumed publishing before the grace period ended, but it was forced to reduce its staff so that, once it resumed publishing, out of 70 journalists and writers, less than 10 remained.⁴¹⁷ In April 2015, two court decisions were issued authorising the seizure of assets and properties of *Al Arab Al Yawm*. The newspaper's editor-in-chief, Osama Rantisi, said that, “the court decision is related to guaranteeing a JD 2,500 [approximately USD 3,500] compensation for a former journalist at the paper over a ‘labour dispute’”. The employee's lawyer, Mohammad Qtaishat, noted that, “the newspaper's properties are to be sold at auction to cover dues worth JD 500,000, including the unpaid salaries for three months in 2013 when the paper was closed down”. He added that, “the seizure decision does not mean closing down the newspaper *per se*”.⁴¹⁸

One response by government has been to increase advertising rates. In February 2014, the government increased the price it pays for public advertisements in newspapers from JD 0.065 per word to JD 0.10 [approximately USD 0.14]. The government had been paying the old rate since 1973. This was further increased from JD 0.10 to JD 0.25 per word

413 23 November 2013. Alrai keeps 8 columnists. Sawaleif news website. Available at: <http://www.sawaleif.com/mob/Details.aspx?DetailsId=89597>.

414 19 March 2015. Strike by workers in Alrai supporting their colleagues in the governorates. Rum news website. Available at: <http://www.rumonline.net/index.php?page=article&id=200985>.

415 Omar Obeidat. 14 April 2015. In unprecedented twist, Al Rai runs anti-gov't articles. *The Jordan Times*. Available at: <http://jordantimes.com/in-unprecedented-twist-al-rai-runs-anti-govt-articles>.

416 19 April 2015. Sector insiders say gov't move to support print media step in right direction, but not enough. *The Jordan Times*. Available at: <http://jordantimes.com/sector-insiders-say-govt-move-to-support-print-media-step-in-right-direction-but-not-enough>.

417 17 July 2013. Al-Arab Al-Yawm daily suspended for two months. *Jordan Media Monitor*. Available at: <http://goo.gl/QmyBxq>.

418 6 April 2015. Lawyer says court seizes Al Arab Al Yawm assets; management disputes claim. *The Jordan Times*. Available at: <http://jordantimes.com/lawyer-says-court-seizes-al-arab-al-yawm-assets-management-disputes-claim>.

[approximately USD 0.35] on 19 April 2015. In February 2014, the Council of Ministers also decided to continue its subscription mechanism, whereby each ministry and public agency buys five or three copies, respectively, of the Kingdom's main dailies.⁴¹⁹ In April 2015, the Cabinet decided to exempt newspaper production inputs from customs duties for a period of two years, and to require public bodies to increase their newspaper subscriptions by 100 per cent.

The Jordan Press Foundation (JPF, publisher of *Al Rai*) Finance Director, Khaled Ajaj, told *The Jordan Times* that “production inputs were already exempt from taxes. Thus, this government decision adds nothing to the current situation and will not be of any help. As for the second decision to increase government ad rates, it would be also of little help as it will remain below market prices and the real cost shouldered by newspapers”.⁴²⁰

JPF Advertisement Director, Omar Allan, explained that “raising government advertising rates would mean an increase in revenues for *Al Rai* of around JD 150,000 annually, which would not be enough to offset the continuing drop in revenues.” He also confirmed the claim by Ajaj that government advertisements would still be subsidised by newspapers as they would running at less than the real cost per page. “A full page costs *Al Rai* more than JD 800 and when the government pays per word, it pays less than JD 600 per page. It would be fair to have the government pay the usual commercial rate for ads rather than having a special rate for official ads”.⁴²¹

JPF Director General, Farid Silwani, told *The Jordan Times* that the “solution does not solely lie in the hands of government. All media outlets need to work on enhancing distribution, marketing and productivity and at our foundation we have a plan to have our own distribution company that will be ready by the end of the year. In addition, we have our own plan for marketing.”⁴²²

On 5 April 2015, the Lower House approved its National Guidance and Media Committee's recommendations on alleviating newspapers' financial woes.⁴²³ The Committee called on the government to establish a “saving fund” for print media outlets with the aim of securing cash flows to cover newspapers' urgent needs and the salaries of their staff. No lasting solution to the print media sector's accumulated financial woes can be achieved without a restructuring plan, the Committee concluded, recommending that the country's major newspapers, especially *Ad Dustour*, restructure their staff with the aim of controlling excess labour and

419 5 February 2014. Gov't to pay more for newspaper advertisements. *The Jordan Times*. Available at: <http://jordantimes.com/govt-to-pay-more-for-newspaper-advertisements>.

420 Mohammad Ghazal. 19 April 2015. Sector insiders say gov't move to support print media step in right direction, but not enough. *The Jordan Times*. Available at: <http://jordantimes.com/sector-insiders-say-govt-move-to-support-print-media-step-in-right-direction-but-not-enough>.

421 Ibid.

422 Ibid.

423 5 April 2015. House urges plan to aid print media. *The Jordan Times*. Available at: <http://jordantimes.com/house-urges-plan-to-aid-print-media>.

raising the efficiency of workers. It also recommended that the appointment of newspapers' boards of directors be based on high qualifications and solid experience in running a media business. The Committee also called on the government to limit the practice of requiring public newspapers to appoint journalists and administrators, a historic problem.

E. Advertising

2.10 State does not discriminate through advertising policy

In December 2009, the government endorsed a "code of conduct to regulate the government's relationship with the media", although it was later repealed. Samir Rifai, the Prime Minister at the time, issued a Circular ordering it to be implemented as of 1 January 2010.⁴²⁴ It included "guidelines for publishing advertising by ministries, government department, official and public institutions, and municipalities in print, radio and electronic media and other outlets". The guidelines gave priority to "specialised publications when publishing advertising that targets a specific audience, to ensure that the target is reached. Advertisements that target all segments of the public or specialised advertising that aims to expand its base are published in non-specialised newspapers, publications and other media outlets, taking into account the outlet's distribution and the breadth of its reach". The guidelines also called for closer cooperation with newspapers and media outlets so as to publish advertisements for the public good free of charge.

The Circular called on government to stop all appeasement practices and not to offer financial incentives or gifts to journalists, in a bid to prevent the exercising of influence over them. The Prime Minister affirmed that ministries and public departments should not appoint journalists working in private media outlets to any public department and asked ministries and public departments to engage more actively in public communications via official spokespersons, press conferences and press releases. The Circular also included oversight and follow-up mechanisms, tasking the Audit Bureau to "monitor any violations of the provisions of the code or the circular ordering its implementation".⁴²⁵

The code sparked wide protests among print journalists and the JPA. Deputy JPA President, Hikmat Momani, stated publicly:

We had reservations on the item about subscriptions and advertisements. The government has the right to streamline its subscriptions and advertising in the media, but it should realise, being the executive branch, that it has responsibilities towards the media as a vital sector in Jordan, which should

⁴²⁴ 29 December 2009. Government's Code of Conduct for the Relationship with Media. The website of The Prime Ministry, The Hashemite Kingdom of Jordan. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=news&part=1&id=5917.

⁴²⁵ The Audit Bureau of Jordan, Legal Framework. Available at: http://www.audit-bureau.gov.jo/index.php?option=com_content&view=article&id=74&Itemid=28&lang=en. The Audit Bureau of Jordan is a statutory office created by Article 119 of the Constitution of Jordan.

be treated equally with other sectors that receive government support. We are not demanding here direct financial support, but rather a lowering of licensing fees and the sales tax and facilitating the establishment of media institutions. Such measures would strengthen the media industry in Jordan.⁴²⁶

The editors-in-chief of weeklies agreed at a meeting that, “the code of conduct will undermine weekly newspapers and lead eventually to their disappearance, while acknowledging that there are some negative behaviours by some journalists”.⁴²⁷

Another government, headed by Marouf Al-Bakhit, repealed the controversial code and endorsed “a new code of conduct to regulate the government’s relationship with the media” in April 2011.⁴²⁸ In that code, the government restored “direct subscriptions to newspapers” (purchases of copies). The new code also set “professional standards for advertising, and the Minister of State for Media Affairs will disseminate these standards to ministries and institutions to prevent the use of these advertisements as a means to influence the independence of media outlets and to ensure the feasibility of spending public money”.

According to the Minister of State for Media Affairs, Mohammad Al-Momani:

The government’s criteria for distributing its advertisement are based on laws. The Judicial Notice Law, the Companies Law and the Government Tenders Law, state that announcements must be in one or two daily newspapers. There are other ways of announcement and advertisement but use of these ways is not required by law, such as television and radio or outdoor billboards.⁴²⁹

In practice, the Ministry of Finance is responsible for regulating government advertisements and announcements. The Ministry’s main criterion is the circulation rate of newspapers, based on information from printing houses about the number of copies printed. However, each ministry or department decides on its advertising needs and how to use its budget to advertise in the media outlets that they believe reach out to their target audiences.

Government advertisements are concentrated in daily newspapers and the same applies to private advertisements. Most of the government’s advertisements are published in *Al Rai*, which has the highest circulation among dailies, followed by *Ad Dustour* and *Al Ghad*. Government advertisements are rarely published or broadcast in other media outlets. JTV carries government advertising but returns any revenues to government.

⁴²⁶ 1 February 2010. Government’s media code of conduct: welcomed but engulfed in substantial suspicion. Al Sijill. Available at: http://www.al-sijill.com/mag/sijill_items/sitem418.htm.

⁴²⁷ Ibid.

⁴²⁸ 12 April 2011. Government’s revised Code of Conduct for the relationship with Media. Sahafi.jo media portal. Available at: <http://www.sahafi.jo/arc/art1.php?id=43eebf647f8429ff7d94ca76b9e13baa4c14aa29>.

⁴²⁹ An interview with Mohammad Al-Momani, Minister of State for Media Affairs, 29 March 2015.

Bilal Khasawneh, from Yarmouk FM in Irbid, says the station does not receive paid government advertising. "Government institutions only ask for free advertisements to be broadcast."⁴³⁰ This is also the case for Al-Balad Radio, according to Etaf Roudan, former editor-in-chief of the station and the current supervisor of the paper *Hona Zarqa*.⁴³¹ Ahmad Ereikat, publisher of Zarqanews website,⁴³² says that, "news websites in general do not receive government advertising, because the government only publishes its advertisements in dailies, and Jordan Radio and Television."⁴³³ Ahmad Rajab, the editor of As Sabeel website, which is the online version of the Islamic Action Front's daily newspaper, *As Sabeel*, says the newspaper does not receive paid government advertising or subscriptions.⁴³⁴ Zakaria Sheikh, MP and owner of Al-Haqiqa Al-Dawliya (Fact International) television station, says the government does not send commercials to his channel. When he asked a government source about this, he says he was told that it was for his own good so that he would not be counted as a government supporter.⁴³⁵ The owner and director of Ro'ya private satellite channel, Fares Sayegh, says his channel does not receive paid government advertising either. "When they asked us to broadcast free advertising we refused because that would be unfair."⁴³⁶

According to the *Arab Media Outlook (2011-2015)*,⁴³⁷ the major contributors to the advertising spend in Jordan are the telecommunications, banking and real estate sectors. Newspapers are by far the largest destination for advertising, absorbing 72 per cent of the total media advertising spend in the country. Newspaper advertising spend was estimated to be USD 75 million in 2011 and is projected to grow at a rate of 1.3 per cent over the next few years. The local television advertising market is relatively small, although it has seen a recovery since 2009 and is projected to grow at a rate of 11 per cent, reaching USD 11 million by 2015. One reason for this might be that all private television stations in Jordan are broadcast regionally via satellite. The *Arab Media Outlook (2011-2015)* suggests that radio advertising spend was also estimated to be USD 11 million in 2011 and is projected to grow at a rate of eleven per cent over the period until 2015.

These figures find support in the distribution of advertising during the 2013 parliamentary election, as monitored by the independent election commission (see Table 8).

430 Comments by Bilal Khasawneh, producer and presenter on Yarmouk FM radio in Irbid, during a focus group on community media, 1 March 2015.

431 Comments by Etaf Roudan, former editor-in-chief of the station and the current supervisor of the paper *Hona Zarqa*, during a focus group on community media, 1 March 2015.

432 See <http://zarqanews.net/?t=Home>.

433 Comments by Ahmad Ereikat, publisher of a community news website in Zarqa, during a focus group on community media, 1 March 2015.

434 Comments by Ahmad Rajab, As Sabeel website editor, during a focus group on news websites, 19 February 2015.

435 Interview with Zakaria Sheikh, Head of the parliamentary panel and the owner of private satellite channel Al-Haqiqa Al-Dawliya, 11 February 2015.

436 Interview with Fares Sayegh, owner and director of Ro'ya private satellite channel, 3 March 2015.

437 Dubai Press Club and Deloitte. 2012. *Arab Media Outlook 2011 – 2015*. Arab Media: Exposure and transition. 4th Edition.

Table 8: Distribution of Advertising by Type of Media During the 2013 Elections⁴³⁸

Per cent	Number of ads	Media Outlet
43.7	1537	1. Daily newspapers
17.8	627	2. Radio
13.4	470	3. TV
25.1	881	4. News websites
100.0	3515	Total

2.11 Effective regulation governing advertising in the media

Article 9 of JMC's Instructions for Programmes, Advertisements and Commercial Promotion sets a limit to the amount of commercials broadcast on television and radio channels, stipulating that "when broadcasting advertisements and commercials via radio and television stations, the licensee shall commit to ensuring that they do not exceed 10 per cent of daily broadcast hours".⁴³⁹ The same article stipulates that, "the licensee is obligated to ensure that any commercials and advertisements broadcast on television or radio are appropriate and not misleading, include realistic and factual information... and do not confuse one product with another". This is the only rule on advertising content in the JMC regulations and there is no rule dealing with the separation of advertising and programming.

In reality, radio and television stations broadcast less than 10 per cent of advertising according to JMC's Director, Amjad Al-Qadi, because the advertising market is weak in Jordan. He also noted that, "there are violations related to advertising content broadcast by some stations. The Commission monitors these violations and sends warnings. Stations respond most of the time and remove these advertisements, except slide/ticker television stations, which broadcast many advertisements in news or programme formats and promote products, such as medical herbs, deceiving the audience with false information. Most of the slide television operate without a licence and we close dozens of them every year".⁴⁴⁰

The JPA's Code of Ethics states that "promotional material (written and otherwise) must be explicitly identified as such" while Article 17 of the Code stipulates that "advertising content and the editorial content shall be separated" and that "promotional content shall be clearly framed as advertising." It also states that "advertising is a social service to promote products which are useful to the consumers, so promotions shall not contain lies or deception; media outlets shall check the accuracy of the promotional content."⁴⁴¹

⁴³⁸ Basim Tweissi. 2013. Monitoring the Media Coverage of the 17th Jordanian Parliamentary Election Report. Election Independent Commission, p. 54.

⁴³⁹ Jordan Media Commission's Instructions for Programmes, Advertisements and Commercial Promotion, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/3efd8c05-f493-4d27-b0dd-a6b3769edb5c.pdf>.

⁴⁴⁰ Interview with Amjad Al-Qadi, Jordan Media Commission Director, 6 May 2015.

⁴⁴¹ Jordanian Press Association code of ethics. Available at: <http://www.jpa.jo/List.aspx?lng=2&Pa=Page&ID=4>.

Recommendations

1. Legislation providing for transparency and limiting concentration of media ownership, including cross-ownership, could be introduced and implemented properly once introduced.
2. Public bodies should not discriminate between media outlets when providing information about their activities.
3. The deposit requirement for broadcasters (i.e. in addition to their licence and spectrum fees) needs to be abolished.
4. Comprehensive broadcasting legislation needs to be introduced (see the Recommendations for Category 1) which should, among other things, do the following:
 - provide for an equitable allocation of broadcasting licences to public service, commercial and community broadcasters based on a plan for the frequency spectrum which has been developed following an open and consultative process;
 - put in place a fair, non-discriminatory process for assessing licence applications which is mainly competitive in nature, is protected against political interference and allows for public input;
 - provide for a clear and appropriate definition of community broadcasting – which includes the concept of serving the community and taking the form of a private, non-profit entity – and put in place a special licensing process for these broadcasters, along with reduced or exempt licence fees;
 - not impose excessive fees on commercial, terrestrial broadcasters; and
 - ensure that diversity is a criterion for assessing competing licence applications.
5. A broad consultation could be undertaken to look into appropriate measures to address the financial crisis facing the print media sector, which measures do not provide for political interference in the sector.
6. A system needs to be put in place to ensure that the allocation of advertising by public bodies to media outlets is done in a transparent manner, on the basis of fair and objective criteria and is protected against political interference. Consideration should be given to establishing an independent body to oversee the allocation of this advertising so as to support this goal.

Category 3

Media as a platform for democratic discourse



Key Indicators

A. MEDIA REFLECTS DIVERSITY OF SOCIETY

- 3.1 The media – public, private and community-based – serve the needs of all groups in society
- 3.2 Media organisations reflect social diversity through their employment practices

B. PUBLIC SERVICE BROADCASTING MODEL

- 3.3 The goals of public service broadcasting are legally defined and guaranteed
- 3.4 The operations of public service broadcasters do not experience discrimination in any field
- 3.5 Independent and transparent system of governance
- 3.6 PSBs engage with the public and CSOs

C. MEDIA SELF-REGULATION

- 3.7 Print and broadcast media have effective mechanisms of self-regulation
- 3.8 Media displays culture of self-regulation

D. REQUIREMENTS FOR FAIRNESS AND IMPARTIALITY

- 3.9 Effective broadcasting code setting out requirements for fairness and impartiality
- 3.10 Effective enforcement of broadcasting code

E. LEVELS OF PUBLIC TRUST AND CONFIDENCE IN THE MEDIA

- 3.11 The public displays high levels of trust and confidence in the media
- 3.12 Media organisations are responsive to public perceptions of their work

F. SAFETY OF JOURNALISTS

- 3.13 Journalists, associated media personnel and media organisations can practice their profession in safety
- 3.14 Media practice is not harmed by a climate of insecurity

Category 3

Media as a platform for democratic discourse

A. Media Reflects Diversity of Society

3.1 The media – public, private and community-based – serve the needs of all groups in society

International standards require states to put in place a regulatory system that ensures a wide diversity of media outlets that serve everyone in a society. Formally, the media in Jordan are under such an obligation. Article 6 of the Press and Publications Law, for example, states:

Freedom of the press shall include:

- a. Informing citizens of events, ideas, and information in all fields.
- b. Enabling citizens, parties, unions, and cultural, social and economic institutions to express their thoughts, opinions, and accomplishments.

In a sense, the media in Jordan does meet these obligations, but there are some areas where performance could be improved. Most media outlets in Jordan are based in Amman and cannot be accessed by those living in other governorates, and there are no local television stations or daily newspapers outside the capital. Some private media outlets have regional offices, such as Ro'ya television, which has regional offices in Irbid and Karak, and will be opening in Maan soon.⁴⁴² There are also some small local weeklies, such as *Arabella* and *Sahafat Alyarmouk*, in Irbid, the latter published weekly by students of journalism department at Yarmouk University, and in Zarqa there is *Huna Zarqa*. There are also four local FM radio stations outside of Amman, in Irbid, Karak, Maan and Aqaba. In practice, the national media is perceived to pay rather little attention to events taking place in remote areas outside of the big cities.⁴⁴³

Jordanian society is 98 per cent Arab, with one per cent each Circassian and Armenian speaking minorities,⁴⁴⁴ but there is little or no use of the Armenian or Circassian languages

⁴⁴² Comments by Hala Zureiqat, consultant to Ro'ya TV, in a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

⁴⁴³ Consultation sessions organised by UNESCO in Madaba, Ghor Safi and Zarqa on 21, 22 and 23 April 2015 respectively.

⁴⁴⁴ The Official Site of the Jordanian e-Government. Facts About Jordan. Available at: http://www.jordan.gov.jo/wps/portal/!ut/p/b1/04_SjzQyNzSONDIOMNOP01_KSyzLTE8syczPS8wB8aPM4sMsvS3CvNONDDw

in the mainstream media. National Adiga Radio & Television (NART) was established in 2007 as satellite television station to preserve Circassian culture, heritage and language.⁴⁴⁵ The dominant language used by the media is Arabic, with some use of English and French. The language of the refugees settled in Jordan is also Arabic.

There has been a massive influx of refugees into Jordan in recent years, with the number of Syrian refugees registered with UNHCR reaching 620,000 by April 2015.⁴⁴⁶ A study conducted at the end of 2012 and beginning of 2013⁴⁴⁷ found the amount of reporting on refugees issues to constitute 10.7 per cent of total coverage, but it did not break this figure down by refugee group. A one-month monitoring study between 5 December 2013 and 5 January 2014 of four newspapers and four online news websites⁴⁴⁸ shows that only five per cent of the total media coverage in the sample focused on refugee issues.⁴⁴⁹ A breakdown of this coverage shows that 68 per cent focuses on Syrian refugees, 26 per cent on Palestinian refugees, while the remaining six per cent addresses other refugees. In a more recent monitoring exercise involving five leading daily newspapers by the Jordanian Media Credibility Observatory (Akeed),⁴⁵⁰ in December 2014, coverage of refugee issues represented 8.29 per cent of overall reporting.

A number of organisations have attempted to fill this gap. Al-Balad Radio has launched “Syrians Among Us”, a radio programme which has become a means for Syrians to obtain information which is relevant to them. In 2012, UNESCO launched the “Syrian Hour” programme in cooperation with the Italian NGO Un Ponte Per, which uses radio as a tool to reach out to refugee communities.⁴⁵¹

DTIwMPL0sfMLMDU2NDQKN9INT8_RzoxwVAUwd0I4/.

445 See: <http://narttv.tv/>.

446 Syrian refugees in Jordan. Available at: http://syrianrefugees.eu/?page_id=87.

447 Phenix Center for Economic and informatics Studies. 2013. Human Rights in the Jordanian Daily Newspapers, p. 20. Available at: http://www.phenixcenter.net/uploads/en_phenixcenter.net_635455911191197933.pdf. The study was conducted from October 2012-January 2013 analysing press coverage on human rights issues of five daily newspapers: Al Rai, Al Ghad, Ad Dustour, Al Arab Al Yawm and Al Sabeel.

448 Jordan Media Institute (JMI) and Journalists for Human Rights (JHR). 2014. Covering Human Rights Violations in Jordanian Media. The monitored sample throughout a period of one month consisted of Al Rai and Ad Dustour, both partially owned by the public sector; Al Ghad, which is privately owned; and Al Sabeel, also privately owned. As for the online news websites, the sample includes Ammon, which is the first online news website in Jordan, focusing on local affairs; Khaberni, also focusing on local affairs; Jo24 which focuses on regional matters, civil rights and local affairs; and Ain news, focusing on freedom of expression and civil rights.

449 Print media had 63 articles on refugees, while online media had 29. However the percentage of overall coverage for both was five per cent.

450 Jordanian Media Credibility Observatory (Akeed). 18 December 2014. Syrian refugees in Jordanian media. Available in Arabic at: <http://akeed.jo/%D8%AA%D9%82%D8%A7%D8%B1%D9%8A%D8%B1-%D9%85%D8%AA%D8%AE%D8%B5%D8%B5%D8%A9/1700/>. The dailies monitored were Ad Dustour, Al Rai, Al Arab Al Yawm, Al Ghad and Al Sabeel.

451 See: <http://www.unesco.org/new/en/ammman/communication-information/post-conflict-and-post-disaster-reponses/al-saaa-surria-the-syrian-hour-radio-program-promoting-freedom-of-expression-and-information-for-syrian-refugees-in-jordan/>.

In terms of reporting on reproductive health- and family-planning related issues, which are of considerable interest to people in Jordan, a 2010 study showed that media reporting had doubled from 1.2 per cent in 2008 to 2.5 per cent in 2010, although this was still considered to be rather limited.⁴⁵² The study analysed coverage of these issues in four Jordanian daily newspapers – namely *Al Rai*, *Ad Dustour*, *Al Ghad* and *Al Arab Al Yawm* – in the second half of 2008 and then again in the first half of 2010.

Another study, carried out by the National Center for Human Rights in 2008 on the attitude of four Jordanian daily newspapers – *Ad Dustour*, *Al Rai*, *Al Ghad* and *Al Arab Al Yawm* – towards persons with disabilities found that coverage specifically targeting this population was just 0.64 per cent of overall reporting, which highlights the marginal place occupied by persons with disabilities among the priorities of the Jordanian press. Overall, reporting in the four dailies revealed a positive attitude towards persons with disabilities (79.10 per cent) compared to a negative (3.95 per cent) or neutral (16.95 per cent) attitude.⁴⁵³ The study concluded that there was, “limited interest by the dailies in subjects related to disability and a lack of staff who are specialised in this area.”⁴⁵⁴

The LGBT community is also marginalised both in the media and in society more widely. This is addressed in greater detail under Indicator 5.2.

REPORTING IN THE STATE MEDIA

International standards and good practice demand that the public media be governed by a board which reflects the country’s diversity and which ensures that the public radio and TV is pluralistic and complements the programming provided by other broadcasters, especially in terms of portraying marginalised and underrepresented voices.

The state media generally, including JRTV, Petra, *Al Rai* and *Ad Dustour*, give relatively little space to opposition parties, and in particular the Muslim Brotherhood and its affiliated Islamic Action Front Party. A communiqué issued by the Upper Coordination Committee of opposition political parties in 2011 called on the state media to be more balanced, and to carry the opinions of the national opposition parties, as a commitment to democracy.⁴⁵⁵

The United States Department of State report on human rights for 2013 noted that the state

⁴⁵² Asme’ Sawtak for Consultancy and Training. 2010. Population and Reproductive Health Issues in Jordanian Daily Newspapers. Available at: <http://www.hpcpromise.org.jo/node/938>.

⁴⁵³ Mohammad Yacoub, et al. 2008. Analysis of the Contents of the Jordanian Daily Regarding the Disabled Persons. The study was conducted from 1 January to 30 June 2008 by the research and documentation unit at the National Center for Human Rights. Mohammad Yaqub was the leader of the research team for the project “Chances For All” funded by the British Council, October 2008.

⁴⁵⁴ *Ibid.*, pp. 9 and 32.

⁴⁵⁵ A communiqué issued by opposition political parties on 8 December 2011 called on the public media to show other opinions, especially the opinion of the national opposition parties, as a commitment to democracy in which everyone exercise his/her freedom of expression peacefully. Available in Arabic at: <http://www.gerasanews.com/index.php?page=article&id=167822>.

media, including Jordan Television, Jordan News Agency and Radio Jordan, report primarily from the perspective of government.⁴⁵⁶ Independent reports have also suggested the state media do not currently offer a wide variety of opinions reflecting Jordanian society.⁴⁵⁷ Jordan Radio, for example, broadcasts a political show but it mainly covers decisions of ministries/ministers.⁴⁵⁸

A study on state broadcasting in the MENA region in 2014 noted that there were a number of challenges in Jordan, including a blurring of the lines between public service and state broadcasting, and a close relationship between the state broadcaster and the government or the ruling party. The study also concluded that for the state broadcaster to survive, it needed to improve its programming content so as better to reflect the audiences' interests.⁴⁵⁹

One researcher, who interviewed 22 Jordanian residents about their views on JTV's main channel, found that less than half of the respondents watched JTV news because they regarded it as presenting the 'government's message'. As one respondent said: "If I want to know about what the King or the Prime Minister are doing, or learn which new buildings have opened, such as hospitals and schools, I will watch Jordan TV news. If I want to know the whole story or find out about what is going on outside of Jordan I will watch Aljazeera."⁴⁶⁰ An analysis of JTV programming in February 2009 showed that news coverage gave prominence to royal diplomatic visits, government activities and Queen Rania's social projects. During a one-week period, four of the seven leading headlines on JTV's main hour-long evening newscast at 8pm were about the King and two were about the Prime Minister.⁴⁶¹

There is also support for the claim that the state print media are not sufficiently independent. Member of Parliament Mustafa Hamarneh, a former Chairman of Jordan Television and *Al Sijill* weekly and former Director of the Center for Strategic Studies at the University of Jordan, stated in an interview:

Al Rai daily, for instance, is state-owned and does not accommodate plurality. Its sales are dropping and its losses are mounting. The reason for that, in my opinion, is that the public no longer sees it as an important or

456 U.S. Department of State. 2014. Country Reports on Human Rights and Practices for 2013, Jordan. Section 2. Respect for Civil Liberties, a. Freedom of Speech and Press. Available at: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.

457 USAID, IREX, and MEPI. 2009. Media Sustainability Index (MSI) – Middle East and North Africa. Available at: <https://www.irex.org/resource/jordan-media-sustainability-index-msi>.

458 Interview with Yaseen Al Qaisi, Editor and Presenter of Qarar Wa Hiwar (meaning Decision and Discussion), Jordan Radio, 9 March 2015.

459 Jamal al-Zeiri and Moez Bin Masoud. 2014. Public Service Broadcasting in the Arab World. Tunis, Orbeis Printing. Published by the Arab States Broadcasting Union (ASBU), p. 86. Available at: http://www.asbu.net/medias/NewMedia_2014/text/Asbu_etude_76_2014.pdf.

460 Phillips, Christopher. 2012. Everyday Arab Identity: The Daily Reproduction of the Arab World. Abingdon, Routledge, p. 151.

461 Ibid., p. 81-82.

independent source of information, except for obituaries.⁴⁶²

A study of content from the Jordan News Agency (Petra), conducted by the Higher Media Council from 15 June to 15 September 2005, found that “the share of dissenting opinion (the opinion of political opposition to the government) accounted for 0.44 per cent of all content.”⁴⁶³ This problem appears to persist until today. The research team was informed that it appears very difficult for Petra to make “an equitable balance between the pro- and anti- government views.”⁴⁶⁴

One of the main findings of a survey conducted by the Center for Defending Freedom of Journalists (CDFJ), as part of their recently launched study *Taht Al Mijhar* (Under the Microscope), was that the state broadcast media, which is supposed to serve the whole public, was only an important news source for only five per cent of the general public. In addition, telephone interviews from 27 September to 22 October 2014, with a representative sample of 200 journalists,⁴⁶⁵ revealed that respondents felt that the state media primarily represented the opinion and voice of certain constituencies, as described in Table 9.

Table 9: Constituencies Most Often Represented in JRTV and Petra⁴⁶⁶

Constituencies most often represented	Percentage (JRTV)	Percentage (Petra)
1. Government	26 per cent	26 per cent
2. The Royal Court	15 per cent	15 per cent
3. Security apparatus	13 per cent	13 per cent
4. State as a whole	13 per cent	12 per cent
5. Parliament	8 per cent	9 per cent
6. Private sector and big companies	7 per cent	7 per cent

3.2 Media organisations reflect social diversity through their employment practices

In 2011, *The Global Report on the Status of Women in the News Media* (Global Report) was published, examining more than 500 companies in nearly 60 countries. One of its key findings globally was that 73 per cent of the top management jobs were occupied by men, and only 27 per cent by women, while nearly two-thirds of all reporters were men. However, among senior professionals, women are nearing parity with 41 per cent of the newsgathering,

⁴⁶² Interview with Mustafa Hamarneh, Member of Parliament, former Chairman of Jordan Television and Al Sijill, and former Director of the Centre for Strategic Studies at the University of Jordan, 18 February 2015.

⁴⁶³ Higher Media Council. 2006. Content analysis study of Jordan News Agency (Petra). Available in Arabic at: <http://www.sahafi.jo/arc/art1.php?id=e31c412b807054db0dd0397eb542dd41fc70172e>.

⁴⁶⁴ Focus group discussion on the print media, 19 March 2015.

⁴⁶⁵ Center for Defending Freedom of Journalists. 2015. *Taht Al Mijhar* (Under Microscope): Diagnosing media status in Jordan, p. 18.

⁴⁶⁶ *Ibid.*, p. 403.

editing and writing jobs.⁴⁶⁷ One of the key regional findings from the countries surveyed in the Middle East and North Africa (Egypt, Israel, Jordan, Lebanon and Morocco) was that, two-thirds of the staff of media companies were men, that women's representation dropped off substantially in the levels above middle management, and that men earned three to five times as much as women in governance and top management. It singled out Jordan – where nine newspapers and one radio station, encompassing 1,240 employees (1,010 men and 228 women) were covered.⁴⁶⁸

The chapter on Jordan in *The Palgrave International Handbook of Women and Journalism*, written by Al-Najjar, notes that the Global Report found the ratio of men to women in Jordanian newsrooms to be 5:1.⁴⁶⁹ This aligns with the figures for the state media, as show in Table 10.

Table 10: Ratios of Men and Women in the State Media⁴⁷⁰

Media outlet	Percentage of female staff
JRTV	18 per cent
Jordan News Agency (Petra)	19 per cent
Al Rai and Ad Dustour	15 per cent
The public sector as a whole	42 per cent

However, the statistics suggest an important difference between the mainstream media and more socially oriented media in relation to the representation of female journalists. Community media, particularly radio, is far more balanced in this regard. For example, the programmes of Sawt Al-Janoub Radio in the city of Maan are produced by five female journalists and five male journalists, and are managed by a female programming manager. Farah Al-Nas radio, run by the Princess Basma Youth Resource Centre, has a majority of women on staff, including in middle management.⁴⁷¹ The percentage of female staff at Al-Balad radio, run by the Community Media Network, is approximately 40 per cent. In 2008, the management of the station consisted of four female managers, including a female editor-in-chief.⁴⁷² The same year, Sawt Al-Madinah radio station appointed a woman as radio manager.⁴⁷³ As of the time of writing, all three stations have female managers. This phenomenon also extends

⁴⁶⁷ Carolyn M. Byerly. 2011. The Global Report on the Status of Women in the News Media, p. 9.

⁴⁶⁸ Ibid., p. 10.

⁴⁶⁹ Abeer Al-Najjar. 2013. Jordan: Toward Gender Balance in the Newsroom. In Carolyn M. Byerly, ed. *The Palgrave International Handbook of Women and Journalism*. London, Palgrave Macmillan, pp. 419-428. Available at: <https://goo.gl/POG9L4>.

⁴⁷⁰ See 13 October 2014. Improvement in women's representation in the public sector. Al Rai, looking at the annual report of the Department of Public Statistics for 2013, available at: <http://www.alrai.com/article/674328.html> and Amman Stock Exchange. 2013. Jordan Press Foundation's annual financial report. Available at: <http://www.ase.com.jo/ar/disclosures?category=1&symbol=PREs>.

⁴⁷¹ 10 October 2010. Nihad Jariri: I dream of a radio station that cares about citizens' thoughts. Ad Dustour. Available at: <http://goo.gl/PpUFpx>.

⁴⁷² 4 July 2008. Etaf Roudan editor-in-chief of Balad radio. AmmonNews website. Available at: <http://www.ammonnews.net/article.aspx?articleNO=21519>.

⁴⁷³ 29 April 2008. Al-Awaysheh manager of Sawt Al-Madineh radio station. Al Ghad. Available at: <http://goo.gl/GqNfTV>.

to at least some of the online media. Half of the staff of 7iber online magazine are women, including top management and a female editor-in-chief.⁴⁷⁴ In Aramram web TV, one-third of the staff are women, including the editor in chief.⁴⁷⁵

The better representation of female journalists in community media may be attributed in part to the impact of civil society, which has supported media production at these outlets focusing on development issues. In general, the mandates of international and local civil society organisations include enhancing women's participation in public life.

For instance, Farah Al-Nas radio programmes are focused on women and youth issues. The radio is mainly funded by international and local women's development organisations. Al-Balad radio, run by CMN, received support from UNESCO in 2012 to build the capacity of female citizen journalists in Jordan's rural areas.⁴⁷⁶ Aramram web TV received support from the Canadian International Development Agency (CIDA) to produce a documentary on women in the workplace.⁴⁷⁷ 7iber online magazine received support from different international human rights organisations to produce a series of multi-media packages on women issues.⁴⁷⁸

The 2011 Global Report noted that in the Middle East and North Africa region only 27 per cent of the 38 media companies surveyed had adopted a policy on gender equity and that none of the countries had laws prohibiting workplace discrimination. In Jordan, specifically, none of the ten companies surveyed had policies on gender equity, sexual harassment or paternity leave, although all but one has a policy on maternity leave, as required by law. Together, the Report considered that these factors – i.e. the lack of laws and company policies – contributed to the poor representation of women in the newsrooms of the region.⁴⁷⁹

A local study in 2006, *Problems of Female Journalists in the JRTV*,⁴⁸⁰ based on a survey of 100 female journalists at JRTV, identified a number of professional problems facing female journalists at JRTV (Table 11 represents the percentage of respondents who believed this was a barrier to the advancement of women journalists):

⁴⁷⁴ See: <http://www.7iber.com/about/>.

⁴⁷⁵ Interview with Yasmeen Nidal Alkhateeb, Aramram Social Media Coordinator, on 15 July 2015.

⁴⁷⁶ UNESCO Office in Amman. 9 January 2012. UNESCO supports Community Media Network, in Building the Capacities of Female Citizen Journalists in Jordan's Rural Areas. Available at: http://www.unesco.org/new/en/amman/about-this-office/single-view/news/unesco_supports_community_media_network_in_building_the_capacities_of_female_citizen_journalists_in_jordans_rural_areas/#.VTYBnyGqqko.

⁴⁷⁷ Kleopatra, a short documentary produced by Aramram web TV. Available at: <http://www.aramram.com/node/6727>.

⁴⁷⁸ Rimaz Musa. 21 January 2015. Imprisoning women to protect them from honour crimes. 7iber online magazine. Available at: <http://www.7iber.com/2015/01/women-administrative-detention/>.

⁴⁷⁹ Carolyn M. Byerly. 2011. The Global Report on the Status of Women in the News Media, pp. 35 and 61.

⁴⁸⁰ Rula Abu Al-Rous. May 2006. Problems of Female Journalists in the JRTV: A Study in the Sociology of Gender Inequality.

Table 11: Problems Faced by Women Journalists at JRTV

Issue	Percentage indicating it was a problem
1. Not being allowed as a female journalist to cover certain topics	54 per cent
2. Personal harassment which creates feelings of social and psychological alienation	59 per cent
3. Discrimination against women in distribution of tasks	60 per cent
4. The institution excludes women from big and important tasks	62 per cent
5. Successful female journalists face obstacles from male journalists	64 per cent
6. The idea of female journalists working in the field is not accepted by male colleagues	69 per cent
7. Sexual harassment by male citizens during field work	84 per cent
8. Sexual harassment by male colleagues during field work	89 per cent
9. Being a media personality creates problems with the family	79 per cent
10. The father or husband rejects travelling and doing assignments abroad	76 per cent
11. Difficulties in balancing career and family life	62 per cent
12. Men do not want to engage with me because I am a journalist	62 per cent
13. Men from outside the profession do not understand the nature and demands of my profession	58 per cent
14. Irregular working hours affects my social relations	54 per cent

A recent survey among journalists carried out by the Center for Defending Freedom of Journalists as part of its annual report, *Status of Media Freedom on Jordan 2014: Dead End*, noted that 65 per cent of the respondents believed that women in the media suffered from discrimination and 73 per cent believed that women in the media are exposed to sexual harassment.⁴⁸¹

A former female member of the JPA Council, Suhair Jaradat, noted in a 2010 study that although 54 per cent of journalism students in universities are women, only a few of them join the profession “because of societal perceptions of journalism as a masculine profession”.⁴⁸²

⁴⁸¹ Center for Defending Freedom of Journalists. 2014. *Status of Media Freedom in Jordan 2014: Dead End*, p. 35.

⁴⁸² Suhair Jaradat. 2010. *Women Journalists are Partners in Associative Leadership: a Survey Study on Gender Equality in the Middle East and Arab Region: Jordan*, p. 4.

As of the time of writing, the Jordanian Press Association has about 267 female members, or about 24 per cent of its 1100 members. However, only one of the eleven members of the JPA Council is a woman. The pattern of having just one female member in the JPA Council has been repeated in seven Councils out of the 37 JPA Councils since the Association was established in 1953, while the other 30 Councils had no female representatives according to a study conducted by Samar Haddadin before she became the only woman in the current JPA Council.⁴⁸³

It seems likely that some of the reasons for low representation of women in media organisations can be found in the wider labour market. As of 2013, only 17.5 per cent of the Jordanian labour force consisted of females over 15 years of age,⁴⁸⁴ which in turn is reflected in women's representation in the media sector.

B. Public Service Broadcasting Model

3.3 The goals of public service broadcasting are legally defined and guaranteed

Despite its importance as the main state broadcaster, the JRTVC Law⁴⁸⁵ does not set a clear mandate for JRTV. Article 5 sets out the responsibilities of the state broadcaster as being to respect the established media policy and national media plans. More specifically, the responsibilities of JRTV are:

1. To establish television and radio stations and develop them, which includes providing equipment, devices, and technical expertise.
2. To broadcast television and radio material and programmes.
3. To carry out agreements, acts and processes related to JRTV.
4. To undertake any other acts relevant to the tasks of JRTV.

According to Article 24(a) of the Audiovisual Media Law, JRTV shall “comply with the general information policy and established national plans and instructions issued under the provisions of this law, as long as these do not contradict the statute of the corporation.”⁴⁸⁶

Article 8 of the JRTVC Law stipulates that the responsibilities of the JRTV Board are to supervise the overall work of the Corporation, including by adopting any plans needed

⁴⁸³ Samar Haddadin. 21 December 2011. Obstacles which prevent women journalists from occupying leading positions. Jordan National Commission for Education, Culture and Science. Available at: <http://www.natcom.gov.jo/docs/papers>. The study is part of a project on Women Image in the Jordanian Press.

⁴⁸⁴ Department of Statistics. See: http://www.dos.gov.jo/dos_home_a/main/Analasis_Reports/labour_stat/2009-2013.pdf

⁴⁸⁵ Jordanian Radio and Television Corporation Law no. 35 of year 2000.

⁴⁸⁶ Audiovisual Law no. 71 of the year 2002.

for the implementation of its work, in line with media law and policy, and to establish the organisational structure, and descriptions of tasks and conditions for senior posts. The Board is also responsible for defining salaries and fees for services provided by JRTV, including commercial activities and advertisements.

FINANCIAL ISSUES

Article 9 of the JRTVC Law states that the funding sources for JRTV consist of the following:

1. Allocations from the general state budget.
2. Advertising.
3. Fees for various services offered by the organisation in the areas of production, engineering and administration, marketing and other activities.
4. Revenues from the production and marketing of TV series, radio programmes and other materials.
5. Revenues from the investment of funds.
6. Grants and assistance provided to JRTV with the approval of the Council of Ministers.

Funding of JRTV remains a heated debate in Jordan. Jordanians pay one Jordanian Dinar per month to JRTV via a 'television fee' levied on the electricity bill. This does not get paid directly to JRTV but, instead, it is paid into the general budget as a tax.⁴⁸⁷ Some commentators have suggested that the one JD levy on electricity bill be remitted directly to JRTV. The main source of income of JRTV is a direct government grant from the general budget. The budget allocated to JRTV was increased from JD 25.75 million (approximately USD 36.37 million) in 2014 to JD 29.79 million (approximately USD 42.07 million) in 2015, an increase of over fifteen per cent.⁴⁸⁸ 80 per cent of JRTV's budget is allocated to administrative costs, mainly salaries.

JRTV also raises some direct revenues.⁴⁸⁹ In 2012, for example, JRTV earned revenues of JD 4.5 million, of which 2.8 million was for advertisements.⁴⁹⁰ The first Gulf War in the early 1990s was particularly lucrative for JRTV, which earned JD 10 million from renting its studios

⁴⁸⁷ Focus group discussion on broadcasting, 3 March 2015

⁴⁸⁸ General Budget Department. Current and capital expenditure to JRTVC. Available in Arabic at: <http://www.gbd.gov.jo/gbd/content/budget/MD/ar/2015/0301.pdf>. It may be noted that this exceeds the amount of the television fee, which is probably around JD 12 million per year (based on a rough estimate of one-half million each households and companies paying one JD 12 times per year).

⁴⁸⁹ List of JRTV's advertisement prices available in Arabic at: http://www.jrtv.jo/page.aspx?page_key=key_srvice&lang=ar.

⁴⁹⁰ Interview with Ramadan Rawshdeh, General Director of JRTV, 19 March 2013. Available in Arabic at: <http://maqar.com/?id=10688>.

out to foreign broadcasters.⁴⁹¹ All returns from advertisements are channelled to the Ministry of Finance.⁴⁹² Funding from the other sources listed in Article 9 remains modest.

In accordance with Article 24(b) of the Audiovisual Media Law, JRTV is exempt from paying fees for transmission and re-transmission licences. Article 22 of the Audiovisual Media Law also provides: "The Council of Ministers may, by recommendation of the Minister based on the Director's recommendation, exempt the governmental departments and institutions from the fees for transmission licence." JRTV's finances are monitored by the Audit Bureau.⁴⁹³

Al Rai, the biggest daily in Jordan in terms of circulation and advertisement revenue, was established in 1971.⁴⁹⁴ The government, through the Social Security Corporation (SSC), which it controls, has 55 per cent of the shares of *Al Rai*, which puts it in the position of being able to appoint the majority of the board members, the director of the board, and the editor-in-chief. *Ad Dustour* is the oldest daily newspaper in Jordan, established in 1967. The government, through the SSC, owns 35 per cent of the shares of *Ad Dustour*.

Both newspapers are struggling to survive, as noted above. A major problem in cutting costs is overstaffing, the result of interference by consecutive governments in internal hiring decisions. This is also a problem at JTV, where recruitment has been described as being based not on competence or needs but on connections (*wasta*) with ministers and MPs.⁴⁹⁵

THE PROPOSED NEW PUBLIC TELEVISION STATION⁴⁹⁶

Very recently, the government has formally established a new, more independent, television station, the Independent Public Media Broadcasting Station, replacing previous plans to open a third channel as part of JRTV. The new station is supposed to broadcast youth, family and drama programmes. It will be funded through the public budget and also be allowed to raise funds commercially.⁴⁹⁷ The government will reportedly allocate JD10 million over a two-year period to fund the channel. Former Minister of State for Media Affairs, Samih Maaytah, hopes that the new station will start broadcasting by the end of 2016.⁴⁹⁸

491 Comments by Radi Alkhas, former General Director of JRTV, at a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

492 Center for Defending Freedom of Journalists. 2015. Taht Al Mijhar (Under Microscope): Diagnosing media status in Jordan, p. 304.

493 Articles 6 and 10 of Jordanian Radio and Television Corporation Law no. 35 for the year 2000. The Audit Bureau is the central public audit body.

494 *Al Rai* was established by Law no. 26 for the year 1971 published in the Official Gazette No. 2301, p. 833, 10 October 1971. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

495 Comments by Mohammad Tarawneh, director of JRTV, at a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

496 See Naomii Sakr. July 2015. Good Practice in EU Public Service Media and Contemporary Practice In Jordan: A Comparative Analysis, pp. 10 and 20.

497 See the Independent Public Media Broadcasting Station Bylaw no.53 for the year 2015, published in the Official Gazette No. 5346, p. 6292, 22 June 2015. Promulgated in accordance with Article 5 (repeated) of the JRTVC Law no. 35 for the year 2000.

498 Laila Azzeh. 4 May 2015. Gov't to launch independent public service broadcasting channel. The Jordan Times. Available at: <http://jordantimes.com/govt-to-launch-private-public-service-broadcasting-channel>.

THE JORDAN NEWS AGENCY (PETRA)

The Jordan News Agency (Petra) was established in 1969 as a state body which operated under the Ministry of Information.⁴⁹⁹ Petra became a formally (i.e. legally) autonomous body operating under the Council of Ministers in June 2004, following the dissolution of the Ministry of Information. A special ordinance was enacted to give Petra financial and administrative autonomy and to specify the powers of the Agency's Council and its Director General.⁵⁰⁰

Article 4 of the Jordan News Agency Law⁵⁰¹ sets out the mandate of Petra as being: to cover events, issues and activities at the national, Arab and international level; to contribute to the promotion of media and journalistic careers in the Kingdom; and to keep up with developments and changes, both professional and technical, in the field of communication and information. To carry out these tasks, Petra has the following powers:

1. to provide news services and materials that are collected and prepared from various sources inside and outside the Kingdom;
2. to exchange professional and technical services and facilities with Arab and international news agencies;
3. to conduct studies and research, and to provide specialised bulletins, opinion polls and news services; and
4. to train agency staff.

Article 7 of the Law lists the responsibilities of the board as being: to set the strategy of the agency; to approve plans and programmes necessary to implement the strategy; to approve the agency's work programme; to accredit correspondents outside of Jordan based on the recommendation of the Director General of the Agency; to approve the annual report; to determine subscriptions, fees and allowances for providing and selling services; and to undertake any other tasks assigned by the Minister. The Board is also responsible for a range of financial matters including appointing a chartered accountant to audit the finances; approving the draft budget of the Agency (which is then sent to the Council of Ministers for approval and to Parliament for endorsement); and approving final financial statements which are then sent to the Council of Ministers for approval.

Funding for Petra comes from the general budget of the state,⁵⁰² and the allocation has been increasing in recent years, as shown in Table 12.⁵⁰³ Around 79 per cent of Petra's budget

499 Jordan News Agency (Petra) official website. Available at: <http://www.petranews.gov.jo/About-Petra.shtm> and <http://www.gbd.gov.jo/gbd/content/budget/MD/ar/2015/0301.pdf>.

500 Article 3 of Jordan News Agency Law no. 11 for the year 2009.

501 Jordan News Agency Law no. 11 for the year 2009. Published 16 March 2009 in the Official Gazette no 4953 p. 4953. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>.

502 Budget Department. Current and capital expenditure to prime ministry-Jordan news Agency. Available in Arabic at: <http://www.gbd.gov.jo/gbd/uploads/Files/ MDBudgetProject/2014/2.pdf>.

503 Official website of Petra. Petra budget. Available at: http://www.petra.gov.jo/public/English.aspx?Lang=2&Page_Id=6617&Menu_ID=43&Site_ID=1.

goes to pay for employee salaries.⁵⁰⁴

Table 12: Allocations to Petra by Year, in JD

2011	2012	2013 ⁵⁰⁵	2014	2015 ⁵⁰⁶
2,194,500	1,860,500	2,284,000	3,021,000	3,138,000

TECHNICAL RESOURCES

JRTV has access to good technical resources.⁵⁰⁷ Petra also enjoys adequate technical resources. Over the years, Petra has witnessed significant technical and professional developments. In 1997, Petra started a TV filming and editing unit funded by the Japanese International Cooperation Agency (JICA). In 2005, a training centre was established at Petra, equipped with computers and a data show.⁵⁰⁸

3.4 The operations of public service broadcasters do not experience discrimination in any field

Satellite carriers in Jordan do not refuse to carry JRTV and it has not faced problems in terms of reaching the wider public.

3.5 Independent and Transparent System of Government

All of the state media outlets in Jordan, including JRTV and Petra News Agency, as well as the newspapers in which the state has a controlling share, remain under firm government control through the manner of appointment of their governing board and chief executive officers. However, there have been many attempts over the years to transform at least JRTV and the establishment of a new channel which is supposed to be more independent is currently underway.

The first Jordanian radio station started on 15 May 1948 in Ramallah in the West Bank under the title Radio of Jerusalem. On 24 April 1950, after the unification of the West and East Banks, the station became the Hashemite Kingdom of Jordan Radio and operated from the city of Ramallah until 1956 when a second station was established, broadcasting from a

⁵⁰⁴ Ibid.

⁵⁰⁵ Petra budget for 2011-2013. Official website of Petra. Petra budget. Available at: http://www.petra.gov.jo/public/English.aspx?Lang=2&Page_Id=6617&Menu_ID=43&Site_ID=1.

⁵⁰⁶ Petra budget for 2014 and 2015, Budget Department. Current and capital expenditure to prime ministry-Jordan news Agency. Available in Arabic at: <http://www.gbd.gov.jo/gbd/uploads/Files/MDBudgetProject/2014/2.pdf>.

⁵⁰⁷ General Directors of JTV and Director of JTV agreed on this issue in a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

⁵⁰⁸ Official website of Petra news agency, Overview. Available at: http://www.petra.gov.jo/public/English.aspx?Lang=2&Page_Id=6612&Menu_ID=43&Site_ID=1.

small building in Amman. On 3 January 1959, Radio Jordan moved to its current location in Amman.⁵⁰⁹ Radio Jordan was originally administratively under the chairmanship and guidance of the Prime Minister but when the Ministry of Information was founded in 1964 it became a department of that Ministry. JTV was established in 1968.⁵¹⁰ According to an article in *The Jordan Times*: “In 1974, Jordan Television was the first Arab channel to broadcast its programmes in colour, instead of in the older black-and-white format.”⁵¹¹ In 1985, the Jordan Radio and Television Corporation Law (JRTVC Law) was issued by which radio and television were integrated into a single institution called the Jordan Radio and Television Corporation.⁵¹²

Article 3 of the JRTVC Law states that JRTV is a legal entity which is financially and administratively independent. However, the body lacks structural independence from the government in terms of the way the members of the Board are appointed. There was consensus among a number of former Director Generals of JRTV and Directors of JTV attending a workshop on PSB organised by UNESCO that JTV lacks editorial independence.⁵¹³ Pursuant to Articles 6 and 10 of the JRTVC Law, both the JRTV Board and the Director General are appointed and fired by a decision of the Council of Ministers, based on the recommendation of the Prime Minister and subject to formal appointment by a Royal Decree. The Chairman of the Board is a minister, who is essentially appointed at the discretion of the Prime Minister.⁵¹⁴ This means that JRTV is accountable to the Council of Ministers and the Prime Minister rather than to the people through Parliament. Neither the JRTV Board nor the Director General report to Parliament.

Former senior managers from JRTV informed the research team that changing the Director of JTV every two years hinders proper continuity in planning.⁵¹⁵ They also indicated that the appointment of the Director General of JRTVC from outside the Corporation means that there is never enough time for them to get adequately acquainted with the workings of the Corporation. The changes to the Board of Directors and the Director General are also problematic inasmuch as they undermine institutional memory at the organisation.⁵¹⁶ The former Director Generals also indicated that Board members often try to interfere in the day-to-day work of the Corporation.⁵¹⁷

509 Jordan Radio and Television Corporation website. Available in Arabic at: http://www.jrtv.gov.jo/page.aspx?page_key=key_about&lang=ar.

510 Jordan Radio and Television Corporation. See: http://www.jrtv.gov.jo/page.aspx?page_key=key_abouttv&lang=ar.

511 5 February 2015. Jordan TV to launch new channel. *The Jordan Times*. Available at: <http://jordantimes.com/jordan-tv-to-launch--new-channel>.

512 Jordan Radio and Television Corporation website. Available in Arabic at: http://www.jrtv.gov.jo/page.aspx?page_key=key_about&lang=ar.

513 Thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

514 Articles 6 and 10 of Jordanian Radio and Television Corporation Law no. 35 for the year 2000.

515 Thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

516 Comments by Hala Zureiqat, former Director General of JRTV, at a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

517 Thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

There have been several attempts to transform JRTV into a public service broadcaster (PSB).⁵¹⁸ The first such attempt was in 1992/93, when a delegation from the British Broadcasting Corporation (BBC) came to Jordan to promote the idea of PSB.⁵¹⁹ In 2003, JRTV developed a full roadmap to transform itself into a PSB with the support of Thompson Foundation and the BBC, including by reducing the number of staff and reforming management.⁵²⁰ There was a perception at that time that there was a need to start a new station which would ultimately replace JRTV.⁵²¹ Ultimately these attempts did not move forward, largely because of a lack of political will. However, the idea of transforming JRTV into a PSB remains a goal of the Media Strategy.

Pursuant to Article 5 of the Jordan News Agency Law,⁵²² the seven Board members of the Agency, along with the Director General, who also sits on the Board, are appointed by a decision of the Council of Ministers based on a recommendation of the Prime Minister for a period of two years, subject to renewal. Article 3(a) of the Law states that the Agency is financially and administratively independent, while also stating that the Agency is associated with the Prime Minister or a minister named by him.

Regarding the partially state-owned newspapers, *Al Rai* and *Ad Dustour*, the government has the power to appoint the Director of the Board and editor-in-chief due to the fact that it owns a majority of the votes in the General Assembly and Board of Directors. In practice, the appointments are made on a discretionary basis by the government without any transparent process.

According to international standards public media should be governed by an independent board, to ensure their overall independence and the delivery of their public service mission. This body should be able to call for nominations for the post of director general and to conduct a fair process of assessment of candidates resulting in an appointment that is made on the basis of merit. Appointments to the governing bodies of public media outlets should be transparent and free from any direct governmental interference, or any control on the part of vested interests, whether political or economic.

As noted above, the government of Jordan has recently amended the JRTVC Law to provide for the establishment of a new public television station, the Independent Public Media Broadcasting Station.⁵²³ According to the amendments, the new station will have a separate

⁵¹⁸ Comments by Radi Alkhas, former Director General of JRTV, at a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

⁵¹⁹ Comments by Radi Alkhas, former Director General of JRTV, at a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

⁵²⁰ Panellists in a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

⁵²¹ Comments by Bayan Tal, former Director General of JRTV, at a thematic group meeting organised by UNESCO on PSB from 18-19 April 2014 at a Dead Sea retreat.

⁵²² Jordan News Agency Law no. 11 for the year 2009.

⁵²³ See the Independent Public Media Broadcasting Station Bylaw no.53 for the year 2015, published in the Official Gazette No. 5346, p. 6292, 22 June 2015. Promulgated in accordance with Article 5 (repeated) of the JRTVC Law

legal personality and budgetary independence from JRTV, and will organise its affairs in accordance with regulations (bylaws) to be issued for this purpose. The station will be governed by a Board of five directors appointed by the King on the nomination of the Prime Minister, for a period of just three years. The Director will be appointed by the Council of Ministers upon the nomination of the President of the Board, while the staff will be treated as civil servants.⁵²⁴ These provisions do not provide protection for the independence of the station as required under by international standards.

A former Minister of State for Media Affairs, Samih Maaytah, who also chairs the Jordan Press Foundation, cautioned against having undue expectations of the new channel, noting that regardless of the label and the legal framework, it is the editorial policy that really matters: “We cannot judge if the channel will contribute to media freedoms before knowing which direction it will take and the extent of government control over it,” Maaytah told *The Jordan Times*. “We know that there is no fully objective TV station, but we hope that this one will have an open political platform,” Maaytah added.⁵²⁵ Other commentators have also questioned how independent the station will be, given how its Board and Director are to be appointed.⁵²⁶

3.6 PSBs engage with the public and CSOs

There is no formal opportunity for CSOs to be involved in appointments to the governing bodies of JRTV, Petra or the partly state-owned newspapers, *Al Rai* and *Ad Dustour*. There is also very little opportunity in practice for CSOs to be represented on the boards of these media outlets.

For example, a new Board for JRTV was appointed on 25 May 2014 upon the recommendation of the Minister of State for Media Affairs, Mohammad Al-Momani. The new board consists of: Muhyieddeen Touq (former Minister of Social Affairs), Bayan Tal (former JTV Director and consultant with Ro'ya TV and JMI), Nabil Ghishan (former editor-in-chief of *Al Arab Al Yawm*), Samir Barhoum (editor-in-chief of *The Jordan Times*), Hussein Abu Rumman (a researcher at Al-Quds Center) and Sari Alasad (President of the Actors Association).⁵²⁷ A similar situation, i.e. with a number of officials on the Board, pertains at the Jordan News Agency.⁵²⁸

no. 35 for the year 2000.

⁵²⁴ See Articles 4-10 of the Bylaw, *ibid*.

⁵²⁵ Laila Azzeh. 4 May 2015. Gov't to launch independent public service broadcasting channel. *The Jordan Times*. Available at: <http://jordantimes.com/govt-to-launch-private-public-service-broadcasting-channel>.

⁵²⁶ Yahia Shukkeir. 25 June 2015. The Third Independent Channel. *Al Arab Al Yawm*. Available in Arabic at: <http://alarabalyawm.net/?p=440124>.

⁵²⁷ 25 May 2014. Council of Ministers appointed new members of JRTV board. *Al Ghad*. Available in Arabic at: <http://goo.gl/jLmF2H>. The Director General of JRTV constitutes the seventh Board member.

⁵²⁸ The official website of Jordan News Agency (Petra). Available at: http://www.petra.gov.jo/public/English.aspx?Lang=2&Page_Id=7195&Menu_Id=43&Site_Id=1. The Board of Directors there is comprised of the Minister of State for Media Affairs, Mohammed Al-Momani (Chairman), Faisal Al Shbouli (Deputy Chairman: Director General of the Agency, Tariq Al Momani (Head of Jordan Press Association), Omar Abandah (former Director General of Jordan

None of the above-mentioned members of either the JRTV or Petra boards can be described as representing CSOs.

C. Media Self-Regulation

3.7 Print and broadcast media have effective mechanisms of self-regulation

Media in Jordan have never benefitted from a truly independent complaints mechanism. Nevertheless, there have been two failed attempts in this respect, namely the Higher Media Council (2001-2008) and the JPA in its complaints role as part of its system of Disciplinary Boards and the Code of Ethics.

THE HIGHER MEDIA COUNCIL

The Higher Media Council (HMC) was established by a Provisional Law⁵²⁹ which was issued in 2001 and amended in 2003,⁵³⁰ and subsequently abolished in 2008. According to the Higher Media Council Law,⁵³¹ the Council was a “financially and administratively independent legal entity”, but its independence from the government was limited. The Council was composed of nine members, including the President, which was increased to 11 members when the law was amended in 2003.⁵³² Article 4 of the HMC Law provided for members to be appointed for three years, for a renewable mandate, by a Royal Decree based on the Prime Minister’s recommendation, while Article 14 of provided for the appointment of the Council’s Secretary General by the Cabinet, based on the Prime Minister’s recommendation.

In 2002, the members of the Council included the President, a former minister of information, the Deputy President, the President of the JPA, and nine other members, namely the Morale Guidance Director of the Armed Forces, the former Minister of Awqaf (Islamic affairs), the Director General of JRTV, the editors-in-chief of government influenced daily newspapers *Al Rai* and *Ad Dustour*, two columnists from *Ad Dustour* and the private daily *Al Arab Al Yawm*, respectively, and two representatives of national CSOs.⁵³³

The HMC’s responsibilities included monitoring and reviewing complaints against the media, articulating media policy, developing plans for specific media sectors, reviewing existing media-related legislation and developing legislative proposals, training media workers,

News Agency), Hashim Khreisat (former editor-in-chief and JPA president), Mohammad Al Tall (editor-in-chief of Ad Dustour), and Jareer Maraqa (former Director General of Jordan News Agency).

⁵²⁹ Higher Media Council Provisional Law no. 74 for the year 2001.

⁵³⁰ 29 January 2003. The Cabinet Issues Amendments of the Higher Media Council Law. Ad Dustour. Available at: <http://goo.gl/KySVWw>.

⁵³¹ Higher Media Council Law no. 74 for the year 2001.

⁵³² Amended Law of the Higher Media Council Provisional Amendments Law no. 14 for the year 2003, published in the Official Gazette No. 4589, p. 1192, 16 March 2003.

⁵³³ 3 December 2002. Jordan: Restructuring the Higher Media Council. Al-Sharq Al-Awsat, pan Arab newspaper. Available at: <http://archive.aawsat.com/details.asp?section=4&article=139438&issueno=8771#.VRm1mPmUe5I>.

contributing to the development and professionalization of the media, fostering competition, supporting plurality, and encouraging investment in the media. It also ran a Media Training Center for Jordanian media professionals.⁵³⁴

In accordance with Article 9 of HMC Law, a set of Instructions for the Settlement of Media Disputes was issued and a Committee for the Settlement of Media Disputes was formed by the HMC to examine complaints against media outlets and journalists. The Committee was composed of the president of the HMC, the HMC's legal advisor and four veteran experts in legislation and media. They were appointed for three years on a renewable basis by the HMC, based on a recommendation of the HMC's president.⁵³⁵

In December 2005, the former monthly newspaper, *Al-Mashreq Al-Elami*, which specialised in media affairs and was run by George Hawatmeh, an HMC member at the time, provided a number of comments on the Instructions for the Settlement of Media Disputes, of which the main points were as follows:

- The system only applied to cases involving members of the JPA.
- The referral of disputes to the Committee for the Settlement of Media Disputes was non-mandatory and appeared to require the agreement of the media outlet or journalist against whom the complaint had been lodged.
- Settlement of a dispute by the HMC did not preclude subsequent court action.
- The standards for resolving disputes appeared to be based only on the JPA's Code of Ethics, but this was limited in its scope.
- The HMC had no power to enforce its decisions as the rules did not stipulate what might happen if a media outlet or journalist refused to comply with its decision.

The report *Media Freedom Status in Jordan, 2005*,⁵³⁶ issued by the Center for Defending Freedom of Journalists (CDFJ), included a survey among journalists. According to the survey, 76 per cent of the journalists who were polled said that the HMC had no impact. Only 16.7 per cent said that the HMC contributed to the advancement of media freedom, while 6.7 per cent felt that it had actually contributed to the deterioration of media freedoms.

In 2008, the Cabinet issued a Law for Abolition of the Higher Media Council Law. The government justified the abolition of the Council at that time on the basis that this was, "in accordance with the National Agenda's recommendations to abolish the Council and to

534 IREX/Jordan Media Strengthening Program and Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania. 2012. Introduction to News Media Law and Policy in Jordan: A primer compiled as part of the Jordan Media Strengthening Program, p. 63.

535 14 October 2003. Instructions for Settlement of Media Disputes, based on Article 9 of the Higher Media Council Law no. 74 for the year 2003. Ad Dustour. Available at: <http://goo.gl/ACkePF>.

536 Center for Defending Freedom of Journalists. 2005. Media Freedom Status in Jordan 2005, p. 5. Available at: <http://cdfj.org/wp-content/uploads/2014/09/Media-Freedom-Status-in-Jordan-2005-EN.pdf>.

encourage the media sector to establish their own independent Council".⁵³⁷

THE JORDAN PRESS ASSOCIATION

The JPA is the only union representing journalists in Jordan and journalists must belong to the JPA to work legally as journalists. The Association regulates the work of its members, who are mostly print journalists, through two main mechanisms: its disciplinary boards⁵³⁸ and its code of ethics. The Association, according to its law and bylaw, is financially and administratively independent from the government and any commercial interests. However, in practice the JPA is not independent.

Government control over the JPA appears in the structure of its council. It has always been dominated by the two daily newspapers of which the government is the main shareholder, *Al Rai* and *Ad Dustour*. In 2014, journalists working for state media constituted 64 per cent of the membership of the JPA.⁵³⁹ The JPA President has always been from one of the two state dailies, *Al Rai* and *Ad Dustour*. The current council (2014-2017) is composed entirely of representatives of *Al Rai* and *Ad Dustour*, the Petra News Agency and the JRTV, in addition to one member from the private daily *Al Ghad*. The former Council (2011-2014) was composed entirely of representatives from the two government dailies and Petra News Agency, along with one representative from the private media.⁵⁴⁰

The JPA also has corporate links. The Association has signed several agreements with commercial companies to get discounts for its members, which could create a conflict of interest and affects journalists' objectivity when covering news about those companies. Examples include agreements with the telecommunications company Zain, which sponsors the JPA Club's activities,⁵⁴¹ and a 50 per cent discount on tickets on Royal Jordanian Airlines, along with discounts on private schools fees, restaurants and hotels.⁵⁴²

At a meeting on 25 April 2003, JPA's General Assembly decided to endorse and issue the Journalism Code of Ethics as, "a reference for all professionals in various media and mass communications outlets which they must respect and use as a guide".⁵⁴³ The General

537 23 October 2008. Issuance of the Law for Abolition of the Higher Media Council Law. *Ad Dustour*. Available at: <http://www.sahafi.jo/arc/art1.php?id=4e10290ebee71932427314d1dcf9455c28d0e457>.

538 Every JPA Council establishes two disciplinary councils, each composed of three members, including the head of the council.

539 Sawсан Zaidah. 16 February 2015. JPA: Monopoly by Law. *7iber.com*. Available at: <http://www.7iber.com/2015/02/jordan-press-association-excluding-journalists/>.

540 List of JPA Board Members (1953-2014), Jordan Press Association website. Available at <http://www.jpa.jo/List.aspx?lng=2&Pa=Page&ID=3>.

541 25 June 2012. Zain sponsors the JPA club's activities. *Al Ghad*. Available at: <http://goo.gl/hDsAZR>. The JPA Club was founded in 2011 with the aim of being "a cultural, political and social forum for journalists." JPA Club. 9 October 2011. Jordan Press Association. Available at: <http://www.jpa.jo/List.aspx?lng=2&pa=VideoGallery&Type=10>.

542 Jordanian Press Association's website. Available at: <http://www.jpa.jo/List.aspx?lng=2&Pa=Page&ID=5>.

543 25 April 2003. Jordanian Press Association's Code of Ethics, The JPA website. Available at: <http://www.jpa.jo/List.aspx?lng=2&Pa=Page&ID=4>.

Assembly also decided that, “this Code is part of the public order, and any violation of its regulations will count as a breach of conduct and an insult to the profession”.

According to Articles 47-48 of the JPA Law, complaints are submitted to the President of the JPA who then gives the journalist who is the subject of the complaint 15 days to reply. If the President believes this is justified, he may refer the complaint to the JPA Council which may then refer it to a Disciplinary Board for investigation. The board must reach a decision within 45 days, which is the subject to approval by the JPA Council.

The JPA Code is formally binding by virtue of Article 7 of the Press and Publications Law, which provides, as an obligation for media outlets, for, “compliance with the provisions and principles of the Code of Ethics issued by the JPA”. Indeed, the JPA has broad enforcement powers. When a “journalist or a trainee journalist” breaches the law, regulations or the Code of Ethics, the JPA disciplinary boards have the power to impose the penalties set out in Article 46 of the JPA Law. These include: notification, warning, prohibition from practising the profession for a period of up to three years, removing the name of the journalist from the list of practising journalists or trainees, and banning him or her permanently from engaging in the profession of journalism. According to Article 51 of the JPA Law, anyone who does not adhere to a disciplinary decision which bans him or her from practising the profession may be fined between JD 500 and 1,000 by a court, which will be doubled in case of repetition.

The first article of the JPA Code of Ethics emphasises the right to freedom of opinion and expression and calls on journalists to defend these rights. The Code also includes limitations which do not conform to international standards. For example, Article 4 of the Code provides: “Journalists shall respect religions and refrain from inciting racist or sectarian sedition, abusing social morals or inciting to disobedience or crimes. They shall also refrain from libelling authorities or promoting opposition to the principles on which the Jordanian Constitution is based”. Article 15 requires journalists to avoid, “involving the JPA in any disputes or rows between members of the press”. Article 5 of the Press and Publications Law states: “Publications shall respect the truth and refrain from publishing anything that conflicts with the principles of freedom, national responsibility, human rights, and values of the Arab and Islamic nation”.⁵⁴⁴ These provisions include vague and broad terms which can be abused.

There are also rules on sources of funding for media outlets and the work that JPA members may pursue. Article 20 of the Press and Publications Law states that periodicals must depend on legitimate sources of funding and prohibits them from receiving financial support from any foreign state or quarter. According to Article 42(a) of the JPA Code of Ethics, journalists are prohibited from engaging in any work other than the profession of journalism, including any commercial business and representing corporate and industrial businesses. Article 42(c) provides: “A journalist is prohibited from practising journalism in a way that violates existing

laws or the Code of Ethics".⁵⁴⁵

Judith Pies, a media researcher, has noted, in respect of Jordan, that the fact that the code of ethics is legally binding as part of the PPL meant that the system did not represent "voluntary and independent journalistic self-regulation". She also noted that there was extensive government control over the system, which meant that it has not been used to fight for journalists' interests and independence from the state.⁵⁴⁶

A former four-time member of the JPA Council and former President of one of the Disciplinary Boards, Omar Abanda, notes that, "many violations are committed by members but often the JPA does nothing about it. Some members have commercial businesses and get Arab and foreign funds, and the JPA Council knows about this and still does not take action, even though it is a breach of the rules. Only my Disciplinary Board took action once when it expelled a member whose center received foreign funding, which breaches the JPA Law".⁵⁴⁷

A current JPA member, Samar Haddadin, notes that, "another journalist was also expelled by the JPA because her NGO received foreign funding. When she was called before a Disciplinary Board she resigned, but the Board insisted on expelling her so that she could not apply for JPA membership again".⁵⁴⁸

THE MEDIA STRATEGY

The idea of self-regulation is one of three principles on which the government's Media Strategy (2011-2015) is based.⁵⁴⁹ This includes calling on the media to adopt their own codes of ethics while the government works towards creating a new complaints system. The Strategy states that an independent complaints council shall be established which will consist of media professionals who possess expertise and experience and a number of retired judges. The council shall be responsible for receiving complaints by citizens about the media and bringing the two parties together to find a satisfactory solution, and it will not have the power to impose fines on media outlets.

There are currently ongoing discussions about establishing the council. Minister of State for Media Affairs, Mohammad Al-Momani, notes:

The Advisory Committee for the Media Strategy, represented by the Director of the Jordan Media Commission, Amjad Al-Qadi, is now working with the Council of the Jordanian Press Association to prepare draft regulations

⁵⁴⁵ Jordanian Press Association Code of Ethics. Available at: <http://www.jpa.jo/List.aspx?lng=2&Pa=Page&ID=4>.

⁵⁴⁶ Judith Pies. 2013. Media Accountability in Transition: Survey Results from Jordan and Tunisia, Section C, p. 193.

⁵⁴⁷ Comments by Omar Abanda, former member of the JPA Council for 4 semesters and former president of a Disciplinary Council, during a focus group on the Jordanian Press Association, 18 March 2015.

⁵⁴⁸ Comments by Samar Haddadin, current JPA member, during a focus group on the Jordanian Press Association, 18 March 2015.

⁵⁴⁹ Jordan Media Strategy (2011-2015). Prime Ministry, The Hashemite Kingdom of Jordan. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

for a complaints council. Then the legal framework will be discussed; will the Council have its own law or will this be set out in regulations under the umbrella of the JPA or another body? But the JPA Council first needs to discuss this to make sure that it does not contradict the work of its disciplinary boards.

He added that the complaints body should not be controlled by either the government or the media sector but that it should instead be a participatory body representing different stakeholders. The source of funding for the council is a “sensitive issue because it is related to the impartiality of the council. The work might be done on a voluntary basis but it will need some support, such as an office, which could be provided by the JPA”.⁵⁵⁰ It was reported recently that the JPA had prepared a draft Bylaw for the complaints council, although there have been some criticisms of this.⁵⁵¹ The proposed bylaw was presented to the Media Strategy Advisory committee that turned the proposal down, according to Muhammad Al-Momani, Minister of State for Media Affairs.⁵⁵²

3.8 Media displays culture of self-regulation

No media institution in Jordan has an ombudsman, whether internal or external, to look into complaints filed by the public regarding any perceived violation of professional ethics. However, most media outlets offer their readers, especially officials, a right of reply.

At *Al Ghad*, for example, there is a call centre which receives complaints and refers them to the editor-in-chief who, in turn, refers them to the editor concerned for action. Suhair Jaradat, a reporter at Jordan News Agency (Petra), notes that, “there is a complaints box which is hung in the entrance of the Agency. But the keys were in the hands of a colleague who retired”.⁵⁵³ Omar Assaf, managing editor at *Al Rai*, says that *Al Rai* also has a complaints box but does not consider it to be an effective complaints system.⁵⁵⁴ The managing editor of the Khaberni news website, Mahmoud Moghrabi, explains that readers can send their complaints by email or by commenting directly online and that the comments editor is responsible for sending complaints to the editor-in-chief to deal with them.⁵⁵⁵

Some of the well-established media outlets have a code of conduct. However, none of these codes is published or made available online. In some cases, the so-called ‘codes’ are more stylebooks than professional standards. *Al Ghad* is one media outlet that has developed its

550 Interview with Mohammad Al-Momani, Minister of State for Media Affairs, 29 March 2015.

551 Yahia Shukkeir. 7 June 2014. The proposed bylaw of complaints council by JPA. *Al Arab Al Yawn*. Available at: <http://alarabalyawm.net/?p=437056>.

552 Al-Momani briefing to UNESCO Support to Media in Jordan project team, 17 June 2015.

553 Comments by Suhair Jaradat, reporter at Jordan News Agency (Petra), during a focus group for journalists, 30 March 2015.

554 Comments by Omar Assaf, managing editor at Al Rai, during a focus group for journalists, 30 March 2015.

555 Comments by Mahmoud Moghrabi, managing editor of Khaberni news website, during a focus group for journalists, 30 March 2015.

own code of conduct, which was printed and distributed among journalists.⁵⁵⁶ However, it was never discussed, revised or followed up on after first being circulated in 2009, according to the head of the committee that compiled the document, Nouredine Al Khamayseh. The code includes guidelines for journalists' conduct and content-related ethics. For example, it prohibits journalists from accepting gifts as a way of preventing the "purchase of information".⁵⁵⁷

D. Requirements for Fairness and Impartiality

3.9 Effective broadcasting code setting out requirements for fairness and impartiality

JMC regulates the content of licensed radio and television stations in accordance with the Instructions for Programmes, Advertisements and Commercial Promotion⁵⁵⁸ and another set of Instructions for Programmes and Advertisements Covering Campaigns of Parliamentary and/or Municipal Elections.⁵⁵⁹ These Instructions are legally binding in accordance with Article 21(k) of the Audiovisual Media Law.

In terms of standards regarding balance, Article 20(l) of the Audiovisual Media Law requires the following to be included in broadcasting licences: "The licensee's commitment to honour (...) the objectivity of broadcasting the news and events (...)." This is elaborated on in Article 6 of the Instructions, which requires broadcasters to observe "accuracy and avoidance of bias (...) presenting news and covering activities with objectivity, neutrality and integrity, without distortion or change."

In addition to these binding rules, the JMC has compiled a non-binding Code of Ethics for Workers in the Audiovisual Sector,⁵⁶⁰ to provide guidance for broadcast media workers, following a number of meetings with representatives of broadcasters. The section of the Code entitled 'Basic Principles' provides for, "balance: ensuring parties to an issue equal opportunities; impartiality: drawing a line between personal opinions and facts". Paragraph 8 of the section entitled 'Ethical Practices of Journalists' focuses on balance and neutrality, and states that journalists have a duty to ensure that all parties have an opportunity to express their views and that "journalists shall not place personal, narrow, tribal, regional or partisan

⁵⁵⁶ Interview with Nouredine Al Khamayseh, Head of Content Development and Code of Conduct Committees at Al Ghad and former head of the JPA committee for public freedoms, 8 March 2015.

⁵⁵⁷ Interview with Nouredine Al Khamayseh, Head of Content Development and code of conduct committees at Al Ghad and former head of the JPA committee for public freedoms, 8 March 2015

⁵⁵⁸ Jordan Media Commission's Instructions for Programmes, Advertisements and Commercial Promotion, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/3efd8c05-f493-4d27-b0dda6b3769edb5c.pdf>.

⁵⁵⁹ Jordan Media Commission's Instructions for Programmes and Advertisements Covering Campaigns of Parliamentary and/or Municipal Elections, 2010.

⁵⁶⁰ Jordan Media Commission Code of Ethics for Workers in the Audiovisual Sector. Available at: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=22>.

interests above the public interest”.

In terms of elections, Article 22(a) of the Election Law states that the “official media must provide fair and impartial coverage of all candidates during election campaigns”.⁵⁶¹ This article was criticised by one instructor at the Jordan Media Institute, Sakher Al-Khasawneh, who was a member of the committee formed by the Independent Election Commission to monitor media coverage during the 2013 election campaign. “The article should cover the entire media, without focusing only on ‘official’ media. Public and private media should adhere to the same professional standards and ethics of journalism”.⁵⁶²

The Instructions for Programmes and Advertisements covering campaigns of parliamentary and/or municipal elections prescribe the following robust conditions for programmes and advertisements relating to election campaigns in all media:

- Not to broadcast anything that would harm any candidate in the election.
- Not to broadcast election advertisements that exceed one minute for each candidate or to air such advertisements more than three times a day.
- To respect the principles of neutrality and impartiality towards all parties.
- To make a distinction between news and advertisements.
- Not to distort or misreport news about candidates.
- To publish the findings of public opinion polls in a fair manner, noting the date, methodology and size of the poll sample, as well as who carried it out and on whose behalf.⁵⁶³

According to participants in a focus group discussion from the audiovisual media sector organised for the purposes of this report, many stations do not adhere to these rules and this was especially true during the 2013 parliamentary elections. Some participants indicated that they were unaware of the existence of the JMC Instructions while others stated that they had received the Instructions ahead of the elections but did not observe them. One of the participants was of the opinion that the rules did not apply to private broadcasters because Article 22 of the Elections Law stipulates that they only apply to official media outlets.⁵⁶⁴

Some Members of Parliament own media outlets. For example, the Chairman of the National Guidance and Media Committee of the Lower House, Zakaria Sheikh, owns a satellite television channel and a news website, Al-Haqiqat Al-Dawliya (Fact International), while MP

⁵⁶¹ Election Law no. 25 for the year 2012. The Independent Election Commission.

⁵⁶² 1 January 2013. Independent Commission for Election monitors the media coverage of the election. AmmanNet news website. Available at: <http://ar.ammannet.net/news/182615>.

⁵⁶³ Jordan Media Commission's Instructions for Programmes and Advertisements covering campaigns of parliamentary and/or municipal elections, 2010.

⁵⁶⁴ Focus group discussion on broadcasting, 3 March 2015.

Rula Hroub owns Josat satellite television channel (jointly with her husband).⁵⁶⁵ Sheikh and Hroub were owners of the satellite television channels before they became MPs, although, according to Ro'ya owner, Fares Sayegh, this constitutes a conflict of interest and a cause of concern for owners of other stations.⁵⁶⁶

The Independent Election Commission formed a committee to monitor media coverage during the 2013 election campaign, which reported on 285 violations of international standards and ethics for covering elections committed by some broadcasters during the 2013 parliamentary election.⁵⁶⁷ The report also noted that, "some media outlets, particularly TV stations owned by candidates, practised indirect election promotion for themselves and their election lists. This was done in different ways, including by broadcasting live TV programs during which the candidates' supporters call-in to encourage viewers to vote for them."⁵⁶⁸

The report also referred to a number of violations in relation to paid election advertisements, of which the most common was failing to distinguish between journalistic content and paid commercials. The results of the monitoring are shown below in Table 13.

Table 13: Violations by Media Outlets during the 2013 Election⁵⁶⁹

Total		Broadcasters/ Websites		TV		Radio		Dailies		Type of Violation
%	#	%	#	%	#	%	#	%	#	
12.6	36	41.7	15	27.8	10	13.9	5	16.7	6	Defamation
4.9	14	42.9	6	0.0	0	57.1	8	0	0	Incitement
0	0	0	0	0	0	0	0	0	0	Insult
78.2	223	61.9	138	22.0	49	7.2	16	9.0	20	Mixing journalistic content and commercials
4.2	12	25.0	3	50.0	6	25.0	3	0	0	Insult to national unity
100	285	56.8	162	22.8	65	11.2	32	9.1	26	Total

⁵⁶⁵ Lists of licensed broadcasters and their owners information, provided by JMC on 4 March 2015. Available at: <http://www.ccd.gov.jo/e-services/home/search-by-company-name-result>. This includes information about owners (names of companies and people who own them and their nationalities and contacts), type of programming, type of licence and coverage area

⁵⁶⁶ Interview with Fares Sayegh, owner and director of Ro'ya private satellite channel, 3 March 2015.

⁵⁶⁷ 16 January 2013. A study by the Independent Election Commission reveals the support of some media outlets to candidates. Jordan News Agency. Available at: http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=&lang=1&NewsID=97122&CatID=13&Type=Home>ype=1.

⁵⁶⁸ Bassem Tweissi. 2013. Monitoring the Media Coverage of the 17th Jordanian Parliamentary Election Report. Election Independent Commission, p. 10.

⁵⁶⁹ *Ibid.*, p. 54.

However, neither the Independent Election Commission nor the Audiovisual Media Commission took any action against the media outlets which were allegedly in breach either the Election Law or the Audiovisual Commission's rules.

3.10 Effective enforcement of broadcasting code

Pursuant to Article 4 of the Audiovisual Media Law, one of the duties of the Audiovisual Commission (now JMC) is to “monitor the work of licensees” to ensure that they respect their licence conditions. According to Article 8 of the Audiovisual Media Law, among other things, the Director of the Audiovisual Commission (now JMC) is responsible for ensuring that licensees comply with their licence conditions and Audiovisual Media General Policy, including by considering complaints presented to him by the public, as well as complaints by licensees against other licensees.

Article 5 of the JMC's Instructions for Programmes, Advertisements and Commercial Promotion states that the Commission has, “the power to stop any radio or television programme and/or advertisement that breaches the provision of the Audiovisual Media Law or its bylaws or any other relevant laws, in addition to these instructions”. However, recent amendments to the Audiovisual Media Law suggest a very different approach may be taken towards this issue in future. Article 4(j) now states: “A committee shall be formed comprising specialists to look into complaints filed by the public or any other party concerning media content (...) and complaints filed by a licensee against another licensee.” The proposed panel is to be formed by the JMC Director, according to the chair of the National Guidance and Media at the Lower House, Zakaria Sheikh.⁵⁷⁰

The JMC (earlier Press and Publication Department) is responsible for implementing the Press and Publications Law 1998, including licensing and regulating publications and, since 2012, licensing and regulating news websites.⁵⁷¹ The JMC receives complaints against publications and can file court cases against those who violate the Law.

SOME SPECIFIC STANDARDS

The Audiovisual Media Law, the Instructions for Programmes, Advertisements and Commercial Promotion,⁵⁷² and the Code of Ethics for Workers in the Audiovisual Sector⁵⁷³ all include a number of professional standards for the broadcast media, as follows:

- Broadcasters may not disseminate, “racially provocative materials or anything that might disrupt national unity, promote terrorism, racism or religious

⁵⁷⁰ Interview with Zakaria Sheikh, Head of the parliamentary panel and the owner of private satellite channel Al Haqiqat Al Dawliya, 11 February 2015.

⁵⁷¹ Press and Publications Law no. 8 for the year 1998 as amended.

⁵⁷² Jordan Media Commission's Instructions for Programmes, Advertisements and Commercial Promotion, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/3efd8c05-f493-4d27-b0dd-a6b3769edb5c.pdf>.

⁵⁷³ Jordan Media Commission Code of Ethics for Workers in the Audiovisual Sector. Available at: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=22>.

discrimination, or disrupt the Kingdom's relations with other countries" (Article 20(n) of the Audiovisual Media Law).

- Broadcasters may not disseminate content about any "economic issue which would jeopardise the integrity of the national economy and monetary system" (Article 20(o) of the Audiovisual Media Law).
- Licensees may not broadcast material which is, "morally offensive or incites to hatred, terrorism, violence, sedition or religious, sectarian or racial bigotry, or which harms the national economy or currency, or violates national or social security" (Article 20(l) of the Audiovisual Media Law).
- Broadcasters should "respect Jordanian traditions and customs and promote public morals" (Article 6 of JMC's Instructions for Programmes, Advertisements and Commercial Promotion).⁵⁷⁴
- Fairness is defined as respecting the presumption of innocence, supporting the independence and integrity of the judiciary, refraining from reporting that could obstruct justice, and ensuring that programmes do not involve defamation or incitement to violence or hatred against any person or institution based on gender, race, religion or political affiliation (Paragraph 20 of the third section of the Code of Ethics for Workers in the Audiovisual Sector).⁵⁷⁵
- Broadcasters should respect "national constants" including "adherence to the visions of His Majesty the King", the idea that "the armed forces and security agencies are the fence and the shield of the homeland and guarantor of its security and independence", "respect for Pan-Arab nationalism and the principles of the Great Arab Revolt and that the Jordanian people are part of the Arab and Islamic nation" and "preserving national unity and security" (the preamble to the Code of Ethics).
- Broadcasters may not disseminate content that 'insults' the essence of religious beliefs, compromises the nation's values and heritage and unity, or disturbs public or moral order, such as pornographic or violent programmes" (Article 6 of the Bylaw for Radio and Television Broadcast Licences).⁵⁷⁶

APPLICATION OF THE RULES

⁵⁷⁴ Jordan Media Commission's Instructions for Programmes, Advertisements and Commercial Promotion, no. 1 for the year 2006. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/3efd8c05-f493-4d27-b0dd-a6b3769edb5c.pdf>.

⁵⁷⁵ Jordan Media Commission Code of Ethics for Workers in the Audiovisual Sector. Available at: <http://www.avc.gov.jo/Pages/viewpage.aspx?pageID=22>.

⁵⁷⁶ Jordan Media Commission's bylaw for Radio and Television Broadcast Licences. Available at: <http://www.avc.gov.jo/echobusv3.0/SystemAssets/a9da1a0e-38c5-42bd-8d80-733b83ce25a4.pdf>.

During 2014, JMC Director Amjad Al-Qadi noted that the Commission sent dozens of written warnings to certain broadcasters who repeatedly violated the Instructions for Programmes, Advertisements and Commercial Promotion. According to him, in two cases, the Commission required satellite channels to stop broadcasting programmes, in one case for broadcasting content which did not “respect public morals”. In terms of the types of violations and the corresponding penalties, Al-Qadi noted: “A show was halted for two months for a violation to the law, which was a blatant insult to a head of an Arab state. The station in question has a correspondent in the country in question, and the punishment was meant to protect them and their operation there.” Another case involved the host of a morning show on the Army Radio who allegedly directed insults at the Lower House and the JMC. Al-Qadi added that there have been no complaints based on intolerant reporting on certain segments of society, like women, refugees or guest labourers. Usually, the cases the JMC deals with have to do with legal violations related to insulting another state, official agencies or civil servants.⁵⁷⁷

A study published by the Euromed Audiovisual programme in September 2013 referred to a case where the transmission of Josat satellite television channel was suspended for three weeks in August 2012.⁵⁷⁸ On 25 July 2012, the Audiovisual Commission had filed a lawsuit against Josat satellite channel over a talk show, “Kalam fi al Samim”, presented by Member of Parliament Rula Hroub, charging it with incitement against the regime, undermining the King’s dignity and the status of an official institution, and violating Article 22 of the Audiovisual Law, according to *The Jordan Times*. Riyadh Hroub, Rula Hroub’s husband and co-owner of Josat satellite channel, is also one of the five defendants in the case, along with Islamist Jaafar Horani, opposition activist and former Member of Parliament Ghazi Abu Gneib Al Fayeze and political commentator Labib Kamhawi, who were guests on the talk show. According to numerous observers, the channel was suspended because Ghazi Abou Gneib Al Fayeze had criticised the King on the talk show.⁵⁷⁹

The Audiovisual Commission was criticised in the press for the channel being suspended. In response, the Director of the Audiovisual Commission, Amjad Al-Qadi, denied that the Commission had been involved in the suspension, declaring “we had nothing to do with this decision”.⁵⁸⁰ He claimed that broadcasting was stopped by the satellite provider, Nile Sat, because Josat had not paid them the transmission fees. The Commission filed a lawsuit against Josat for not paying its licence fees for up to two years. Josat finally paid the fees and its licence was renewed on 3 March 2014.⁵⁸¹

577 Interview with Amjad Al-Qadi, Jordan Media Commission Director, 6 May 2015.

578 Sahar Ali. September 2013. “Statistical Data Collection Project on the Film and Audiovisual Markets in 9 Mediterranean Countries”, p. 37.

579 Khaled Neimat. 6 February 2013. MP’s trial to go forward despite immunity. *The Jordan Times*. Available at: <http://www.jordantimes.com/news/local/mps-trial-go-forward-despite-immunity>.

580 1 August 2012. Josat administration: political reasons behind stopping the channel transmission. *Jordan Media Monitor*. Available at: <http://goo.gl/FBOVXr>.

581 Interview with Amjad Al-Qadi, Jordan Media Commission Director, 6 May 2015.

E. Levels of Public Trust and Confidence in the Media

3.11 The public displays high levels of trust and confidence in the media

As a general point, it is worth noting that no specialised media audience surveys have been conducted in Jordan. However, there are some studies which have included questions on this issue as part of a broader study. For example, the Center for Strategic Studies' (CSS) *Annual Polls on Democracy in Jordan* for 2011,⁵⁸² which was the latest such poll at the time of writing, addressed "the role of broadcasting media and the trust that people have for local political news". The vast majority of respondents in the CSS survey felt that "the Jordanian media is honest and fair" regarding: "local news coverage" (78 per cent), "presentation of both sides of an issue" (73 per cent) and reporting citizens' problems to the responsible officials (73 per cent). A significant majority of 70 per cent viewed television as the most trusted source for local political news, with 11 per cent viewing the Internet as the most trustworthy, followed by six per cent for newspapers and five per cent for radio.

These results largely correspond with those of a 2012 IPSOS survey in Jordan⁵⁸³ regarding the most trusted source for local news. According to that survey, 73 per cent trust television the most followed by 18 per cent for news websites and three per cent for newspapers.

These somewhat surprising results in terms of the low percentage of respondents trusting newspapers or radio as a source for local news could be due in part to the fact that television attracts the largest audiences. According to the IPSOS survey, 90 per cent of respondents watch television, 30 per cent listen to radio, 18 per cent use the Internet for local news, but only 11 per cent read newspapers.

In the 2011 CSS poll, slightly over one-third (34 per cent) of respondents considered Jordanian Television to be the most trusted source for local political news. At the same time, the 34 per cent trust rating represents a decline of four per cent since the 2010 survey, 11 points since 2009 and 17 points since the years 2007 and 2008. In 2011, satellite news channel Al-Jazeera came second after Jordan Television with 20 per cent, compared to 29 per cent in 2006. Fact International (Al-Haqiqa) came in third place with 12 per cent, a decline of three per cent since 2010.

⁵⁸² The Center for Strategic Studies in the University of Jordan. 18 January 2011. Annual polls on Democracy in Jordan, pp. 27, 36. The poll included a sample of 1950 people from across Jordan, with equal numbers of males and females, and is based on a stratified clustered sample method. Available at: <http://css.ju.edu.jo/Photos/635066455531678818.pdf>.

⁵⁸³ 15 October 2012. IPSOS study: Saraya, Alrai, Al-Wasit, Rotana radio and MBC1 TV, are the most watched by Jordanians. Saraya news website. Available at: <http://www.sarayanews.com/index.php?page=article&id=168678>. The survey was conducted during the period June-July 2012 and the sample included 3200 people who were above 15-years old from 12 Jordanian governorates. Participants were interviewed in person, one from each house, selected according to gender, age and accommodation, based on the Department of Public Statistics. Available at: <http://www.sahafi.jo/files/65b9e33a9b7a7956a2d1300d67ce8b54509e3f6b.html>.

There has been a relative decline in trust in all of the Jordanian and Pan-Arab satellite TV channels since the highs of around 2006-2008, which could be attributed to the dramatic increase in Internet penetration in Jordan since then. According to the 2011 CSS poll, the percentage of Internet users rose to 74 per cent in 2010 and 83 per cent in 2011, compared to 55 per cent in 2008.

There is little information about trust in social media, but usage has increased sharply in recent years. The *Arab Social Media Report 2013* found that Facebook users in the Arab region increased threefold during the period June 2010 to June 2012, from 16 to 45 million users. Among the 22 countries studied, Jordan had the second highest percentage of Facebook users among its population, after the UAE.⁵⁸⁴ A 2013 study, *The Jordanian Youth Movement in the Arab Spring*, describes how social networks, i.e. Facebook, Twitter and YouTube, were used to organise protests and create social movements from 2010 onwards.⁵⁸⁵

In a survey among journalists, carried out as part of the CDFJ's report, *Status of Media Freedoms in Jordan 2014: Dead End*, a systematic random sample of 250 journalists were asked about which players exercised the most influence over the media. The responses are set out in Table 14:

Table 14: Players Exercising the Most Influence Over the Media⁵⁸⁶

Players exercising the most influence over the media	Percentage
1. Government	15 per cent
2. The intelligence department	13 per cent
3. The Royal Court	12 per cent
4. Other security bodies	11 per cent
5. Businessmen	10 per cent
6. Advertising companies	9 per cent
7. Civil society organisations	6 per cent
8. Public relations departments	5 per cent
9. The JPA, other unions, and other parties	4 per cent each
10. The general public	1 per cent

The remarkably low perceived influence of the general public over media outlets is perhaps a matter of some concern.

⁵⁸⁴ Dubai School of Government. 2013. Arab Social Media Report 2013, p. 13.

⁵⁸⁵ Mohammad Bani Salameh. 2013. *The Jordanian Youth Movement in the Arab Spring*. Badil Center for Studies and Research and Foundation for the Future, p. 13. Available at: <http://goo.gl/MTBaAa>.

⁵⁸⁶ Center for Defending Freedom of Journalists. 2014. *Status of Media Freedom in Jordan 2014: Dead End*, p. 25.

3.12 Media organisations are responsive to public perceptions of their work

There are different channels through which media institutions interact with their audiences and respond to their requests and concerns. The research team is not aware of any specific studies on this issue, but there is anecdotal evidence about how this works.

For example, in two exceptional cases in June 2013, two broadcasters responded to audience demands by cancelling planned programmes. Amman municipality's FM radio Hawa Amman and the private Ro'ya TV channel both agreed to stop the planned launch of shows which had been announced as part of their Ramadan programming.⁵⁸⁷ These decisions were made in response to Facebook and Twitter campaigns,⁵⁸⁸ organised by social media activists, including a petition signed by 300 people demanding that the two shows be cancelled.⁵⁸⁹ The petition accused the presenters of the shows of having written discriminatory articles.

Earlier, in 2008, the Secretary General of the National Committee for Jordanian Women, Asma Khader, sent a letter to *Al Ghad's* then editor-in-chief, George Hawatmeh, protesting against a cartoon by Emad Hajjaj, published in *Al Ghad* on 10 July 2008, which suggested that women accepted being beaten and humiliated by men. Khader and other women activists, including Senator Haifa Abu Ghazaleh, viewed the cartoon as creating "a negative stereotype of women".⁵⁹⁰ *Al Ghad* did not, however, respond to the letter or to the criticism of the cartoon in the press.

The different outcomes in 2013 and 2008 might be interpreted as evidence of the increasing power of social networks as interactive channels of communication between professional media and their audiences. They may also represent an increase in sensitivity on the part of media outlets regarding their audiences.

Some media have taken active steps to establish forums for interacting with their audiences. Al-Balad Radio, for example, established the first radio listeners' club in Jordan and, in 2011, conducted a detailed survey among its members to understand their views.⁵⁹¹ Also in 2011, the Security Directorate's FM radio station, Amen, established a listeners' club, with

⁵⁸⁷ Sawsan Zaidah, 1 July 2013. Holds media accountable: the audience does what governments and journalists failed to do. *7iber* online magazine. Available at: <http://www.7iber.com/2013/07/audience-regulates-media/>.

⁵⁸⁸ 27 June 2013. No for polluting Amman Air with Al-Majali's racism. A Facebook and Twitter campaign. Available at: <https://www.facebook.com/events/209780622505173/>.

⁵⁸⁹ 9 June 2013. A petition of 300 signatures: Al-Majali and Qorsha's statements full under the legal article of inciting to violence. Jo24 news website. Available at: <http://www.jo24.net/?page=article&id=35028#.Uc2ECJbLk3Q.twitter>.

⁵⁹⁰ 24 July 2008. Cartoonist Hajjaj's woman image criticized by women activists. *Al Sijill*. Available at: <http://www.al-sijill.com/pdf/issue%2036.pdf>.

⁵⁹¹ Abla Mohammed Rwaies. 21 December 2011. The Experience of Jordanian Community Radios in the Development of Local Society: A Case Study of Radio al Balad's Listeners' club. An MA thesis supervised by Professor Issam Suleiman Al-Mousa. Middle East University. Available at: <http://elibrary.medi.u.edu.my/books/2014/MEDIU7521.pdf>.

membership being open to the public. According to the radio's website,⁵⁹² the aims of the club are to manage the relationship between the station and its listeners, to exchange ideas about programmes and to introduce new ideas which are not covered by other media outlets.

In general, most news websites and online portals of newspapers allow readers to comment on news and other content. Media outlets – broadcast, online and print – depend heavily on social networks, particularly on Facebook, to disseminate their content and to interact with their audiences. Most media outlets have a Facebook page on which the audience can comment on articles and shows, including the selection of topics, format, quality of content, and the performance of presenters, wproducers and editorial staff.

Most private radio stations have at least three live programmes or segments daily, which vary from two to three hours each, during which listeners who phone in drive the programme. Morning shows usually provide the opportunity to audiences for people to express their concerns regarding public services, late morning shows mostly target housewives, focus on family, lifestyle and health issues, while evening shows target people driving back home after work and cover social issues and entertainment.⁵⁹³

⁵⁹² 7 July 2011. Membership in Amen FM radio's Listeners Club is open. Amen FM radio website. Available at: <http://amenfm.jo/jonews/club/74.html>.

⁵⁹³ Sawsan Zaidah. 14 May 2014. Morning radio show: from complaining about a broken water pipe to nepotism and begging. 7iber.com. Available at: <http://www.7iber.com/2014/05/radioprogramsjbc/>.

F. Safety of Journalists

3.13 Journalists, associated media personnel and media organisations can practice their profession in safety

Both the JPA and the Center for Defending Freedom of Journalists (CDFJ) have reported on issues relating to the safety of journalists.

JPA's third report on Press and Media Freedoms Indicators in Jordan 2014 notes that the overall media freedom score for Jordan in 2014 was 47.61 per cent, falling into the category of Relative Freedom (39.5 per cent - 59.6 per cent), which was similar to the results of the JPA's reports for 2012 and 2013.⁵⁹⁴ The report also details serious violations against journalists, including physical and verbal assaults, threats and harassment, and so on. Table 15 reflects the findings for 2013 and 2014:

Table 15: JPA: Serious Violations Against Journalists in 2013-2014

	Serious violations	2013	2014
1	Killing	0	0
2	Kidnapping	0	0
3	Withholding of freedom	49	62
4	Torture or rough treatment	18	16
5	Dismissing from work	45	44
6	Summoning by security agencies	29	35
7	Warnings	37	34
8	Verbal assaults (slander)	63	57
9	Physical assault threats	39	24
10	Humiliation	46	29
11	Pressures to reveal sources of information	82	144
12	Threats of prosecution	78	101
13	Fears of arbitrary transfer from one job or workplace to another	70	88

The head of the JPA Public Freedoms Committee, Salah Al-Abbadi, explains that instances of physical harassment are usually associated with coverage of demonstrations or other public events, when security agencies detain, for few hours, journalists who are covering riots or protests. Threats of physical abuse are sometimes made by those who might be exposed

⁵⁹⁴ Jordanian Press Association. 2014. Third report on Press and Media Freedoms Indicators in Jordan, pp. 9-12. The survey is based on questionnaires distributed to 582 journalists and managers from daily and weekly newspapers, Jordan News Agency, JRTV, private radio and TV stations and news websites.

by the media, such as perpetrators of crimes or financial corruption. In general, however, these remain isolated cases. Al-Abbadi also interprets the dramatic increase in pressures on journalists to reveal sources of information in 2014 as compared to 2013 as being due to “the expansion of the news websites sector which employs young journalists who lack experience and knowledge regarding their right to protect their sources of information.” He adds that the main parties which violate this right are government officials and commercial advertisers.⁵⁹⁵

CDJF’s 2011 report on media freedom in Jordan was particularly critical of the attacks committed by security personnel and the gendarmerie against journalists covering the Al-Nakheel Square demonstration on 15 July 2011. The report concluded that the attack was deliberate and intentional, and that a high number of male and female journalists suffered beatings, curses, and the destruction of their cameras and mobile phones, even though they were wearing vests distributed by security forces to distinguish them from other participants in the demonstration.⁵⁹⁶

According to CDFJ’s report, *Status of Media Freedoms in Jordan 2014: Dead End*, there is an ongoing problem of violations against media outlets. The Report concluded that arbitrary detention and physical abuse rates were high compared to other violations, and that they were among the more serious violations found in Jordan.⁵⁹⁷ Table 16 details the violations committed from 2011 to 2014.

Table 16: CDFJ: Serious Violations against Journalists from 2011-2014⁵⁹⁸

	Type of Violation	2011	2012	2013	2014
1	Physical abuse (subject to torture, rough treatment or injuries)	26	10	19	16
2	Verbal assaults and slander	4	14	8	11
3	Threats of killing	-	-	-	2
4	Threat to personal safety	22	11	14	13
5	Withholding of freedom	10	7	6	19
6	Arbitrary or illegal detention	7	0	4	16
7	Causing harm to equipment or property	0	5	5	7
	Total	69	47	56	84

⁵⁹⁵ Interview with Salah Al-Abbadi, Head of the JPA Public Freedoms Committee and Al Rai reporter, 24 May 2015.

⁵⁹⁶ Center for Defending the Freedoms of Journalists. 2011. Status of Media Freedoms in Jordan, 2011. p. 30.

⁵⁹⁷ Center for Defending Freedom of Journalists. 2014. Status of Media Freedom in Jordan 2014: Dead End, p. 16.

⁵⁹⁸ See: Center for Defending the Freedoms of Journalists. 2011. Status of Media Freedoms in Jordan, 2011; 2013. Status of Media Freedoms in Jordan, 2013; and 2014. Status of Media Freedom in Jordan 2014: Dead End, p. 16.

JMC's Director, Amjad Al-Qadi, notes that no media outlet has been closed down or threatened with such a measure in an illegal manner.⁵⁹⁹ CDFJ Director, Nidal Mansour, and Head of the Freedoms Committee at JPA, Salah Al-Abbadi, both agree.⁶⁰⁰

JPA's Al-Abbadi underlined that media outlets share the responsibility of providing protection to their journalists, including through awareness-raising about safety risks, which is currently inadequate. "Every journalist should undertake a training course upon starting his job to be trained on how to cover potentially sensitive events and to get acquainted with his responsibilities and rights." According to Al-Abbadi, some media outlets provide legal support to their staff while journalists can also seek legal support from the JPA.⁶⁰¹

IMPUNITY

Impunity in cases of physical assaults on journalists in Jordan is very high, says CDFJ Director, Nidal Mansour, attributing this to the following factors: the lack of strong political will on the part of the authorities to investigate these cases; the failure of victims to follow up on their cases and to document them or sue the violators; and problems with the underlying legislation, which requires victims to identify the assailant, although in most countries it is the job of the police to investigate cases.⁶⁰² There are documented cases of concerned authorities refusing to receive complaints from victims because they "did not identify perpetrators and their names with accuracy," and others where the authorities claimed that "the cases were not under their jurisdiction."⁶⁰³

Al-Abbadi also says that those who commit violations against journalists are not held accountable. He attributes this impunity to the fact that, "when the security apparatus opens an investigation in such cases, nobody is prosecuted and investigations remain open or cases are closed on grounds that the offender could not be found".⁶⁰⁴

CDFJ's 2011 report was titled *Impunity* and an entire section was dedicated to that issue, and to the legal and practical obstacles to accountability, justice and compensation. The report identified the obstacles that prevent journalists from obtaining justice when their rights are violated. These included, "the desire of the concerned security agencies to hide the identity of the violators." According to the report, the assailants did not wear badges that would reveal the names or official numbers of the attacking officers. Among the causes of impunity, according to the report, is the fact that attacks by police officers are often supported by private parties (thugs) and that the police help the latter get away unpunished.⁶⁰⁵

⁵⁹⁹ Interview with Amjad Al-Qadi, Jordan Media Commission Director, 4 March 2015.

⁶⁰⁰ Interview with Nidal Mansour, Center for Defending Freedom of Journalists Director, 16 February 2015 and interview with Salah Al-Abbadi, Head of the JPA Public Freedoms Committee and Al Rai reporter, 24 May 2015.

⁶⁰¹ Interview with Salah Al-Abbadi, Head of the JPA Public Freedoms Committee and Al Rai reporter, 15 February 2015.

⁶⁰² Interview with Nidal Mansour, Center for Defending Freedom of Journalists Director, 15 February 2015.

⁶⁰³ Center for Defending the Freedoms of Journalists. 2011. Status of Media Freedoms in Jordan, 2011, p. 215.

⁶⁰⁴ Interview with Salah Al-Abbadi, Head of the JPA Public Freedoms Committee and Al Rai reporter, 24 May 2015.

⁶⁰⁵ Center for Defending the Freedoms of Journalists. 2011. Status of Media Freedoms in Jordan, 2011, p. 214.

The CDFJ's 2014 report reveals that:

Until now, no official or employee entrusted with implementing the law has been indicted in any assault case on a journalist. The step by the public security apparatus to form a committee to investigate the assaults against journalists last year (2014) near Al-Kalouti mosque was welcome, although it is not an independent committee. However, although evidence was available that the violation did take place, including video footage documenting the event at the sit-in location, the committee emphasised that no member of the public security forces committed any violation. On the contrary, it demanded that the claimant journalists be pursued.⁶⁰⁶

The committee, after hearing from different stakeholders, concluded that Members of the public security forces and the gendarmerie were not responsible for the attacks due to the absence of any evidence implicating them, as noted in official letter number 4/4/9/45666 dated 19 November 2014 which was sent to CDFJ.⁶⁰⁷

3.14 Media practice is not harmed by a climate of insecurity

Self-censorship appears to be on the rise again in Jordan. Tracking of self-censorship by CDFJ between 2009 and 2014 is detailed in Table 17.⁶⁰⁸

Table 17: CDFJ's Self-Censorship Index⁶⁰⁹

Index of self-censorship	Year	2009	2011	2012	2013	2014
	Percentage		96	87	86	91

In the 2013 and 2014 surveys, journalists were asked if they practised self-censorship and about the topics which they tended to avoid writing about, in two categories. First, the survey asked journalists to rate a number of agencies and subjects that they tended to *avoid criticising*. Second, the survey asked journalists about the three topics they most often *avoided mentioning* (i.e. at all). The results are presented in Table 18.

⁶⁰⁶ Center for Defending Freedom of Journalists. 2014. Status of Media Freedom on Jordan 2014: Dead End, p. 57. The incident at the Al-Kalouti mosque involved clashes with the security forces and a number of arrests, including of at least one journalist, during a protest directed at the Israeli Embassy which is nearby.

⁶⁰⁷ Center for Defending Freedom of Journalists. 2014. Status of Media Freedom on Jordan 2014: Dead End, p. 37.

⁶⁰⁸ Refer to the Report for an explanation of the methodology behind these figures.

⁶⁰⁹ See Center for Defending Freedom of Journalists. 2014. Status of Media Freedom on Jordan 2014: Dead End.

Table 18: Main Perceived Sources of Self-Censorship⁶¹⁰

Groups Covered	2013 (per cent)		2014 (per cent)	
	Avoid Criticising	Avoid Mentioning	Avoid Criticising	Avoid Mentioning
1. Armed forces	88	21	93	
2. The Royal Court			90	23
3. Judiciary	83		86	
4. Tribal leaders	77		87	
5. Religious issues	76	13		75
6. Security services	73	15	84	
7. Arab leaders			82	
8. Religious leaders			72	
9. Foreign leaders			56	
10. Sexual issues				78

One participant in the focus group discussion with representatives of news websites and civil society activists, Sami Al-Hourani, from Diwanieh, noted: “Many laws are vague, which leads to self-censorship”. Kamal Khouri, from the satirical website Alhudood, said: “I exercise self-censorship for fear of the law and society harassments”.⁶¹¹

In another focus group discussion for journalists, participants talked about the increasing pressures on and threats faced by journalists since Jordan engaged militarily with ISIS in Syria and with the Houthis in Yemen. Freelance journalist and blogger, Mohammad Omar, noted that self-censorship increased after Kasasbeh’s case [the Jordanian pilot who was killed by ISIS in February 2015], including because of fear of a reaction by extremists who might accuse them of being traitors if they are critical about the military engagements. Mahmoud Moghrabi, the managing editor of Khaberni news website, noted: “We practise self-censorship whenever the military forces are mentioned. Once we wrote a critical article about an arms exhibition organised by the military forces, and they called us to remove the article.”⁶¹² Participants in the focus group noted that self-censorship among journalists reached its peak after the publisher and editor of Saraya News website were sent to jail after being convicted by the State Security Court for promoting terrorist views after publishing ISIS

⁶¹⁰ See Center for Defending Freedom of Journalists. 2013. Electronic Blackout, Media Freedom Status in Jordan; and 2014. Status of Media Freedom on Jordan 2014: Dead End. The results are organised, as relevant, in the order of the figures from 2013.

⁶¹¹ Focus group on news websites, 19 February 2015.

⁶¹² Focus group for journalists, 30 March 2015.

declarations in January 2015.⁶¹³

The managing editor at *Al Rai*, Omar Assaf, said that journalists who write against mainstream views risk being insulted and threatened on social networks. Suheir Jaradat, a reporter at Jordan News Agency (Petra), adds: “We, in the official media, practise self-censorship because we know in advance that we have to write only positive stories and if we write negative pieces, they will not be published, which means that we lose our sources’ trust and our audiences. Sometimes, we omit information we think will not be published”.⁶¹⁴

Pressure to self-censor also comes from criminals. Moghrabi, from the Khaberni news website, gives an example: “The website received information about criminals who had been caught by the police in Alloban, an area known for being controlled by illegal weapons traders. But the police themselves told us that they could not guarantee our safety if we wrote about the case, mentioning the name of the area. So we did not publish the news”.⁶¹⁵

⁶¹³ 29 January 2015. Saraya explains reasons behind arresting its publisher. As Sabeel website. Available at: <http://goo.gl/szNdL0>.

⁶¹⁴ Focus group for journalists, 30 March 2015.

⁶¹⁵ Ibid.

Recommendations

1. Media outlets, both publicly and privately owned, need to make more of an effort to ensure that they serve all of the people living in Jordan, including the various refugee populations, in terms both of giving voice to their perspectives and of providing them with the information they need.
2. The media sector, including both publicly and privately owned media, should strive to become a leading sector in terms of equitable employment practices and, in particular, it should strive to ensure more equal representation of women at all levels of staff.
3. The JRTVC Law needs to be comprehensively revised so as to:
 - transform JRTV into an independent body, overseen by a governing board which is appointed in a manner which ensures that it is protected in practice against both political and commercial interference and which allows for public input into the appointments process as well as for gender balance;
 - ensure that JRTV benefits from editorial independence;
 - provide for a clear public interest mandate for JRTV; and
 - ensure that JRTV is able to access adequate funding in a manner that does not subject it to political interference or government control.
 - Beyond these legal changes, JRTV should in practice be allowed, and should take the necessary steps, to operate as a credible public service broadcaster.
4. The Jordan News Agency Law also needs to be revised so as to ensure that the standards noted above apply to the public news agency, Jordan News Agency (Petra).
5. The government should continue to deliver on its promises to ensure that the new public television station is able to operate as an independent public service station, including by ensuring that it enjoys the standards noted above for JRTV.
6. A broad public consultation could be undertaken to determine the future of the publicly owned newspapers, *Al Rai*, *Ad Dustour* and *The Jordan Times*. Whatever form they finally take, there needs to be transparency regarding their ownership, and they should enjoy editorial independence and not be subject to government interference.
7. Ongoing consultations, involving all interested stakeholders, need to be continued with a view to establishing an independent complaints mechanism(s) for the media. At a minimum:
 - the body which oversees the system should be independent of government and sufficiently independent of the media sector to maintain public trust and arrive at fair decisions;
 - the system should involve a clear and appropriate code of conduct against

which to assess complaints, which should not be unduly vague or include inappropriate limitations;

- the available sanctions should be limited, notably for the print media sector, to carrying a correction, reply or statement by the oversight body; and
 - for the broadcasting sector, given its use of public spectrum, the rules should include a requirement to be balanced and impartial in relation to politics and other matters of public concern.
9. Media outlets need to make an effort to ensure that their output and activities are as professional as possible, paying special attention to the need to be balanced and impartial in their news and current affairs reporting.
 10. Officials, and in particular members of the security forces, should never engage

in physical abuse of or threats against media workers, whether directly or via third parties. This includes unwarranted detentions of journalists, for example when they are covering political events or demonstrations. Instead, the security forces should provide protection to journalists when they may be at risk.

11. Where attacks against journalists do occur, the relevant authorities should condemn them and allocate adequate resources to ensure that a proper investigation takes place and that, whenever possible, those responsible are brought to justice.
12. Steps need to be taken to ensure that all journalists, including part-time and freelance journalists, and journalists working for smaller media outlets, benefit from adequate health, safety and other forms of social security protection.

Category 4

Professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity



Key Indicators

A. AVAILABILITY OF PROFESSIONAL MEDIA TRAINING

- 4.1 Media professionals can access training appropriate to their needs
- 4.2 Media managers, including business managers can access training appropriate to their needs
- 4.3 Training equips media professionals to understand democracy and development

B. AVAILABILITY OF ACADEMIC COURSES IN MEDIA PRACTICE

- 4.4 Academic courses accessible to wide range of students
- 4.5 Academic courses equip students with skills and knowledge related to democratic development

C. PRESENCE OF TRADE UNIONS AND PROFESSIONAL ORGANISATIONS

- 4.6 Media workers have the right to join independent trade unions and exercise this right
- 4.7 Trade unions and professional associations provide advocacy on behalf of the profession

D. PRESENCE OF CIVIL SOCIETY ORGANISATIONS

- 4.8 CSOs monitor the media systematically
- 4.9 CSOs provide direct advocacy on issues of freedom of expression
- 4.10 CSOs help communities access information and get their voices heard

Category 4

Professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity

A. Availability of Professional Media Training

4.1 Media professionals can access training appropriate to their needs

Capacity building is an important support system for freedom of the media and for an independent, professional media, and it is also closely linked to the development of professional unions and effective systems of self-regulation.⁴¹⁶ The Jordanian Media Strategy (2011-2015) emphasises strengthening the professional capacities of the Jordanian media,⁴¹⁷ including by establishing an independent media training centre, launching the King Abdullah Award for Media Excellence,⁴¹⁸ and promoting investigative journalism. The Strategy's Action Plan sets different time frames for fulfilling different objectives. The establishment of an independent media training centre was supposed to take place during the second quarter of 2013; the deadline for the launch of the King Abdullah Award for Media Excellence was the second quarter of 2015; and the promotion of investigative journalism was supposed to take place by the second quarter of 2013. These objectives have not yet been met; according to the Minister of State for Media Affairs, one of the reasons for this is lack of funds.⁴¹⁹

There has been growing interest in media training in Jordan over the last ten years, which is reflected in the number of training providers. In addition to universities and academic institutions, these include media outlets (some media outlets even have their own training centres, such as JRTV and Petra News agency), civil society organisations, the JPA, private sector bodies, whose presence has been growing in the training sector, and technical and professional consultants.

⁴¹⁶ Basim Tweissi, Raed Sulieman, Nassim Tweisi. 2014. Quality of Media Training in Jordan, p. 5.

⁴¹⁷ Official Gazette, Media Strategy (2011-2015), pp. 2, 13. Available at: http://www.pm.gov.jo/arabic/index.php?page_type=pages&part=1&page_id=430.

⁴¹⁸ It may be noted, however, that the consultative committee for the Media Strategy has decided that this will not be implemented for now, due to a lack of funding.

⁴¹⁹ Minister of State for Media Affairs commenting during the launch of the report Tahat Al Mijhar, at an event titled: Taghyeer Forum – Reform of Media in Jordan Status Quo and Future, 28 March 2015.

Given the relatively large number of organisations offering media training in Jordan, there is some debate about whether or not it is necessary to establish an independent media training centre. Some argue that having an independent national media training institute is important, including to coordinate and streamline training initiatives. Others argue that it is more important to promote the sustainability of training and to reinforce its long-term impact.⁴²⁰

A major report in 2014, *Quality of Media Training in Jordan*, on the quality of media training in Jordan from a journalist's perspective, was based on a survey of 212 journalists from different media outlets, with a response rate of 90 per cent (i.e. there were 181 responses). The sample was representative in terms of different types of media (print and broadcast), ownership structures, size of media, gender, experience and education.⁴²¹ The report suggests that 40 per cent of training programmes are funded by international organisations, as compared to 27 per cent by local CSOs and 44 per cent by media outlets.⁴²² The report also found that the continuity of training programmes funded by international organisations and CSOs cannot always be ensured. Other general challenges for media training in Jordan are the capacity of both trainers and trainees, "modest spending allocations on training", and weak coordination among the different stakeholders providing media training.⁴²³

Training programmes for journalists are provided by both domestic and external organisations, although the latter are less prevalent.⁴²⁴ The 2014 report found that 74 per cent of respondents had participated in training carried out by local organisations, 40 per cent in training programmes funded by international organisations, and 30 per cent had received training programmes abroad.⁴²⁵

International training providers can be divided into those that are specialised in the media field and those which are not. International organisations include UNESCO, Journalists for Human Rights (JHR), IREX, the Norwegian Institute of Journalism, International Media Support (IMS), the Konrad Adenauer Stiftung (KAS) and Friedrich Naumann Foundation for Freedom (FNF).⁴²⁶

⁴²⁰ Phone interview with Nidal Mansour, Center for Defending Journalists Freedom, 27 April 2015.

⁴²¹ Basim Tweissi, Raed Sulleman, Nassim Tweisi. 2014. *Quality of Media Training in Jordan*. The study took into consideration the representation of different media sectors including press, news agencies, radio, television and online news websites. In terms of ownership, the study covered publicly owned media (30 per cent), public sector media (20 per cent), private sector media (40 per cent), and civil (community based) media (10 per cent). Regarding years of experience, 37 per cent had between 11-20 years of experience, 13.8 per cent had 21 + years, 19.3 per cent had 6-10 years and 29.3 per cent had 5 years or less.

⁴²² This adds up to more than 100 per cent because of some cases of co-funding.

⁴²³ Basim Tweissi, Raed Sulleman, Nassim Tweisi. 2014. *Quality of Media Training in Jordan*, p. 19.

⁴²⁴ Nidal Mansour, Center for Defending Journalists Freedom, commenting in a focus group discussion on training and education, 11 February 2015.

⁴²⁵ Basim Tweissi, Raed Sulleman, Nassim Tweisi. 2014. *Quality of Media Training in Jordan*, pp. 18-20.

⁴²⁶ See Friedrich Naumann Foundation, FNF Project Office Amman. September 2012. *Middle East Digital Activism*. Available at: <https://www.facebook.com/fnf.amman/photos/a.122804214442214.24604.107807919275177/405858876136745/>. See also Konrad Adenauer Stiftung, Jordan Office: <http://www.kas.de/jordanien/en/publications>.

Local organisations which work in the area of media capacity building, often in partnership with international or regional organisations include the Community Media Network (CMN), the Jordan Media Institute, the Arab Reporters for Investigative Journalism (ARIJ), the Center for Defending Journalists Freedom (CDFJ) and the Arab Women Media Center (AWMC). More recently established organisations include Imdad Media Center and Da3em. Jordan Media Institute (JMI) offers both media training and MA degrees in collaboration with the University of Jordan.

As an example of the training provided by one of these different organisations, JMI provides training on video journalism, cross media platforms, journalism fundamentals, IT skills and social media, photo journalism, specialised reporting, reporting on human rights, reporting on gender issues and in-depth reporting.⁴²⁷ According to its 2014 Annual Report, JMI conducted 37 workshops and training programmes that year, involving 671 Arab and Jordanian participants.⁴²⁸ Arab Reporters for Investigative Journalism (ARIJ), founded in 2005, specialises in providing training on investigative journalism. Since it was founded, ARIJ has taken the lead role in providing “accountability journalism” training for media students and professors in Jordan and in countries across the region.

TYPES OF TRAINING AVAILABLE

A 2006 study on the professional status of Jordanian journalists included a survey of journalists from daily and weekly newspapers. It found that 81 per cent of new journalists had received training of some kind, as shown in Table 19.

Table 19: Different Types of Training⁴²⁹

Type of training	Percentage
1. News and editing	28 per cent
2. Computer skills	3 per cent
3. English language	1 per cent
4. All three of the above	26 per cent

The 2014 report, *Quality of Media Training in Jordan*, found that 68 per cent of those surveyed had received training on writing and editing, 44 per cent on code of ethics and legal issues, 43 per cent on investigative journalism and 39 per cent on radio skills. Only 19 per cent indicated they had taken part in training programmes provided in foreign languages.⁴³⁰

⁴²⁷ Jordan Media Institute. World Class Journalism Training Programmes. See: http://www.jmi.edu.jo/en/Content/C-17/Training#ad-image-ContentPlaceHolder1_rptGallery_A1_0.

⁴²⁸ Jordan Media Institute. 2014. Annual Report 2014, p. 2.

⁴²⁹ Tayseer Abu Arja. 2006. Practical Studies and Issues, pp. 29-49, cited in Basim Tweissi, Raed Sulieman, Nassim Tweissi. 2014. Quality of Media Training in Jordan, p. 12. The study included financial status of journalists, journalism training, publication issues, availability of journalists (full time/part-time) and political orientation of journalist.

⁴³⁰ Basim Tweissi, Raed Sulieman, Nassim Tweissi. 2014. Quality of Media Training in Jordan, pp. 17, 29.

Participants at a focus group discussion noted that training tends to focus on less controversial topics such as strengthening professional standards, and that there is a need to integrate topics such as good governance, management, transparency and dialogue between management and staff into training programmes.⁴³¹

DISTRIBUTION OF TRAINING OPPORTUNITIES

Training is generally concentrated in Amman, to the detriment of other urban areas,⁴³² as well as rural areas.⁴³³ Abdallah Mbaideen, Assistant Training Manager with the Jordan Media Institute, noted: "We suffer from a lack of training outside of the capital Amman, as well as a lack of training techniques and qualified trainers in the media sector."⁴³⁴ Participants from governorates other than Amman do take part in most training programmes, but they often do not exceed five per cent of attendees.⁴³⁵ Some organisations focus their training activities in the other governorates.⁴³⁶ IREX, for example, has been involved in Irbid, located in the north of Jordan, through a partnership with 12 local civil society organisations.⁴³⁷

There are a number of opportunities for regional and international exchanges and programmes.⁴³⁸ ARIJ, for example, involves graduates of their programmes ('ARIJeans') in international conferences in Ukraine and Canada, among others, where they are given the opportunity to present their experiences and exchange ideas on investigative reporting.⁴³⁹ ARIJ also offers a twinning programme with Danish media as part of the Danish-Arab Partnership Programme (DAPP) which aims to promote mutual understanding, to enhance professionalism and to build partnerships and networks.⁴⁴⁰

The International Center for Journalists (ICFJ) also offers international exchange programmes. ICFJ organises two-week training programmes on an ongoing basis targeting digital media outlets. In 2014 and 2015, representatives from Ziber took part in the programme.⁴⁴¹ IREX's USAID-funded Takamol Research and Communications Fellowship Program targets

431 Focus group discussion on training and education of 11 February 2015.

432 Rawan Jayousi, Radio Manager, Radio Al Balad, commenting in a focus group discussion on training and education of 11 February 2015.

433 Nahla Al Moumani, Head of Training Unit, National Center for Human Rights, commenting in a focus group discussion on training and education of 11 February 2015.

434 Phone interview with Abdallah Mbaideen, Jordan Media Institute, Assistant Training Manager, 28 April 2015.

435 Phone interview with Naregh Galoustian, Senior Programs Manager, Journalists for Human Rights, 25 February 2015.

436 Nour Al Deen Al Khamayseh, Media Trainer, commenting in a focus group discussion on training and education of 11 February 2015.

437 Phone interview with Ala Al Hussieni, former Programme Manager, IREX, 20 April 2015.

438 Basim Tweissi, Raed Sulleman, Nassim Tweisi. 2014. Quality of Media Training in Jordan, p. 30.

439 Phone interview with Saad Hatter, communication and journalism consultant, 15 April 2015.

440 Jensen, Modot, Raffelberg, Jannusch, Shalabieh. 2013. Evaluation of Media Cooperation under the Danish Arab Partnership Programme (2005 -12). Ministry of Foreign Affairs of Denmark, pp. 90-94. Available at: http://www.oecd.org/derec/denmark/17_Arab_partnership_DANIDA2013.pdf.

441 International Center for Journalists, ICFJ Professional Fellows from the U.S., Winter 2015. See: <http://www.icfj.org/icfj-professional-fellows-us-winter-2015>.

candidates from the Jordan Media Institute, the Center for Women's Studies at the University of Jordan and youth completing their BA and MA studies in Jordanian Universities for fellowships abroad.⁴⁴²

There are also opportunities to access distance learning through a number of organisations, such as the Friedrich Naumann Foundation for Freedom, which provides online seminars on different topics throughout the year through its sister organisation, the International Academy for Leadership.⁴⁴³ Topics range from strategic planning to freedom of the press and of information.⁴⁴⁴

For graduates, the Jordan Media Institute's internship programme provides distinguished students with the opportunity to undertake internships with regional and international news media and news agencies, such as AFP in Paris, CNN Arabic in Dubai, Deutsche Welle in Berlin, EFE's branch in Cairo, and Al Arabiya in the UAE. According to the Jordan Media Institute, approximately 40 per cent of its graduates intern abroad.⁴⁴⁵

TRAINING QUALITY

The 2014 report suggests that training is good in some areas and modest in others. Respondents stated that the overall training quality provided by local organisations was below that provided by international organisations. Participants at a focus group discussion which included representatives of media CSOs affirmed that many training programmes do not meet the specific needs of journalists or media outlets. Some participants felt journalists often perceive these training courses more as "entertainment" than as serious professional exercises.⁴⁴⁶

In terms of specific comments by participants, one emphasised the fact that there is a lack of assessment of needs,⁴⁴⁷ while another stated that training projects are "donor-driven", especially taking in consideration lack of funding among CSOs. One trainer noted that once when he asked for a needs assessment he was "asked to set the objectives himself".⁴⁴⁸ Another was of the view that most organisations only conduct needs assessments to fulfil donor obligations, that training was often not directed at the appropriate target group and that there was no sustainability or follow-up after the training.⁴⁴⁹

⁴⁴² IREX, Takamil - Jordan Gender Programme. See: <https://www.irex.org/projects/takamol/>.

⁴⁴³ Friedrich Naumann Foundation for Freedom, International Academy for Leadership, Seminars and Workshops. See: <http://visit.fnst.org/programs/iaf/#Seminars-and-Workshops>.

⁴⁴⁴ Friedrich Naumann Foundation for Freedom, International Academy for Leadership, Seminar Abstract. See: http://visit.fnst.org/wp-content/uploads/2015/01/4_Abstract_Freedom-of-the-Press-2015.pdf.

⁴⁴⁵ Jordan Media Institute, Alumni. Available at: <http://www.jmi.edu.jo/en/content/C-32/Alumni>.

⁴⁴⁶ Focus group discussion on training and education of 11 February 2015.

⁴⁴⁷ Adel Karim Al Wahsh, Media Expert and Trainer, commenting in a focus group discussion on training and education of 11 February 2015.

⁴⁴⁸ Phone interview with Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, 26 April 2015.

⁴⁴⁹ Phone interview with Abdallah Mbaideen, Jordan Media Institute, Assistant Training Manager, 28 April 2015.

The problem of training being donor-driven was also noted in the JMI's annual report for 2014, which pinpointed the weak responsiveness of media training to the needs of local journalists and journalism students, in part due to an over-reliance on foreign funding, in addition to a lack of coordination among training providers, an absence of impact assessment and short training periods. The report also indicated that spending on training remained modest and that there was resistance among media outlets to give their employees time off for training.⁴⁵⁰

Nabil Al Sharif, former Minister for Media Affairs and Head of Imdad Media Center, noted: "In light of the actual needs of journalists, there is an urgent need for a national training strategy, a non-governmental one."⁴⁵¹

The 2014 report concluded that the impact of training programmes on media outlets is still limited due to weak interest from managers in training as a tool to improve media performance, limited evaluation of the performance of media workers who have received training and lack of professional recognition for having received training.⁴⁵²

Most interviewees in the focus group discussion on training agreed that training courses needed to provide more opportunities for production.⁴⁵³ The 2014 report found that most respondents considered most training programmes to be not sufficiently focused on practical issues. The majority of training sessions last for only two days, which is not long enough to cover both theoretical and practical components, especially given that the latter require more time.⁴⁵⁴ As one consultant noted: "There is an urgent need for more interactive training programmes and for more impact assessment."⁴⁵⁵

At the same time, some organisations do deliver more practically-oriented training. Production of investigative reports is, for example, an essential part of training on investigative journalism provided by ARIJ.⁴⁵⁶ Workshops conducted by JHR in cooperation with local organisations usually last for five days and combine production and training. "Our workshops are highly practical," stated the Senior Programs Manager of JHR. "Workshops are usually an introduction to practical on-the-ground work using the knowledge and skills acquired during the training, and follow-up is key. Follow-up work with journalists is carried out through a mentorship programme."⁴⁵⁷

On the issue of technology, one participant in the focus group discussion noted: "If news

450 10 March 2015. Jordan Media Institute Publishes Annual Report on Media Training. Petra News Agency. Available at: http://petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=186104&CatID=14

451 Nabil Al Sharif, Former Minister for Media Affairs and Head of Imdad Media Center, commenting in a focus group discussion on training and education of 11 February 2015.

452 Basim Tweissi, Raed Sulieman, Nassim Tweisi. 2014. Quality of Media Training in Jordan, p. 30.

453 Focus group discussion on training and education of 11 February 2015.

454 Basim Tweissi, Raed Sulieman, Nassim Tweisi. 2014. Quality of Media Training in Jordan, p. 30.

455 Phone interview with Saad Hatter, communication and journalism consultant, 15 April 2015.

456 Phone interview with Saad Hatter, communication and journalism consultant, 15 April 2015.

457 Phone interview with Naregh Galoustian, Senior Programs Manager, Journalists for Human Rights, 25 February 2015.

is moving towards social media, then training needs to cover that as well".⁴⁵⁸ Another commentator also noted the challenge of keeping up with changing technology: "We are not able to keep up with ICT developments, although we have integrated that subject into data journalism training. An additional challenge is that it is difficult to persuade beneficiaries of the importance of this type of training."⁴⁵⁹

SOURCE MATERIAL

In 2009, ARIJ and UNESCO launched the Arabic version of UNESCO's manual for investigative journalists, *Story Based Inquiry*.⁴⁶⁰ ARIJ produces a number of manuals and other material in both English and Arabic, with a focus on the latter. They concentrate on topics such as investigative journalism and using computers and the Internet in media work, and also include material containing advice from prominent journalists.⁴⁶¹

Jordan Media Institute's (JMI) online library offers access to specialised Arabic and English books on media and journalism, and includes a section with documentary films, journals and magazines. An e-library is also available in which students can register to search, reserve and borrow books. The e-library also includes memberships in several databases.⁴⁶²

The Jordan Centre for Mass Communication Research, an academic non-profit online centre, provides access to research on mass communication and related material for students of journalism and mass communication. The number of downloads of material from the database as of 10 May 2015 was 5,931.⁴⁶³

GENDER BREAKDOWN IN MEDIA TRAINING

A study conducted in 1999 found that there was limited participation by professional women in media training activities.⁴⁶⁴ This problem continues until today according to participants at a focus group discussion on training.⁴⁶⁵ While most media training programmes do involve women, this is still in smaller numbers than men. There is also very limited training specifically targeting women.

⁴⁵⁸ Khaled Hijab, Executive Director of Tech Tribes, commenting in a focus group discussion on training and education of 11 February 2015.

⁴⁵⁹ Phone interview with Abdallah Mbaideen, Jordan Media Institute, Assistant Training Manager, 28 April 2015.

⁴⁶⁰ Arab Reporters for Investigative Journalism (ARIJ). January 2011. ARIJ and UNESCO guide Professors of Media to Integrate Investigative Journalism Courses into their curricula. Available at: <http://en.arj.net/news/arj-and-unesco-guide-professors-of-media-to-integrate-investigative-journalism-courses-into-their-curricula/>.

⁴⁶¹ Arab Reporters for Investigative Journalism (ARIJ). 2009. ARIJ Manual for Arab Investigative Journalism. Available at: <http://arj.net/materials>.

⁴⁶² Jordan Media Institute, Online Catalog, JMI Library. Available at: http://www.jmi.edu.jo/en/Content/C-27/Library#ad-image-ContentPlaceHolder1_rptGallery_A1_0.

⁴⁶³ Jordan Center for Mass Communication Research. See: <http://www.jcmcr.com/?t=Studies>.

⁴⁶⁴ Izzat Hijab, Mahmoud Shalabieh. 1999. Professional Women in Jordanian Media. Magazine of Social and Humanitarian Sciences, University of Emirates, Volume 15, number 1, pp. 159-191.

⁴⁶⁵ Nahla Al Moumani, Head of Training Unit, National Center for Human Rights, commenting in a focus group discussion on training and education of 11 February 2015.

The Arab Women Media Center (AWMC), as the name indicates, mainly targets women and its activities range from media training and awareness-raising to advocacy. AWMC covers print, radio and television in its training programmes, with an overall focus on providing job opportunities for unemployed women journalists.⁴⁶⁶ AWMC's activities include conferences on the role of women journalists in a democracy, human rights, responding to regional and international politics, and fighting racism.⁴⁶⁷ Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, was of the view that AWMC is the only organisation that has truly taken gender balance in consideration in a sustainable manner.⁴⁶⁸

4.2 Media managers, including business managers can access training appropriate to their needs

A significant challenge to training media managers has been attributed to resistance from them, and from editors-in-chief, to participating in training programmes. The Dean of the Jordan Media Institute confirmed that, during his two years at the Jordan Media Institute, the Institute had tried to involve senior managers and editors-in-chief in training but found that they were very unresponsive. He suggested, however, that "second line management, i.e., heads of departments", are much more responsive to such training opportunities. He also noted that there were almost no training programmes oriented towards business skills.⁴⁶⁹ Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, stated: "I have never trained a single editor-in-chief. They often feel that they do not require training."⁴⁷⁰

At the same time, there have been attempts by some civil society organisations, such as ARIJ, to promote greater engagement of editors-in-chief in training, for example through discussion sessions and retreats.⁴⁷¹ Journalists for Human Rights also plans to provide training for media managers and editors-in-chief towards the second half of 2015 in partnership with local organisations.⁴⁷²

4.3 Training equips media professionals to understand democracy and development

The 2014 report, *Quality of Media Training in Jordan*, suggests that there is a weakness in university curricula when it comes to democratic values and emphasising the role of the media in promoting democratic participation. It further suggests that topics related to democracy and human rights are not received with high interest among journalists in general.⁴⁷³ The lack

⁴⁶⁶ Arab Women Media Center, AWMC Story and History, AWMC Strategy and Objectives. Available at: <http://www.ayamm.org/english/AboutUs.htm>.

⁴⁶⁷ Arab Women Media Center, Arab Women in Media Conferences. See: <http://www.ayamm.org/english/opening.htm>.

⁴⁶⁸ Phone interview with Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, 26 April 2015.

⁴⁶⁹ Phone interview with Basim Tweissi, Dean of Jordan Media Institute, 17 May 2015.

⁴⁷⁰ Phone interview with Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, 26 April 2015.

⁴⁷¹ Phone interview with Saad Hatter, communication and journalism consultant, 15 April 2015.

⁴⁷² Phone interview with Naregh Galoustian, Senior Program Manager, Journalists for Human Rights, 25 February 2015.

⁴⁷³ Basim Tweissi, Raed Sulieman, Nassim Tweisi. 2014. *Quality of Media Training in Jordan*, pp. 20-21.

of specialised trainers in this area in Jordan was highlighted as another obstacle by one of the media experts consulted for this report. As a result, foreign experts need to be involved.⁴⁷⁴

The Jordan Media Institute (JMI), the Center for Defending Freedom of Journalists (CDFJ) and the Community Media Network (CMN), in cooperation with Journalists for Human Rights (JHR), have been providing training on coverage of human rights issues.⁴⁷⁵

There is a training gap when it comes to training programmes concerning codes of ethics, law, information technology, new media, video reporting, media management and specialised media in Jordan.⁴⁷⁶

B. Availability of Academic Courses in Media Practice

4.4 Academic courses accessible to wide range of students

Six universities in Jordan offer degrees in journalism including Yarmouk University in the North of Jordan (the only public university among the six) and the private universities of Petra, Jadara, Middle East, Zarqa and Philadelphia, all located in the centre or the North of Jordan. Jadara, Zarqa and Philadelphia Universities offer undergraduate degrees, while Yarmouk, Petra and Middle East Universities offer both undergraduate and post-graduate degrees in journalism. In addition, the Jordan Media Institute offers a Master's programme in journalism which was launched in 2010 in cooperation with the University of Jordan, a public university.

Yarmouk University was the first to create a journalism programme, establishing what started off as the Department of Journalism and Mass Communication in 1980, and then developed into the Faculty of Mass Communication in 2008. The faculty in Yarmouk includes the Department of Journalism, the Department of Radio and Television, and the Department of Public Relations and Advertising. Petra University established the first journalism department among private universities in Jordan in 1991, and now provides both academic and practical courses to train students in print, visual, audio, and electronic media.

Observers have noted that there is room for improvement in terms of coordination and building synergies between academic institutions, media outlets and specialised training organisations in terms of defining priorities, subjects and training curricula. "We can take the training component in the Jordan Media Strategy (2011-2015) as a base and build on it" commented an instructor at Petra University.⁴⁷⁷ One concrete suggestion is for universities to establish partnerships with training centres.

⁴⁷⁴ Phone interview with Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, 26 April 2015.

⁴⁷⁵ Phone interview with Naregh Galoustian, Senior Programs Manager, Journalists for Human Rights, 25 February 2015.

⁴⁷⁶ Basim Tweissi, Raed Sulieman, Nassim Tweisi. 2014. Quality of Media Training in Jordan, p. 31.

⁴⁷⁷ Nisreen Abdallah, Media Faculty at Petra University, commenting in a focus group discussion on training and education of 11 February 2015.

At Yarmouk University, the leading university in the field of journalism, the study plan for the Bachelor's degree in radio and television provides for only six hours of practical training over the entire four-year programme.⁴⁷⁸ This was confirmed by the Dean of the Mass Communication Faculty,⁴⁷⁹ who agreed that the practical training component for journalism students is weak. According to a former Dean of the Faculty of Journalism at Yarmouk University, part of even these six hours is more theoretical than practical: "What is stated in the plan is one thing, implementation is another".⁴⁸⁰ Based on the study plans of the six universities that grant degrees in mass communication, practical training is weak in most private Jordanian universities as well. The Director of International Affairs at one of the private universities noted that most members of the academic staff are relatively senior in age and that many are not familiar with the requirements of practical training, so it is challenging for them to provide it.⁴⁸¹ Assistants to Instructors, who are usually Master degree holders, are often responsible for supervising what practical training is provided.⁴⁸²

A number of academics recommended increasing the practical academic component to 50 per cent of all class time in order to improve the academic outcomes among journalism students. Instead of just theoretical knowledge, they felt that students should graduate with key journalistic skills and the capacity to produce high quality material.⁴⁸³

Internships are another way for students to gain practical knowledge. A main challenge here is that journalism students can only dedicate time for internships or on-the-job experience during the summer breaks, which are eight weeks long, whereas media outlets usually request that internships last for three to six months. Petra University sets a good example in one of its courses, Field Training, which requires students to spend 120 hours training in a media institution. Yarmouk University's practical training requirement is for 80 hours, although this is not always respected in practice. JMI is one of the few institutions which includes a more significant focus on practical training. According to one academic, "JMI offers continuous practical training throughout its MA programme".⁴⁸⁴

There is a shortage of specialised instructors in journalism departments in Jordan, which may only hire lecturers who have PhDs. For example, there are just a handful of radio and

478 Yarmouk University, Admission and Registration Department, Study Plan for Bachelors Degree in Radio and Television. See: http://admreg.yu.edu.jo/en/index.php?option=com_docman&task=cat_view&gid=191&Itemid=159.

479 Phone interview with Hatem Alawneh, Dean of Mass Communication Faculty, Yarmouk University, 31 March 2015.

480 Phone interview with Izzat Hijab, former Dean, Faculty of Journalism, Yarmouk University, 28 April 2015.

481 Phone interview with Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, and Coordinator of "Studio Project", 14 May 2015.

482 Phone interview with Izzat Hijab, former Dean, Faculty of Journalism, Yarmouk University, 28 April 2015.

483 Academics who took part in the Workshop on Academic Media Education in Yarmouk included Deans of Mass Communication/Journalism Departments, the Minister of State for Media Affairs and the Head of Audiovisual Commission, who is also an academic.

484 Phone interview with Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, and Coordinator of "Studio Project", 14 May 2015.

television specialists teaching journalism in Jordan.⁴⁸⁵ This shortage not only means that journalism departments struggle to offer adequate practical training but it has also resulted in lecturers having to teach specialised topics outside of their fields of expertise. This problem can be traced back to the small number of journalism students who obtain scholarships to pursue PhD programmes, given the intense competition for scholarships. This, combined with the relatively modest incomes of most journalism students, has led to a shortage of specialised PhD holders and a limited pool of people for university journalism departments to draw on.

The Head of the Media and Journalism Department at Petra University highlighted this concern, noting that a good percentage of those who teach mass communication have specialised in other fields, such as politics or management. They are hired “under the pressure” of not having enough properly qualified academics to do the job. The high turnover among academic staff exacerbates this problem.⁴⁸⁶

The Dean of Yarmouk’s Mass Communication Faculty stated that an important challenge is that academic media courses, whether on radio and television, journalism or public relations and advertising, have not been updated for years, although certain topics have been added.⁴⁸⁷ The former Dean of the Faculty of Journalism at Yarmouk agreed, noted that changing the curriculum is not as easy as one may think. If there is a decision to replace a second year course, for example, it needs to be replaced with a course of the same level, after meeting the necessary administrative procedures and providing a proper justification for the change.⁴⁸⁸

Social media and ICT content is currently not well integrated into academic curricula and there is little involvement of experts in that field to support faculty members. Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, suggested that the current ICT curricula, which is too superficial, should be revised.⁴⁸⁹

In terms of upgrading staff skills, not all faculty members are able to take advantage of the trainings which do take place. An adequate and effective training programme should range in length from between three and six months, and universities tend to be unwilling to let go of academic staff for such a long period of time. Izzat Hijab, former Dean of the Faculty of Journalism at Yarmouk University, suggested that training programmes should be arranged

⁴⁸⁵ Phone interview with Mahmoud Shalabieh, Head of Radio and Television Department, Faculty of Mass Communication at Yarmouk University and Dean of Journalism at Al Dar University in Dubai, 31 March 2015.

⁴⁸⁶ Workshop on Academic Media Education in Yarmouk recommends increasing practical component in journalism faculties up to 50 per cent to Resolve Weakness of Output. TLB News. The workshop, conducted on 13 September 2014, was organized by the Media Strategy Committee 2011-2015 at Yarmouk University. Available at: <http://goo.gl/3F4S1Z>.

⁴⁸⁷ Phone interview with Hatem Alawneh, Dean of Mass Communication Faculty, Yarmouk University, 31 March 2015.

⁴⁸⁸ Phone interview with Izzat Hijab, former Dean, Faculty of Journalism, Yarmouk University, 28 April 2015.

⁴⁸⁹ Phone interview with Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, and Coordinator of “Studio Project”, 14 May 2015.

in the afternoon.⁴⁹⁰

Although journalism departments do not focus sufficiently on practical training, they do appear to have reasonably adequate training equipment and technical facilities.⁴⁹¹ However, an expansion and upgrade of equipment would be needed if the recommendation to increase substantially the amount of practical training were accepted. Universities often rely on project funding for equipment, which tends to operate on a relatively short-term basis, for example of one to two years. Equipment bought at the outset of the project may become outdated by the end of the project, given the fast pace of development in the ICT sector.⁴⁹²

Yarmouk University has three media labs, one for each of the following departments: radio and television, journalism and public relations, and advertising. A modern lab was established recently for news editing, which is equipped with 30 computers and specialised printers.⁴⁹³ At the same time, there are a number of shortages. For example, there is not enough editing equipment to guarantee all students sufficient opportunities to develop the relevant skills. Middle East University is supported by USAID and they received funding for cameras, but Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, claims that in general the equipment is not good.⁴⁹⁴ Jordan Media Institute is equipped with a TV studio, a radio studio, a newsroom and an equipment room which contains video cameras, photo cameras and voice recorders, among other equipment.⁴⁹⁵

4.5 Academic courses equip students with skills and knowledge related to democratic development

The study plans of Petra, Zarqa and Yarmouk Universities and the Jordan Media Institute include courses on ethics and the legal framework governing the media in Jordan. The Jordan Media Institute includes democratic principles in its course on media law and ethics,⁴⁹⁶ but this does not appear to be the case with the other three universities.⁴⁹⁷

490 Phone interview with Izzat Hijab, former Dean, Faculty of Journalism, Yarmouk University, 28 April 2015.

491 Jensen, Modot, Raffelberg, Jannusch, Shalabieh. 2013. Evaluation of Media Cooperation under the Danish Arab Partnership Programme (2005 -12). Ministry of Foreign Affairs of Denmark, p. 70. Available at: http://www.oecd.org/derec/denmark/17_Arab_partnership_DANIDA2013.pdf.

492 Phone interview with Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, and Coordinator of "Studio Project", 14 May 2015.

493 Yarmouk University, Facilities. Available at: http://www.yu.edu.jo/en/?option=com_k2&view=itemist&layout=category&task=category&id=14&Itemid=175.

494 Phone interview with Sara Naser Al Deen, Trainer and Director of International Affairs, Middle East University, and Coordinator of "Studio Project", 14 May 2015.

495 Jordan Media Institute, Facilities. Available at: http://www.jmi.edu.jo/en/Content/C-28/Facilities#ad-image-ContentPlaceHolder1_rptGallery_A1_0.

496 Jordan Media Institute, MA in Journalism and New Media, Course Descriptions (under media law and ethics). See: <http://www.jmi.edu.jo/en/content/53/Courses>.

497 University of Petra, Department of Media and journalism, Course Description. See: <http://www.uop.edu.jo/En/Academics/FacultyofArtsandSciences/MediaandJournalism/Pages/CourseDescription.aspx>. Zarqa University, Press Section and Media, Study Plan. Available at: http://www.zu.edu.jo/en/Collage/Press_and_Media/Dept_

A former Dean of the Faculty of Journalism of Yarmouk University recommends including courses on democratic principles as part of the standard journalism curriculum at all universities, with the possibility of a further focus on these topics in specialised courses.⁴⁹⁸ Another academic stated: “Training is mostly on technical issues and as long as it is focused on this we will not improve. Increasing journalists’ awareness about human rights is essential; students are not used to thinking independently and analysing data.”⁴⁹⁹ The only reference to critical thinking among the various study plans is found in two Jordan Media Institute courses, ‘Topical Issues in Jordan and the Middle East’ and ‘Research Methods and Computer Assisted Research’.⁵⁰⁰ The only reference to computer assisted research (CAR) is, once again, in JMI’s study plan,⁵⁰¹ although the other study plans do include communication technology and multimedia/electronic media among their subjects.

In practical terms, very few academic institutions meet the objective of equipping students with skills and/or knowledge on democracy and related issues. This was confirmed by one of the trainers, who stated that most curricula are weak in that area,⁵⁰² and then confirmed by the Dean of the Mass Communication Faculty of Yarmouk University.⁵⁰³ Investigative journalism has not yet been integrated into the study plan of Yarmouk University although there are plans to do so in cooperation with Arab Reporters for Investigative Journalism (ARIJ).⁵⁰⁴ However, Jordan Media Institute and Petra University have already incorporated investigative journalism into their plans to some extent.

C. Presence of Trade Unions and Professional Organisations

4.6 Media workers have the right to join independent trade unions and exercise this right

The situation in Jordan regarding unions is characterised by mandatory membership of a single organisation that serves as a union but is really more of a professional association in its makeup and justification. As a result, the JPA is the only recognised association that represents journalists in Jordan.

PressAndMedia/GetStudyPlan.aspx?id=6 and Yarmouk University, Faculty of Mass Communication, Study Plans. Available at http://admreg.yu.edu.jo/en/index.php?option=com_docman&task=cat_view&gid=190&Itemid=159.

⁴⁹⁸ Phone interview with Izzat Hijab, former Dean, Faculty of Journalism, Yarmouk University, 28 April 2015.

⁴⁹⁹ Nisreen Abdallah, Media Faculty at Petra University, commenting in a focus group discussion on training and education of 11 February 2015.

⁵⁰⁰ Jordan Media Institute, Courses. Available at: <http://www.jmi.edu.jo/en/Content/53/Courses>.

⁵⁰¹ Jordan Media Institute, MA in Journalism and New Media, Course Descriptions. Available at: <http://www.jmi.edu.jo/en/content/53/Courses>.

⁵⁰² Phone interview with Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, 26 April 2015.

⁵⁰³ Phone interview with Hatem Alawneh, Dean of Mass Communication Faculty, Yarmouk University, 31 March 2015.

⁵⁰⁴ Interview with Kathy Sullivan, Programme Director, ARIJ, 4 March 2015.

As noted above, under Indicator 1.8, there are limits on who may join the JPA and many media professionals who consider themselves to be journalists are not eligible for membership. Eligibility for membership has been expanded but this has not necessarily been reflected in the actual membership, which is dominated by workers from the print media. This has led to the JPA being mainly concerned with issues relating to newspapers, such as the current economic woes of print media outlets.

According to a feature report by 7iber, journalists at six major media institutions, mostly governmental, constitute 75 per cent of the JPA's members. These are *Al Rai* and Petra News Agency (19 per cent each), *Ad Dustour* (15 per cent), *Al Ghad* (nine per cent), *Al Arab Al Yawm* (eight per cent) and JTVR (6 per cent).⁵⁰⁵ In the 2014 elections, 700 journalists out of the 832 members who were eligible to vote after paying their dues, or 86 per cent, took part. From among those who voted, more than 75 per cent worked for state media outlets.⁵⁰⁶

This situation also manifests itself in the makeup of the JPA Council, which has historically been dominated by employees of state media outlets. The current Council is comprised of four journalists from *Al Rai*, including the JPA President, two from *Ad Dustour*, two from Petra, one from JRTV and one from *Al Ghad*, along with the full-time JPA Director, Fakhri Abu Hamda. Hamda has been a Council member in 17 consecutive Councils over the last 36 years, and JPA Director for two decades. The previous Council consisted of five members from *Ad Dustour*, three from *Al Rai*, including the JPA President, two from Petra and the JPA Director. The President of the Association has been someone from *Al Rai* for the past 13 years, including Tariq Al Momani for 10 years, who was appointed editor-in-chief of *Al Rai* in May 2015,⁵⁰⁷ and Abdul Wahab Zgheilat for three years, who was *Al Rai's* editor-in-chief at the time. Before that, Saif Al-Sharif, from *Ad Dustour*, presided over the Association for 10 years.⁵⁰⁸

In 2013, JRTV programme producers and presenters who are not allowed to join the JPA (i.e. those who do not work in news departments) established the Society for Jordanian Broadcasters.⁵⁰⁹ Some presenters from private radio and television stations, as well as Jordanian presenters who work in non-Jordanian radio and television stations, have also joined. JTV programme producer and presenter and member of the Society for Broadcasters, Eman Thatha, says "After we were prevented from becoming JPA members, we decided to

505 16 February 2015. JPA: Monopoly by Law report. 7iber.com. Available at: <http://www.7iber.com/2015/02/jordan-press-association-excluding-journalists/>.

506 25 April 2014. Momani defeats Saaydeh in Jordanian Press Association election. Sahafi.jo portal on media affairs. Available at: <http://www.sahafi.jo/files/18b7d18489597704382630b015fc8b0c9c38196d.html>.

507 Omar Obeidat. 28 May 2015. Jordan Press Foundation carries out shake-up in top posts. The Jordan Times. Available at: <http://jordantimes.com/jordan-press-foundation-carries-out-shake-up-in-top-posts>.

508 List of JPA Boards' Members (1953-2014), Jordan Press Association website. Available at <http://www.jpa.jo/List.aspx?lng=2&Pa=Page&ID=3>.

509 26 December 2013. Society for Broadcasters demands to join the JPA. Khaberni news website. Available at: <http://goo.gl/c04fx4>.

establish our own association. This is a loss for the JPA.⁵¹⁰ Awni Al-Daoud, Vice President of the JPA Council and an editor at *Ad Dustour*, agrees that all radio and television programme producers and presenters should have the right to join the JPA.⁵¹¹

President of the Society for Jordanian Broadcasters, Hatem Al-Kiswani, says:

There are 130 members in the Society so far. They are mainly from the JRTV but we aim to involve more members from private broadcasters. We also prepared a draft law for the Society. We have two legal options: to submit it to the Office of the Prime Minister or to the Parliament. We decided to go through the Parliament. On 21 April, we met with the Lower House Speaker Atef Tarawneh and we informed him that we are planning to present the draft law to the Parliament to go through legal channels. But he advised us to wait because the time is not convenient. So we decided to wait.⁵¹²

In 2011, the Electronic Journalism Society was launched for journalists working at news websites, because the JPA Law did not allow them to join the Association at the time (see Indicator 1.8). The JPA opposed the establishment of the Society, and its Council issued a statement in which it pledged to “respond decisively to any attempts to fragment the journalism body by creating new organisational frameworks under different names but with similar goals to those of the Association.”⁵¹³ The JPA attempted at the time to appeal against the Social Development Ministry’s decision to approve the Society, arguing that journalism is legally limited to the JPA, but the Higher Court of Justice dismissed the lawsuit “on procedural grounds”.⁵¹⁴ The CDFJ report *Status of Media Freedoms in Jordan, 2011*, described the JPA case as “a violation of the right to form societies and the freedom to join associations”.⁵¹⁵

FREEDOM TO ESTABLISH UNIONS

Journalists do not have the right to set up a separate union to the JPA. Article 98 of the Labour Law states that a committee, headed by the Minister of Labour, shall decide, among other things, which professions and industries are not allowed to establish more than one union because of similarity or linkage in one comprehensive product.⁵¹⁶

⁵¹⁰ Comments by Eman Thatha, JTV programme producer and presenter and member of the Society for Broadcasters, during a focus group on the Jordanian Press Association, 18 March 2015.

⁵¹¹ Comments by Awni Al-Daoud, member of the JPA Council and editor in *Ad Dustour*, during a focus group on the Jordanian Press Association, 18 March 2015.

⁵¹² Interview with Hatem Al-Kiswani, President of the Society for Jordanian Broadcasters, 9 July 2015.

⁵¹³ 22 August 2001. Jordanian Press Association resists firmly attempts to divide it. Ammon News website. Available at: <http://www.ammonnews.net/article.aspx?articleNo=95536>.

⁵¹⁴ Sawсан Zaidah. 16 February 2015. JPA: Monopoly by Law. The Higher Court of Justice decision No (9) dismissed lawsuit number 350/2011, on 16 October 2011. Available at: <http://www.7iber.com/2015/02/jordan-press-association-excluding-journalists/>.

⁵¹⁵ Center for Defending the Freedoms of Journalists. 2011. *Status of Media Freedoms in Jordan, 2011*, p. 210.

⁵¹⁶ Labour Law no. 26 for the year 2010. Available at: <http://jts.org.jo/images/qonan/qanon%20al3mal%2015-7-2010.pdf>.

Article 16(2) of the Constitution was amended in 2011 to add the word “unions”, so that that it now reads: “Jordanians shall have the right to establish societies, unions and political parties, provided their objective is lawful, their methods peaceful, and their by-laws not in violation of the provisions of the Constitution.” This suggests that a plurality of unions may be formed. Article 128 of the Constitution sets a deadline of three years to make changes to bring laws into line with the amendments, which expired in November 2014. No changes were introduced to the Labour Law within this time period.

According to Ahmad Awad, labour activist and Director of the Phenix Centre for Economic Studies and Informatics:

Around 13 independent unions were established after the constitutional amendment. Some of the unions applied to the Ministry of Labour and their applications were rejected based on Article 98 of the Law of Labour. Other professional unions applied to the Office of the Prime Minister and haven't got responses.⁵¹⁷

According to international law, any group of workers has the right to establish its own union. This flows from the International Labour Organisation's (ILO) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). These conventions are at the core of the ILO Declaration on Fundamental Principles and Rights at Work, which is binding on Jordan as an ILO member.

The right to establish unions is also consistent with Article 20 of the *Universal Declaration of Human Rights*,⁵¹⁸ which states: “Everyone has the right to freedom of peaceful assembly and association.” Article 22 of the *International Covenant on Civil and Political Rights*,⁵¹⁹ which Jordan has ratified, reads: “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.”

The dilemma goes beyond mere legal issues, according to Ahmad Awad, labour activist and Director of the Phenix Center for Economic Studies and Informatics. He notes that it is necessary to distinguish between two types of activities. The first is professional regulation, undertaken by public or quasi-public bodies that regulate different professions, such as engineers, doctors and lawyers. According to Awad, these are not unions, but rather associations established by law to regulate the work of practitioners of the same profession. “In fact, I don't know why they are called *naqabat* (in Arabic, this word is used to refer to both trade unions and professional associations) regardless of their importance. In reality they undertake public roles such as giving licences to practise the profession, imposing penalties

⁵¹⁷ Interview with Ahmad Awad, labour activist and Director of the Phenix Centre for Economic Studies and Informatics, 9 July 2015.

⁵¹⁸ See footnote 84.

⁵¹⁹ See footnote 87.

on violators, and sometimes collecting fees for the Association.”

The second type of activity referred to by Awad is that carried out by unions in the proper sense. These are private bodies the job of which is to advocate on behalf of their members. According to Awad: “What the media sector requires is to be allowed to establish a union that defends its interests. Under the existing system, the employer and the employee are members of the same body so it is unclear who the Association is actually defending.”⁵²⁰

CDFJ’s Director, Nidal Mansour, who has been a JPA Council member twice, stated that participation by journalists in JPA affairs was limited, that elections were predictable, and that the Association remained within the circle of entities which are subject to government control. “I think such a landscape will not change unless pluralism is allowed in the professional associations sector.”⁵²¹ Omar Abanda, former four-time member of the JPA Council and former President of a Disciplinary Board, says he was a victim of external manipulation of the voting preferences when he ran for election in 2008.⁵²²

A survey conducted by the Al-Quds Center for Political Studies, *The status of the press and media freedoms in 2011*, found that 66.4 per cent of respondents, including both members and non-members of the JPA, were not satisfied with the performance of the JPA, against 33.6 per cent who said they were. Table 20 shows the percentage of journalists who agreed with the statement that “the Association is under the control of the government, while security agencies interfere in its affairs, especially elections”.

Table 20: Journalists who felt the JPA was Under Government Control⁵²³

Degree of agreement	Percentage
1. Strongly agreed	39 per cent
2. Moderately agreed	42 per cent
3. Agreed to some degree	8 per cent
4. Did not agree	10 per cent

INTERNATIONAL MEMBERSHIPS

The JPA is one of the founders of the Federation of Arab Journalists, which was established in 1964, and has been a member of the International Federation for Journalists since 2003. JPA President, Tariq Al Momani, notes:

⁵²⁰ Ahmad Awad 3 April 2014. Eye on Media report. Phenix Center for Economic Studies and Informatics. Available at: <http://goo.gl/af4cme>.

⁵²¹ Interview with Nidal Mansour, Center for Defending Freedom of Journalists Director, 16 February 2015.

⁵²² Comments by Omar Abanda, former member of the JPA Council for four semesters and former president of a Disciplinary Council, during a focus group on the Jordanian Press Association, 18 March 2015.

⁵²³ Al-Quds Center for Political Studies. 2011. Press Reality and Media Freedoms Status. Available at: http://jmm.jo/application./uploads/assets/jmm_1325338429_8159.pdf.

The two federations support the JPA in defending media freedoms in Jordan. The Federation of Arab Journalists has contributed to developing joint proposals to amend media legislation to support media freedoms. The members of the JPA benefit from the services provided by the two federations, such as training and capacity building for journalists. The JPA has signed contracts with other Arab journalists' associations to cooperate in workshops and capacity building programmes for journalists. The JPA will participate in a regional meeting to discuss solutions for the newspapers' financial crisis in the Arab World.⁵²⁴

SOCIAL PROTECTION FOR STAFF

In general, Jordan has relatively good social protection systems compared to many other countries in the region. A report titled *Social Protection in Jordan 2014*, issued by Jordan Labor Watch, stated that the social security system was robust although it suffered from weak inclusiveness and limited coverage in the area of health. The report noted that only civil servants and their families, citizens below six years and over 60 years of age, as well as heart, cancer, and kidney patients were covered by the public health care system. There was also insufficient allocation of resources to the health care system.⁵²⁵

Most journalists working as staff for major media outlets are provided with medical insurance covering injuries they sustain while at work. In addition, Jordan's Labour Law makes it mandatory for all employers to register their regular staff with the Social Security Corporation and to obtain a social security number for them. Social security provides insurance cover against disability, death, work-related injuries, illness, maternity and unemployment.⁵²⁶

However, these benefits do not apply to freelancers. Salah Al-Abbadi, Head of the Freedoms Committee at the JPA, justifies this by saying that the law stipulates that all those who practise journalism should be full-time journalists, not freelancers. He said the number of freelancers was quite limited, and he regretted that some media outlets, especially news websites, hired people on the basis of 'purchasing services'.⁵²⁷ However, as noted above, these legal restrictions are problematic.

CDFJ's Mansour noted that, "job security guarantees are absent in small media outlets such as the majority of news websites, while well-established media firms like dailies and other major outlets cannot hire anyone without having a social security account." Mansour believes

⁵²⁴ Interview with Tariq Al Momani, President of Jordanian Press Association, 12 March 2015.

⁵²⁵ Labor Watch Jordan. 19 November 2014. *Social Protection in Jordan 2014*. This was produced through an affiliate programme of the Phenix Center for Economics and Informatics Studies in cooperation with the Friedrich Ebert Foundation of Germany. Available at: <http://www.labor-watch.net/en/read-news/382>.

⁵²⁶ Awareness Workshop on the Provisional Social Security Law no. 7 for the year 2010, 20 June 2013. Vision Institute for Civil Society and Good Governance Studies. Available at: <http://vicss.org/jo/GUI/news/ViewNewsDetails.aspx?nid=256#sthash.hOotCyLb.dpuf>.

⁵²⁷ Interview with Salah Al-Abbadi, Head of the JPA Public Freedoms Committee and Al Rai reporter, 15 February 2015.

that the “safety network designed for journalists should go beyond social security to include life insurance and insuring them against the hazards of the job”.⁵²⁸

JPA members benefit from the Association’s Fund for Cooperation and Social Security, which was established by the Bylaw for Cooperation and Social Security for Members of the Jordanian Press Association.⁵²⁹ The Fund provides financial support to members, for example if they lose their jobs, and to survivors after their death. Enrolment in this Fund is automatic for all JPA members who are registered in the Practitioners Record and who have met all their financial obligations to the Association, apart from members who registered after the adoption of this Bylaw and who were 50 years old or more when they registered (see Article 4 of the Bylaw).

JPA members can take advantage of the Association’s Pension Fund for Members of the Jordanian Journalists Association which is established according to the Bylaw for Members of the Jordanian Press Association.⁵³⁰ The Fund aims to provide pension benefits for members or their dependent family members. Enrolment in this Fund is automatic, although members pay more or less into the Fund and receive different benefits based on their contributions. JPA members also have access to a health care system regulated by the Bylaw for Journalists’ Health Insurance.⁵³¹ This Bylaw creates a Fund for Journalists’ Health Insurance with the goal of providing health care to journalists and their families. Registration in the Fund is optional.

4.7 Trade unions and professional associations provide advocacy on behalf of the profession

In Jordan, as in many parts of the world, daily newspapers are going through an economic crisis the effects of which have been unfolding since 2011. The three newspapers most affected by this crisis are *Al Rai*, *Ad Dustour*, and *Al Ghad*, which employs the largest number of journalists.⁵³²

The most severe crisis has been at *Al Arab Al Yawm* daily newspaper, which suspended distribution operations for two months in 2013 and resumed only after cutting the number of journalists and columnists drastically, from 70 to 10. At the time, workers at *Al Arab Al Yawm* staged a series of strikes where they were joined by the JPA and journalists from other papers in solidarity. Negotiations that involved the JPA and the Labour Ministry ended with settlements that some found satisfactory but many others saw as inadequate.

⁵²⁸ Interview with Nidal Mansour, Center for Defending Freedom of Journalists Director, 16 February 2015.

⁵²⁹ The Amended Bylaw of the Bylaw for Cooperation and Social Security for Members of the Jordanian Press Association, no. 97 for the year 2007. Available at: <http://www.jpa.jo/Inner.aspx?lng=2&pa=Details&Type=13&ID=250>.

⁵³⁰ Bylaw of Pension for Members of Jordanian Press Association, no. 64 for the year 2014. Issued on 7 May 2014. Available at: <http://www.jpa.jo/Upload/Files/News-13-323-1.pdf>.

⁵³¹ Bylaw for Journalists’ Health Insurance, no. 95 for the year 2001, based on Jordanian Press Association Law no. 15 for the year 1998. Available at: <http://www.jpa.jo/Inner.aspx?lng=2&pa=Details&Type=13&ID=249>.

⁵³² Sawсан Zaidah. 7 September 2013. Newspapers’ crisis: extra employment, big salaries and nepotism. 7iber online magazine. Available at: <http://www.7iber.com/2013/09/newspaper-employment/>.

The JPA was more heavily involved in the cases of *Ad Dustour*, a third of whose shares are owned by the Social Security Corporation, and *Al Rai*, 55 per cent of whose shares are owned by the Social Security Corporation than in the case of *Al Arab Al Yawm*. In those cases, several meetings were convened between the Parliamentary National Guidance and Media Committee, the JPA and the administrations of the dailies to discuss the crisis, most recently on 11 March 2015. Petra News Agency reported that the JPA President, Tariq Al Momani, “absolutely refuses the idea of restructuring the papers and laying off staff. Junior employees must not be made to pay for the mistakes of previous boards and governments, whose decisions have brought the paper to this situation.” He also called for holding those responsible for the crisis accountable.⁵³³

Linda Maaya, a former reporter for *Al Arab Al Yawm*, asserted that the JPA had double standards in dealing with the newspaper crisis as regards the partially state-owned *Ad Dustour* and *Al Rai* in comparison to *Al Arab Al Yawm* where, she stated, it did not want to negotiate and workers had to go to court to defend their rights. She further alleged that *Al Arab Al Yawm*'s workers received very limited financial assistance from the JPA. “The JPA is controlled by the two official newspapers, therefore it is serious only when defending their workers' rights. The same does not apply when the media owner is from the private sector.”⁵³⁴

Mahmoud Moghrabi, managing editor of the Khaberni news website, echoed Linda Maaya's criticism of the JPA, stating that JPA's response to problems faced by journalists was largely limited to issuing press releases”.⁵³⁵ Mohammad Fdeilat, correspondent for Al-Araby Al-Jadeed website, says that the Association does not provide sufficient protection to its members and does not provide protection to non-members. It also incites official sources not to deal with non-member journalists”.⁵³⁶

In terms of protection of women, Samar Haddadin, member of the JPA Council and reporter at *Al Rai*, noted: “The JPA does not do anything to support women journalists. The only thing we could do for the women in the JPA is to include their families in the medical insurance, starting from this year. Until last year only men were allowed to include their families”.⁵³⁷

Majida Ashour, a reporter at Jordan News Agency (Petra), criticised the Women Committee in the JPA, underscoring its lack of effectiveness. She called for the establishment of a quota for women on the Council and on all JPA committees to guarantee their representation.⁵³⁸

533 11 March 2015. Parliamentary National Guidance and Media Committee discusses the Newspapers' crisis. Jordan News Agency (Petra). Available at: http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=186413&CatID=14&Type=Home>ype=1.

534 Interview with Linda Maaya, former reporter at *Al Arab Al Yawm*, 29 March 2015.

535 Comments by Mahmoud Moghrabi, Managing editor of the Khaberni news website, during a focus group for journalists, 30 March 2015.

536 Comments by Mohammad Fdeilat, correspondent for Al-Araby Al-Jadeed website, during a focus group for journalists, 30 March 2015.

537 Comments by Samar Haddadin, member of the JPA Council and reporter in *Al Rai*, during a focus group on the Jordanian Press Association, 18 March 2015.

538 Comments by Majida Ashour during a focus group on the Jordanian Press Association, 18 March 2015.

The right to go on strike is guaranteed by the Labour Law and the Bylaw on the Conditions and Procedures of Work Stoppages and Closures, issued under the Labour Law.⁵³⁹ Article 135 of the Labour Law states that, “a worker shall not go on strike without giving notice to the business owner no less than 14 days ahead of the date of the work stoppage, which shall be double that if the work in question is a public service”. Article 4 of the Bylaw adds that, “the strike notice shall be in writing and indicate the issue in dispute and the date of the planned strike”. It must also be “signed by the workers or the association which represents them, and clearly mention the categories of workers involved” and “be submitted to the business owner or whoever represents him”.

D. Presence of Civil Society Organisations

4.8 CSOs monitor the media systematically

Media monitoring is relatively limited in Jordan compared to other civil society activities. However, a number of civil society organisations provide some critical analysis of media either indirectly or directly. Akeed, one of the projects of the Jordan Media Institute, systematically monitors news which is published and broadcasted by Jordanian media outlets using a methodology which verifies the accuracy of the information which is disseminated, and respect for ethical principles of journalism and other standards of information quality. Akeed Monitor of the Jordanian Media Credibility, run by Jordan Media Institute (JMI) and funded by the Democratic Empowerment Programme, conducts extensive monitoring of the media. According to Basim Tweissi, Dean of the Jordan Media Institute:

Akeed provides a new unique experience; its philosophy is based on checking the credibility of the news’ “fact checking”, on the basis of independent scientific and professional standards. 300 reports were released during a single year, checking the performance of the media. Some of the released reports revealed weaknesses in the performance of the media and created an outrage in the media and the public, such as the report that exposed plagiarism in daily newspapers.

Akeed’s reports have covered how the media deals with rumours, legislative amendments, official press releases, parliamentary sessions and the Israeli interventions in Gaza.⁵⁴⁰

The Jordanian Commission for Democratic Culture⁵⁴¹ monitored media coverage of the

⁵³⁹ Labour Law no. 8 for the year 1996, published in the Official Gazette, p. 1173, 16 April 1996. Available at: <http://mol.gov.jo/Pages/Legislation.aspx>.

⁵⁴⁰ Monthly reports, August 2014–March 2015. Akeed Monitor of the Jordanian Media Credibility. Jordan Media Institute. Available at: <http://akeed.jo/category/%D8%A7%D9%84%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D8%A7%D9%84%D8%B4%D9%87%D8%B1%D9%8A/>.

⁵⁴¹ Jordanian Commission for Democratic Culture. See: <http://www.jcdc-jo.org/>.

parliamentary elections in 2010. The Phenix Center for Economic and Informatics Studies⁵⁴² conducted a study on coverage of human rights issues by the Jordanian print media, analysing coverage in five daily newspapers in 2013.

Other cases include the Jordan Media Monitor, which is an online portal specialising in media issues, run by prominent columnist and former JRTV Council member Oraib Rentawi. It produces critical reports on the media and its social impact, including in relation to political parties⁵⁴³ and the Parliament.⁵⁴⁴

Sahafi.jo is another online portal specialising in media issues which regularly publishes critical articles by the veteran journalist George Hawatmeh, former editor-in-chief of *Al Ghad*, *Al Rai* and *The Jordan Times*, and former Higher Media Council board member. Sahafi.jo has focused, among other things, on the JPA, the regulation of news websites, and media independence and reform.⁵⁴⁵

Eye on the Media is a weekly programme broadcast by Al-Balad radio which monitors media coverage of current issues and discusses the media's impact on people in a live programme format with commentators from civil society, society at large and professional media activists. The show focuses on the impact of media coverage on issues such as public services,⁵⁴⁶ crime,⁵⁴⁷ ISIS and terrorism,⁵⁴⁸ and the two armed coalitions Jordan is currently engaged with, namely against ISIS and the Houthis in Yemen.⁵⁴⁹

Gherbal is a media platform launched by the 7iber online magazine. Readers can create their own accounts, share news articles and other types of media products, and comment on the quality of media coverage. Discussion on Gherbal is encouraged through Gherbal's editor publishing regular analytical reports on media coverage of women,⁵⁵⁰ Syrian refugees,⁵⁵¹

542 Phenix Center for Economic and Informatics Studies. 2013. A Study on the Jordanian Print Media Coverage on Human Rights. The study was conducted between October 2012 and January 2013 analysing press coverage on human rights issues in five dailies: Al Rai, Al Ghad, Ad Dustour, Al Arab Al Yawm and As Sabeel.

543 16 March 2013. The expanding media outlets owned by the Islamists movement. Jordan Media Monitor. Available at: <http://goo.gl/68aMsC>.

544 9 March 2013. Sensational media coverage of the gun parliament session (a deputy tried to point his gun at another lawmaker). Jordan Media Monitor. Available at: <http://goo.gl/PKtPPO>.

545 Archive of George Hawatmeh's articles. Sahafi.jo. Available at: <http://goo.gl/xGN6X8>.

546 22 May 2014. Public services in radio morning shows. Balad Radio, Eye on the Media Program. Available at: <http://goo.gl/FbhtFf>.

547 24 August 2014. News websites convict suspected criminal before courts' decisions. Balad Radio, Eye on the Media Program. Available at: <http://goo.gl/dlB6q7>.

548 3 July 2014. ISIS in media: manufacturing stars and promoting terrorism. Balad Radio, Eye on the Media Program. Available at: <http://goo.gl/1qbPme>.

549 15 April 2014. When the media go to war. Balad Radio, Eye on the Media Program. Available at: <http://ar.ammannet.net/news/247199>.

550 Sawsan Zaidah, 12 March 2013. Women day in media: discrimination, stereotypes and speeches. 7iber online magazine. Available at: <http://www.7iber.com/2013/03/media-monitor-womens-day/>.

551 Sawsan Zaidah, 19 March 2013. Media campaign against Syrian Refugees: external target and internal impact. 7iber online magazine. Available at: <http://www.7iber.com/2013/03/media-monitor-syrian-refugees/>.

people with disabilities,⁵⁵² and education and health services.⁵⁵³

4.9 CSOs provide direct advocacy on issues of freedom of expression

One of the leading civil society organisations advocating for media freedom issues in Jordan is the Center for Defending Journalists Freedom (CDFJ), whose advocacy includes networking and promoting dialogue among civil society organisations, Members of Parliament, judges and the media. The Center works closely with parliamentarians with the goal of promoting positive change concerning media freedom. The objectives of CDFJ include promoting journalists' rights through building their capacity to advocate for good legislation, providing legal assistance when required, lobbying for media law reform and working towards enhancing the role of the judicial system.

Jordanian Media Monitor, operating under the Al-Quds Center, established the Civil Coalition for Reform of Media Legislation in 2013, under the name Ifsah.⁵⁵⁴ Coalition members include political parties, civil society organisations and unions, and the goal is to advocate for media law reform. The coalition has analysed the legislative framework for the media in Jordan carefully and has identified 17 pieces of legislation relating to the media that it considers require amendment. This, in turn, has led to recommendations being presented to Members of Parliament.

Daem Centre⁵⁵⁵ is another NGO that carries out advocacy, specifically on the right to information for journalists, as well as advocacy on legal rights and protection of journalists. The Centre produces a monthly awareness newsletter targeting those working in the media as well as other stakeholders. Other forms of advocacy among civil society organisations include discussion forums, the use of social media platforms and dialogue with decision makers.

It has been suggested that advocacy campaigns carried out by civil society organisations are not scientific or planned in nature, and that they do not necessarily reflect the voice of ordinary Jordanians as much as those of the organisations themselves. One activist noted: "The perception of some organisations of advocacy is to invite influential people and decision makers to dinner and lunch,"⁵⁵⁶ an observation which has found support among other practitioners.⁵⁵⁷ The Dean of the Jordan Media Institute stated that advocacy campaigns

⁵⁵² Sawсан Zaidah, 16 April 2014. No space in media for the sports players with disabilities. 7iber online magazine. Available at: <http://www.7iber.com/2014/04/paralympic-athletes-in-media/>.

⁵⁵³ Sawсан Zaidah, 12 March 2013. Education and health in media: reporting on officials' press conferences. 7iber online magazine. Available at: <http://www.7iber.com/2013/02/health-education-in-media/>.

⁵⁵⁴ 1 April 2013. Over 60 Political Parties and Civil Society Organisations and Tens of Influential Personalities Announce Joining of Ifsah Civil Coalition for Reform of Media Legislation. Jordan Media Monitor. Available at: <http://goo.gl/AQ5xXE>.

⁵⁵⁵ UNESCO. "Optimal Use of the Journalists Right to Access Information" Project Receives Funding from UNESCO's International Programme for the Development of Communication. Available at: <http://www.unesco.org/new/en/amman/communication-information/media-reform-press-freedom-and-freedom-of-expression/daam-center-ipdc/>.

⁵⁵⁶ Phone interview with Mohammed Qtieshat, media trainer, lawyer and expert on media legislation, 26 April 2015.

⁵⁵⁷ Phone interview with Jalal Maqableh, social media expert and trainer, 17 May 2015.

are tied to funding and that once funding ends, the work ends. He noted: “The *status quo* of advocacy campaigns is better than having nothing at all, but some advocacy campaigns rely mainly on good relations with official bodies rather than on adopting a more comprehensive approach.”⁵⁵⁸

4.10 CSOs help communities access information and get their voices heard

Only limited information was available to the research team about the extent to which CSOs directly help communities access information or get their voices heard, but there is some information about the role of CSOs in motivating media outlets to provide such services, especially in the case of refugees.

According to a participant at a focus group discussion: “The voice of the refugee is restrained by fear. Refugees cannot find media outlets through which they can voice their concerns and problems. Refugees fear speaking out perhaps due to security concerns.”⁵⁵⁹ An investigative journalist and researcher of Syrian origin suggested that Syrian refugees reached out to the foreign media because the Jordanian media did not do enough to cover issues of concern to them. Those who were able to get their voices across did so either through the foreign media or through Facebook, he said.⁵⁶⁰ Some participants in the focus group discussion on refugees suggested that the Jordanian media has inadequately covered the humanitarian crisis facing Syrian refugees, and that this reflects a lack of professionalism in the media which is not solely related to Syrian refugees.⁵⁶¹

The Al Hayat Center⁵⁶² used advocacy through the Daycare Centers in Jordanian Work Places - Sadaqa’ Campaign to promote the establishment of day care centers at workplaces. The women activists who led the Campaign have established an organisation under the same name, Sadaqa, to continue to conduct advocacy and provide a platform for peoples’ voices to be heard by using social media as a campaign platform.⁵⁶³ As Sadaqa builds on the success achieved in Amman, the campaign is ongoing at the national level.

Belegb Baladiytak (meaning ‘Inform Your Municipality’ in Arabic) is an application developed by IREX with the support of the United States Middle East Partnership Initiative (MEPI). The application allows citizens to report on issues pertaining to the mandate of their municipalities. Municipality staff have been trained on how to use the application and it is currently being used by citizens in Irbid.⁵⁶⁴ The objective of the project is to build the capacity of civil society

558 Phone interview with Basim Tweissi, Dean of Jordan Media Institute, 17 May 2015.

559 Focus group discussion on refugees of 23 February 2015.

560 Hamoud Al Hmoud, ARIJ, commenting in a focus group discussion on refugees, 23 February 2015.

561 Focus group discussion on refugees, 23 February 2015.

562 Hayat Center, Our Programmes, Womens Rights. See: <http://www.hayatcenter.org/ar/programs/related/women-rights/>.

563 See: <https://www.facebook.com/sadaqajo>.

564 See: <https://play.google.com/store/apps/details?id=com.spring.municipality>.

to use digital advocacy tools to increase public awareness concerning citizen rights and to contribute to a healthy and safe environment.⁵⁶⁵ There are plans to replicate the project in Al Karak and Rusaifeh.⁵⁶⁶

⁵⁶⁵ Irbid Chamber of Commerce. 1 March 2015. End of Project on Efficient Community Media for Strengthening Good Governance Project at Irbid Chamber of Commerce. Available at: http://www.irbidjordan.com/Public_News/Nws_NewsDetails.aspx?lang=1&NewsID=2541.

⁵⁶⁶ Phone interview with Ala Al Hussein, Former Programme Manager, IREX, 20 April 2015.

Recommendations

1. Organisations providing training should endeavour to ensure that, as far as possible, training responds to the real needs of the media sector in Jordan, that it is based on a longer-term perspective, that it is available in different geographic areas around the country and that participants are broadly representative of Jordanian society, including in terms of gender.
2. Greater efforts could be made to promote coordination among the different bodies providing academic qualifications for media workers so as to promote synergies and to ensure that, collectively, they offer a wide range of subjects and specialisations to students.
3. The proportion of practical training in academic programmes relating to the media needs to be increased substantially and courses should be updated periodically to ensure that they reflect the current realities of the media, including in terms of technology.
4. The legal monopoly status of the JPA as a union/association for journalists needs to be removed and journalists should be free to join the union/association of their choice, while consideration should be given to opening up the JPA to wider membership, including to journalists from the broadcast and online sectors who do not work in news departments. Benefits provided by the JPA should be available to all members, not just those deemed to be 'practising journalists' (for example because they are full-time, non-trainee journalists working for recognised media outlets).
5. Efforts need to be made to democratise the JPA and, in particular, to ensure that there is greater representation of women and non-public media outlets on its governing Council.

Category 5

**Infrastructural capacity
is sufficient to support
independent and
pluralistic media**



Key Indicators

A. AVAILABILITY AND USE OF TECHNICAL RESOURCES BY THE MEDIA

- 5.1 Media organisations have access to modern technical facilities for news gathering, production and distribution

B. PRESS, BROADCASTING AND ICT PENETRATION

- 5.2 Marginalised groups have access to forms of communication they can use
- 5.3 The country has a coherent ICT policy which aims to meet the information needs of marginalised communities

Category 5

Infrastructural capacity is sufficient to support independent and pluralistic media

A. Availability and Use of Technical Resources by the Media

5.1 Media organisations have access to modern technical facilities for news gathering, production and distribution

As is common around the world, technological advances in the field of information and communication technologies (ICTs) in Jordan have provided media outlets with tools that have revolutionised their work and opened up new methods of news production, dissemination and consumption. There is a high degree of both Internet and mobile phone penetration in Jordan and this extends to the media and journalists.

The digitisation of the newsroom dates back to the introduction of 2G and ADSL Internet technologies into the market in the early 2000s. Six years later, AmmonNews became the first exclusively online Jordanian news media outlet, challenging the traditional model used by daily and weekly newspapers across the country,⁵⁶⁷ and it remains one of the top 10 online news sources to date.

In 2010, 3G and WiMAX Internet technologies were brought into the country. At that time, Internet penetration stood at 38 per cent and online news portals had started proliferating, breaking stories at a faster pace than traditional newspapers. “This encouraged editors of newspapers to push their stories online instead of waiting for the next morning’s printed edition,” said Ibrahim Mubaidin, a journalist at *Al Ghad*.⁵⁶⁸

As of the end of June 2015, there were 167 officially registered and licensed news websites in Jordan, in addition to 200 which were not registered.⁵⁶⁹ A number of media practitioners and journalists have expressed scepticism about the extent to which these news websites produce original content as opposed to simply “recycling” material.⁵⁷⁰ Nonetheless, these news websites are competing with traditional newspapers for readership. According to Rana Sweis, a journalist and media researcher: “Failing to keep up-to-date and to adapt

⁵⁶⁷ Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan, p. 18.

⁵⁶⁸ Interview with Ibrahim Mubaidin, 24 March 2015.

⁵⁶⁹ Phone interview with Amjad Al-Qadi, head of the Jordan Media Commission, 30 June 2015.

⁵⁷⁰ For example, in an interview with Reem Al Masri, 12 March 2015.

to the challenges of technology and digitisation means the death of a media organisation, literally.”⁵⁷¹ She added that developing a business model that utilises the latest technologies and innovative ways to reach audiences determines whether or not a given media outlet will survive at this time of change in the industry.

The Internet has fundamentally changed the media landscape in Jordan, making it possible for different types of media outlets to develop multimedia packages. “The development of ICT services in Jordan has enriched the content that can be produced and consumed,” said Mubaidin.⁵⁷² All of Jordan’s seven Arabic and one English dailies operate online versions but these vary in terms of scope and quality. For example, *Al Ghad’s* website offers specific content which is different from what is available in its printed version. According to Alexa.com, *Al Ghad’s* website is the ninth most popular website in Jordan, the only website of a traditional newspaper ranked among the top 10 news websites in the country (see Table 21).⁵⁷³

Table 21: Top 10 news websites in Jordan⁵⁷⁴

Ranking	News website
1	Alwakeelnews.com
2	Sarahanews.com
3	Garaanews.com
4	Ammonnews.net
5	Royanews.tv
6	Alkawnnews.com
7	Gerasanews.com
8	Khaberni.com
9	Alghad.com
10	Sarayanews.com

The Internet has also had an impact on the way broadcasters both offer and distribute content. For example, Ro’ya TV not only makes its TV programmes available online through six YouTube channels but it also has an independent website – ranked as the fifth most visited news website in Jordan (see Table 19) – featuring both videos and written articles. In 2015, Ro’ya launched the first Jordanian talent show known as “Jordan Star”. The show is aired live from Amman every Thursday and is accessible on traditional television but also via an application that operates on mobile phones and tablets.

⁵⁷¹ Interview with Rana Sweis, journalist and media researcher, 18 April 2015.

⁵⁷² Interview with Ibrahim Mubaidin, 24 March 2015.

⁵⁷³ Alexa Internet, Inc. is a California-based subsidiary company of Amazon.com which provides commercial web traffic data information. List of Top Sites in Jordan 19 April 2015. Available at: <http://www.alexa.com/topsites/countries/1/JO>.

⁵⁷⁴ Ibid.

“There are things that don’t work on a television screen. Sometimes we don’t have space in the programming grid for certain things so we distribute this content via social media and the website,” explained Lara Ayoub, Ro’ya TV’s digital media advisor.⁵⁷⁵ The station also uses content posted on the Internet to inspire its own evolution and to gauge the interest of its audiences. In fact, Ro’ya was the first television station in Jordan to sponsor YouTube content. In 2012, it broadcasted a programme called “Bath Bayakha” (Silly Broadcast), consisting of entertainment comedy clips, first disseminated online, over satellite television as part of its Ramadan programming, which brought the show’s extended fan base on the Internet (which reached hundreds of thousands) back to the television screens.

Some training is available in Jordan on the use of advanced technological tools to improve reporting. For example, Arab Reporters for Investigative Journalism (ARIJ) offers training on topics like Computer-Assisted Reporting (CAR).⁵⁷⁶ Every year, ARIJ provides training to journalists from the Middle East and North Africa (MENA) as part of a major annual event. CAR training is now integrated as a two-day module in ARIJ’s week-long workshops on the basics of investigative journalism in the radio, TV and print media sectors, with around nine CAR trainers working in the organisation’s countries of operation and an updated curriculum. “CAR tools are a must for today’s modern journalist, especially those focusing on investigative reporting,” says ARIJ Executive Director, Rana Sabbagh. “Without electronic data management and the ability to maximise use of Internet-based technologies, data encryption and cyber security, investigative journalists can hardly get anywhere.”⁵⁷⁷

Through a programme called “Minna ow fina” (One of Us), Ro’ya television started providing training to students in three universities (Maan in the South, Yarmouk in the Northern Governorate of Irbid and Mutah in the Central Governorate of Karak) on the use of video equipment for the production of local news. The project is the continuation of a project initiated by the Danish media development organisation International Media Support (IMS), which was launched in 2011 together with five local partners including Ro’ya and community radios in the governorates. Content produced during the training is broadcast as part of the news bulletin of the day and on Ro’ya’s YouTube channel. “Our aim is to establish eight news offices across the country, which would feed into Ro’ya’s news website with daily reports from the governorates, but we need additional funding to continue with the programme,” said Hala Zuraiqat, media and communication consultant at Ro’ya television.⁵⁷⁸

Advances in the ICT sector have prompted greater engagement with communities, allowing users to make comments on news websites. However, government interventions based on amendments to the Press and Publications Law in 2011 and 2012 and the blocking

⁵⁷⁵ Interview with Lara Ayoub, 8 April 2015.

⁵⁷⁶ Computer Assisted Reporting (CAR) trains journalists on how to process and handle information on their computers using spreadsheets, statistical programs and other tools that assist them in analysing information collected.

⁵⁷⁷ Email exchange with Rana Sabbagh, 13 April 2015.

⁵⁷⁸ Interview with Hala Zuraiqat, 8 April 2015

in 2013 of some 300 news websites by the Jordan Media Commission have intimidated news websites' owners.⁵⁷⁹ As a result, the comments function has been disabled in some news websites to avoid the owners being held accountable for comments posted by visitors. "Fear takes over the unknown and then self-censorship sets in," said Naseem Tarawnah, co-founder of 7iber.com and an online media specialist.⁵⁸⁰

There do not appear to be any problems in terms of newspapers having access to printing facilities. Four newspapers run their own printing presses in the country, namely *Al Rai/The Jordan Times*, *Ad Dustour*, *Al Ghad* and *Al Arab Al Youm*. *Al Ghad* prints the remaining three dailies, namely *As Sabeel*, *Al Diyar* and *Al Anbat*, and none of the 16 Arabic weeklies have reported problems getting printed.⁵⁸¹

B. Press, Broadcasting and ICT Penetration

5.2 Marginalised groups have access to forms of communication they can use

Table 22: ICT Market Statistics, 2014⁵⁸²

Type of Service	Type of User	First quarter 2015
Landline telephone subscriptions	Homes	244,477
	Commercial	131,996
	Total	376,473
	Penetration	5.0 per cent
Mobile subscriptions	Pay as you go	893,150
	Prepaid	10,670,516
	Total	11,563,666
	Penetration	147 per cent
Internet users	All users	5,900,000
	Penetration	76 per cent

⁵⁷⁹ Rana F. Sweis and Jodi Rudoren. 3 June 2013. Jordan Blocks Local Access to News Sites. New York Times. Available at: http://www.nytimes.com/2013/06/04/world/middleeast/jordan-blocks-local-access-to-300-news-web-sites.html?_r=0.

⁵⁸⁰ Interview with Naseem Tarawnah, 20 April 2015.

⁵⁸¹ Arab Media Outlook. 2012. Exposure and transition: 2011-2015, 4th ed. Dubai Press Club and Deloitte, p. 184. Available at: <http://www.arabmediaforum.ae/userfiles/EnglishAMO.pdf>.

⁵⁸² Telecommunications Regulatory Commission, Quarterly statistics. Available at: http://trc.gov.jo/index.php?option=com_content&task=view&id=2599&lang=english&Itemid=1231&lang=english.

Internet subscribers	Dial-up	359
	ADSL	218,549
	WiMAX	121,754
	Leased Line	1,575
	TV-Cable	6,400
	Mobile Broadband	1,587,549
	Total	1,936,096
	Penetration	25 per cent

Internet has been available in Jordan since the mid-1990s.⁵⁸³ During the following two decades, the telecom market evolved and grew in a competitive overall environment. Today, there are three major telecom providers operating in Jordan – namely Orange, Zain and Umniah – which offer Internet packages varying from ADSL, fixed broadband, 3G and, since 2015, 4G service. A fourth telecom player, FRIENDi, entered the market in 2010 as a mobile virtual network operator (MVNO) with a focus on international calling services. The telecom market in Jordan has maintained its position as the second most competitive in the Arab world since 2012, according to a study by the Arab Advisors Group.⁵⁸⁴

The prices of telecom services have fluctuated over the past five years, due at least in part to government policies. In 2013, the government doubled taxes on mobile phone packages, from 12 to 24 per cent, angering telecom companies who said they were being used to cover the country’s budget deficit.⁵⁸⁵ This resulted in Jordan being said to have the highest telecom taxes in the region and had a direct impact on the market as telecom revenues reportedly dropped from \$1,691 million in 2012 to \$1,582 million in 2013.⁵⁸⁶ A different set of figures which also indicate a decline in revenues is shown in Figure 3, produced by the Arab Advisors Group. Competition in the telecom market has protected users from directly bearing the costs of this tax increase but some experts suggest it will limit telecom companies’ ability to make investments in future technological advances.⁵⁸⁷ In 2014, Jordan was ranked seventh best regionally and in 87th position globally in the ICT Price Basket (IPB), a tool developed by the International Telecommunication Union (ITU) which ranks the cost and affordability of ICT

⁵⁸³ Yahia Shukkeir. 2009. Access to Online Information and Knowledge, Jordan Report. Global Information Society Watch. Available at: <http://www.giswatch.org/country-report/20/jordan>.

⁵⁸⁴ Arab Advisors Group. 2 October 2014. Saudi Arabia maintains its rank as the Arab World’s most competitive cellular market for the fourth consecutive year. Available at: <http://www.arabadvisors.com/Pressers/presser-021014.htm>.

⁵⁸⁵ Camilla Hall and John Reed. 16 July 2013. Jordan to double taxes on mobile phones. Financial Times. Available at: <http://www.ft.com/cms/s/0/00adb568-ed2b-11e2-8d7c-00144feabdc0.html#axzz3UL0Kn6Yl>.

⁵⁸⁶ Int@j. September 2014. Jordan’s ICT Industry Classification and Statistics 2013, p. 9. Available at: <http://www.slideshare.net/ashamlawi/ict-ites-industry-statistics-yearbook-2013>.

⁵⁸⁷ Ibrahim Mubaidin, 11 September 2013. Mobile taxes in Jordan the highest in the Arab region: Fears of negative impact on ICT sector. Oasis500. Available at: <http://goo.gl/YmsYqe>.

services worldwide, up from 10th regionally and 91st globally in 2011.⁵⁸⁸

The Telecommunications Regulatory Commission indicates that mobile phone penetration in Jordan is now 147 per cent (over 11 million subscriptions), due to the fact that many individuals have more than one phone, while landline phones have decreased in number to below 400,000.⁵⁸⁹

According to regional research done by Pew Research Center in 2014, 38 per cent of the total number of mobile phone owners in the country own smartphones.

A report by ITU suggests that basic broadband Internet service is affordable for 90 per cent of the population in Jordan. However, income figures suggest that individual mobile-broadband plans would be somewhat unaffordable (i.e. represent more than 5 per cent of household expenditure) for the poorest 20 per cent of the population, who may thus need to share a mobile-broadband plan among a number of members of the household.⁵⁹⁰

As of the first quarter of 2015, there were 5.9 million Internet users in Jordan.⁵⁹¹ The Internet penetration rate has grown fairly quickly over the past five years from 38 per cent in 2010 to 76 per cent by the first quarter of 2015. According to the national ICT strategy, the government is working with the ICT sector to achieve at least an 85 per cent penetration rate by 2017, which seems achievable judging by the growth pattern of the past few years.

Table 23: Growth of Internet penetration in Jordan (2010-2015):⁵⁹²

	2010	2011	2012	2013	2014	Q1, 2015
Internet Penetration	38%	50.5%	55.9%	63%	74%	76%

Regional surveys highlight the impact technological convergence has had in terms of increasing Arab citizens' interconnectivity and engagement with their governments. In a region where mobile penetration is well above 100 percent, many governments have started taking advantage of the opportunity this presents to provide public services to citizens through an innovative combination of smart phones and social media applications.⁵⁹³

588 International Telecommunication Union (ITU). 2014. Measuring the Information Society Report, p. 90. Available at: http://www.itu.int/en/ITU-D/Statistics/Documents/publications/mis2014/MIS2014_without_Annex_4.pdf.

589 Telecommunications Regulatory Commission, Quarterly statistics. Available at: http://trc.gov.jo/index.php?option=com_content&task=view&id=2599&lang=english&Itemid=1231&lang=english.

590 International Telecommunication Union (ITU), Measuring the Information Society Report, 2014. Available at: http://www.itu.int/en/ITU-D/Statistics/Documents/publications/mis2014/MIS2014_without_Annex_4.pdf.

591 Telecommunications Indicators (Q2/2014-Q1/2015). Available in English at: http://trc.gov.jo/index.php?option=com_content&task=view&id=2599&lang=english&Itemid=1231&lang=english.

592 Rana Sweis and Dina Baslan. 2013. Mapping Digital Media, Jordan Report, p. 17.

593 Mohammed Bin Rashid School of Government. June 2014. Citizen Engagement and Public Services in the Arab World: The Potential of Social Media. Arab Social Media Report, 6th edn, p. 4. Available at: <http://www.mbrsg.ae/getattachment/e9ea2ac8-13dd-4cd7-9104-b8f1f405cab3/Citizen-Engagement-and-Public-Services-in-the-Arab.aspx>.

Jordan is the fourth country in the region in terms of Facebook penetration, with some three million users the majority of which are under 30 years old, while the number of active Twitter users is registered at just 161,000.⁵⁹⁴ The majority of Jordanian ministers maintain a presence on social media and the Royal Hashemite Court uses social media to promote interaction between the public and the royal family, particularly the King. Queen Rania, who is well known for being an active “netizen”, uses social media platforms to reach out not only to Jordanians but also to a global audience as a means of promoting Jordan.

Television remains the most popular medium in Jordan judging by satellite subscriptions, which reached a high of 98.9 per cent in 2010.⁵⁹⁵

Table 24: Extent of satellite reception in Jordan (2009 – 2012).⁵⁹⁶

	2009	2010	2011	2012
Satellite reception	95.0%	98.9%	98.5%	98.1%

There are few reliable reports on the audience share of the public broadcaster but viewership seems to be on the decline, according to a report by IPSOS. The percentage of Jordanians who watch JTV stations dropped from 37 per cent in 2012 to 36 per cent in 2013, according to the report.⁵⁹⁷ In terms of coverage, JRTV reaches the whole country. It is available over satellite, so reaches the large majority of Jordanians who receive satellite television and it also claims to cover the whole country via terrestrial transmission.⁵⁹⁸

There have not been any studies, surveys or reports focusing specifically on blogging.⁵⁹⁹ There have been allegations that the rate of blogging has slowed down over the past few years with more people taking to social media platforms instead. Jordanians like environmentalist and former blogger Batir Wardam attribute this trend to the technical suitability of the format and the fact that most bloggers are young people who eventually get overwhelmed with professional responsibilities and no longer have the time to sustain a blog. “It is a pity, because you need those analytical views, people would like to read political opinions, not only

594 Mohammed Bin Rashid School of Government. June 2014. Citizen Engagement and Public Services in the Arab World: The Potential of Social Media. Arab Social Media Report, 6th ed., p. 23.

595 Department of Statistics. Jordan in Statistics. May 2011. Available at: http://www.dos.gov.jo/sdb/dos_home/dos_home_a/main/jorfig/2010/jor_f_a.htm.

596 Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan, p. 17. According to the Arab Advisors Group surveys, terrestrial reception is in steady decline and cable take-up is low due to the increasing take-up of free-to-air satellite. The marginal drop in the percentage of TV households with satellite reception in 2012 was due mainly to the influx of immigrants with no access to satellite reception.

597 Sawсан Zaideh. 17 April 2014. Two Thirds of Jordanians Fund a Television They Don’t Watch. Available at: <http://www.7iber.com/2014/04/jtv/>.

598 See the JRTV website, section on About the JTV, under the subtitle Jordanian Television, which states: “JTV has 7 main stations for transmission (VHF and UHF) and 52 stations to empower or strengthen the transmission, spread across the country”. Available at: http://www.jrtv.jo/page.aspx?page_key=key_abouttv&lang=ar.

599 Interview with Nimati Emam, Account Planning Director at Cheil, 20 April 2015.

Facebook posts or short entries on Twitter,” said Wardam.⁶⁰⁰ Regionally and internationally respected blogger Naseem Tarawnah, author of the Black Iris blog,⁶⁰¹ who writes in English for an international audience, noted that social media offers “short-term bursts” and that people prefer applications which are easily accessible via mobile phones. He added that, unlike previously when people used to visit your blog to read your latest piece, audiences now expect information providers to reach out to them through social media.⁶⁰² Some local blogs continue to thrive in the age of social media, like the Arab Observer by Fadi Zaghmout, who is also active on both Facebook and Twitter.⁶⁰³

According to Tarawnah, following government action against a number of news websites in 2013, many bloggers have limited their output.⁶⁰⁴ Some of the most popular blogs have fallen into disuse (i.e. have not been updated since 2012 or 2013), especially those covering political issues, while others limit their posts to once every one or two months. Others, like Wardam, believe that people still are able to express their views online and that the decrease in blogging activity is more related to format.

Many citizen journalists continue to express their views on social media platforms like Facebook and Twitter and there are examples of popular hashtags rallying Jordanians to express their views online. For example, in the years that marked the start of the Arab Spring, #reformJO drove many discussions on the reform process in the country, but has lost momentum in recent years. “#reformJO has died. I also think it is a reflection of diminished hopes of actual reform in Jordan,” said Rana Sweis, journalist and media researcher.⁶⁰⁵

The Twitter hashtag #weareallMuath brought Jordanians together in solidarity when rage and sympathy was expressed online over the brutal execution of the Jordanian pilot by the Islamic State.⁶⁰⁶ In the view of Tarawnah, this should have sparked a broader debate about Jordan’s relation to regional conflict, yet did not because “you are accountable for anything posted online as a willing participant. There is a tangible fear and at some point you have more to lose.”⁶⁰⁷

Still, the digital sphere has given some groups the space to express their views and talents even if they are not necessarily aligned with “mainstream” popular thought. Social media networks have allowed communities that may be considered to be marginalised, such as

600 Phone interview with Batir Wardam on 1 July 2015. Wardam’s blog is available at: <https://bwardam.wordpress.com/my-short-bio/>.

601 One of Jordan’s most popular blogs in English, available at: <http://black-iris.com/>.

602 Interview with Naseem Tarawnah. 20 April 2015. Tarawnah’s blog is available at: <https://thearabobserver.wordpress.com/>.

603 See Fadi Zaghmout’s blog at: <https://thearabobserver.wordpress.com>.

604 Interview with Naseem Tarawnah. 20 April 2015.

605 Interview with Rana Sweis, journalist and media researcher, 18 April 2015.

606 4 February 2015. Hashtags flood Twitter in honor of slain Jordanian pilot. Al Arabiya News. Available at: <http://english.alarabiya.net/en/media/digital/2015/02/04/Hashtags-flood-Twitter-in-honor-of-slain-Jordanian-pilot-.html>.

607 Interview with Naseem Tarawnah. 20 April 2015.

young people, to come together, organise themselves and build their confidence and skill set around a given topic. A number of initiatives are starting to produce and collect content which is alternative to what is available in the mainstream media. For example, “Akhbarek”⁶⁰⁸ (Your News) is a news aggregator and a producer of original content that aims to challenge mainstream content and which targets women from across the MENA region. “AlHudood”⁶⁰⁹ (The Borders) is a Jordanian online satirical news outlet which dares to cross social and political red lines in its treatment of issues in the region.

Members of the LGBT community, which tends to be marginalised in Jordan, have been able to launch and maintain a successful website which challenges social stereotyping. MyKali online magazine⁶¹⁰ is an advocate for LGBT rights in the region which has not been blocked or silenced.

Online channels, such as Jordandays.tv, and independent websites broadcast live events online, including parliamentary sessions, news conferences, and the street protests which demanded political and economic reform after the Arab Spring. After the 2012 ban on unregistered news websites, Jordandays.tv was blocked from within Jordan and it now uses YouTube as well as social media applications.⁶¹¹ The introduction of 3G service, and recently 4G service, which enables high speed mobile Internet, allowed for the start-up of alternative media platforms like Aramram and Kharabeesh, which focus on social issues and are video-based, and broadcast only online. Both outlets have garnered significant support on social media platforms with some 103,000⁶¹² and over 2 million⁶¹³ Facebook followers respectively.

According to socialbakers.com, a website that analyses social media statistics, four of the five fastest-growing Twitter profiles in Jordan are run by media outlets (almadenahnews, Ro'ya TV, *Al Rai* and *Al Ghad*).⁶¹⁴

In Jordan, a new generation of technology entrepreneurs has emerged and is continuing to reinvest in the field of IT to support young innovators. There is a strong presence of IT

⁶⁰⁸ See: <http://akhbarek.com/>.

⁶⁰⁹ See: <http://www.alhudood.net/>.

⁶¹⁰ Available at: <http://mykalimag.com>. The magazine's website states: "In a rapidly changing world <http://mykalimag.com/> is a leader not a follower. With a bold regional, local and international perspectives and an understanding that the cultural stereotypes are being dramatically rewritten with an established reputation for visual innovation and splendour. My.Kali.mag is an online social and lifestyle magazine that fights repressive forms, norms and stereotypes through art therapy, photography and psychology. My.Kali is imperceptible; difficult to perceive by narrow minded societies. Tackling issues of women rights, personal politics, sexuality, freedom of speech, media, and LGBTQ (Lesbian, Gay, Bisexual, Transsexual, and Questioning/Queer) related topics. The magazine also reflects many universal human desires and dreams that hold the key to making sense of a world where the only certainties now are change, revolution and love."

⁶¹¹ Rana Sweis and Dina Baslan. 2013. Mapping Digital Media: Jordan, p. 76.

⁶¹² Aramram Facebook page, accessed 6 April 2015. Available at: <https://www.facebook.com/aramramtv?fref=ts>.

⁶¹³ Kharabeesh Facebook page, accessed 6 April 2015. Available at: <https://www.facebook.com/Kharabeesh?fref=ts>.

⁶¹⁴ Social Bakers, a company specialised in social marketing. See: <http://www.socialbakers.com/statistics/twitter/profiles/jordan/>.

companies with skilled staff supports media organisations which are thinking creatively about how to serve and reach out to the community. Oasis500, for example, provides training and mentorship, business incubation and follow-up funding and investment.⁶¹⁵ In early 2015, the Community Media Network (CMN), in collaboration with Journalists for Human Rights (JHR), launched an application called Maidan which connects journalists and citizens so as to enable better reporting on and documenting of human rights abuses across Jordan.⁶¹⁶

The most popular source of information for Syrian refugees in Jordan is satellite television, followed by mobile phones. The vast majority say they spend more time consuming news now than before the war (see Table 25). This is not unusual, as several studies have established that there is a heightened interest in news during times of conflict and disaster. Syrian refugees in Jordan are also active on social media although many use pseudonyms for fear of being tracked.⁶¹⁷

Table 25: Information sources for Syrians in Jordan⁶¹⁸

Source	Penetration (per cent)
Satellite TV	87
Mobile Phones	85.2
Internet on a mobile phone	52
Local TV	33.9
Radio	30.2
Internet on a computer	24.9
Newspapers	17.6

While curricula at local universities lag behind in transforming the approach to journalism education from a theoretical one to an interactive and “hands-on” one, Jordanian universities have started acknowledging the importance of using the ICTs to connect not only with citizens but the world at large.⁶¹⁹ For example, the University of Jordan held the first international conference in Jordan on e-publishing and the role of social media in shaping the field from 27-29 July 2015.⁶²⁰

⁶¹⁵ Oasis500 is a seed investment company established in 1999 which provides training and funding for new businesses in the field of technology. See: <http://www.oasis500.com/>.

⁶¹⁶ See: <http://www.jhr.ca/en/aboutjhr/downloads/maidan.pdf>.

⁶¹⁷ Media in Cooperation and Transition gGmbH (MiCT). August 2014. Syrian Audience Research. Available at: http://www.mict-international.org/wp-content/uploads/2014/08/syrienstudie_20140813.pdf.

⁶¹⁸ Ibid.

⁶¹⁹ Mohammad Ghazal. 9 November 2014. University students to be trained on blogging. The Jordan Times. Available at: <http://jordantimes.com/university-students-to-be-trained-on-blogging>.

⁶²⁰ See: <http://library.ju.edu.jo/icepub2015/>.

5.3 The country has a coherent ICT policy which aims to meet the information needs of marginalised communities⁶²¹

The public and private sectors have worked together to develop a comprehensive national Information and Communications Technology (ICT) strategy for 2013-2017, providing key recommendations on how to further develop the ICT sector in the country.⁶²² The strategy focuses on six strategic objectives:

1. Improving the business and investment environment.
2. Increasing both domestic and foreign direct investment.
3. Boosting exports of IT and ICT enabled national products, services and capacities.
4. Maintaining and developing a competitive telecommunications infrastructure to support continuous private ICT sector innovation and to serve local and regional ICT markets.
5. Developing flexible national professional training and certification capabilities.
6. Stimulating the creation and development of suitable Arabic language and local digital content that is accessible online throughout the Arabic speaking world.

By 2017, the strategy aims to increase ICT investment to \$450 million/year, Internet penetration to 85 per cent and direct employment in the sector to 20,000 people.

The ICT sector is one of the fastest growing economic sectors in the country. Total ICT revenues grew from \$560 million in 2000 to \$2,220 million in 2013, and the sector comprises some 540 companies working in the areas of telecoms, IT, online and mobile content, outsourcing and games. Furthermore, the sector employed a cumulative workforce of 11,637 people in 2013 (including those working for hardware producing companies).⁶²³

Established in 2000, the Information Technology Association of Jordan (INT@J) is one of the earliest actors in the development of the ICT sector in Jordan and has played a crucial role in ensuring that the private sector's interests are represented in the national strategy. As of 2015, more than 130 registered companies are members of the Association, many of which are considered to be ICT leaders in the country.

The Ministry of ICT (MoICT) was established in 2003 and has tried to enhance cooperation within the ICT sector by getting all relevant players involved and by leading on the collective development of sector policies. In March 2015, a cabinet reshuffle took place resulting in the

⁶²¹ For information on the digital television transition, refer to Indicator 2.7.

⁶²² Jordan National Information and Communications Technology Strategy (2013-2017). Available at: <http://www.moict.gov.jo/documents/Final%20Draft%20Jordan%20NIS%20June%202013.pdf>.

⁶²³ Int@j. September 2014. Jordan's ICT Industry Classification and Statistics 2013. Available at: <http://www.slideshare.net/ashamlawi/ict-itcs-industry-statistics-yearbook-2013>.

first female being appointed to the position of ICT Minister. Ms Majd Shweikeh is a former CEO of the country's second largest telecom company and an active user of social media with over 17,000 followers on Twitter.

According to experts, however, many challenges lie ahead in terms of reform needs in the ICT sector. As Jordanians increasingly migrate to the online space, cyber security has started to become an important issue. According to the National Information Technology Center (NITC), the National Information Assurance and Cyber Security Strategy (NIACSS) is intended not only to secure cyberspace but also to provide a secure and trusted computing environment for all IT-related infrastructure.⁶²⁴ The CEO of Int@j, Khaled Hudhud, said in a speech in February 2015: "We still need a lot of awareness, training programmes and periodic vulnerability tests to help Jordanian citizens and corporations close loopholes that are threats to all of our cyber security."⁶²⁵

There is also the issue of surveillance and taking measures to protect oneself against it. "Those who feel they attract more government attention in general are more aware of the need to be private, but this does not necessarily translate into changing behaviour," said Reem Al Masri, the editor of Wireless, a blog hosted by 7iber.com. Wireless focuses on developments globally in the field of ICT, follows international digital trends and aims to raise awareness about topics such as net neutrality.⁶²⁶

⁶²⁴ Ministry of Information and Communications Technology. 2012. National Information Assurance and Cyber Security Strategy (NIACSS). Available at: <http://nitc.gov.jo/PDF/NIACSS.pdf>.

⁶²⁵ Khaled Hudhud, Int@j CEO. Available at: http://intaj.net/sites/default/files/cyber_security_speech.pdf.

⁶²⁶ Interview with Reem Al Masri, 12 March 2015.

Recommendations

1. The government could look into ways to improve the prices of connectivity, as part of a broader strategy to promote greater penetration of both smartphones and access to the Internet.
2. In addition to removing websites from the ambit of the PPL (see the Recommendations for Category 1), rules and practices need to be put in place to protect intermediaries, including websites hosting comments from third parties, through standards of limited for those comments, among other things with a view to encouraging open debate about matters of public concern online. Appropriate systems which do not rely on intermediary liability need to be put in place to address harmful content online.
3. It would be useful to continue the collaboration between the public and private sectors to come up with a national ICT strategy, as well as to ensure that the non-profit sector is also involved and that plans are updated regularly to respond to the rapid changes taking place in the sector.

Annex I: List of Laws

- Access to Information Law no. 47 for the year 2007, published in the Official Gazette No. 4831, p. 4142, 17 June 2007. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>
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- Audiovisual Law no. 26 for the year 2015, published in the Official Gazette No. 5343, p. 5614. Available at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>
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- Contempt of Courts Law no. 9 for the year 1959, published in the Official Gazette No. 1413, p. 180, 1 January 1959. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>
- Criminal Procedural Law no. 9 for the year 1961, published in the Official Gazette No. 1539, p. 713, 1 January 1961. Available in Arabic at: <http://www.lob.gov.jo/AR/Pages/AdvancedSearch.aspx>

- Cyber Crimes Law no. 30 for the year 2010, published in the Official Gazette No. 5056, p. 5334, 16 September 2010. Available in Arabic at: http://www.pm.gov.jo/arabic/index.php?page_type=gov_paper&part=3&id=5056
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- National Center for Human Rights Law no. 51 for the year 2006, published in the Official Gazette No. 4787, p. 4026, 16 October 2006. Available in English at: <http://www.nchr.org.jo/english/AboutUs/NCHRLaw.aspx> and in Arabic at: <http://www.nchr.org.jo/english/AboutUs/NCHRLaw.aspx>
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Annex III: List of Participants in Interviews and Other Meetings

MDI Advisory Board:

Basim Tweissi, Dean, Jordan Media Institute (JMI)

Marwan Muashar, Vice President for Studies, Carnegie Endowment for International Peace

Muhannad Azza, Member of Parliament and legal and human rights expert

George Hawatmeh, Director, Awan Organization

Mohammad Qutaishat, media lawyer, Irrefutable for Law and Consultancy (IFLC)

Helmi Sari, instructor, Jordan University

Lina Ejeilat, Editor-in-chief, 7iber.com

Rana Sweis, journalist and media researcher

Peer Reviewers:

Abeer Al Najjar, Associate Professor, Department of Mass Communication, American University of Sharjah

Basim Tweissi, Dean, Jordan Media Institute (JMI)

Individual Interviewees:

Salah Al-Abbadi, Head, Jordan Press Association committee for public freedoms and reporter, Al Rai newspaper

Ala Alhusseini, former program manager, IREX

Noureddine Al Khamayseh, Head, Content Development and Code of Conduct committees, Al Ghad newspaper and former head, Jordan Press Association committee for public freedoms

Reem Al Masri, Internet research lead, 7iber.com website

Mohammad Al-Momani, Minister of State for Media Affairs

Tariq Al Momani, President, Jordan Press Association

Amjad Al-Qadi, Director, Jordan Media Commission

Moh'd Al-Wathiq Shaqrah, Director, Radio Spectrum Management Department, Telecommunications Regulatory Commission

Hatem Alawneh, Dean, Mass Communication Faculty, Yarmouk University

Yasmeen Nidal Alkhateeb, Aramram Social Media Coordinator

Lara Ayoub, media consultant, Ro'ya channel

Salama Diraawi, editor-in-chief, Al Maqar electronic newspaper and former head of economic development, Al Arab Al Yawm newspaper

Naregh Galoustian, Senior programs manager, Journalists for Human Rights

Mustafa Hamarneh, Member of Parliament and former Chairman, JRTV and Al Sijil weekly and former Director of the Center for Strategic Studies at the University of Jordan

Saad Hatter, communications and journalism consultant

Izzat Hijab, former Dean, Faculty of Journalism, Yarmouk University

Khaled Hijab, founder and executive director of Tech Tribes, an IT solutions company

Daoud Kuttab, Director, Community Media Network

Linda Maaya, former reporter, Al Arab Al Yawm newspaper

Nidal Mansour, Director, Center for Defending Freedom of Journalists

Abdallah Mbaideen, Assistant training manager, Jordan Media Institute

Ibrahim Mubaidin, journalist, Al Ghad newspaper

Mohammad Qutaishat, media trainer, lawyer and media law expert

Rakan Saaideh, former member, Jordan Press Association Council and managing director, Al Rai newspaper

Fares Sayegh, Owner and General Manager, Ro'ya private satellite channel

Mahmoud Shalabieh, Head of Radio and Television Department, Faculty of Mass Communication, Yarmouk University and current Dean of Journalism, Dar University in Dubai

Zakaria Sheikh, Member of Parliament, Chairman, House of Representative's National Guidance Committee panel and owner of private satellite channel Al-Haqiqa Al-Dawliya

Kathy Sullivan, program director, Arab Reporters for Investigative Journalism

Rana F. Sweis, journalism and media researcher

Naseem Tarawnah, blogger and online media specialist

Batir Wardam, environmentalist, columnist and former blogger

Hala Zureiqat, media consultant, Ro'ya channel

Focus Group Discussions:

Focus Group No 1: Training and Education Wednesday, 11 February 2015

Nisreen Abdalla, Petra University

Noureddine Al-Khamayseh, Center for Defending Freedom of Journalists

Nahla Al-Momani, National Center for Human Rights

Nabil Al-Sharif, Imdad Media Center

Bayan Tal, former JTV Director and consultant with Ro'ya TV and JMI

Ahmad Awad, Phenix Center for Economic and Informatics Studies

Ramsey George, 7iber.com

Saad Hatter, communications and journalism consultant

Khaled Hijab, Tech Tribes

Rawan Jayyousi, Community Media Network

Abdul Karim Al-Wahsh, Al Rai newspaper

Nidal Mansour, Center for Defending Freedom of Journalists

Focus Group No 2: Legal and Policy Framework Wednesday 18 February 2015

Hilda Ajeilat, President, Jordan Transparency Center

Mohammad Younis Al-Abbadi, Information Commissioner

Mudar Al-Jeiroudi, lawyer

Issam Al-Mousa, media faculty, Yarmouk University

Saddam Abu Azzam, Lawyer at the Research Unit, Parliament

Talal Elamat, Al-Hayat Center for Civil Society Development

Khaled Khlaifat, lawyer, Center for Defending Freedom of Journalists

Rana Sabbagh, Executive Director, Arab Reporters for Investigative Journalism (ARIJ)

Focus Group No 3: News Websites
Thursday 19 February 2015

Sami Hourani, Leaders of Tomorrow

Ezzedine Al Natour, AmmanNet news website

Kamal Khoury, Al Hudood website

Ahmad Rajab, As Sabeel newspaper

Focus Group No 4: Refugees
Monday 23 February 2015

Basil Abou Hussein, Zaatari Camp for Syrian Refugees correspondent, Souriou Baynana, Al-Balad Radio

Ekhlas Al Khawaldeh, deputy head of mission, Un Ponte Per

Hamoud Al-Mahmoud, researcher, Arab Reporters for Investigative Journalism (ARIJ)

Majdi Mahmoud, Irbid correspondent, Souriou Baynana, Al-Balad Radio

Heba Obeidat, project manager, Souriou Baynana, Al-Balad Radio

Khaled Qudah, human rights reporting trainer, Un Ponte Per

Dalal Salameh, editor, AKEED

Rana Sweis, journalist and media researcher

Focus Group No 5: Community Media
Sunday 1 March 2015

Zaid Abu Odeh, Jordan Days web TV

Fathi Al-Hwemel, Sawt Al-Aghwar, Jordan Valley Internet radio

Ahmad Oraiqat, Jordan Center for Mass Communication Research and ZarqaNews website

Farid Elokour, Aqaba radio

Belal Khasawneh, Yarmouk FM radio

Etaf Roudan, Al-Balad Radio and Hona Zarqa weekly newspaper

Focus Group No 6: Broadcasting
Tuesday 3 March 2015

Hilda Ajeilat, President, Jordan Transparency Center
Marwan Al-Husayni, Royal Institute for Inter-Faith Studies
Mohammad Fraij, AmmanNet
Randa Ghazaleh, Maraya TV
Daoud Kuttab, AmmanNet, Community Media Network (CMN)
Bassima Sam'an, NourSat
Fares Sayegh, General Manager, Ro'ya TV
Mohammad Tarawneh, General Director JRTV
Hala Zureiqat, Ro'ya TV

Focus Group No 7: Jordan Press Association (JPA)
Wednesday 18 March 2015

Omar Abanda, Petra News Agency, Head of Disciplinary Council, Jordan Press Association (JPA)
Awni Al-Daoud, Ad Dustour newspaper, Vice President, Jordan Press Association
Majida Ashour, Petra News Agency
Ahmad Awad, Phenix Center for Economic and Informatics Studies
Samar Haddadin, Member of Jordan Press Association (JPA) Council, Al Rai newspaper
Basel Okour, Jo24 news website
Eman Thatha, Petra News Agency

Focus Group No 8: Print Media
Thursday 19 March 2015

Omar Assaf, managing editor, Al Rai newspaper
Samar Haddadin, Member of Jordan Press Association (JPA) Council, Al Rai newspaper
Waleed Husni, Al Arab Al Yawm newspaper
Nancy Khasawneh, Jordan Media Commission
Osama Rawajfeh, Petra News Agency

Dalal Salameh, Jordan Media Institute

Abdullah Tawalbeh, Jordan Media Commission

Focus Group No 9: Gender
Sunday 22 March 2015

Hala Ahed Deeb, Jordan Women Union

Raja' Albawabiji, lawyer, member, Women's Rights Unit, Jordan Commission for Human Rights

Rana Al-Husseini, The Jordan Times newspaper

Mohammad Shamma, Amman Net

Basel Tarawneh, government coordinator for human rights

Focus Group No 10: Journalists
Monday 30 March 2015

Omar Assaf, managing editor, Al Rai newspaper

Suheir Jaradat, Petra News Agency

Mohammad Omar, editor-in-chief, Alabawaba webnews

Kamal Zakarneh, Ad Dustour newspaper

Mahmoud Moghrabi, managing editor, Khaberni news website

Mohammad Fdeilat, correspondent, Al-Araby Al-Jadeed website

Dana Jebreel, Reporter, 7iber online magazine

National Consultations:

1. Madaba, 21 April 2015

Miyasar Abdeljalil	Jordanian National Forum for Women
Jamal Al Bawareed	Petra News Agency
Israa Al Maaiteh	Journalism graduate
Omar Mohamed Al-Wkhian	Head, Madaba Youth Center
Suhad Alabady	Member, Madaba Municipal Council
Mohamed Abdulkader Alfasantlah	Head, Madaba Cultural Directorate
Kholud Alfahat	Member, Madaba Municipal Council
Sanad Alhaddadin	Journalism graduate
Fadwa Abdullah Alhamarneh	Jordanian Women's Union
Omar Dahamsha	Journalism graduate
Seham Khalaf	Member, Madaba Municipal Council
Aljazieh Maayah	Jordanian National Forum for Women
Ahmed Shawabkah	Al Ghad newspaper
Hisham Sulaiman Shawabkah	
Sleman Husain Shawabkah	Princess Basma Youth Resource Center
Enad Abu Windi	Al Rai newspaper

2. Ghor Safi, Jordan Valley, 22 April 2015

Abdallah Rizk Al-Ashoush	Economic and Social Association of Retired Servicemen and Veterans
Amer Yousef Al-Ashoush	Sawt Alaghwar Radio
Suleiman Al-Bawat	Al Rai newspaper
Mohammed Niazi Al-Huwaimel	Sawt Alaghwar Radio
Fathi Ahmed Al- Hweimel	Sawt Alaghwar Radio
Eman Abdulrahman Al-Khanazerh	Sawt Alaghwar Radio
Bakhit Mohammed Al Mahafzeh	Member, Tribunal Council
Nada Thiwan Al-Masha'leh	Ghor el Safi Women Association for Social Development
Sabe' Kanak Al-Masha'leh	Economic and Social Association of Retired Servicemen and Veterans
Fatima Hamadallah Al-Sha'ar	Sawt Alaghwar Radio

Sabah Al-Sha'ar	The Jordanian Hashemite Fund For Human Development (JOHUD)
Roa'a Mamoud Alowneh	Sawt Alaghwar Radio
Mohammed Ashebat	Al Ghad newspaper
Yaser Atta	Economic and Social Association of Retired Servicemen and Veterans
Yousef Ramadan Khlifat	Ad Dustour newspaper
Rokaya Ahsaleh Mahafzah	Ghor el Safi Women Association for Social Development

3. Zarqa, 23 April 2015

Najah Abdulsalam	Municipal Council, Al Hallabat
Azizeh Saad Al Dajeh	Member, Municipal Council, Rusaifeh
Suad Hussain Al-Habashneh	Jordanian National Forum for Women
Usama Mohammed Al-Hirsha	The Women's Association of White Mountain
Basma Mohammed Al-Qudah	The Women's Association of White Mountain
Hassan Husini altewawi	Bright Tomorrow Youth Association
Dima Aqrabawi	Hona Zarqa magazine
Buthaina Rafeh	Member, Municipal Council
Kifah Abdul Rahman	Member, Dhilal Municipal Council
Hanin Abdullah Rawashdeh	Hona Zarqa magazine
Amjad Jamil Abu Saleh	Member, Zarqa Chamber of Commerce
Mahmoud Alhaj Saleh	
Nawal Abdulkarim Salem	Municipal Council, Al Hallabat Municipality
Nour Samer	Al Balad Radio, Hona Zarqa
Layla Sharif	Member, Municipal Council, Dhilal
Huda Saad Shawarbeh	Jordanian National Forum for Women
Batool Taraani	Al Balad Radio, Hona Zarqa Magazine
Tagreed Mahmoud Tamimi	

4. Tafileh, 20 May 2015

Ghazi Al Amayreh	Member, Municipal Council
Anas Ghazi Al Amreen	Al Rai newspaper

Obaida Al Bdour	Creativity Institute for Human Development
Hamoud Al Edeinat	Member, Municipal Council
Saif Al Faraheed	Creativity Institute for Human Development
Mohammad Al Hanaqtah	Director of the local Development
Wajed Al Jaradeen	Member, Municipal Council
Sawsan Al Marafi	
Ahmad Al Qarar'ah	Member, Tafileh Municipal Council
Faisal Al Qatameen	Al Ghad newspaper
Saeb Al Qatatsheh	Al Tafileh Teachers' Club
Mohammad Al Rfou'	University Radio
Noura Al Saoud	Member, Municipal Council
Hala Al Shahahdeh	Tafileh Technical University
Ahmad Qteitat	Creativity Institute for Human Development
Ghada Shabatat	Member, Municipal Council

5. Karak, 20 May 2015

Taqwa Al-Athameen	Sawt al Karak FM
Hamdi Al-Btoosh	Teibah Club
Baker Al-Garalleh	Injaz
Intissar Al-Jaafreh	Sawt al Karak FM
Ahed Al-Rawashdeh	Sawt al Karak FM
Suhad Al-Rawashdeh	Directorate of Agriculture, Mazar
Amnah Al-Sarayreh	Employee
Reema Al-Sarayreh	Employee
Nizar Al-Sarayreh	Ro'ya TV
Ali Al-Tarawneh	Media professional
Amira Al-Tarawneh	Directorate of Agriculture, Mazar
Ali Msallam	Cultural Association

6. Maan, 21 May 2015

Alaa Al-Kayyal	Al- Qantara Center for Human Resources Development
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Mohammad Al-Khawara	Al- Qantara Center for Human Resources Development
Mohammad Al-Rowwad	Al- Qantara Center for Human Resources Development
Loay Al-Sawalqah	Al- Qantara Center for Human Resources Development
Hamza Al-Sharari	Al- Qantara Center for Human Resources Development
Khaled Al-Shaweesh	Al- Qantara Center for Human Resources Development
Shahla Al-Shaweesh	Al- Qantara Center for Human Resources Development
Ahmad Dweirej	Al- Qantara Center for Human Resources Development
Eyad Abu Hilaleh	Al- Qantara Center for Human Resources Development
Hanan Abu Karaki	Al- Qantara Center for Human Resources Development
Hussein Kreishan	Al Ghad newspaper
Abdallah Talaat	Al- Qantara Center for Human Resources Development
Ayda Abu Tayeh	Hussein Bin Talal University
Haneen Thabet	Al- Qantara Center for Human Resources Development

7. Um El-Jimal, Mafraq, 2 June 2015

Israa Al-Adamat	
Ahmad Al-Masa'eed	Local community
Do'aa Al-Masa'eed	Municipal Council, Um El Jimal
Fatma Al-Masa'eed	Member, Municipal Council, Um El-Jimal
Islam Al-Masa'eed	Student
Rana Al-Masa'eed	Student
Sbeih Al-Masa'eed	Teacher
Fadwa Al-Qteish	Teacher

Fatima Al-Sharafat	Saba' Association
Bdour Al-Srour	
Hassan Fahed	President, Municipal Council, Um El Jimal
Manal Harahsheh	Teacher
Nahla Bani Khaled	Teacher
Suleiman Nassar	Community leader
Ali Al Qteish	Employee
Omar Saado	Municipal Council, Um El Jimal

8. Wahadneh, Ajloun, 4 June 2015

Tareq Al-Daoud	Princess Basma Youth Resource Center
Ashraf Al-Ghazou	Princess Basma Youth Resource Center
Fadi Al-Ghazou	Princess Basma Youth Resource Center
Hussein Al-Ghazou	Princess Basma Youth Resource Center
Layal Al-Rabadi	Princess Basma Youth Resource Center
Nabeel Al-Rabadi	Princess Basma Youth Resource Center
Tarek Al-Rabadi	Roman Catholic Church in Ajloun
Wael Al-Rabadi	Princess Basma Youth Resource Center
Rand Al-Samardali	Roman Catholic Church in Ajloun
Marwa Al-Shara'a	Princess Basma Youth Resource Center
Wejdan Fteimat	Princess Basma Youth Resource Center
Zeinab Ghazou	Princess Basma Youth Resource Center
Rawabi Khatatbeh	Princess Basma Youth Resource Center
Moataz Abu Mijana	Princess Basma Youth Resource Center
Israa Bani Nasr	Princess Basma Youth Resource Center
Mohammad Issam Shanato	Princess Basma Youth Resource Center
Ala'a Wahsheh	Princess Basma Youth Resource Center

Thematic consultations:

Public Service Broadcasting 18-19 April 2015

Radi Al Khas	Jordan Media City
Ramadan al Rawashdeh	Former JRTV Director, Board Director, Al Rai newspaper

Bayan Tal	Consultant with Ro'ya TV and JMI
Alfred Asfour	Freelance trainer and journalist
Naomi Sakr	University of Westminster, UK
Mohammad Tarawneh	General Director, JRTV
Hala Zureiqat	Ro'ya TV

Training and Education 26-27 April 2015

Hamoud Al Mahmoud	Arab Reporters for Investigative Journalism
Bayan Tal	Consultant with Ro'ya TV and JMI
Ziad Al Raba'i	Jordan Press Association
Jude Al Shahwan	SAE
Yasar Durra	Jordan Media Institute
Khaled Hijab	Tech Tribes
Sarah Nasereddin	Middle East University

Self-regulation in the Media 18-19 May 2015

Omar Abanda	Head of Disciplinary Council, Jordan Press Association (JPA)
Nabil Al Sharif	Former Minister of Information, Imdad Media Center
Amjad Al Qadi	Director, Jordan Media Commission
Ali Freihat	Member of Jordan Press Association Council
Waleed Hosni	Center for Defending Freedom of Journalists
Daoud Kuttab	Community Media Network
Rana Sabbagh	Executive Director, Arab Reporters for Investigative Journalism

Local Radio 26-27 May 2015

Bader Al Agha	Radio Fann
Majd Al Amad	Jordan Media Commission
Fathi Al Hweimel	Sawt al Ghor Radio
Basheer Aqnabe	Sawt Al Karak Radio

Arzo Asendar	Jordan Media Commission
Hiba Jawhar	Farah Al Nas Radio
Rawan Jayoussi	Community Media Network, Al-Balad Radio
Daoud Kuttab	Community Media Network
Mohammad Naimat	Sawt Al Janoub Radio
Ghaleb Shatnawi	Yarmouk FM

Media Information Literacy 3 June 2015

Mahasen Al Emam	Arab Women Media Center
Muna Fityani	Queen Rania Teacher Academy (QRTA)
Ayman Okour	Jordanian Teachers' Association
Dalal Salameh	Jordan Media Institute
Jamil Shaheen	Modern System Schools