

## Appendix B: Government Responses



*Embassy of the Arab Republic of Egypt  
Washington, D.C.*

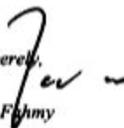
*The Ambassador*

*July 28<sup>th</sup>, 2005*

*Dear Mr. Stork,*

*In reference to your letter dated July 18, 2005 requesting the Government of Egypt's official policies and perspectives regarding the Internet in Egypt before August 1, 2005 I hereby attach a copy -in Arabic- of our response in this regard.*

*With my appreciation.*

*Sincerely,*  
  
*Nabil Fahmy*

*Mr. Joe Stork  
Washington Advocacy Director  
Middle East and North Africa Division  
Human Rights Watch  
1630 Connecticut Avenue, NW  
Suite 500  
Washington, D.C. 20009  
Fax : 202 - 612 - 4333*

١- بالنسبة للبند رقم (١) الخاص بالقانون في الضوابط التي تحكم محضرون المقامات

والاتصالات ON LINE : فإن ذلك نزع من الضوابط لحدتها الخاص بالمصنفات الفنية مثل الرقابة على الأكلح الإباحية المظهة بالأداب وتحتين بتطبيقاتها وزارة الثقافة والأخر خاص بالمعلكات وما يمس الحرية الشخصية أو مضايقة المشتركين بأي صورة من الصور بالـ E-MAIL وغيرها من الوسائل ويخص بتطبيقاتها كساون الاتصالات : الصادر عام ٢٠٠٣ وحكم ذلك هو حكم المعلكات التتابونية ، وسوء استخدام الانترنت بشكل عام مَجْرَمٌ في هذا القانون لما أي محتوى أخر للـ E-MAIL وغيره من الوسائل وليس مَجْرَمًا بالقانون وهو حق لكل المستخدمين .

٢- بالنسبة للبند رقم (٢) الخاص بالدخول إلى شبكة فإن قانون الاتصالات لا يمنع بأي شكل من الأشكال أي مستخدم في الدخول إلى الشبكة وتأسيس حسابات لدى مقدمي الخدمة \* ISP \* أو أي خط خدمة أخر بما فيه الخطوط الأرضية DOMESTIC . TEL.CALL

٣- بالنسبة للبند رقم (٤) (لا يوجد بند رقم ٣) والخاص بالحصول على موافقة الحكومة المسبقة للدخول إلى الشبكة أو عمل موقع عليها :- فلا يوجد أية مواضع قانونية أو إجرائية للأشخاص أو الهيئات تحول دون الدخول إلى الشبكة أو إنشاء مواقع عليها .

٤- بالنسبة للبند رقم (٥) الخاص بالمعوية : فإن مقدمي الخدمة \*TSP\* لاحتساجون إلى إعطاء السلطات أية معلومات حول مشتركهم أو حول أنشطتهم على الشبكة ، ومعرفة المعلومات الخاصة بالملاء مكلوه بالقانون . ويلزم الحصول على إذن قضائي من المحكمة قبل تعطل أي سلطة حكومية لمعرفة أية معلومات من هذا القبيل .

٥- بالنسبة للبند رقم (٦) الخاص بالتشفير ENCRYPTION: فإن القانون يلزم مشغلو ومقدمو خدمات الاتصالات بعدم استخدام أجهزة لتشفير الخدمات إلا بعد الحصول على موافقة جهاز الاتصالات والأمن القومي والقوات المسلحة ولكن يجب التتويه بأن الموافقة يتم منحها عند الطلب حال الاقتناع بمبررات الجهات الطالبة وقد تم بالعمل منح العديد من الموافقات من قبل في هذا الخصوص لجهات كثيرة .

٦- بالنسبة للبند رقم (٧) الخاص بالرقابة على المحتويات CONTENT REGULATIONS: لا يوجد أي نوع من الرقابة على المحتويات إلا إذا كان مقدم الخدمة \* ISP \* يقوم بهذه الرقابة كخدمة اختيارية لحماية صلاؤه مما لا يحد مضايقتهم أو يخشى حياؤهم ، ولا تعرض الحكومة أو تطلب من مقدم الخدمة أن يتحكم في هذا المجال .

٧- فيما يتعلق بالـ Blocking and Censorship : فلا توجد أي رقابة من قبل السلطات على ذلك ، مع الأخذ في الاعتبار أن مقدم الخدمة يمكنه أن يقدمها كخدمة من جانبها لحماية المصلين على المواقع كان تقوم الشركة المقدمة للخدمة مثلاً بطمس المواقع الإباحية من جانبها لحماية الأسرة ولا يمكن لمس أي موقع أو إعلانه بدون إجراءات قانونية توجب ذلك ويسمح القانون للسلطة التنفيذية أن تصدر بعض الضوابط بشأن بعض المواقع التي تهدد أمن ومصلحة المجتمع فسي لطابق القوانين التشريعية .

٨- فيما يختص بالمسئولية LIABILITY : لا يوجد قانون يُجسِّل مفصلي للخدمات المسئولية عن محتويات الـ E-MAIL أو الرسائل أو محتويات المواقع التي تقدمها شركات خدمات المحتوى Content Provider ومن يقوم بالإعانة أو التدخل غير المشروع ويمكر فعله مَجْرَمًا في نظر القانون والمسئولية فيما تعتويه المواقع من محتويات تقع على الـ Content Provider وليس على مقدم الخدمة .

٩- أولاً يتعلق بتوليد الإنترنت والتكنولوجيا : لا يوجد بالقرن ما يمنع صلبها على الإطلاق العام أو ما يسمح بتدخل لية جهة في هذا العمل ولكن على غرار أي أنشطة تجارية فلا بد أن يقدم من يرغب في افتتاح نادي إنترنت أو مكتبة بطلب الحاسوب على ترخيص بذلك من الجهات المختصة ولا يمكن إغلاق هذه النوادي إلا بحكم قضائي

١٠- بالنسبة للبند رقم (١١) حول الدخول المجاني والمنخفض التكلفة للإنترنت : توجد برامج حكومية واسعة لتسهيل وتخفيض تكلفة الدخول إلى الإنترنت فهناك برنامج " مبادرة الإنترنت المجاني Free Internet Initiative " والذي لا يتخذ من أي تكلفة للدخول إلى الإنترنت هذا ثمن المكالمات التكنولوجية العادية ومشروع نوادي التكنولوجيا والذي أُنشئ في نطاقه حتى الآن ١٠٠٠ نادي للتكنولوجيا منتشر في كافة أنحاء مصر بهدف السماح والتسهيل لغير القادرين على اقتناء كمبيوتر للدخول إلى عالم الإنترنت، وهناك مشروع Community Service Center وهو يهدف إلى الاستفادة من وجود ٤٠٠٠ مكتبة بريد في أنحاء الجمهورية لتقديم خدمة الدخول إلى الإنترنت بل إن إملاكه الإمكانات ، أضاف إلى ما سبق أن الحكومة قد خفضت خلال العام الماضي أسعار الدخول لخدمة الإنترنت السريع ADSL بنسبة ٥٠% والذي يعتبر الآن رخيصاً في مصر بالمقارنة مع كافة الدول المجاورة بالمنطقة .

## *Human Rights Watch Translation of the Egyptian Government's Response*

1. As regards Article 1—concerning laws or regulations governing the content of online information and communications—there are two types of regulation. The first, which by its very nature is dealt with by the Ministry of Culture, addresses various forms of artistic output (e.g. the censorship of immoral and indecent films). The second deals with sexual harassment, issues of personal freedom and distressing others in any way either by e-mail or other means. These regulations fall within the 2003 Communications Law, which criminalizes sexual harassment by telephone and misuse of the Internet in general. All other content, whether in emails or otherwise, is unaffected by the law and is considered the inviolate property of the user.
2. As regards Article 2—concerning access the Internet—the Communications Law does not prevent any user from accessing the Internet or setting up accounts with either ISP service providers or other service providers including domestic Tel.Call landlines.
3. As regards Article 4 (there is no article 3)—concerning obtaining prior government approval to access the Internet or operate a Web site—there are no legal or procedural restrictions that prevent either individuals or institutions from accessing the Internet or operating Web sites.
4. As regards Article 5—concerning secrecy—ISP service providers are not required to provide the authorities with any information about their members or their activities on the Internet. The secrecy of such information is protected by law, and government authorities must obtain a court's permission before intervening to find out any information of this kind.
5. As regards Article 6—concerning encryption—the law prevents communications services operators and providers from using encryption technology until they have received permission to do so from the state communications agencies, the national security services and the armed forces. It should be noted that permission is only granted if the reasons for employing encryption technology are found to be satisfactory. Such permission has already been granted on numerous occasions.
6. As regards article 7—concerning content regulations—content remains unregulated except when the ISP service provider chooses to provide such regulation as a voluntary service to protect its customers from emotional distress or harassment. The government does not require the service provider to do this.
7. As regards blocking and censorship, it is unregulated by the authorities. However, service providers can provide this service to protect those accessing its sites, just as service provider companies can block indecent sites to protect families. Sites may not be blocked or shut down without following the relevant legal procedures. The law allows the executive authorities to issue regulations concerning sites that threaten the safety and security of society within the framework of existing laws.
8. As regards liability, there is no law that makes service providers responsible for the content of e-mail, other messages or the content of sites provided by content provider

companies. Illegally hindering or interfering with such content is considered a criminal act. Content providers, not service providers, are responsible for the content of Web sites.

9. As regards Internet cafés and libraries, in general terms the law does not prevent, or allow any party to interfere in, their operation. However, as is the case with all commercial activities anyone wishing to open an Internet café or library must first obtain a license from the relevant authorities. Such cafés may only be closed by court ruling.
10. As regards Article 11—concerning free or low-cost Internet access—there are extensive government programs to ease and reduce the cost of Internet access. For example: the ‘Free Internet Initiative’ program where Internet access costs no more than the cost of a regular phone call; the technology café project that to date has set up more than 1000 cafés throughout Egypt, designed to help those who cannot afford a computer enter the world of the Internet; the Community Service Center project which aims to use Egypt’s network of around 4000 post offices to offer Internet access. In addition to these projects, over the last year the government has reduced the cost of high-speed internet access (ADSL) by 50 percent, much lower than the cost in neighboring countries.

THE HASHEMITE KINGDOM OF JORDAN



MINISTRY OF INFORMATION &  
COMMUNICATIONS TECHNOLOGY

المملكة الأردنية الهاشمية

وزارة الاتصالات  
وتكنولوجيا المعلومات

Ref. No. 32/11/252

الرقم

Date \_\_\_\_\_

التاريخ

Day 28-7-2005

الواحد

July 20, 2005

Mr. Joe Stork  
Washington Advocacy Director  
Middle East and North Africa Division  
Human Rights Watch  
630 Connecticut Ave.N.W.  
Washington, DC 20009

Dear Mr. Stork,

Thank you for your letter dated June 13<sup>th</sup>, 2005 regarding the preparation of a report on the growth of the Internet in the countries of the Middle East and North Africa Division, please find below the answers to your questions.

1. **LAWS:** There is no legislation that regulates speech content on line in Jordan, nor that prevents any kind of communications.
2. **ACCESS:** There is absolutely **no** restriction for any individual, organization or corporation to establish accounts with ISPs. Currently, there are eight ISPs operating in Jordan, who offer a range of connectivity options. The Government's own policy encourages initiatives to increase digital inclusion and to stimulate demand on the internet sub-sector. This is translated through a number of initiatives currently being implemented by the MOICT in partnership with private sector and civic societies as per Attachment [1], through which the government provides access to students in schools and universities, civil servants in the government and local communities and many others.
3. **REGISTRATION WITH THE GOVERNMENT:** No information is required to be furnished to the government agencies before obtaining Internet access or posting a website. As for the ISPs personal or organization(s)' information is collected for billing purposes only.
4. **GOVERNMENT APPROVAL:** No government approval from a government agency is required for internet access or posting a website.

P.O.Box 9903 Amman 11191 Jordan  
Tel: 5859001/5851301 Telex: 21666 Cable: Jo-Post Fax: 5861059  
Email: moict@moict.gov.jo

ص.ب ٩٩٠٣ عمان ١١١٩١ الأردن  
هاتف: ٥٨٥٩٠٠١/٥٨٥٩٠٠١ فاكس: ٥٨٦١٠٥٩ تكس: ٢١٦٦٦ برقا: جو-بوست  
بريد الكتروني: moict@moict.gov.jo



Ref. No. \_\_\_\_\_ الرقم  
Date \_\_\_\_\_ التاريخ  
Day \_\_\_\_\_ الموافق

5. **CONFIDENTIALITY:** No information is required by the government from ISPs about their subscribers or users or about the content of their internet activities. Only, some overall information which includes the total number of subscribers, volume of usage, and etc. might be provided to the regulator for statistical purpose and internet penetration information.
6. **ENCRYPTION:** There is no legislation regulating the use of encryption in electronic communication.
7. **CONTENT REGULATIONS:** There are no speech content or information regulations mandated by the government.
8. **BLOCKING AND CENSORSHIP:** There is no blocking or censorship by the government of the content of any websites or of electronic communications via newsgroups, emails, chat rooms, or other internet forums. If an incident occurs, that would be the exception and due to technical problem.
9. **LIABILITY:** There are no laws that hold ISPs responsible for the content of email, messages, websites or newsgroups postings that are transmitted by others (content providers) via that ISP.
10. **INTERNET CAFE'S AND LIBRARIES:** There are about 260 cyber-cafes in Jordan to date. There are no special laws related to their operation, other than business registration and licensing and requirements. This is mandated by a very simple instruction issued by the Ministry of Interior which is called "Public Places Licensing". Attachment [2] shows part of the instruction that is related to internet cafe's. The whole instruction document can be found at <http://www.moi.gov.jo>
11. **INEXPENSIVE ACCESS:**
  - a. The Government's policy requires market liberalization, which in turn introduce competition. The Telecommunication market has been fully liberalized as of January 1<sup>st</sup> of 2005. Prices of telecommunication services



Ref No. \_\_\_\_\_ الرقم  
Date \_\_\_\_\_ التاريخ  
Day \_\_\_\_\_ الموافق

dropped noticeably, and we expect more reductions to be assumed due to effective competition, and the entry of new operators.

- b. Article 57 of the "Statement of Government Policy on the Information & Communications Technology Sectors & Postal Sector", requires that regulatory action and proposals for structural changes in the fixed and mobile sub-sectors should recognize the need to eliminate the effects of monopoly conditions on the Internet sub-sector. This in turn will lead to a decrease in access prices.
- c. It is worth noting that article 59 of the "Statement of Government Policy on the Information & Communications Technology Sectors & Postal Sector" emphasizes the fact that it is undesirable to censor the material on governmental level Government, however, requires that parents, schools, libraries and all others in intermediary or supervisory positions, and are the best placed to understand the sensitivities and vulnerabilities of those whom they serve, be enabled to take all reasonable steps to ensure necessary protection.
- d. Government's efforts to avail cheaper access try to address all related aspects other than the cost of telecommunication and introducing competition, including the cost of PCs, software licenses. As such the Ministry of Information and Communications Technology has also taken initiatives to ensure affordable access to the internet such as negotiating prices with Jordan Telecom and contributing to the PC at every home initiative.
- e. Attachment [1] refers to initiatives, which were mentioned before, that also contribute to having direct and cheaper access. For example the one hundred knowledge stations already established throughout the Kingdom provide access and connectivity to all Jordanian citizens irrespective of their economic status or geographic location to be active members of the knowledge based economy and society. It is worth noting that in 2004, the knowledge stations trained around 21,280 Jordanian citizens on ICT skills, and 54% of Knowledge Station beneficiaries are women.
- f. It is worth noting that the Government is also keen to empower women in the ICT sector. As such it supports initiatives such as the Achieving e-Quality program that targets the issue of unemployment among women and helping them to generate income by developing their IT skills and

THE HASHEMITE KINGDOM OF JORDAN



المملكة الأردنية الهاشمية

MINISTRY OF INFORMATION &  
COMMUNICATIONS TECHNOLOGY

وزارة الإتصالات  
وتكنولوجيا المعلومات

Ref. No. \_\_\_\_\_ الرقم  
Date \_\_\_\_\_ التاريخ  
Day \_\_\_\_\_ الموافق

linking them to the job market. Through this project women can build their technical and professional capabilities in non-conventional fields allowing them the opportunity to compete effectively in the ICT market and secure access to high-quality jobs, through soft skills training, career counseling, and linking them to the ICT job market.

Articles 51 to 59 of the "Statement of Government Policy on the Information & Communications Technology Sectors & Postal Sector" that was issued by the Ministry of Information and Communications Technology in September of 2003 (attached) show the commitment of the Government of Jordan to promote and support the provision and access to internet services to Jordanian citizens.

We hope the above answers your questions. Please feel free to contact me if you have further questions or desire additional information.

  
Nadia Al Saeed  
Minister

**Ministry of Information and  
Communications Technology**

P.O.Box 9903 Amman 11191 Jordan  
Tel : 5859001/5851301 Telex : 21666 Cable : Jo-Post Fax : 5861059  
Email : moict@moict.gov.jo

ص.ب ٩٩٠٣ عمان ١١١٩١ الأردن  
هاتف : ٥٨٥٩٠٠١ / ٥٨٥١٣٠١ فاكس : ٥٨٦١٠٥٩ : تليكس : ٢١٦٦٦ برقية : جو-بوست  
بريد الكتروني : moict@moict.gov.jo

---

Attachment [1]  
E-Initiatives  
Ministry of Information and Communications Technology  
(MoICT)

**ICT in Education**

**1. Infrastructure: National Broadband Network**

**Description:** Jordan's Broadband Learning Network aims to construct a national, fiber optic broadband learning network. It will be deployed throughout the country and is expected to be completed by the end of 2007. There are two major components of the Initiative: a network to connect the 8 Jordanian Public Universities by June, 2004, and a wider network that is expected to connect more than 3,000 schools, 23 community colleges and 100 knowledge centers, **impacting nearly 1.5 million learners in Jordan.**

**Status:** Ongoing progress

**Success:** 8 public universities are already connected.

**2. Schools: Jordan Education Initiative:**

**Description:** A Public-Private Partnership model that improves education in a developing country through innovation, acceleration of educational reform, capacity building and catalyzing industry. Global Business Leaders during the World Economic Forum 2003 selected Jordan as the pilot country for this initiative and the resulting model is intended to be expanded to other developing countries. The JEI aims to introduce new conducive learning approaches to acquire the necessary skills for the 21st century knowledge economy, whilst building ICT capacity and a culture of continual learning

- **Discovery Schools:** Working within an integrated national strategy (ERfKE) to accelerate the deployment of curricula reform, teaching reform, and infrastructure in a unique environment of 100 Discovery Schools, impacting 50,000 students and 2,300 teachers
  - i. e-Curricula
  - ii. IN Classroom Technology
  - iii. Teacher Training

**Status:** - In continuous progress are 4 eCurricula contents.

- Ongoing facilitation of Training programs

**Success:** eMath Curricula development and deployment in discovery schools.

---

### 3. ICT 4 Higher Education

- **University Utilization Strategy:**

Description: The Broadband in Learning Utilization Program represents the strategy by which the Government will ensure that the Fiber Optic Broadband Network is effectively used by universities. It will serve as the ultimate measure of the broadband learning network's effectiveness in building an optimal virtual learning environment for all Jordanian university students, including supporting the assessment and acquisition of an appropriate learning management system and inter-institutional collaboration.

Status: In progress

Success: Initial Stage

- **PAN Arab Network:**

Description: The PAN Arab Research and Education Network is a dedicated broadband network linking leading universities in countries across the Middle East and North Africa. The project will provide access to high speed, low cost networks that are critical to enabling greater research collaboration and innovation and improved access to educational opportunities throughout the Arab World. It will provide bandwidth in the gigabit range typical of contemporary research networks in Europe and North America.

Status: Feasibility Study in progress

Success: Initial stage

### ICT 4 Development Initiatives & Projects - Civil Society

1. **NetCorps Jordan Program:**

Description: The NetCorps Jordan Program taps into the creativity and energy of youth to integrate ICT into the every day lives of citizens. Jordan's young leaders are provided a blend of technology, business as well as theme based training to participate and shape real use of technology by rural, urban and other communities around Jordan.

Success:

- In 2004, 125 interns were trained and placed in 44 placement organizations to integrate ICT into 1,768 Jordanian citizens' lives.
- Phase II Establishment of NetCorps Jordan as non-for profit organization.
- New focus using ICT for SME Development
- trained interns to support teachers in delivering eContent in Discovery schools and to report on its readiness.

2. **The Knowledge Station Initiative:**

Description: The Knowledge Station Initiative aims at providing access and connectivity to all Jordanian citizens irrespective of their economic

---

status or geographic location to be active members of the knowledge based economy and society.

**Success:** - In 2004, the knowledge stations trained around 21,280 Jordanian citizens on ICT skills, 54% of Knowledge Station beneficiaries are women.

100 knowledge stations are already established to cover the kingdom

**Status:** Continuously in progress

**3. Junior Professional Program:**

**Description:** A program that provides talented Jordanian ICT-related field students, unique opportunities to gain valuable experience by training at renowned companies operating either locally or abroad for 6 months. This will expose Jordan's future business generation to rich and satisfying training opportunities that enable them to widen their horizons and creativity levels and tolerance of other cultures. Thus, planting the seeds for superior practices and an enhanced understanding of business needs and methods of development.

**Status:** Continuous exposure by geographic & multinational companies.

**Success:**  
- The creation of the program and deployment  
- 16 Interns, 12 graduated and 4 enrolled

**4. The e-Village Initiative:**

**Description:** The e-Village aims to transform a Jordanian village into a gender-sensitive vibrant community where Information and Communications Technology is deployed to achieve a better quality of life. This 'gender-sensitive' model can also be tailored to fit the needs and requirements of villages and cities in other countries in the region. The project seeks to enhance the quality of life for villagers [especially women] by:

- **Raising villagers' awareness on ICT**
- **Building the capacity and professional skills** of the village citizens to allow them to benefit from different IT services and opportunities created by the project
- **Enhancing the economic opportunities within the village** through establishing an e-Services Center, e-Marketing Center and Entrepreneurial Services Office

**Status:** An official launch by His Majesty King Abdullah II in September 2005

**Success:** Strategy work plan finalized  
20 People hired to work within the eVillage  
Completion of Services Center, e-Marketing Center and awareness campaigns for that community.

---

5. **Achieving e-Quality:**

**Description:** A program that targeting the issue of unemployment among women and helping them to generate income by developing their IT skills and linking them to the job market. Through this project women can build their technical and professional capabilities in non-conventional fields allowing them the opportunity to compete effectively in the currently male-dominated ICT market and secure access to high-quality jobs, through soft skills training, career counseling, and linking them to the ICT job market.

**Success:** UNIFEM established 12 Academies that offer Cisco Networking Academy Program in all girls' schools, universities, all girls' colleges, UNRWA training centers, Community Centers and Knowledge Stations. In 2004 over 1,700 UNIFEM/Cisco students (57% women) who received 280 hours of technical training in addition to 50 hours of soft skills training around 1,300 of them participated in the career counseling activities and over 600 graduates (55% women) were linked to ICT related jobs. The percentage of women instructors is currently 43%.

**Status:** Phase II in progress.

Phase III in preparation phase to add more certifications in computer essentials, security, wireless and IP Telephony

6. **The Intel Clubhouse:**

**Description:** An after-school program that enables youth in an underserved community, in Amman, to acquire appropriate and creative tools and skills which will contribute to personal, professional and development fulfillment. It provides youth, ages 10 - 18, access to technology, professional software and adult mentors to help them develop the self-confidence and enthusiasm for the learning they need to be successful in the future. The Intel Computer Clubhouse Network was originally a project of Boston's Museum of Science in collaboration with the MIT Media Laboratory.

**Status:** Establishment of another clubhouses or clubhouse corners in the e-Village, in schools and Knowledge stations.

**Success:** Complete Launch

---

### **e-Government Initiative**

**Description:** e-Government is a National Program initiated by his Majesty King Abdullah II. The purpose of this program is to enhance the performance of the traditional government in terms of service provision, efficiency, accuracy, time and cost effectiveness, transparency, high level of customer satisfaction, cross-Governmental integration, and much more of elements related to the style the Government of Jordan works and perception of others to the Government. The e-Government Program will drive the Government transformation and will use communications and Information and Communications Technology to achieve the ultimate National goals.

---

Attachment [2]  
Public Places Licensing  
تراخيص المحلات العامة

رابعاً - مراكز ومقاهي الإنترنت.

أ - إجراءات الحصول على الرخصة .

يقدم طلب الترخيص إلى المحافظ المختص مرفقا به مخطط موقع تنظيبي.

ب - شروط الترخيص.

الشروط المتعلقة بمقدم الطلب.

1. أن يكون أردني الجنسية.

2. أن يكون حسن السيرة والسلوك.

3. أن يكون الشخص المعنوي مسجلا لدى وزارة الصناعة والتجارة وفق أحكام قانون الشركات.

4. أن يقدم كفاله عدليه بقيمة خمسة آلاف دينار.

الشروط الواجب توافرها في الموقع و المبنى المراد الترخيص فيه :

1. أن يكون في منطقة منظمه تجاريا أو برخصة مكاتب.

2. أن تتوفر فيه الاثارة والتهوية الجيدة وجميع شروط أسلامه ألعامه والمرافق الصحية.

3. أن لا تقل مساحته عن 2م50 بما في ذلك مرافق للخدمات المختلفة .

4. أن يتوفر فيه أربعة أجهزة حاسوب كحد ادني ومستلزماتها .

5. أن يتوفر مكتب للاداره.

الشروط الواجب توافرها في مدير المركز .

1. أن يكون أردني الجنسية وان لا يقل عمره عن 25 عاما.

2. أن يكون حسن السيرة والسلوك.

3. أن يكون حاصلًا على مؤهل علمي لا يقل عن دبلوم كليه مجتمع من إحدى تخصصات الحاسوب.



*Embassy of The Syrian Arab Republic*  
2215 Wyoming Ave. NW Washington, DC 20008

Joe Stork  
Washington Advocacy Director  
Middle East and North Africa Division  
Human Rights Watch  
1630 Connecticut Ave N.W.  
Suite 500  
Washington DC 20008

Dear Mr. Stork

In reference to your letter of June 17, 2005, I am pleased to provide you with the requested information. Please do not hesitate to contact us for any further questions or clarifications.

With my personal regards.

#### 1) LAWS

Presently in Syria there are no special laws, legislations, or regulations addressing the legal issues of information content or communications online. This has led to the spawning of a large number of websites, electronic journals, blogs, and newsletters in Syria that reflect a degree of freedom and tolerance rarely seen in the conventional print or broadcast media. These electronic media outlets have created a new dynamism in the political culture and public debate in Syria that has even created an impact on the official state-run media. This has exerted tremendous pressure on the state run media to reform and become more vibrant and critical of the bureaucracy and corruption and the way the country is being administered and run.

## 2) ACCESS

All individuals, organizations, and corporations in Syria have the automatic right to establish accounts with Internet Service Providers. They can choose between a dial-up service or a dedicated line.

## 3) Registration with Government

Since there are no special laws or regulations pertaining to the access to Internet, ISPs require their customers to fill forms that vary from one ISP to another. A typical form by the SCS ISP would require customers to fill a form providing: name, address, name of business (if applicable), and billing address. There is no distinction between forms required for Internet access and/or posting web sites.

## 4) Governmental Approval

No governmental approval of any sort is required by individuals, organizations, or corporations in Syria to have Internet access. They can become on-line within one hour after submitting their request to an ISP.

## 5) Confidentiality

ISPs are required to provide the authorities with a compiled list of names and addresses of all subscribers. This is done routinely on a regular basis. However, they don't provide any sort of information on the content of their Internet activities.

## 6) Encryption

There are no legislations regulating the use of encryption in electronic communications.

## 7) Content Regulations

The current state of legislations in Syria pertinent to electronic media and communications do not address the particularities of this medium. While the same principals and rules applied to conventional and printed information (content) are supposed to be equally applicable on Internet based content, the general tendency is that more flexibility and tolerance is displayed when

dealing with the electronic media as when dealing with the conventional media. Since no clear legislations exist, the authorities are generally not interfering in what is being published on-line.

#### 8) Blocking and Censorship

Yes, certain types of web sites are blocked in Syria by all ISPs: pornography, fanatic religious sites, and extremist zionist websites. Some ISPs have their own policy for blocking sites that are not applied by other ISPs (e.g. the Syrian Telecom ISP blocks access to yahoo mail and ms mail services, while the SCS ISP does not block access to these services).

#### 9) Liability

Presently in Syria there are no legislations addressing the legal issues pertaining to data carriers liability for the content transmitted through their services.

#### 10) Internet Cafés and Libraries

There are a number of municipal regulations specifically applicable to the licensing and operation of Internet Cafés. They have to do with the operational aspects of the Internet Cafés (hours of operation, charges, type of auxiliary services provided, etc.)

Owners or managers of Internet Cafes are not expected to provide any information on their clientel. The vast majority of Internet Café users are ad-hoc users who pay on the go and do not fill any forms providing personal information.

There are no legislations addressing the legal issues of whether Internet Café owners/managers are legally responsible or not for the material sent or received at their premises.

#### 11) Inexpensive Access

The government of Syria realizes that wide spread access to the Internet is restricted by the economic conditions of the Syrian people. The Syrian Ministry of Sciences and Technology has launched a national initiative in which lower-income families can buy an Internet enabled PC for a relatively low price (400 USD) paid in twenty installments (The Popular Computer

Project). A national Information Superhighway Project is supposed to increase the level of competition among ISPs, thus driving access costs down.

The Ministry of Education has invested a huge amount of resources (human and financial) in order to introduce the Internet to every Syrian elementary and secondary (high) school. It has also incorporated the use of the Internet and computer related skills into its national curriculum.

Every cultural center in Syrian towns and villages have a free-access Internet Room for citizens to access the web free of any charges.

FODOS, a Syrian NGO, has a number of mobile Internet units (buses converted into Internet access centers) that move from one village to another, particularly in the remote and less developed countryside. At every station (village) the technicians accompanying the mobile Internet unit offer free tutoring and access to the Internet. This project has been very successful, and an increasing number of members of the business community are donating money towards increasing the number of these units.

#### 12) Additional Comments

Syria has only recently realized the need to reform its media policies and make them more reflective of the recent developments in ICT, international media policies, and world class standards. Taking into account that conventional media development is hindered by a legacy of outdated legislations and regulations, and while the government of Syria has undertaken a commitment to make the media more open, transparent, and free, the electronic media has benefited from the fact that no legislations and regulations exist for the electronic media, thus enjoying a level of freedom and flexibility that allowed them to become the major media outlets in Syria, while the conventional printed and broadcast media is lagging behind.

Immediately after compiling this report, the Syrian Ministry of Information issued the following statement on July 13, 2005 :

The spokesperson of the Syrian Ministry of Information, Dr. Nizar Mayhoob, confirmed that Syria will issue a new media law, which will enhance the law issued in 2001 by overcoming its inadequacies. This new

law covers all media issues and all media channels including: internet, radio and television.

Dr. Mayhoob mentioned that this development illustrates the seriousness of the Syrian government in fostering the growth of a vibrant free, private and public, media sector in Syria.

In regards to the public media sector, Dr. Mayhoob stated that the goal was to develop this sector, to such an extent that it will effectively compete with an evolving private media sector.

**In regards to the private media sector, stated that the Ministry of Information is keen on encouraging and supporting this sector with the view that it will perform at the highest levels alongside and on par with our public media sector.**

Commenting on the private media sector of today in Syria, Dr. Mayhoob mentioned that presently 42 private publications have been licensed.

Finally, Dr. Mayhoob mentioned that the Ministry has received 125 applications for publication licenses including: daily, weekly, monthly and periodical publications. Forty Five of these applicants have already satisfied all pre-requisites and only await a final decision for the attainment of a license.

Sincerely yours,



**Imad Moustapha, Ph.D.**  
**Ambassador of Syria to the United States**



EMBASSY OF TUNISIA  
1515 MASSACHUSETTS AVENUE, N. W.  
WASHINGTON, D. C. 20005  
TEL (202) 862-1850 FAX (202) 862-1858

001392

August 10, 2005

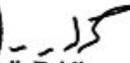
Mr. Joe Strok  
Washington Advocacy Director  
Middle East and North Africa Division  
Human Rights Watch  
1630 Connecticut Avenue, NW  
Washington, DC 20009

Dear Mr. Strok:

Following your letter of June 13, 2005, I am pleased to convey to you,  
herewith the information requested about the Internet in Tunisia.

Sincerely yours,



  
Moadh Dridi  
Chargé d'Affaires a. i.

**Answers by Tunisian authorities to questions  
from Human Rights Watch, on the Internet in Tunisia**

August 9, 2005

Question 1: *What are the laws or regulations that govern information content and communications online (such as electronic mail, newsgroups, chat forums, online discussion boards, blogs, and other forums on the Internet)? We would appreciate it if you would provide us with a copy of that legislation or indicate where the text(s) may be found. Is online speech subject to the press code or information code in effect in Tunisia?*

Answer: Electronic mail, newsgroups and online discussion forums are not subject to any specific regulations. The same holds true for online speech.

The various forms of online expression are protected by the Constitution, particularly by article 8, which provides that "freedom of opinion, expression, the press, publication, assembly and association are guaranteed and exercised according to the terms defined by the law."

Current laws that are related to this article or are pertinent to online communication include the Press Code, laws on intellectual and artistic property, the Penal Code, and the anti-terrorism law (regarding incitement to hatred or to terrorism). The hosting of websites is considered among the added-value services of the communications sector (governed by a decision issued by the Minister of Communications and a specifications book dating back to 1997).

---

**Question 2:** Are individuals, organizations and corporations permitted to establish accounts with Internet Service Providers (ISPs), so they can obtain access to the Internet through a domestic telephone call or dedicated service lines?

**Answer:** All individuals, organizations and corporations are free to establish accounts with Internet Service Providers (ISPs). Relations that ISPs have with individuals, organizations and corporations are of commercial nature and are governed by service contracts.

---

**Question 3:** What information, if any, are individuals, organizations, or corporations required by law to furnish to government agencies or to Internet service providers before obtaining Internet access? What information are they required to furnish before posting a Web site?

**Answer:** No information of this kind is required before obtaining Internet access or posting a website.

Furthermore, the authorities encourage initiatives for the creation of web content through state grants and subsidies and various other incentives.

---

**Question 4:** Is there any sort of approval from a government agency required before individuals, organizations, or corporations may have Internet access? Is there approval required before they may post a Web site?

**Answer:** No such prior approval is required in order to obtain Internet access or to post a website.

---

**Question 5:** Are ISPs required to provide to the authorities information about their subscribers or users, or about the content of their Internet activities? If so, what type(s) of information are they required to turn over, and under what conditions?

**Answer:** Information which is available to ISP's, about their subscribers or users, are confidential. Such information can only be communicated to a third party as part of judicial proceedings.

---

**Question 6:** Is there legislation regulating the use of encryption in electronic communication?

**Answer:** The use of encryption in electronic communication is governed by article 9 of the Telecommunications Code and by the implementation decree No. 2061-2727 dated November 27, 2001, setting the conditions and procedures of using encryption in electronic communication. (See [www.certification.tn](http://www.certification.tn)).

---

**Question 7:** Do authorities mandate, or require ISPs to mandate, regulations on speech content or information that is sent or received by Internet users? If so, please describe those regulations and the penalties for violating them.

**Answer:** ISPs are subject to the Press Code. Internet Service Providers are responsible, in the same way as are web content authors, for the content of the websites they host.

---

**Question 8:** Do authorities block or censor the content of any Web sites or of electronic communication via newsgroups, chat, e-mail, or other Internet forums?

**Answer:** No online content is blocked or censored, except for obscene material or content threatening public order (i.e. incitement to hate, violence, terrorism, and all forms of discrimination and bigoted behavior which violate the integrity and dignity of the human person, and/or are prejudicial to children and adolescents).

---

Question 9: Are there laws that hold an ISP (or data carriers) responsible for the content of e-mail messages, Web sites, or newsgroup postings that are transmitted by others (content providers) via that ISP?

ISPs hold no responsibility for the content of e-mails and newsgroup postings. However, and as stated above (in answer to question No. 7), ISPs are considered to be responsible for the content of the websites they host, in the same way as are also the authors of such websites.

---

Question 10: Are there regulations specifically applicable to the operation of locations (such as Internet cafés and libraries), where members of the public can have access to the Internet? Are those responsible for such facilities required to furnish any government agency with information about the users and use of their facilities? Are they considered legally responsible for material that is sent from or received at their premises?

Answer: Public Internet service centers are open to the general public. They are subject to a specific regulation setting the technical conditions for the use of premises and installations. (See [www.infocom.tn](http://www.infocom.tn)).

Those responsible for such centers are *not* required to furnish any information concerning the users and the uses which the latter make of the facilities provided by the centers.

However, those responsible for these centers are responsible for the activities taking place inside the premises of such centers.

---

**Question 11:** Does your government have any program in place to help make internet access easy and affordable to the general public?

**Answer:** Tunisia has, for many years, implemented policies aimed at promoting universal access to information and communication technologies, such as the Internet.

Today, all educational institutions, whether at the secondary or university levels, as well as scientific research institutions are all connected to the web. By 2006, all basic education institutions will also be connected, as part of a program for the generalization of access to the Internet. A network of over 80 Internet access centers has been established in youth clubs and culture centers. Each of the country's 25 Governorates has a computer center for children with access to the Internet. There are currently no less than 280 public Internet service centers established as part of private initiatives supported by the State, especially through affordable connection rates.

This approach has been reinforced by the measures introduced as part of the implementation of President Ben Ali's Electoral Program for 2004-2008, and aimed at the following objectives in particular:

- Providing every citizen with the opportunity of having his or her own e-mail address.
- Establishing a public Internet-service center in each village, with especially low connection rates for centers established in rural areas.
- Enabling Tunisian families to purchase, with easy conditions, low-cost "family computers" which are equipped with Internet connection capability.
- Generalizing broadband access throughout the country.
- Encouraging the participation of civil society in disseminating digital culture.

TOTAL PAGE(S) 06