



PRESS RELEASE

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Jordan: Prior Censorship Must be Abolished

ARTICLE 19 is deeply concerned by the Jordanian government's recent violations of freedom of expression. In a matter of two weeks the Jordanian authorities carried out two acts of prior censorship which violate its constitution and its international obligations.

On April 30, the Jordanian authorities unlawfully stopped the release of *al-Majd* bi-weekly publication. Earlier that month the government seized a taped interview with former crown prince Hassan Bin Talal from an Al Jazeera producer at Queen Alia International Airport. On both occasions, to justify its actions the government cited fears of harming relations with neighboring countries, namely the Palestinian and Saudi Arabian authorities.

Fahd al-Rimawi, editor of *al-Majd*, told ARTICLE 19 that security agents informed him they would ban the entire publication if he did not remove a report of a secret plan by U.S. and Arab allies that would enable Palestinian president Mahmoud Abbas to oust rivals Hamas from government. In spite of banning the publication, the article was supported by a number of documents, and details were posted on *al-Majd*'s website.

"The government is assassinating freedom of expression in Jordan in the name of good relations with Saudi Arabia, Palestine and the United States", said al-Rimawi whose paper has been a victim of prior censorship a number of times.

International law does not entirely rule out all prior censorship but it is permitted only in the very most limited cases, for example in the event of an imminent and very serious threat to a key interest. The European Court of Human Rights has stated:

The dangers inherent in prior restraints are such that they call for the most careful scrutiny on the part of the Court. This is especially so as far as the press is concerned, for news is a perishable commodity and to delay its publication, even for a short period, may well deprive it of all its value and interest. (*The Observer and Guardian v. the United Kingdom*, 26 November 1991, Application No. 13585/88, para. 60).

Other international bodies, including the UN Human Rights Committee, have taken a similar position. Prior censorship of the media is not practiced in established democracies.

The Jordanian constitution allows for some very limited forms of prior censorship, namely in the case of a state of emergency and the implementation of martial law. Nevertheless, prior

censorship remains rampant, particularly with weekly newspapers which do not have their own printing houses.

Article 15 of the Jordanian constitution stipulates that freedom of expression shall be guaranteed by the state, provided it does not violate the law. Similarly Article 2 of the National Pact guarantees the right of free speech to every citizen and stipulates that this right should not be limited or violated. Article 11 of the same pact acknowledges that the freedom to circulate information is an integral part of freedom of the media but also allows for the state to limit this right if the information to be released “harms the security and higher interests of the country”.

But Article 35 of the 1998 Press and Publications Law (PPL) requires two copies of a book to be presented to the PPL Directorate before publication. In 2006 and 2005, the Press and Publications Department prohibited the circulation of 89 and 73 books respectively, under the pretext that they violated the Press and Publications Law. Amongst the long list of books banned in Jordan are Dr. Wahib Shaerr’s *Jordan, Where To?*, *The Scent of Summer* by Farouq Wadi, *Death of Israel* by Moufleh al-Adwan and *Biography of an Arab Lad in America* by Dr. Rafka Doudin, which was ironically printed by the Ministry of Culture after receiving the award of Amman the Capital of Arab Culture in 2002.

The Publications Directorate, an extension of the Publications Directorate established in 1939, is effectively the oldest censorship apparatus in Jordan. In 2006, the PPD took seven publishing houses to court for allegedly circulating books prohibited in Jordan. The cases are still pending.

"Censorship in Jordan is a major concern to publishers and bookstore owners...Although the ceiling of free expression has been raised recently, the sword of the censor is still pointed at a number of innovative and political books", said publisher Maher Al-Kiyali.

In spite of the local restrictions on freedom of expression, Jordan has signed and ratified the International Covenant on Civil and Political Rights (ICCPR) in 1972 and 1975 respectively and is therefore legally required, under international law, to respect the right of its citizens to freedom of expression as guaranteed by Article 19 of the ICCPR.

ARTICLE 19 therefore calls upon the Jordanian government to:

- Suspend all legal proceedings against the publishing houses mentioned above;
- Amend the Press and Publications Law to ensure its provisions meet international standards on freedom of expression and with the view of abolishing the censorship and prior censorship regime
- Respect the rights of its citizens to freedom of expression and by doing so comply with the ICCPR and the Arab Charter for Human Rights to which it is a party.

NOTES TO EDITORS

- For more information, please contact Yahia Shukkeir, Al-Arab Al-Yawm journalist, currently with ARTICLE 19, yahia@article19.org or Mob: +44-07807550753
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees freedom of expression.