GLOBAL INFORMATION SOCIETY WATCH 2009

Focus on access to online information and knowledge
– advancing human rights and democracy

Global Information Society Watch 2009

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2009

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Dedicated to A.K. Mahan - an activist who valued intellectual rigour and concrete outcomes.

JORDAN

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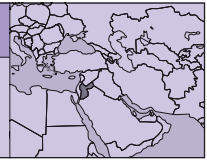
Introduction

This part of the world (the so-called Arab world) has a long tradition of secrecy when it comes to accessing information. Five centuries ago, the invention of printing played a vital role in curbing the authority of the church, and new technologies such as the internet and satellite television can play a similar role. These "freedom technologies" weaken hegemonic ideologies.

The internet first became available in Jordan in the mid-1990s, giving Jordanians unprecedented opportunity to seek, receive and impart information regardless of national borders. It also exposed the public to views other than those that had been sanctioned by the government, and gave people the opportunity to become "newsmakers". Bloggers are potential competitors to the traditional media outlets, especially in closed societies.

As a result, Jordan has tried to adjust its policies governing information and communications technologies (ICTs) so that it can use the new information tools and at the same time exert some measure of control over their content.

The most recent survey on ICT use[1] showed that 94% of Jordanians have mobile phones,[2] 39% have access to the internet and 64% use the internet to access information.[3] The government recently exempted computers from sales tax (which stands at 16%). Jordan also reduced the tax on internet services from 16% to 8% in 2008, while the Ministry of Information and Communications Technology (MOICT) aims to ensure that half of the population has internet access by 2011.

However, the authorities also blocked access to the *Arab Times*[4] inside Jordan after it published a number of articles criticising the Jordanian government.

Policy, legislation and censorship

At the advent of democracy in 1990 Jordan adopted the National Charter, which outlines general guidelines concerning questions of authority, rights and responsibilities of citizens and the state. The National Charter, along with the Jordanian Constitution, provides a compass for the national debate on fundamental issues.

Section four of the National Charter provides that:

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. The state must guarantee free access to information to the extent that it does not jeopardise national security or the national interest.[5]

Jordan is also party to the International Covenant on Civil and Political Rights (ICCPR),[6] which entitles each person to seek, receive and impart information regardless of national boundaries.

The Jordanian government is committed to promoting the adoption of ICTs in all sectors. For example, it hopes that by placing its own procurement documents online it will act as a model for other industries to follow suit. The government understands the benefits to the country of having a highly skilled ICT workforce and is working to promote and grow research and development capabilities in public universities and research institutes, as well as forming joint ventures between the public and private sectors. At the same time, access to internet content in Jordan remains largely unfettered, with filtering selectively applied to only a small number of sites. However, this access is provided by tolerance of the government rather than rule of law.

The government officially claims that there is no censorship when it comes to the diverse sources of online news available in the country, email or any other kind of internet content. Nevertheless, it recently shut down 36 internet cafés in the capital Amman because they permitted customers to access pornographic sites.[7] It also blocked access to the *Arab Times*, as mentioned earlier.

Regulations governing internet cafés were issued at the end of 2001. According to the regulations the government is responsible for issuing licences. They also stipulate that internet café owners must be "Jordanian men of good repute", who have never been charged with immoral crimes or fraud. Internet café owners are obliged to register the names and identity numbers of users, and to keep a monthly record of the websites browsed by visitors.

Media laws and regulations encourage some measure of self-censorship in cyberspace, and citizens have reportedly been questioned and arrested for web content they have authored. There are two particularly well-known cases. Former member of the opposition Tujan Faisal was jailed by the government because she accused Prime Minister Ali Abu Ragheb of corruption. She was referred to State Security Court for having published the article in question online.[8] Meanwhile, a former member of parliament, Ahmad Alabadi,

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1 Conducted by the General Department of Statistics in May 2008.

2 Mobile internet has not been introduced in Jordan yet.

3 www.moict.gov.jo/downloads/final%20report.pdf

4 www.arabtimes.com

5 www.kinghussein.gov.jo/charter-national.html

6 The ICCPR was published in the Official Gazette on 15 June 2006.

7 www.sarayanews.org/home.asp?mode=more&NewsID=14208&catID=39

8 www.islam-online.net/arabic/news/200240/25/article15.shtml

was sentenced to a two-year jail term for slandering the government in May 2007 on the *Arab Times* website.

Despite the absence of a clear definition of who in government is responsible for monitoring the internet, it is obvious that security services are doing this. In one or two cases the security services have detained the owners of websites for a short period.

Accessing official information

Jordan was the first country in the Arab world to adopt a Freedom of Information Law (in 2007). The Law on Access to Information No. 47 of 2007 (FOIL) applies to all citizens, including journalists.

FOIL establishes an official set of mechanisms for requesting documents and information from public institutions, and is an important step in ensuring that Jordanian citizens can fully enjoy the rights granted by the constitution. The law outlines a process for review, by the High Court of Justice, of requests that have been refused.[9] If a request to obtain information has been denied, a request for the issue to be considered by the High Court of Justice must be received within a limited time (the law encourages citizens to report to the Information Commissioner if a public institution refuses to disclose information within 30 days). The High Court of Justice has the authority to refuse a request for information or may refrain from responding to the request.

Currently, the law states that information can be withheld where issues of national security, personal freedom and public health are concerned – areas that critics of the law say could be interpreted to include nearly all information requests.

It is a unique law in the Arab world; and while it has been in force since June 2007, just three complaints have been lodged with the Information Commissioner (one each by a journalist, lawyer and researcher).

Alongside FOIL, Jordan's national e-government initiative aims to drive the nation's transformation into a knowledge society founded on a competitive, dynamic economy. The initiative launched an e-government portal[10] in the last quarter of 2006 as the official website for the Jordanian government. The portal includes procedures when dealing with all governmental entities, available to users 24/7. E-services are available online for a number of governmental entities.

Accessing online educational materials

Although the government provides schools with computers and encourages the growth of the internet in Jordan, connectivity prices remain prohibitively high for many Jordanians.[11]

Access to online information and educational resources is available to some university students. The Ministry of Education recognises that access to online information, including the World Wide Web, is vital for students, but it recognises that there is a shortage of infrastructure in rural areas.

Academic libraries in Jordan are moving from print to electronic information resources, offering access to online databases, setting up local area networks, sharing information on CD-ROMs, and linking online. All nineteen Jordanian university libraries are linked to the internet, according to a 2005 online information review.[12] A total of fifteen (83.3%) had developed collections of databases on CD-ROMs.

However, a lack of skilled staff, a shortage of funds and insufficient hardware are the main obstacles to accessing online information, as are outdated databases, high costs and poor user skills. Solutions suggested by the review include intranet development, training, and sharing subscription expenses to online databases.

New trends

Online information will present new challenges and opportunities to the government as public access to different forms and types of media increases. As citizens become information producers as well as consumers, the gate-keeping powers of major news organisations will also diminish; they will have less power to set the news agenda or manipulate the public's understanding of events.

There are some plans to increase access to online education in universities and schools. Offering free textbooks online to students to use in classrooms is becoming popular at a number of universities, and the trend could help students save thousands of dollars over the course of their college career.

The World Bank has also helped the Greater Amman Municipality to establish the Jordan Public Information Centre (PIC) in February 2006. The PIC offers internet access to the Bank's and other development partners' online resources, including free downloads of thousands of World Bank project documents and reports. Access to the PIC is open to the public, free of charge.

Action steps

- Decrease internet connection fees. The cost of internet access is prohibitively high.

- Improve the necessary infrastructure to facilitate access to the internet, especially in rural areas.

- Educate civil society and the public in general regarding their access to information rights, and how to actively exercise these rights (e.g., using FOIL).

- Amend FOIL to allow applying for information electronically (i.e., by email, not just in writing).

- Expand the mandate of FOIL to include more institutions.

- Introduce online databases and e-books for students and researchers in more universities. ∎

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9 2007 FOI Law, Article 17(A).

10 www.jordan.gov.jo

11 opennet.net/research/profiles/jordan

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12 Younis, A. (2005) Local online information systems in Jordanian university libraries, *Online Information Review*, 29 (1), p. 54-74.

GLOBAL INFORMATION SOCIETY WATCH (GISWatch) 2009 is the third in a series of yearly reports critically covering the state of the information society *from the perspectives of civil society organisations across the world.*

GISWatch has three interrelated goals:

- **Surveying** the state of the field of information and communications technology (ICT) policy at the local and global levels

- **Encouraging** critical debate

- **Strengthening** networking and advocacy for a just, inclusive information society.

Each year the report focuses on a particular theme. **GISWatch 2009** focuses on *access to online information and knowledge – advancing human rights and democracy.* It includes several thematic reports dealing with key issues in the field, as well as an institutional overview and a reflection on indicators that track access to information and knowledge. There is also an innovative section on visual mapping of global rights and political crises.

In addition, 48 country reports analyse the status of access to online information and knowledge in countries as diverse as the Democratic Republic of Congo, Mexico, Switzerland and Kazakhstan, while six regional overviews offer a bird's eye perspective on regional trends.

GISWatch is a joint initiative of the Association for Progressive Communications (APC) and the Humanist Institute for Cooperation with Developing Countries (Hivos).

GLOBAL INFORMATION SOCIETY WATCH
2009 Report
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