

JORDAN

The Internet was introduced to Jordan in 1995 and today's Internet market is highly competitive with sixteen Internet Service Providers (ISP) providing top quality, reliable broadband and WiMAX Internet services. Jordan also has three highly-competitive mobile operators which provide an extensive array of 3G mobile services. The Telecommunications Regulatory Commission (TRC) regulates both the Internet and Mobile industries.⁸⁸

There are no restrictions on the Internet in Jordan. Internet coverage, both wired and wireless infrastructure, is nationwide with more focus on dense areas (mainly the principle cities) and less on rural areas. The introduction of WiMAX and 3G in 2009⁸⁹ increased geographical penetration through Internet access points and the rise of the Internet.⁹⁰ The ISP market in Jordan is highly competitive with sixteen reported ISPs, many of which provide reliable services at competitive prices. Market forces continue to help the decline in Internet prices, encouraging Internet uptake and making Internet provision in Jordan more affordable.⁹¹ Mobile operators are providing data package options at reasonable prices to cover

the largest portion of subscribers interested in purchasing such services.⁹²

Statistics on Internet penetration in Jordan vary. During the same period at the end of 2011, the Jordanian Department of Statistics (DoS)⁹³ reported a penetration rate of 34.9%,⁹⁴ while the Jordanian TRC⁹⁵ reported 50.5%.⁹⁶ This highlights, amongst many things, the lack of objective statistics on this matter, or of openness within governmental organisations. Online news sites are ranked as the preferred destination for around 70% of Jordanian Internet users, with music coming in at number two, and sports in third position. 72% of Jordanian Internet users are aged between 15 and 24 years.⁹⁷

The concept of "Internet Governance (IG)" in Jordan is not widespread. Some pillars of IG, such

88. http://www.itu.int/dms_pub/itu-d/opb/ind/D-IND-AR-2012-PDF-E.pdf

89. http://www.jordantelecomgroup.jo/jtg/Home/MediaRelations/News/jtg_3G_license/tabid/561/Default.aspx

90. <http://jordantimes.com/zain-jordan-boasts-1m-subscribers-to-3g-services>

91. http://www.itu.int/dms_pub/itu-d/opb/ind/D-IND-AR-2012-PDF-E.pdf

92. <http://jordantimes.com/umniah-introduces-3g-services>

93. The Department of Statistics (DoS) was established in the late 1949 and assumed its activities in accordance with the Statistics Law No. 24 for the year 1950.

94. http://www.dos.gov.jo/dos_home_a/main/jorfjg/2011/13.pdf

95. The Telecommunications Regulatory Commission (TRC) was established by means of the Telecommunications Law No. 13 of 1995, and its amending law No. 8 of 2002 as a financially and administratively independent jurisdictional body tasked with regulating the ICT sector. While it performs its duties independently of the Jordanian Ministry of Information and Telecommunications Technology (MoICT), it complies with the general policy of the Government of Jordan.

96. http://trc.gov.jo/index.php?option=com_content&task=view&id=index.php?option=com_content&task=view&id=2021&lang=english

97. <http://jordantimes.com/news-websites-most-popular-destination-for-jordanian-internet-users----study>

as security, e-government and infrastructure, are widely applied, whilst others are only partially implemented, such as Domain Name System (DNS) and IPv6. However, others, such as Open Data, Online Freedom of Expression, New gTLDs, and DNSSEC, are still not applied at all. Furthermore, the Policy Development Process (PDP) in Jordan lacks a multi-stakeholder, bottom-up, consensus-driven approach. This is due to the fact that the majority of government entities enforce laws passed by the Ministerial Cabinet, with royal approval but without public consultation.

FREEDOM OF EXPRESSION (FOE) AND THE CURRENT SITUATION OF INTERNET OPENNESS

In 2012, the Independent London-based public policy organisation, the Legatum Institute, ranked Jordan 133 in terms of Personal Freedom.⁹⁸ The Jordanian government still prohibits citizens from what they consider to be 'crossing redlines'. This includes, criticizing the ruling family, making comments deemed to offend Islam (the official religion of the state), diminishing the prestige of the State, or harming international relations. These are very general and ambiguous laws which can be used to detain individuals as suits various elements of the state apparatus and, as and when it pleases the regimes' agenda. Though the recent Arab revolutions annulled the law prohibiting Jordanians from defaming government officials and institutions, those caught crossing redlines are still interrogated by the Jordanian General Intelligence Department (GID) and potentially detained.⁹⁹ This has led

to many great thinkers and political opposition leaders fleeing Jordan in the hopes of finding a land which allows them to express their beliefs without fear of discrimination. Consequently, it is reported that 94% of Jordanian journalists practice self-censorship.¹⁰⁰

Prior to the evolution of the Internet in daily Jordanian lives, redline crossings were limited to traditional media, appearing on satellite TV channels, in international newspapers or through opposition leaders. This limited the risk of prosecution from the State as citizens were only consumers of content. However, the post-Internet individual has become a producer of content, and is now in direct conflict with the State. For example, Ahmed Oweidi Al-Abbadi and Abdul Salam Al-Mualla are two Jordanian opposition leaders and founders of the Jordan National Movement in the USA.¹⁰¹ The *Al-Jazeera* news channel, a satellite TV news channel broadcasting from Qatar, caused unrest in relationships between Jordan and Qatar by broadcasting news criticizing the monarch and his family.¹⁰² *The Arab Times*, a controversial newspaper published in the USA, is banned in Jordan for its critical tone towards the Jordanian monarchy.¹⁰³ Laith Shubeilat, a reformist opposition figure in Jordan, has been detained and allegedly tortured on several occasions for opposing the ruling family and the government.¹⁰⁴ These examples, and more, reflect ongoing concern regarding the right of the Jordanian citizen to freedom of expression.

98. <http://www.prosperity.com/CountryProfile.aspx?id=400>

99. <http://www.hrw.org/world-report-2011/jordan>

100. <https://www.goethe.de/ins/jo/amm/prj/ema/far/job/enindex.htm>

101. <http://www.jordannationalmovement.com/>

102. http://www.atimes.com/atimes/Middle_East/DH15Ak01.html

103. <http://old.openarab.net/en/node/349>

104. <http://shubeilat.com/about/>

The Arab revolutions of late 2010 put Jordan, like many of its neighbours, on high alert. In order to avoid the situations spilling over into Jordan, a new government was formed with verbal instructions to fight all forms of corruption and launch a solid reform process through the establishment of a “National Dialogue Commission”. In December 2011, high profile arrests were made, including that of Amman’s mayor, Omar Maani, who was charged with fraud. In February 2012 Mohammad Dahabi, the former director of Jordan’s intelligence service, was taken into custody on charges of money-laundering, and was later sentenced to thirteen years’ imprisonment. These incidents and others were the beginning of a new era for some Jordanians. More public criticisms of the monarch, his family, and the government were made online and in traditional media. Jordanians took to the streets in protest on a weekly basis, requesting that more reformative action be taken and that the government deal with the protests cautiously.

This said, sixteen assaults were registered against journalists during the first quarter of 2012¹⁰⁵ and twenty-four during the period 1 May – 1 September, 2012.¹⁰⁶ In March 2012, four Jordanian activists participated in a sit-in calling for increased job opportunities for the unemployed, but did it in a manner that was not deemed appropriate by the State. As a consequence, they were imprisoned.¹⁰⁷ In

105. <http://jordantimes.com/16-assaults-against-journalists-registered-in-first-quarter>

106. <http://jordantimes.com/24-assaults-against-journalists-registered-over-past-four-months----report>

107. <http://www.freedomhouse.org/article/jordanian-activists-detained-criticizing-king-abdullah-ii>

April 2012, twelve protesters were referred to the State Security Court for insulting the monarch and threatening national security.¹⁰⁸ In July 2012, Jordan’s then Prime Minister, Dr. Fayez Tarawneh,¹⁰⁹ requested suspension of the Jordanian TV satellite channel JO-Sat for airing a show entitled *Blaming the Government*, and of the GID for slowing down the reform process.¹¹⁰

Jordanian expatriate citizens are able to use the Internet in an enabling way which is not available to Jordanian citizens living within the country. Internet users in Jordan are limited by stringent laws limiting their freedom of expression through fear of detention. In February 2012, female blogger Enass Musallam was stabbed, allegedly because she criticised a member of the royal family on her blog.¹¹¹ The Omani student of Jordanian law, Ammar Al-Mamari, famously blogged from Jordan about the repression of the Omani government, and events took a twist in August 2012 when Jordanian government officials contacted his parents in Oman, requesting that their son stop his writings, or face being deported according to Freedom House.¹¹² During the second half of 2011, Google received ten requests from the Government of Jordan to remove online content. Such requests are either made by government officials in the Royal Court or by the Jordanian Intelligence Department.

108. <http://jordantimes.com/between-defamation-and-free-speech-the-need-to-define-the-red-lines>

109. In Jordan, the king appoints the prime minister based on geographical diversity, and the prime minister chooses the cabinet.

110. <http://www.freedomhouse.org/article/clampdown-government-critics-augurs-poorly-jordan>

111. <https://cpj.org/2012/02/in-jordan-blogger-stabbed-after-criticizing-the-royal-family>

112. <http://www.freedomhouse.org/article/omani-blogger-threatened-deportation>

Google declined to remove any content on the grounds that it did not violate Google's online content publishing policies.¹¹³ In January 2010, the Court of Cassation enforced websites and electronic media to comply with the Press and Publication Law. However, implementing such a decision was beyond the jurisdiction of local courts because the majority of the websites were hosted overseas.¹¹⁴ In July 2012, the government announced that it would amend the Press and Publications Law (PPL) to include amendments which covered cyberspace. The proposed legislation includes items that would hold online media accountable for comments posted by readers, require online media entities to archive all comments left on their sites for at least six months, require online media to register with and obtain a license from the PDP, thus forcing them to become a member of the Jordan Press Association, and giving the government authority to block sites that fail to comply.¹¹⁵ On 17 September 2012, a royal decree passed the new amendments of the PPL.¹¹⁶

NICHES OF AREAS OF IMPORTANCE WITHIN THE INTERNET LEGISLATION/POLICY

In Jordan, there has not been heavy investment in Free Open Source Software (FOSS). The Jordanian Ministry of Information and Communications Technology (MoICT) has

been attempting to deal with this situation as around 57% of software used in the past two years is pirated.¹¹⁷ In 2010, the MoICT signed a Memorandum of Understanding (MoU)¹¹⁸ with Ingres Corporation.¹¹⁹ The project targets local universities and has a mandate to make FOSS the software platform used within the government of Jordan (ministries and governmental entities).¹²⁰

The MoICT oversees the policy development of the Information and Communication Technology (ICT) sector. Policy is reviewed on an annual basis, taking into account feedback from the ICT industry (mainly the giant Telco operators), the latest international trends and best-practices suggested by international organizations such as the International Telecommunication Union (ITU). The draft policy of each coming year is drafted for review by the public via the MoICT's website. Feedback is accepted and incorporated and the final document is submitted for approval by the Ministerial cabinet. Once approved, the policy is enforced via the MoICT's regulatory bodies - the TRC and the National IT Center (NITC).¹²¹ The Ministry ensures continuous improvement and stronger competition to and within the ICT sector by providing incentives in the form of discounts on

113. <http://www.google.com/transparencyreport/removals/government/JO/?p=2011-12>

114. http://www.huffingtonpost.com/daoud-kuttab/jordans-newssites-volunta_b_917809.html

115. <http://www.jpa.jo/english/JPALaw.aspx>

116. <http://jordantimes.com/royal-decree-endorses-press-law>

117. <http://www.microsoft.com/middleeast/press/Pages/Article.aspx?id=903>

118. http://www.businesswire.com/portal/site/home/permalink/?ndmViewId=news_view&newsId=20100112005382&newsLang=en

119. Ingres Corporation is a leading open source database management company and pioneer of the New Economics of Information Technology (IT)

120. <http://jordanopensource.org/article/jordan-become-open-source-hub-middle-east>

121. <http://www.moict.gov.jo/ar-jo/%D9%85%D8%B1%D9%83%D8%B2%D8%A7%D9%84%D8%A7%D8%B9%D9%84%D8%A7%D9%85%D8%A2%D8%AE%D8%B1%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1.aspx>

annual service fees (such as spectrum allocation fees and international Internet fees) to those who fulfil the regulatory requirements with minimal annual violations. The Ministry also introduces new ICT services (such as 3G, 4G, and WiMAX) in the form of Tenders where interested providers are requested to submit strong proposals.¹²²

STATUS OF ACCESS TO INFORMATION, TRANSPARENCY, ACCOUNTABILITY, AND E-PARTICIPATION

Whilst Jordan was the first Arab country to officially endorse a law in 2007 which preserves the right to Access of Information (AoI),¹²³ loopholes¹²⁴ which prevent access to information and provide few guarantees to those seeking it, are abundant.¹²⁵ One such loophole contradicts the Press and Publication Law (PPL) of 1999. For example, Article 7 of the law prohibits public demand for information which has “religious, racial and ethnic discrimination or discrimination based on sex or colour”. Article 13 authorises officials not to disclose information related to State secrets and confidential documents stipulated in other legislation, thus contradicting the reason for devising such a law. In 2008, another amendment was added which stated

that journalists would be imprisoned if they violated the PPL. However, this amendment was overturned and never saw the light of day.¹²⁶ Further amendments to the PPL took place in September 2012, imposing greater restrictions to freedoms of expression online. Another loophole initiated an amendment, in September 2011, to the country’s Anti-Corruption Law. This amendment penalized the publication or dissemination of allegations of corruption without proof incurring fines ranging from USD 42,000–85,000. The law was rejected in January 2012.¹²⁷ In September 2012, a draft amendment was endorsed, the major item being to improve the representation of civil society organizations on the Information Council.¹²⁸

In August 2010, the Jordanian parliament passed a cybercrime law, specifically to penalize hacking and online identity theft. However, some provisions were identified as a means by which to further restrict freedom of expression online.¹²⁹ For example, Article 8 of the law contained a vague definition of the posting of insulting comments (this Article was withdrawn in a subsequent Amendment). Article 9 prohibited “immoral content” - a vaguely-defined term. Article 12 banned the posting of information concerning Jordan’s national security, foreign relations, public order, or economy - information previously unavailable to the public. Article 13 gave the Attorney General full power to issue

122. http://www.jordantelecomgroup.jo/jtg/Home/MediaRelations/News/jtg_3G_license/tabid/561/Default.aspx

123. <http://www.giswatch.org/country-report/20/jordan>

124. For example, article 7 of the law prohibits public demand of information that has “religious, racial and ethnic discrimination or discrimination based on sex or color”. Article 13 of the law gives authority to officials not to disclose information related to state secrets and confidential documents stipulated in other legislations, thus contradicting the reason behind devising such a law.

125. <http://www.alarchief.com/reports/englishFiles/accessToInformation.pdf>

126. <http://www.amnesty.org/en/region/jordan/report-2008>

127. http://www.khaleejtimes.com/darticlen.asp?xfile=data/middleeast/2011/September/middleeast_September568.xml§ion=middleeast

128. <http://jordantimes.com/cabinet-endorses-draft-amendment-to-access-to-information-law>

129. http://ifex.org/jordan/2010/09/03/cyber_crimes_law/

police warrants to search the office or home of anyone suspected of violating the law.

It has become a common trend in Jordan for website owners to receive phone calls requesting the take-down of content. Such phone calls are mainly initiated by government officials, security services, politicians, and prominent Jordanian figures. In February 2011, the national online newspaper *Amon News* was hacked after it refused to take down a joint statement by thirty-six prominent Jordanian tribesmen¹³⁰ requesting reform. The joint statement was eventually removed by the hackers.¹³¹ In March 2012, the *Al-Arab Al-Youm* newspaper was pressurized by the Royal Court to take down an article entitled “*We Will Not Live in a Stupid Man’s Robe*”. The article criticized the government for the way in which they were fighting corruption and unemployment and for how they had dealt with protests in some Jordanian cities.¹³²

In 2006, the Jordanian government launched its e-government services with the aims of transforming Jordan into a knowledge-based economy, and conducting public sector reform and utilizing technology as an enabler.¹³³ However, a United Nations survey conducted in late 2011 ranked Jordan’s e-government program at 98 out of 190, moving down from 51 at the end of 2010. Part of the e-government service is the introduction of e-participation. The Legislation and Opinion Bureau is the governmental body which oversees this initiative, and has a

130. Tribesmen in Jordan have always been known for their historic support to the monarch.

131. http://www.ifex.org/jordan/2011/02/11/ammon_news_hacked/

132. http://www.ifex.org/jordan/2012/03/26/article_censored/

133. <http://www.jordan.gov.jo/wps/portal/MyArabicPortal>

dedicated web portal for this purpose.¹³⁴ While the bureau receives comments from the public on drafts of new and amended laws published on the portal, it does not have a process in-hand to receive suggestions about new laws or amendments to existing laws (citizens writing new laws or proposing amendments to existing ones).

In 2008, The Jordanian Alliance for the Freedom of Information and Transparency (JAFIT) was born. The coalition consists of various stakeholders related to information dissemination – mainly media reporters and bloggers. It conducts campaigns and activities to promote the freedom of information and transparency. Some Jordanians believe that information transparency and accountability are the crux of large-scale reform.¹³⁵

THE IMPACT OF SOCIAL MEDIA ON CIVIL LIBERTIES

Statistics show that Jordan has approximately 2.5 million active Facebook accounts,¹³⁶ approximately 50,000 Twitter accounts (of which approximately 15,000 are active)¹³⁷ and approximately 212,000 LinkedIn accounts.¹³⁸ Several governmental ministries and offices maintain Facebook and Twitter accounts. Notably, Queen Rania and Queen Noor are known to be

134. http://www.lob.jo/List_LawsLegislations_Public.aspx?Page=Vote

135. <http://www.black-iris.com/2011/01/24/why-transparency-may-be-the-first-step-for-serious-reform-in-jordan/>

136. <http://www.socialbakers.com/facebook-statistics/jordan>

137. <http://jordantimes.com/twitter-study-points-to-declining-happiness-but-users-dont-plan-to-stop>

138. <http://www.socialbakers.com/countries/linkedin-in-country-detail/jordan>

active on social media sites including Facebook and Twitter.

Many Jordanian civil movement groups create social media accounts, mainly using the Facebook platform, to discuss topics of interest. In March 2011, a Facebook group named “*Youth of March 24*” was created with the aim of organizing a demonstration. The group demanded the resignation of Dr. Marouf Al-Bakhit, the Prime Minister at that time, reform of parliament, and trials of the corrupt.¹³⁹ While the demonstration did go ahead, the government did not comply with the demands, as it remained undismantled. In February 2012, a Facebook group called “*Ensaf*” was created to promote Internet censorship, mainly blocking pornographic content.¹⁴⁰ In April 2012, the “*No Internet Censorship in Jordan*” Facebook group was created to fight Internet censorship.¹⁴¹ In August 2012, Queen Noor of Jordan tweeted on her Twitter page, expressing her dissatisfaction at the 2012 amended Press and Publication Law (PPL).¹⁴²

CONTENT FILTERING

Internet surveillance and monitoring surfaced as a major civil rights issue in March 2008, when the Jordanian Ministry of Interior Affairs issued new instructions to Internet café owners to install cameras in order to monitor users, register the Internal Protocol addresses of the café, register the users’ personal data, register the time of use, and register the data of websites explored.¹⁴³

139. <http://www.bbc.co.uk/news/world-middle-east-12857360>

140. <https://www.facebook.com/ensaf0>

141. <https://www.facebook.com/NoInternetCensorshipInJordan>

142. <https://twitter.com/QueenNoor/status/240780558018412544>

143. <http://www.menassat.com/?q=en/alerts/3178-jordan-internet->

While some activists did express their concern at such instructions, the majority of Internet café savvies were fine with them.

Prior to the PPL of 2012, *The Arab Times*¹⁴⁴ was the only online content to be filtered in Jordan. Their website had been blocked since 2001.¹⁴⁵ In 2008, strict censorship policies were implemented within the governmental network. Content related to general terms such as pornography, social media, audio/video streaming, and proxy websites/software, was all blocked. In mid-2010, a government source confirmed that a 30-day study had concluded that government employees spent, on average, 3 of their 7-hour work day surfing local online newspapers. As a consequence, the top fifty most visited online news sites were blocked within the governmental network. In late-2010, and under the next government, this ban was lifted, leaving other previously-blocked content blocked within the governmental network.

In early 2012, two civil society groups concerned with Internet content filtering were formed. The first group, “*Ensaf*”,¹⁴⁶ was in favour of filtering content concerned with pornographic content due to its violation of the teachings of Islam and the social norms of Jordan. The other group, “*No Internet Censorship in Jordan*”,¹⁴⁷ opposed content filtering on the grounds that

cafe-users-be-monitored

144. The Arab Times is a well-known Arabic newspaper based in the USA. While it started in 1986, it launched its online services in 1997. It is known for its criticism targeting Arab leaders and monarchs. It is blocked in many Arab countries such as Jordan, Kuwait, and Saudi Arabia.

145. <http://old.openarab.net/en/node/349>

146. <https://www.facebook.com/ensaf0>

147. <https://www.facebook.com/NoInternetCensorshipInJordan>

it would harm the Jordanian Information and Communications Technology sector.¹⁴⁸ In July 2012, the government of Jordan placed Internet censorship high on its agenda as part of the amended PPL of 2012. On 29 August 2012, and in opposition to the suggested amendments to the PPL, around two hundred Jordanian websites participated in a 24-hour blackout, displaying black screens as their main page.¹⁴⁹ The high profile figure, Queen Noor of Jordan, tweeted on her Twitter page expressing her dissatisfaction at the amended PPL.¹⁵⁰ On 17 September 2012, a royal decree passed the new amendments of the PPL with immediate effect.¹⁵¹

CONCLUSION AND RECOMMENDATIONS

The introduction of smart phones has helped increase Internet penetration rates in Jordan. Internet Governance is not a widely-used concept. When it comes to Freedom of Expression, Jordan clearly has a long way to go as access to Information is highly restricted and e-participation has limited implementation. 2012 has witnessed a considerable number of human rights violations against reporters, bloggers and media outlets as the traditional “red line” boundaries have been publicly pushed.

The Press and Publication Law of 1999 and its subsequent amendments are seen to be one of the main obstacles behind the low levels of FoE, Access to Information, and e-participation. The new cybercrime law of 2010 has many loopholes which could restrict FoE online. Enforcing stringent Internet filtering in late 2012 is another highly controversial issue within the Jordanian Internet community. The unrest in the region, due to the Arab revolutions, is another factor affecting future development. The lack of understanding of key Internet Governance and the Policy Development Process topics are additional obstacles which must be tackled. In light of the above, the following recommendations would progressively change the status quo:

1. Amendment of the Press and Publication Law and the Cybercrime Law to ensure higher levels of FoE and better immunities for journalists, bloggers, and online Internet users. Such laws must comply with the international conventions on FoE and human rights. Amending such laws would encourage industry growth of local hosting services and data centres, thus enhancing further local content.
2. Reconsideration of the concept of enforcing Internet Content Filtering. Education and capacity-building are methods which must be explored further.
3. Provision of awareness and capacity-building programs on issues related to Internet Governance and encouragement of the multi-stakeholder, bottom-up, consensus-driven concept.

148. Jordan is dubbed as the Silicon Valley of the Middle East. In 2012, it was ranked as the 10th best city in the world to launch a tech startup (<http://www.bloomberg.com/news/2012-02-06/cohan-jordan-vc-firms-forging-mideast-silicon-valley.html>).

149. <http://www.globalpost.com/dispatch/news/regions/middle-east/jordan/120829/jordan-internet-blackout-protest>

150. <https://twitter.com/QueenNoor/status/240780558018412544>

151. <http://jordantimes.com/royal-decree-endorses-press-law>

4. Stronger local multi-stakeholder engagement at both regional and international forums such as ICANN, IETF, IGF, ITU, ISOC... and others, followed by the organisation of local events to update the public on what is taking place on regional and international stages.
5. The establishment of a multi-stakeholder organisation, which advocates the best interests of all Jordanian Internet users. Securing adequate financial resources could enhance the services provided by such an organization, which must play an influencing role in Press and Publication Law related to the Internet.
6. Enhancement and upgrading of services provided by the Jordanian e-government programme. This includes introducing services, which could assist in making the lives of Jordanian citizens easier (mainly e-services).
7. Further enhancement of the concept of Free Open Source Software (FOSS) and promotion of its usage. This will assist in reducing the cost of purchasing proprietary software and will further reduce the usage of pirated software.
8. The encouragement of research and development related to Internet Policy Development and Internet Governance.