

## Access Now submission to the United Nations on the Universal Periodic Review - 2018 Cycle Jordan

### About Access Now

1. Access Now ([www.accessnow.org](http://www.accessnow.org)) is an international organisation that works to defend and extend digital rights of users globally. Access Now provides thought leadership and policy recommendations to the public and private sectors to ensure the internet's continued openness and the protection of fundamental rights. We engage with an action-oriented global community, as through our RightsCon Summit Series, and our technology arm operates a 24/7 digital security helpline that provides real time direct technical assistance to users around the world.
2. Access Now advocates an approach to human rights that protects user rights, including privacy and freedom of expression. Access Now has worked extensively on digital rights including commenting on the ruling on free expression and web blocking, protection of Net Neutrality and government shutdowns of communications networks.

### Domestic and international human rights obligations in Jordan

3. The Hashemite Kingdom of Jordan was the first Arab nation to ratify the International Criminal Court Statute.
4. Jordan is a signatory to various international human rights instruments, which include the [International Covenant on Civil and Political Rights](#) (ICCPR), the [Convention against Torture](#) (CAT), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).
5. Article 15 of the Jordanian Constitution guarantees citizens the right to freedom of expression, and Article 7 recognizes that “any infringement on the rights and public freedom or sanctity of private life of Jordanians is a crime punishable by law.”

### Developments of digital rights in Jordan

6. As of June 2015, Jordan had approximately 5,700,000 internet users which represent approximately seventy-four percent of the population. Ninety percent of internet subscribers are mobile broadband users.
7. According to the Freedom House, Jordan's freedom score is 51 of 100 because of the government's restriction on connectivity and the passage of law that chills freedom of expression rights online.

8. From June 2016 through May 2017, the telecom operators in Jordan continued to block VoIP calling features on various communication applications, including Viber, WhatsApp, and Skype.

### **Developments of Freedom of Expression Rights in Jordan**

9. Article 11 of the Jordanian Cybercrime and the Press and Publication Law (PPL) imposes fines and prison sentences at least three months. When amendments to the PPL came into force 2013, nearly 300 websites were blocked for failing to obtain a license from the Media Commission.
10. In 2017, Jordanian authorities proposed an amendment to the 2015 Electronic Crime Law to include a vague definition of hate speech. The law currently defines this type of speech as “any word or action that incites discord or religious, sectarian, ethnic, or regional strife or discrimination between individuals or groups.” The Jordanian Penal Code prohibits any offenses against the royal family, state institution, national symbol, foreign states, as well as “any writing or speech that aims at or results in causing sectarian or racial strifes.”
11. On January 12, 2017, Jordanian authorities arrested eight individuals, including these a former member of parliament and a retired senior intelligence officer, because of their online comments. That same year the government arrested a renowned cartoonist for publishing a cartoon that was deemed offensive to Christians.
12. The Jordanian Media Commission blocked several licensed websites and this mechanism has chilled political dissent. For instance in January 13, 2017, the Jordanian government block the site, Kull al Urdan, for a month after this site reported on the detention of pro-reform activist in Jordan’s Military Veteran’s Association (Tayyar).
13. In June 2015, the government, in its effort to minimize cheating by high school students on their final year exams, blocked WhatsApp, Instagram, and Viber. That same year government amended Cybercrime laws, which penalizes online defamation with a fine of US\$2,800 maximum and prison sentence of at least three months.<sup>1</sup> More than seven journalists were detained the first year after the passage of this law.
14. These laws have a chilling effect on freedom of expression rights and according to a Centre for Defending Freedom study conducted in 2013, approximately 86% of journalists practice self-censorship as a result of the Jordanian government restriction on free speech.<sup>2</sup>

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<sup>1</sup> <https://freedomhouse.org/report/freedom-net/2016/jordan>

<sup>2</sup> <https://www.justice.gov/eoir/page/file/916626/download>

## Recommendations

15. Jordan should:

- a. Refrain from implementing laws or regulations that unlawfully restrict the activities of human rights activists and journalists;
- b. Enact laws that protect data subjects as well as regulations that promote access to information and freedom of expression rights;
- c. Refrain from shutting down the internet or otherwise disrupting access to networks, applications, or services; and
- d. Cooperate with the United Nations treaty mechanisms and issue standing invitations to UN special procedures such as the UN special rapporteurs on freedom of expression and privacy.

*The UPR is an important U.N. process aimed at addressing human rights issues all across the globe. It is a rare mechanism through which citizens around the world get to work with governments to improve human rights and hold them accountable to international law. Access Now is grateful to make this submission.*

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