

**Freedom of Expression**

**In Egypt and the Arab World**

Annual Report

2015

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## Overview

There is a big problem with regards to how international organizations and bodies concerned with defending journalists monitor violations against them, as they are in need for a more inclusive definition for the journalists. Many are exposed to violations, sometimes grave, reaching the extent of killing, enforced disappearance, and imprisonment for doing work that would be considered journalism. Yet because of the very tight definition of journalists, these individuals are not considered to be amongst them. In our current reality, the internet has provided opportunities for people from across the world to communicate and interact. Individuals in different regions publish information, pictures, and videos on their personal accounts on social networks, their blogs, or websites. These opportunities have created journalists independent from any official relationships with press or media institutions in their country or abroad. What they publish, especially when they involve heightened conflict or exposure of criminal acts and violations committed by ruling authorities or individuals with influence or armed groups, exposes them to serious threats. However, the protection umbrella, despite "its limited value", for journalists does not include these individuals and does not even monitor violations committed against them. As a result,

when publishing reports, such as this one, we see inconsistencies in the numbers of killed, imprisoned, and prosecuted journalists.

Logically speaking, each institution would hold to its numbers, however, organizations in the field working on the grounds will remain the most credible in this field.

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With regards to violations against freedom of expression in the Arab world, it seems that the regime in Sudan has specialized in the confiscation of newspapers. Nine issues of the same newspaper have been confiscated in one year, six of them in one month, setting an internationally unprecedented level. Kuwait, on the other hand, has specialized in prosecuting Twitter users and, to a lesser extent, users of Whatsapp. Bahrain has excelled in the prosecution of human rights defenders, imprisoning a large number of them. Despite the release of the prominent Bahraini human rights defender, Nabil Rajab, he remains threatened to return behind bars for other charges brought against him. Saudi Arabia's area of expertise would probably be its absurd and appalling court rulings. On top of the list is the death sentence against the Palestinian poet, Ashraf Fayadh, for apostasy and blasphemy. The Kingdom still holds on to the death sentence against a young man from Al Sharqiya on the basis of different

accusations because of his participation in protests in 2011. At the time of the sentence he was a juvenile. Besides the severity of the sentence and its incompatibility to the accusations brought against him (the credibility of the accusations is doubted due to the absence of any guarantee to a fair trial), the death sentence against a juvenile is an unacceptable gross violation.

Regardless of the variety in specializations mentioned above, the high rate of violations against freedom of expression and freedom of press and media is a common trait amongst Arab states that is noticeably increasing within a restricting environment to freedoms in general. We hope that this report is able to give you a true reflection of the situation. This report provides several pages for each Arab country from which we have managed to monitor and document sufficient information on the violations committed. However, there are countries from which it was difficult to document credible information as a result of lack of independent sources, the conflict situation in some of them, and the lack of media coverage. Accordingly, in the following section we are providing a summary of the information we were able to document in these countries.

## Libya

The excruciating crisis in Libya is affecting the situation of freedom of expression and press freedom in the country. The political scene in Libya is complicated and the parties to the conflict are intertwined. It is not easy to identify the extent of each party's responsibility for the deteriorated human rights situation as a result of the continuing armed conflict over power.

The disappearance of journalists and the difficulty to access any information regarding their status can only reflect the situation in Libya. The country has marked the highest number of cases of disappearances of journalists<sup>1</sup>, as we have seen with the disappearance of the five journalists of Al Barka TV, Khaled Al Sobhi, Younis Al Mabruk, Abdel Salam Almaghriby, Yousef Alqamudi and Egyptian photographer Mohamed Jalal. The internationally recognized government of Tabrik had announced the death of the five journalists despite the lack of compelling evidence to this. In addition, two Tunisian journalists Sofiène Chourabi and Nadhir Ktari have disappeared in September last year and their whereabouts remain unknown.

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<sup>1</sup> RSF Annual Roundup for 2015, <http://en.rsf.org/rsf-annual-roundup-110-29-12-2015.48676.html> (last visited on 3 January 2016)

On 17 September, the Libyan factions in the western city Al-Sukhairat signed a UN sponsored agreement to form a united national government to lead the transition, which should end a year later by holding legislative elections and expanding the presidential council to include nine persons: the president, three vice presidents, and three state ministers. This gives us hope for a solution to the political crisis in Libya and will definitely contribute to – at the least – finding definite information about the disappeared journalists and to the improvement of the situation of journalists in the country.

## **Algeria**

Freedom of expression in Algeria does not differ much from the rest of the Arab World. The Algerian authorities claim their absolute respect to freedom of expression while the reality is the complete opposite. Violations of freedom of expression in Algeria have varied between prosecution of journalists, restriction of the work of human rights defenders, and stopping the broadcast of satellite channels.

Al Watan TV was shut down in October for hosting Madani Mezrag, the former head of the "Islamic Salvation Army". His statements were considered to be insulting of the Algerian authorities. The Algerian minister of communication

announced his determination to prosecute the channel and its director.

The misdemeanor court of Oran sentenced journalist Mohamed Sharki to one year imprisonment and a fine of 20 thousand Algerian Dinars, after the newspaper he works for, *Eldjounhouria*, took him to court accusing him of insulting the Prophet Muhammad. This was after he was previously sentenced in absentia in March to three years in prison. In addition, the Algerian correspondent of the London based *Asharq Al-Awsat* Newspaper, Boualem Goumrassa, was banned from work for criticizing Algerian officials.

With regards to human rights defenders, the human rights activist, Rachid Rachid Aouine was sentenced in March to 6 months in prison and a fine for inciting protests. He had posted on his facebook account criticisms of the Algerian police for arbitrary disciplinary procedures they have taken against some officers. His posts called upon those afflicted to organize a protest. In another case, Aouine was found innocent of insulting a constituent body when he published pictures on his facebook account revealing marks of beating of one of the protesters in a protest against the repetitive power cuts in 2012 in the Algerian Al-Wady Governorate.

In October, journalist and human rights activist Hassan Bouras was arrested. His house was searched and his personal computer confiscated along with that of other members of his family living with him. Bouras was transferred to the Tribunal of El Bayadh accused of "insult to a constituent body" and "incitement to bear arms against the State." Bouras entered into an open hunger strike while in detention to protest his arbitrary arrest and the fabricated charges brought against him. Human rights defender Zulaikha Bellarabi had her house raided by security forces after she posted on facebook satirical pictures in solidarity with Bouras. She was charged with defamation, insult to a constituent body and the president of Algeria.



# EGYPT

## **Basic Information**

System of government: Republic

Population: 90 million

Number of official journalists syndicate: 1

Number of national newspapers: 57; Partisan: 12; Private: 152

Number of official TV and radio stations: 48

Number of Internet users: 51.5 million

## **Introduction**

Undoubtedly, the last years have been the worst with regards to freedoms of expression, press, media, and creativity in Egypt. Between the state's hammer and the society's anvil we find an increasing number of normal citizens in addition to people with political affiliations, journalists, and innovators afflicted by an arsenal of laws restricting freedoms. The increase in terrorist attacks particularly in the first half of the year has been used to justify new laws and amendments that have imposed more restrictions on freedoms in general, and freedom of expression and press freedom in particular. Terrorist attacks reached a concerning peak when the former Public Prosecutor, Hesham Barakat, was assassinated in June 2015. Two month later - in August - the anti-terrorism law was passed.

Legal prosecution is increasing against those exercising their right to freedom of expression and those working in the field of journalism, creativity, and media. Any free thought or opposing idea is constantly scrutinized and pointed at with accusative fingers. Once accused, you are indicted even if acquitted by law. As a result thousands of individuals have been targeted and only a few managed to escape this massive attack on freedom of expression.

Two years after it was passed, the constitutionally disputed protest law continues to be used as a means to repress the right to peaceful assembly and to place hundreds of protesters behind bars. Most of them are accused of participating in protests organized by the Muslim Brotherhood (MB) and supporters of the deposed president Mohamed Morsi. However, increasing numbers of youth from democracy movements and who are affiliated to the 25 January revolution, find their way to prison on the basis of protest related charges. Protesters regarding social and economic issues in most cases also face the same fate. Overall, protest as a tool for expression, protected by the Egyptian constitution and endorsed by international covenants that Egypt is state party to, has been completely seized.

Harming national security is no longer an accusation used only for terror related issues, for example when covering terrorist

attacks in North Sinai and counter-terror efforts by the army and the police force. Now, any one publishing information criticizing the police and their actions in general, the armed forces and its involvement in civil life could be considered to be supportive of terrorism and thus a threat to national security.

One cannot separate between state institutions' actions and the prevalence of an environment restricting freedom of expression of which the society as a whole is taking part to consolidate. Anything seen as a deviation from the prevailing moral and religious norms in the society is preyed on, as reflected in the prosecution of opinion holders, media, humanities researchers and innovators, etc on the basis of opinions they have expressed, research work conducted, or creative work produced. Prosecution usually starts as individual initiatives from personalities with a right to file a complaint. This usually finds encouraging responses from the judiciary.

### **The legislative and legal environment**

The absence of a parliament responsible of legislation in Egypt continued throughout 2015. Finally, parliamentary elections were held towards over two stages in November and December. It is expected that the newly elected parliament will convene in 2016.

Alongside the protest law there is a long list of laws and clauses (particularly in the penal code), that are blatantly in contradiction with the Egyptian constitution before and after its latest amendments in 2014. These laws and clauses allow the prosecution of normal citizens, in addition to journalists, media persons and artists, for practicing the right to freedom of expression. These laws and clauses all include custodial sanctions even though the constitution prohibits imprisonment in publication related crimes. This arsenal legislations can be reflected in the long list of people under prosecution as a result of them practicing their right to freedom of expression. The following pages in this report are full of examples of those who have been or are being prosecuted.

### *The Counter-terrorism law*

Law 94/2015 to combat terrorism was passed on 16 August to be another addition to the arsenal of laws restricting freedoms in Egypt. Like other laws passed in the last two and a half years, this law was passed as a presidential decree within the context of his temporary powers to issue legislation until an elected parliament is in place.

The latest draft was controversial. First, it included clauses stipulating the punishment of anyone who publishes news or information concerning terrorism and counter-terrorism that conflicts with official information. This was considered a

blatant threat to the work of journalism. Discussions around the draft law focused on this clause, ignoring others. Finally, it was amended so that it includes only a hefty fine ranging between 100 to 500 Thousand EGP. In addition, amendments defined official information to be limited to information stated by the Ministry of Defense. This amendment was considered by journalists a victory despite the fact that criminalization of publishing information different from official information is still upheld in the law. The clause in its current form remains in contradiction with the Egyptian constitution regarding press freedom and the rights to access information and freedom of expression. This clause alone is considered a breach to Egypt's international obligations to the International Covenant on Civil and Political Rights (ICCPR) and other relevant covenants and treaties.

The remaining clauses of the new law are considered an example of the problems and distortions within Egyptian legislation. These distortions and problems are repetitive to the extent that they are clearly intentional. The vague wordings used in the language of the law allows for expanding the definition of terrorist actions and groups to include anyone the authorities would like to describe as such. According to the law, terrorist activities might include actions that might take place while exercising the right to protest. Also the loose

wording allows the authorities to consider any independent institution, group or association as a terrorist organization.

For more information on the law, please refer to ANHRI's position paper on the topic<sup>2</sup>.

## **Press and Media Freedom**

### *Journalists behind bars*

There are 60 journalists imprisoned in different detention centers in Egypt. At the time of writing this report<sup>3</sup>, 48 of imprisoned journalists have been detained since 2013 and 2014. In 2015, the list grew to include 13 new prisoners. However, in reality the situation is much more complicated. There is no one trend that leads to the prosecution of journalists for their work. In this sense, Egypt seems to be the most dangerous country for press work.

ANHRI considers any journalist arrested or detained for their work is a detained journalist until otherwise proven.

### The Marriott Cell Case

On 23 September 2015, the Egyptian President Abdel Fattah Al-Sisi issued a presidential decree, with powers granted to

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<sup>2</sup> <http://anhri.net/?p=146349&lang=en>

<sup>3</sup> According to a list updated by ANHRI lawyers. The full updated list of journalists in Egyptian prisons can be found on <http://anhri.net/?p=151666&lang=en>

him by the constitution, to pardon 100 prisoners imprisoned in political related cases. Amongst these cases is the case 535/2013, Higher State Security, otherwise known as the "Marriott Cell" case. The pardon included three out of the six accused who have had final sentences handed down on them. These are Mohamed Fahmy, Baher Mohamed, and Shady Abdel Hamid.

However, this was not the last chapter of the case that has earned international and local attention. When Fahmy and his colleagues left Tora Prison in September 2015, they left behind two others who have been accused in the same case. They remain behind prison bars awaiting final sentences in two other cases. These are Sohaib Saad and Khaled Abdel Raouf. This fact and others makes the Marriott Cell case a revealing example of the extent of complexity of how authorities in Egypt target and persecute those working in the field of journalism, with an aim to detain them for as long as possible.

On the first of January, the court of cassation ordered the retrial of those accused in the case of the Marriott Cell and to accept the appeal of the first degree court sentence passed on 23 June 2015 by the Cairo Criminal Court sentencing seven of them to seven years of rigorous imprisonment, adding three years to another, Baher Mohamed, for being convicted of

possession of ammunition (an empty bullet shell that he had kept as a memoir of one of the revolution's events). In addition, 11 accused were sentenced in absentia to ten years in prison. The court acquitted two.

Peter Greste, the Australian journalist arrested and imprisoned in the same case was released following a presidential decree (Decree 140/2014) regarding the extradition and transfer of sentenced persons. This decree allows the president, on the basis of an offer from the public prosecutor and the approval of the cabinet, to agree on extraditing and transferring sentenced persons with non-Egyptian nationalities to their own countries. In reality this is a law that is blatantly in contradiction with the Egyptian constitution and with no doubt it was drafted and passed for political considerations to give a chance for the president to appease foreign countries that have been demanding the release of their citizens who have been put behind Egyptian bars. This is apparent in this case. While Peter Greste has been released after his government has exerted major efforts in pressuring the Egyptian government to release him after he was convicted in a clearly political case, Mohamed Fahmy, the Egyptian journalist accused in the same case was not released even though he had dropped his Egyptian nationality keeping his Canadian nationality. However, this did not help him and he had to wait for more

months until he received a presidential pardon the following September.

On 12 February, the Cairo Criminals Court started looking into the case. It ordered the release of all the accused pending their trial. Because Mohamed Fahmy now is considered a foreign national, he was released on a hefty bail of 250 Thousand EGP. Unlike Grete, it seems that Fahmy's letting go of his Egyptian nationality did not help in implementing the law extraditing and transferring foreign nationals to their countries and because of it he had to pay an extremely high bail.

On 29 August, the court headed by Judge Hassan Farid passed its final ruling in the case. The court sentenced six of the accused – Mohamed Fahmy, Baher Mohamed, Peter Grete, Shady Abdel Hamid, Sohaib Saad, and Khaled Abdel Raouf, to three years of rigorous imprisonment. As in the previous sentence, the court added 6 additional months to Baher Mohamed. In addition, it acquitted Khaled Abdel Rahman and Nora Hassan Al-Banna.

The curtain came down on the Marriott Cell case with this court sentence and with the pardon decree from which only three of the journalists in prison have benefited from, ignoring the fact that Peter Grete is still in the eyes of the Egyptian law a convict which makes his return to Egypt a risky trip as he

could get arrested and detained to finish his prison term. Also, ignoring the fact that Sohaib Saad was arrested during his release period and is now being tried before a military court in a different case. Khaled Abdel Raouf is waiting a court sentence in a case known as the Helwan Brigades.

### Sohaib Saad

On 1 June 2015, Sohaib Saad was with two of his friends, Israa Al-Taweel and Omar Ali, on the Nile Corniche in Zamalek, when their walk was interrupted by men from one of the security apparatuses who took them to an unknown place. Their communication with their families and friends were severed from the first moment and for several weeks.

Sohaib Saad is also one of the accused in the 'Marriott Cell' case. At the time of his arrest he was released pending the trial. Sohaib failed to appear in the second session of his case on 25 June. His lawyers managed to discover that he was held at the High Security Tora Prison, known as the Scorpion, after he forcefully disappeared for a period. On the basis of this, the judge ordered an inquiry from the Tora Prison Director with regards to the truth of Sohaib's detention there. In the following court session on 29 June 2015, Sohaib appeared in the court's cage where he announced he was kidnapped with his friends. Until that moment, his whereabouts and the new charges brought against him were unknown.

Sohaib appeared one more time in a video broadcast by the ministry of defense about what it dubbed the "dangerous terror cell". Sohaib was presented as a founder this cell. On 26 August, the media broadcast news that the military prosecutor has transferred the accused in this cell into a case before the military court. On 6 September the trial commenced. Sohaib Saad remains in custody. The last session was on 9 December 2015, in which the court postponed to 15 and 16 December for pleadings.<sup>4</sup>

#### Khaled Mohamed Abdel Raouf Sahloub

Khaled Sahloub is the second prisoner of the Marriott Cell case. He was not pardoned in September because his name was added to another case known as "Helwan Brigades". In the two cases, Khaled Sahloub was not amongst the first to be arrested but was later added to the case. He is a student in the faculty of media and is a freelancing photojournalist. He was first arrested in January 2015 and after his name was added to the Marriott Cell case he went through the different stages as the rest until the re-trial in February 2015 when he was

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<sup>4</sup> For ANHRI's coverage in Arabic of Sohaib Saad <http://goo.gl/Azp4hG> and for Al Bedaya Newspaper coverage of him also in Arabic <http://goo.gl/aO4VBj>

released pending the trial. However the fact that his name was in another case meant that he would remain in the High Security Tora Prison (The Scorpion) and deprived from the presidential pardon for the Marriott Cell case.

The total number of those accused in the Helwan Brigades Case is 215. The trial commenced on 30 August 2015 before the Cairo Criminals Court. Until the writing of this report, the last session was on 6 December 2015.

#### Mahmoud Abu Zeid (Shawkan)

On 12 December, the South Cairo Criminal Court, with a jurisdiction to look into terrorism related cases, will start the trial of the case known as the "Rabaa Dispersal Case" in which a large number of people arrested on 14 August 2013 following the dispersal of Rabaa strike are accused.

Mahmoud Abu Zeid (Shawkan) is a freelance photographer who has worked for a number of foreign agencies and newspapers, including Demotix, which was the agency that hired him to cover the Rabaa sit-in. Because of his presence at the scene during the bloody dispersal that led to the killing and injury of hundreds, he was arrested amongst other protesters who have been seized. All attempts exerted by different human rights organizations and the Egyptian press syndicate, in addition to Demotix, have failed in convincing the

investigators that Shawkan is not a MB member and that his presence in the area of the protest was to perform his job as a journalist hired by Demotix, which had sent an official letter to the investigators in this regard.

Shawkan along others in the case has been in pre-trial detention for over two years, which is a blatant breach to the law. Until the writing of this report, Shawkan remains in prison awaiting trial which is supposed to commence on 12 December 2015.

### Hesham Gaafar

On 21 October 2015 security forces raided Mada for Media Development, a media institution that publishes the website "OnIslam", working on media development and a member of the National Coalition for Media Freedom. The director of the institution, Hesham Gaafar, was detained and taken to an unknown place. At dawn the following day, 22 October, the house of the journalist Hossam Al-Sayed was raided and he was arrested. Both were then presented to the State Security Prosecutor, where they were interrogated for four days in the presence of a delegated lawyer while their lawyers were not allowed to attend the interrogations. The prosecutor charged Gaafar with joining a group founded in contradiction with the law and for receiving an international bribe, and ordered his detention for 15 days pending investigation. Hisham Gaafar

and his lawyers suffered a large degree of obstinacy from the prosecution. They were refused access to the case documents and reports. Also, the prosecution refused to allow Gaafa's medication in despite him suffering from several illnesses, including a heart disease. The prosecutor also refused to allow visitation by lawyers and Gaafar's family. Gaafar was detained in High Security Tora Prison, the Scorpion, which is the most infamous prison in Egypt. He was put in solitary confinement, which is considered a punishment inside the prison itself! ANHRI lawyers sent a telegram to the Public Prosecutor and the General Attorney for State Security Prosecutions on 22 November 2015 with regards to Gaafar's case and the unjustified obstinacies that he has been suffering. They also submitted a legal warning to the General Attorney of State Security Prosecutions and the Head of the State Security Prosecution on 24 November 2015. Despite that, the legal violations against Gaafar and his lawyers continue. The latest, until the writing of this report, has been misleading Gaafar's lawyers with regards to holding a renewal session on 30 November 2015 when a detention extension for an additional 15 days was handed down in the absence of his lawyers.<sup>5</sup>

### Ismail Eskandarany

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<sup>5</sup> ANHRI's coverage of the Hisham Gaafar case in Arabic can be found on <http://goo.gl/HsbUcP>

Hurghada Airport security stopped the journalist and researcher Ismail Eskandarany in the on 29 November 2015 soon after he had arrived from Germany where he is residing. Eskandarany was on his way back to his country Egypt to visit his family due to his mother's illness.

For hours Eskandarany's family and friends were not informed of the reason for him being stopped and were told that it's a matter of an "informal chat" with national security. The "chat" continued until the following morning. Eskandarany was arrested and transferred to the State Security Prosecutor and charged with joining an illegally founded group, the MB, despite Eskandarany denying it during his interrogation which had continued for 7 hours. Eskandarany submitted a detailed clarification of 10 points on his opposition to the thoughts of the MB and their practices revealing the absurdity of the accusation brought against him.

In addition, the State Security Prosecutor charged Eskandarany with publishing false news based on a press investigative report published in newspapers and websites regarding the situation of civilians in Sinai in the context of the war between the army and security on one side and terrorist groups on the other side. Eskandarany was asked about his sources and he insisted that his information is based on official data published by the army and from other sources

amongst people living in Sinai. At the end of the interrogation, the State Security Prosecutor ordered the detention of Ismail Eskandarany for 15 days. Until the writing of this report, interrogation sessions continued. The last was on 10 December 2015 when his detention was renewed for 15 days.

### *Journalists prosecuted*

This section deals with journalists who have been or continue to be prosecuted during 2015 on the basis of their journalism. It is noticeable that while the list of journalists in pre-trial detention or imprisoned is limited to journalists accused in cases related in one way or the other to the state's campaign against the Muslim Brotherhood,<sup>6</sup> legal prosecution generally speaking has affected journalists representing a wide range of tendencies and affiliations including those considered close to the authorities. In addition the cases brought against them varied and were not limited only to MB related cases.

It appears that the accusation of publishing false news is a common factor in this section and the preceding one. Added to it are accusations of insult and defamation which has been

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<sup>6</sup> The only exception is that of Youssef Shaaban a journalist for the website Al-Bedaya website. We will deal with his case in a later section.

based on reports from public personalities including state officials.

### Sammar Hassan and Farida Ali

On 11 February 2015 security forces arrested Sammar Hassan and Farida Ali from their family homes. State security prosecution charged them with joining an illegally founded group in with an aim to call for suspending the constitution and law and to attack the personal freedoms of citizens, requesting and receiving money from foreign entities with an aim to harm national interest, and broadcasting false information harming national interests and promoting the thoughts of a terrorist group.

The prosecutor ordered the detention of the two journalists for 15 days pending investigation in the State Security Case 205/2014. Their pre-trial detention continued for 5 months until the Cairo Criminal Court released them pending trial.

It is worth mentioning that they were arrested and charged on the basis of their work for a period in Mekameleen TV which is connected to the MB, despite the fact that they had left the

institution and Sammar now is working with Mobtada website and was able to present documents that prove this.<sup>7</sup>

### Yehia Khalaf Allah

Security forces stormed into the office of Yaqin's Network, an independent media network, on 14 July 2015 and arrested the head of the network, Yehia Khalaf Alla and Ibrahim Abu Bakr, a staff member. Abu Bakr was later released. However, Khalaf Allah was presented to the prosecutor where he was charged with a list of accusations including: promoting parts of a video inciting against the state and its institutions in order to stop state institutions from doing its work, and attacking the personal freedoms of citizens, harming national unity and social peace, and filming MB protests and talking to their families without acquiring the necessary license from the Ministry of Culture, possession of film editing tools without a license, possessing non original computer software, and forging an identity card of the Bar Association.

His pretrial detention ended on the first of September 2015, when the judge refused the prosecutor's appeal against a

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<sup>7</sup> ANHRI's statement following the arrest of Sammar Hassan <http://anhri.net/?p=141029&lang=en> .

AFTE's Coverage of the case in Arabic <http://goo.gl/Wo5bP5>

release order and a bail of five thousand EGP. The case was not sent to trial or suspended until the writing of this report.<sup>8</sup>

The Ministry of Interior prosecutes journalists for their coverage of police violations:

There are clear differences as to how the security agencies deal with what is published in newspapers or on websites with regards to their breaches. They accuse the publication or website of being an MB supporter or an opposition, accusing them of joining an illegally founded group, publishing false news to harm national security and social peace, etc. In reality, the security authorities have a free hand to detain and prosecute journalists, knowing that in all cases those arrested will remain in detention for prolonged periods. In extreme cases, like Mosaab Saad and Khaled Abdel Raouf, journalists will be accused of assuming leadership positions in MB Cells. When the concerned publication is known to be far from any MB connection, the Ministry of Interior will still resort to bringing legal cases against it and accusing it of defaming the ministry. In all cases, it will accuse it of publishing false news

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<sup>8</sup> ANHRI's statement regarding the arrest of Yehia Khalaf Allah <http://anhri.net/?p=146409&lang=en>  
Further information is within the legal unit of ANHRI .

and will deny any breaches committed by their agencies or officers.

For example, on 12 April 2015, the ministry of interior published a statement that officers of the General Directorate of Verdicts' Execution have arrested Hussein Mahmoud Abdel Halim who is accused in seven cases and who has several court sentences issued against him. At first, this comes across as normal, but then the situation becomes more complicated when it is revealed that Hussein Abdel Halim is a correspondent to *Al-Dostour* Newspaper's crime department who had published a series of reports accusing police officers of corruption and other violations. Looking further into the case and studying the dates of the court ruling and his arrest, it becomes apparent that Abdel Halim was not in hiding and that it is clearly obvious that he is prosecution and trial are related to the investigative reports he had published.

In the same report, the Ministry of Interior confirmed that it had submitted a complaint to the Public Prosecutor to investigate what he had published in *Al-Dostour* Newspaper. On 9 April, the Ministry of Interior issued another statement threatening *Al-Masry Al-Youm* that it would legally prosecute it for publishing a report entitled, "The Police: Martyrs & Offenders.. Holes in Police Uniforms". In fact, the Ministry of Interior filed a complaint to the Public Prosecutor, after which

Mahmoud Mosallam, the editor in chief of *Al-Masry Al-Youm*, was summoned along with Yousry Al-Badry, Mostafa Makhoulf, Hassan Ahmed Hussein, and Ibrahim Karaa journalists in the newspaper who were interrogated by the Public Prosecutor over the report<sup>9</sup>.

In a similar incident, on 13 June, Khaled Salah, editor in chief of *Al Youm Al Sabea (Youm7)* and Al Sayed Al Fallah, editor in the governorates section, were arrested after a complaint was submitted against them by the Ministry of Interior to the Public Prosecutor accusing them of undermining public peace and security after the newspaper published reported attacks on presidential cars in Sharm El-Sheikh, South of Sinai. Later the website published a correction denying the incident along with an official statement from the presidency, yet the Ministry of Interior insisted on arresting them. The two journalists were summoned before Public Prosecutor, interrogated, and then released on a 10 Thousand EGP bail.

Representatives from the Press Syndicate were denied access to attend the interrogations in a breach to the law

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<sup>9</sup> <http://anhri.net/?p=143547&lang=en>  
<http://anhri.net/?p=143651&lang=en>

that stipulates journalists' right to have a representative from their syndicate attend interrogations.<sup>10</sup>

### Hossam Bahgat

Probably the legal prosecution of the investigative journalist and prominent human rights defender Hossam Bahgat should be considered the revealing exception to what is routine on several levels. Bahgat's work in *Mada Masr* is mostly about revealing the untold story. What happened to him also revealed an untold story regarding security authorities' reactions to published reports. Amongst the untold stories is a common practice by the Egyptian military intelligence towards what it sees as issues that should not be published in the public sphere. Usually, the intelligence summons the journalist to its headquarters and demand him/her to sign a pledge that they will not be writing about these issues again (any issue concerning the armed forces and their operations especially those related to counter terrorism) without going back to official authorities in the Ministry of Defense. The situation usually ends at this point and usually the summoning of the journalist is not made public, as it seen as "friendly chat". In this context, Hossam Bahgat was summoned by a letter that

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<sup>10</sup><http://anhri.net/?p=145649&lang=en>

arrived at his residence on 5 November 2015. Accordingly, on the morning of Sunday 8 November, Bahgat headed to the military intelligence headquarters in Madinet after he told a limited number of his friends of the situation. A few accompanied him to the headquarters and waited for him outside. As time passed by, his friends and followers on social networks started to worry. His friends discovered that he has been transferred outside the headquarters to the Military Courts and Prosecution Complex (s28). They were informed by Bahgat who was allowed in the evening to call one of his friends to inform him of his whereabouts and his need for lawyers to attend the interrogations with him before the military prosecutor.

According to Hossam Bahgat in a statement he made later that the interrogation "wholly focused on a journalistic investigation that I published in Mada Masr on October 13 with the headline "A coup busted?"

My interrogation was based on a report by military intelligence against me. At the end, the head of the prosecution informed me that I faced charges of deliberately broadcasting false news that harms national interests and involuntarily disseminating information that harms public interests, as per Articles 102 and 188 of the Penal Code".

Bahgat remained in custody until the following morning. He spent the first night in an unknown place. Later it was discovered through the statement Bahgat published that he spent that night in a villa that belongs to the military intelligence! He was not transferred the following morning to the military prosecutor which had decided his detention for 4 days pending investigations. Bahgat's lawyers were informed of the decision without allowing him to visit him or know his whereabouts. Bahgat was also denied information as to the prosecutor's decision.

Bahgat's arrest raised a strong wave of condemnation and local and international demands for his release. The UN Secretary General, Ban Ki-moon expressed his concern towards the state of press freedom in Egypt as a result of Bahgat's arrest. This could explain the fact that Bahgat was released suddenly and in a strange manner. "On Tuesday, at noon, I was blindfolded and escorted by an armed guard in a car to military intelligence again. I met with two officers, a general and a lieutenant colonel, for an hour, and was informed for the first time that the prosecution had ordered my detention for four days pending investigations, but that military intelligence had decided to release me today".

From a legal point of view, the military prosecutor is the authority that ordered his release and that the accusations

against him are still standing as the investigation and accusations were not dropped. Generally, Bahgat's legal status remains ambiguous even if he is free. It is worth mentioning that Bahgat was asked to sign a pledge stating: "I [...] declare that I will abide by legal and security procedures when publishing material pertaining the armed forces" and that "I was also not subjected to any moral or physical harm" during my detention period<sup>11</sup>.

### *Journalists violated by their institutions*

Writers, journalists and media personnel face violations of their rights within the institutions they work for. These violations usually include censorship by denying their articles or programs. They also include arbitrary dismissal from work. Usually they are related to writing articles, working on an investigative report, or statements during a TV or radio program in which opinions or information either in

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<sup>11</sup> Hossam Bahgat's statement in Arabic: <http://anhri.net/?p=154418>.

An English translation can be found on:

<http://www.madamasr.com/sections/politics/statement-hossam-bahgat-his-military-detention-interrogation>

ANHRI's coverage of the events regarding Hossam Bahgat's arrest and interrogation in Arabic:

<http://anhri.net/?tag=%D8%AD%D8%B3%D8%A7%D9%85-%D8%A8%D9%87%D8%AC%D8%AA>

contradiction with the tendency of the institution or that could unnerve the authorities which the institutions sees as a potential risk and threat.

On the other hand, the general environment is one where there is restriction on freedom of expression generally and particularly on press and media freedom. Many institutions suffer from serious financial problems as a result of the low distribution of printed press or because the viewing rates for a program is low. Each institution chooses a different way to deal with such problems. However it is clear that a large number of these institutions have put the responsibility on the journalists working for them resorting to different ways, most importantly delay in paying salaries or resorting to arbitrary dismissal, or lowering salaries and harassing them during their work to push them to resign. Journalists in a number of press and media institutions in Egypt have suffered throughout 2015 which led in some cases to journalists taking collective action such as organizing a sit in or a partial or full strike.

### *Banned articles and writers*

The reasons for banning a specific article or censoring all articles of a specific writer have varied. The reason could be to avoid angering another country's government, such as when Al-Ahram censored an article in May 2015 written by Osama

Al-Ghazaly Harb entitled "No to Al-Bashir" about the Sudanese President Omar Al-Bashir. In the article, the writer expressed his refusal for the Egyptian President to welcome a president who is facing accusations of crimes against humanity, including genocide and is thus followed by the International Criminal Court (ICC).<sup>12</sup>

In another case, Al-Watan Newspaper on 29 May 2015 blocked an article dealing with Egyptian President Abdel Fattah Al-Sisi in an article by Mohamed Fathy and at the end an apology to his readers that he would no longer write. Strangely, the newspaper blocked the article and only published the apology.<sup>13</sup>

On the other hand, Al-Masry Al-Youm Newspaper faced indirect pressures when its chairman and owner of a large amount of its shares, businessman Salah Diab, was arrested and accused of corruption and possession of weapons. This was to pressure him to stop the articles of Gamal Al-Gamal from running. This was in November 2015.<sup>14</sup>

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<sup>12</sup> ANHRI, "Phone Call from Sovereign Body ... About Blocking & Confiscating Egyptian Newspapers after the Constitution Passed" report can be found on: <http://anhri.net/?p=150909&lang=en>

<sup>13</sup> Ibid

<sup>14</sup> Statement in Arabic of the writer Gamal Al-Gamal regarding to banning his articles is published on Al-Bedaya website: <http://bit.ly/1Y8sxys>, (last visit 11 December 2015)

### Reem Maged

The administration of ONtv on 14 May suspended Reem Maged's program "Gamea Mo'anath Salem" (Feminine Plural). ONtv broadcasts the program in partnership with the German TV "Deutsche Welle". The TV administration did not reveal the reasons for this. However, Reem Maged announced through a TV interview on the program Akher El-Nahar presented by Mahmoud Saad, that she was informed that her program was suspended based on orders from a sovereign authority, which is a reference to a security or intelligence body or could be a reference to the presidency.

There was no confirmation from ONtv with regards to what Maged said, but at a later stage, the owner of the Channel, business man Naguib Sawiris stated that the reason for suspending the program was because of its low revenues from advertisements, which is an illogical reason to stop the broadcast of the program that has already been filmed<sup>15</sup>.

### Azza Al Henawy

In the evening of Sunday 8 November 2015, Azza El-Henawy was surprised by a decision made by Essam Al-Amir, head of the Radio and Television Union to suspend her and stop her

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<sup>15</sup> ANHRI's statement <http://anhri.net/?p=144592&lang=en>

program and transfer her to an investigation for going out of script and stating an opinion in a news program.

The program is "Akhbar al-Qahera" (Cairo's News). A week before the incident (1 November 2015), she talked about the death of citizens and the bringing of life to a halt in Alexandria as a result of the intense rains that it witnessed. Al-Henawy talked about the necessity to hold officials responsible for the failure of the City's infrastructure accountable. She confirmed that no official should be above accountability, including the President.

In a later development, the head of the Radio and Television Union issued a decision to ban Azza Al-Henawy from entering Maspero. Al-Henawy announced that she will appeal this decision in court. Lawyers from ANHRI and the Association for Freedom of Thought and Expression (AFTE), representatives of Al-Henawy, submitted a warning to the Union demanding her right to access all documents related to the investigation taking place. Al-Henawy had stood before the Central Committee for Legal Affairs on 9 November. Her lawyers were denied entrance and she was not allowed to look at the documents, thus breaching the law.

Azza Al-Henawy was allowed to resume her program on Sunday 29 November with a warning. She announced that she

is appealing the results of the investigation confirming that she will defend her right to freedom of opinion and expression and that she will not accept being administratively punished for practicing her right.<sup>16</sup>

### *Confiscation and publication ban*

The year 2015 witnessed incidents of ban of printing of a number of newspapers. In addition, editions of other newspapers were confiscated and shredded. This is usually a result of an order by a security body because of an article or a news report dealing with the president, police practices, or counter-terrorist operations by the army in North Sinai. In this document we report on a number of cases documented by ANHRI in a previously published report: "Phone Call from Sovereign Body ... About Blocking & Confiscating Egyptian Newspapers after the Constitution Passed".

- Some security authorities ordered the suspension of printing an issue of Al-Watan Newspaper, on 11 March 2015, on account of a report about 13 ministries and sovereign bodies that have refrained from paying taxes over the last years.

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<sup>16</sup> ANHRI coverage of the incidents surrounding Azza Al-Hennawy in Arabic: <http://bit.ly/1IWekIR>

- Security authorities confiscated the first issue of Al-Watan newspaper on 11 May 2015, despite the printing of 48 thousand copies for including a report entitled “Seven More Powerful than Al-Sisi”. The security authorities forced the change of the title of the press report to be "Seven More Powerful than Reform". In addition, security authorities ordered an article by the managing editor Alaa Al- Ghetrify, entitled “The Policeman, Son of the Palace, Rules”, to be removed.
- Egyptian security forces arrested journalist Ibrahim Aref, Al-Bayan newspaper’s editor in chief, from the newspaper’s headquarters in Dokki, and confiscated the last copies of it, after the public prosecutor issued an arrest order on 18 May 2015. The charges were spreading false news that could disturb public security, terrorizing people and harming public interest. Al-Bayan Newspaper published that morning news of the assassination of 6 public prosecutors on Cairo Suez Road. It is worth mentioning that Ibrahim Aref was released the following day with a bail of 10 thousand Egyptian Pounds.
- Egyptian security forces confiscated the Friday, 14 August 2015 issue of Sout Alomma newspaper stands

and shredded them, according to the press statements made by its editor in chief, Abdel-Halim Qandil. The issue's front page had headlines criticizing former president, Mubarak, including "Mubarak's Gang. Down with Egypt", and "the deposed spends his sentence in the Qatamiya Palace".

- Al-Ahram institution prevented the print of a weekly issue of "AlSabah" newspaper on Saturday 22 August 2015 due to an article about head of the Future of a Nation Party, Mohamed Badran, who is seen often with President Abdel Fattah Al-Sisi.
- Almesryoon news portal announced that Al-Ahram has suspended the print of its weekly issue scheduled to be published on 24 August 2015, due to objections on the Editor in Chief's article entitled "Why doesn't Al-Sisi stop playing the Role of an Islamic Thinker". The article criticizes the president with regards to his religious discourse.

## **Freedom of opinion and expression**

One cannot separate between the right to freedom of opinion and expression and press and media freedoms, as the latter is only a part of the former and reflects the status of freedom of expression much more clearly than other practices of the right.

Therefore, the separation in this section is based on the nature of the violation committed against press and media freedom and the kind of restrictions affecting journalists and media persons which is different from those targeting normal citizens or public personalities for expressing their opinions freely.

In this section we deal with the prosecution of artists and innovators in different fields, in addition to activists on social networks, democracy activists, human rights defenders, normal citizens who have been attacked for their opinions, positions from the authorities or stance regarding a social issues, or for crossing one of the red lines.

### *Contempt of religion*

The state has expanded its persecution of any critical religious view resorting to the accusation of contempt of religion, whether these opinions were on facebook, twitter, or a TV program.

#### Karim Al-Banna

Sentenced to three years in prison for publishing atheist thoughts on Facebook

#### Fatma Naout

Accused of contempt of religion for tweets criticizing Eid Al-Adha (Big Bairam) rituals of slaughtering a living being

### Islam Al-Beheiry

Sentenced to 5 years in prison for his opinions presented in his program "With Islam" on AlKahera Wal Nas Channel

### *Public indecency and incitement to debauchery*

Article 178 of the Penal Code states: "whoever makes or holds, for the purpose of trade, distribution, leasing, pasting or displaying printed matter, manuscripts, drawings, advertisements, carved or engraved pictures, manual or photographic drawings, symbolic signs, or other objects or pictures in general, if they are against public morals" shall be punished. The Egyptian law does not include any clear definition of what it means by public morals. The court of cassation does not provide in its explanatory sentences any exclusive clarifications, but in itself also uses general statements stating that it is work that contradicts with moral values and dominant religious considerations in the society.

It is thus natural that this article will be used intensely on those working in the fields of art and literature. While artists and dancers such as Haifa Wahbe, Shakira, and Bardis have been prosecuted, also writers and intellectuals have also been attacked with the same clause.

## Ahmed Naji

On 3 August 2015, *Akhbar Al-Adab* Newspaper, issued by *Dar Akhbar Al-Youm*, a state owned institution, published in its issue number 1097, a chapter of the novel "Istakhdem al-Haya" (Using Life). The novel was published in full by the Lebanese Al-Tanweer publishing house. Egyptian censorship allowed this book to enter the market in Egypt.

Lawyer Hany Saleh Tawfik submitted on 13 August 2014 a complaint to the prosecution accusing Naji of undermining public morals by publishing this chapter of his novel. Tawfik reported that reading that chapter led to stress and high blood pressure. Surprisingly, for months, the prosecution did not do anything with regards to this report. After a year, the Central Cairo Prosecution decided to open an investigation into the complaint and summoned Ahmed Naji and Tarek Al-Taher, editor in chief of *Akhbar Al-Adab*. The prosecutor transferred the case to the misdemeanor court, giving it case number 1945 for year 2015.

The Boulaq misdemeanor court started looking into the case on 14 November 2015. The defense asked for a witness statement by the literature critics, Gaber Asfour (former minister of culture), Mohamed Salmawy, and novelist Sonallah Ibrahim. The case was postponed to 12 December

2015 to hear the witnesses. At the end of the session, the case was reserved for a verdict on 2 January 2016.

### *Activists on social networks*

#### Israa Al-Taweel

On 1 June 2015, Israa Al-Taweel disappeared after having dinner with two of her friends, Sohaib Saad, and Omar Mohamed. She is injured by a bullet during one of the Revolution events. Her family accused a security body of kidnapping her. For two weeks, there was no information on the whereabouts or fait of Israa. The Ministry of Interior denied that she is arrested or detained by them.

Later, it was revealed that she was brought before state security prosecution in the Fifth District, Cairo on 16 June 2015. She was presented to the prosecutor with no lawyer and without informing her family. Her whereabouts were discovered because a lawyer coincidentally saw her there.

Lawyers were informed of the situation and they went to inquire to discover that the prosecutor had decided to postpone interrogation with her to 28 June and that she was transferred to the Qanater women's prison. For the next three months the State Security Prosecutor and then the Renewal Judge in the

criminal court continued to extend her pre-trial detention pending investigations into the list of accusations brought against her. The accusations include, joining an illegally founded group (the Muslim Brotherhood). The prosecutor refused on 30 November 2015 the appeal submitted by her defense against extending her pre-trial detention for an additional 45 days.

It is worth mentioning that Israa is suffering particularly because she is not getting the special treatment needed for her injury in her backbone, which has led to deterioration in her mobility, putting her at risk of complete paralysis. The Doctors' Syndicate had submitted a letter to the Public Prosecutor and Ministry of Interior and the head of the National Council for Human Rights requesting the syndicate to send a delegation of doctors to check on her and identify her medical needs. This request was ignored while the prison authorities and forensic medicine insist that her condition is suitable for her continued detention.

On 19 December 2015, the Cairo Criminal Court held at the police institute in Tora ordered the release of Israa Al-Taweel for medical reasons while keeping her under house arrest in her family home and allowing her to only leave her residence to receive her physiotherapy while under high security.

### Amr Aly

According to statements made by the family of the political activist Amr Aly, coordinator of the 6 of April youth movement, security forces formed of 15 to 20 persons, raided the family home on 22 September 2015 and searched refusing to show any warrants in this regard. Amr was arrested without being informed as to where they will be taking him, thus breaching the law. Witness statements said that the family had received a call informing them that Amr will be put before Al-Marg Prosecution and confirmed the denial of all police stations and the bureau of state security in Shebin El Kom as to their knowledge of his place of detention. Security authorities did not announce the whereabouts of Amr Aly.

It was later discovered that he was put before the prosecutor that charged him with several accusations, including, forming an illegal movement with an aim to overpower the interests of one class over the other (referring to the movement of 6 April youth) and the possession of explosives. The prosecutor ordered his detention for 15 days pending investigations. Renewals to his detention continued and the last one was on 16 December 2015.

### Amr Nohan

Amr Nohan was about to finish his military conscription which he had started in October 2014 when he was surprised

that he was transferred to a military trial in which he was accused of behaving in a manner that his harming the discipline of the military system by publishing while a soldier of the armed forces statements and images on social networks against the armed forces and the ruling regime. Here the accusations are related to a doctored picture on his facebook account of the Egyptian President with Mickey Mouse ears. On 8 October, the military court convicted Nohan and sentenced him to 3 years in prison. The Appeals court on 30 November upheld the first sentence.

### *The right to peaceful protest*

In January 2015, the constitutional court reserved the appeal submitted by the lawyers Khaled Ali and Tarek Al-Awady with regards the constitutionality of articles from law 117 of 2013 (protest law), to prepare a report regarding the constitutionality of the law. Until this day, no developments took place despite the renewal of demands to annul the law that has been used to put thousands in Egyptian prisons for practicing their constitutional and human right of expression through peaceful protest.

It is impossible to document all cases of prosecution of protesters through this year, especially that in most cases a long list of accusations headed by the affiliation to an illegally founded group, referring to the Muslim Brotherhood. In this report we cover some cases of which we had sufficient information by which we can be confident that the prosecution was based on their peaceful protest regardless of whether it was a political or an economic or a social protest.

### The Funeral Detainees

On 1 September 2014, a number of members of the 6 April youth movement gathered in Boulaq Al-Dakrur area in Giza around the house of a colleague of theirs, Ahmed Al-Masry, who was killed a year ago, to commemorate the first anniversary of his death. Security forces arrested some of the participants and detained them for two days. The prosecutor charged them with protest without a license, assembly, and possession of flyers before releasing them. According to their lawyers it seemed that the prosecution was leaning towards dropping the case.

Suddenly, a criminal court session headed by Judge Nagy Shehata was held on 8 October 2015 to look into the case. The accused and their lawyers were not present and were not informed of the case. The court sentenced ten of the accused in

absentia to life sentence! When the case was re-opened, it was discovered that that an additional charge was added and that was the possession of weapons even though the case had no weapons registered in its evidence a year ago.

Now the court procedures are being re-looked at before the same judge who had made the original sentences. The court decided on 17 December 2015 to postpone the case 4546 of 2015 to 18 January 2016 to hear witness statements.

#### Detainees of the fourth anniversary of Mohamed Mahmoud

On 19 November, a number of youth organized a human chain on the 6 October Bridge to commemorate the fourth anniversary of Mohamed Mahmoud. Security forces arrested 13 young men. Nine of them were detained in Kasr El-Nil Police Station and the other four in Abdin Police Station and the two groups were brought before the relevant prosecutors. They were accused of protest without a license, assembly, blocking the road, and threatening public peace. The two prosecutions ordered the detention of the accused pending two different cases. Their detention renewal continued until the two prosecutions on 8 December 2015 decided to transfer the two groups to the relevant courts, Misdemeanor Kasr El-Nil

and Misdemeanor Abdin and 12 December 2015 was marked to start looking into the case.

On 12 December the Abdin Court sentenced the four to two years in prison in the case 12182 of 2015. The sentence was appealed and it is expected to be looked at by the appeals court on 30. On the other hand, the Kasr El Nil court continued to look into the case 17826 of 2015 in which nine are accused. On 15 December the court postponed the case to 5 January 2016 to look into the case documents.<sup>17</sup>

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<sup>17</sup> <http://anhri.net/?p=155352&lang=en>;  
<http://anhri.net/?p=155326&lang=en>;  
<http://anhri.net/?p=155211&lang=en>;  
<http://anhri.net/?p=156426&lang=en>;  
<http://anhri.net/?p=156548&lang=en>;  
<http://anhri.net/?p=156649&lang=en>;  
<http://anhri.net/?p=156696&lang=en>

# SUDAN

## Basic Information

System of government: Republic

Populate: 36 million

Number of official Journalists unions: 1(Sudanese Press Syndicate)

Number of national newspapers: 47 published regularly, 82 advertisement based publications and private institutions

Number of official TV and radio stations: 19

Number of Internet users: 10 million

## Introduction

The repressive political context in Sudan puts the situation of freedom of expression in crisis. The Sudanese president has been heading the country for more than 25 years. He was "re-elected" in the presidential elections that took place in April this year despite opposition to hold these elections in an environment that is restrictive of freedoms.

The year 2015 was not much different than previous years with regards to the frank animosity of the Sudanese authorities to media freedoms. This animosity is in fact increasing in a concerning manner. Sudanese newspapers and those working in media continue to face a restrictive environment. Sudan is

rated 172 out of 180 countries according to the 2-14 World Press Index published by Reporters without Borders (RSF)

The confiscation of newspapers is a natural and expected act by security authorities who are supported by the ruling powers. In 2015, there were a large number of confiscations of newspapers. In one day, nine newspapers were confiscated. Specific newspapers have been confiscated more than once throughout the year. While emphasizing our opposition of confiscation in principle, in some cases the confiscations were happening for reasons other than being critical of the presidency or security forces. This only refers to the fact that confiscation is a rooted trend in Sudan and is used to harass press even when it covers daily issues.

Journalists are continuously being targeted for doing their work in providing information and publishing analysis to the public. This is what the authorities despise and thus resorts to repression and the confiscation of any open environment. Journalists in Sudan are targeted in several ways, varying from arrest, summoning for interrogation, and criminal prosecution. This has made Sudan an unsafe place for journalists.

At the same pace, political oppositions and civil society workers are being attacked by arrest and legal prosecution in addition to imposing on them travel bans and by dispersing their protests and banning them from holding any protest or

cultural events. Tens of opposition, students and activists have been arrested before the general elections in April. In addition, journalists and civil society activists have been arrested during the elections.

### **Newspaper confiscation and suspending broadcasts**

- *Al-Midan Newspaper* was confiscated nine times this year, six of which were in January alone. No clear reason was given by the Sudanese authorities. Security authorities confiscated in January six issues of *Al-Midan* newspaper without providing reasons. Police reports against the newspaper's editor in chief, Madiha Abdallah, and the head of the political section, Ibrahim Merghani, and the writer and left leader Suleiman Hamed.
- Security forces confiscated the 28 January issue of *Al-Ahram* Newspaper because of a news piece it had published on 27 January stating that the Parliament Speaker, Al-Bashir Al-Fateh Ezz El Din, had received an official decision to postpone the parliamentary elections. The Sudanese presidency submitted an official complaint against *Al-Ahram* to the office of the Prosecutor for Press and Publications and to the Press and Publications' Council.

- The press police in Sudan summoned on 10 February the journalist of *Al Tayar* Newspaper, Ina'am Adam, and confiscated the issue the following day without providing any reasons. This issue included news of the resignation of four managers in the Nuclear & Radiological Regulatory Authority protesting the fact that the authorities have allowed one of the petroleum companies to enter 63 containers through Port Sudan that had dangerous and radiological material.
- The Security and Intelligence Authority of the Presidential Office confiscated on 25 May 9 daily newspapers. These included *Al-Sudani*, *Al-Jaridah*, *Akher Lahza*, *al-Intibaha*, *Al-Raai al-Aam*, *Alwan*, *Al-Tayar*, *Al-Khartoum*, and *Al-Youm al-Tali*. In addition, the authorities suspended the printing of *Al-Jaridah*, *Akher Lahza*, *Al-Khartoum*, and *Al-Intibaha* indefinitely. The authorities did not clarify the reasons for such actions.
- On 18 June the Sudanese security authorities confiscated three newspapers – *Akhbar Al-Youm*, *Al-Tayar*, and *Al-Jaridah* – without providing any reasons. It is worth mentioning that Ali Al-Dali, the journalist in *Al-Tayar* Newspaper was summoned before the office of the prosecutor for press and

publications on 16 June after security submitted a complaint for material he had published on 24 May that the security authorities considered to be defamatory.

- ArabSat had stopped the broadcast of *Dabanga Radio* in July and the channel was completely removed after a request made by the Sudanese government. The Radio's administration mentioned<sup>18</sup> that the broadcast had stopped in response to the request of the Sudanese government as it considers *Dabanga Radio* to be in animosity with the state. Parliamentarians had requested that the broadcast of the radio channel to be stopped as they considered it to be a danger to the country. They accused the channel of forging the truth and that it serves a foreign agenda with an aim to put Sudan in disrepute and harm the country's foreign relations.
- Security authorities confiscated the 20 September issue of *Al-Khartoum* newspaper without specifying any reasons. Workers at the newspapers suggested that the reason could be for a cartoon published on the first page criticizing the national dialogue process. The 19

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<sup>18</sup> Arabic statement on Dabanga Radio website <https://goo.gl/5b0pik> (last visited 16 December 2015).

September issue of *Al-Sudani* was also confiscated after the issue of the previous day was also confiscated. The authorities did not provide any reasons for its actions.

- Censorship confiscated in October the novels, namely *Asful Qaaa Almadina* (The Bottom of the Downtown) by Ihab Adlan, and *Bostan Alkhouf* (The Garden of the Fears) by Asmaa Osman Al-Shaikh from the Khartoum Book Fair.

### **Detention and Interrogations:**

- Security forces arrested the poet Youssef Al-Dosh on 2 April after he participated with poems criticizing the political situation in Sudan. That was during a poetry festival.
- Intelligence and national security forces arrested human rights defender Adil Bakheit<sup>19</sup> on 16 April. He was detained in the police station in central Om Durman. He was accused by the state security prosecutor of criminal conspiracy, calling for

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<sup>19</sup> Frontlinedefenders: "Sudan: Human rights defender Adil Bakheit arrested", <https://www.frontlinedefenders.org/node/28565>, (last visited 3 January 2016)

opposition to public authority through the use of violence, publication of false news, offences against the State undermining the constitutional system, waging war against the State, and impersonating a public servant. The punishments could reach life sentence or death penalty. Reportedly, the charges brought against him are based on a human rights workshop he had held at the Tracks Training Center in March 2015. Documents and laptops were confiscated on the day of arrest, including Bakheit's personal laptop, and three of the centre's staff were interrogated following a raid into their homes.

- Security forces raided on 20 April the residence of human rights defender Sandra Farouk Kadouda in Khartoum. Earlier in the same month she was kidnapped for participating in a strike to boycott the elections. Her kidnappers threw her close to her family's residence on 15 April. Her body had marks of severe beatings and she was terribly ill. The authorities accused her of publishing and promoting false news, threatening public peace, defamation, and criminal participation. Authorities also banned an article from being published in Al-Sudani Newspaper regarding her arrest.

- The community security police force summoned the journalist Rabaa Abu Hena on 26 April and interrogated her over her investigative report published in *Al-Tayar* Newspaper on 21 April on abortion operations in one of the public hospitals. The police demanded that the journalist reveal her sources<sup>20</sup> and she refused. The police threatened to submit complaints to the office of the prosecutor for press and publications.
- On 10 May, security arrested Sulafa Saad Al-Din for blogging on social networks on racist practices committed against her. His post became popular and spread on social networks. She was interrogated for several hours about what she had posted on her personal account on facebook. She was insulted and suffered from racist offences. In addition, a security officer cut her hair by force before releasing her.
- On 23 July security arrested Mohamed Suleiman, *Al-Tayar* correspondent, Salhin Al-Awad, *Al-Khartoum* correspondent, and Suleiman Mukhtar, *Al-Majhar* correspondent, from inside El Gedaref Hospital while

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<sup>20</sup> ANHRI statement, "Protection of Sources is Journalist "Rabaa Abu Henna's" Right", <http://anhri.net/?p=143824&lang=en>

covering a strike by doctors. The journalists were taken to the security bureau in the city where they were questioned for two hours. The laptop and mobile of Mohamed Suleiman were confiscated.

## **Trials**

- On 9 April, human rights defender Amin Mekki Medani was released after a decision by the minister of justice to suspend the case against him and the former secretary general of the Arab lawyers union, Farouk Abu Eissa. Medani and Abu Eissa were detained<sup>21</sup> on 6 December 2014 in an illegal detention center. They were transferred 15 days later to the infamous Kober Prison. They were put on trial later for charges "undermining the constitutional system", and "waging war on the state". These two accusations are punishable by death penalty in Sudan. National intelligence arrested them for signing the "Sudan Call" Charter in Addis Ababa, which is a declaration to "establish a state of citizenship and democracy" with a

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<sup>21</sup> Frontlinedefenders: "HRD Amin Mekki Medani on trial for "waging war against the state" , <https://www.frontlinedefenders.org/node/28411> (Last visited on 3 January 2016)

goal to end wars and conflict and respond to humanitarian issues, study the economic situation in Sudan, consolidate the state of law, and seek national dialogue on democratic transformation.

- The Sudanese court acquitted<sup>22</sup> activists Aly Omar Alfekky and Mohamed Youssef members of the Sudanese Conference Party after they were accused of participating in undermining the constitutional system and calling for opposing the authorities using force. In the reasoning of the ruling, which passed on 14 June, the call to boycott the elections should not be a crime punishable by law and is not an opposition to authorities but rather it is a practice of the right to freedom of expression which is a right guaranteed by the constitution and law.
- The Sudanese court passed a sentence of 20 lashes against three political oppositions after they were convicted of public nuisance. The sentence was immediately executed in the outer space of the court. The accused were deputy head of the Conference Party, Mastour Ahmed Mohamed, and the two leaders of the party Assem Omar and Ibrahim Mohamed.

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<sup>22</sup> ANHRI's statement on the case in Arabic  
<http://anhri.net/?p=148541>

## **Travel Bans**

- Authorities in the Khartoum Airport banned Dr Amin Mekki Medani on 5 May from traveling to Cairo as the ban on his travel that was issued since December 2014 in relationship to the case brought against him and to which he was detained for four months.
- Khartoum Airport authorities banned the chairman of the opposition National Consensus Forces, Farouk Abu Eissa, from travelling on 19 May based on a travel ban issued against him by the state security prosecutor despite the complaint submitted was dropped. Abu Eissa was banned from travel another time on 3 June without specifying any reasons.
- On 8 June, the security forces banned a delegation of representatives of "Sudan Call" from travelling to attend a hearing at the European Parliament around the prospects of peace and democratic reforms in Sudan.<sup>23</sup> No reasons were given.

## **The case of journalist Walid Al-Hussein**

On 23 July the Saudi security arrested the Sudanese journalist Walid Al-Hussein, one of the supervisors of Alrakoba website.

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<sup>23</sup> ANHRI's statement on the travel ban of the delegation  
<http://anhri.net/?p=145481&lang=en>

The website announced his arrest in late September in a statement that Sudanese security played a role in the arrest operation. Al Hussein is legally living in Saudi Arabia for more than 10 years and has been supervising Alrakoba website, which is famous for its opposition of the Omar Bashir Regime.

# TUNISIA

## Basic Information

System of government: Republic

Populate: 11.5 million

Number of official journalists unions: 1 The National Syndicate of Tunisian Journalists

Number of newspapers and magazines 256

Number of TV and radio stations: Around 14 channels, 2 of which are state channels. Radio channels: 26 and 9 of them are state owned.

Number of Internet users: 6 million

## Introduction

Freedom of expression did not reach the aspired levels seeing that Tunisia is the only country in the Arab world that is seriously seeking to transform democratically through a consensus building path guaranteeing to a large extent balance between all relevant parties of the social and political scene in the country.

The terrorist attacks that hit Tunisia in 2015 had serious impact on freedom of expression and press freedom in the country. The most prominent terrorist attack was on Bardo Museum in the Tunisian Capital on 18 March killing more

than 20 persons and injuring tens of individuals. Another major attack was on 26 June targeting a tourist hotel in the resort city Sousse which led to the killing of no less than 40 tourists.

These terrorist attacks and others consolidated the Tunisian authorities' motives to issue a counter-terrorism law. The parliament approved the draft law combating terrorism and preventing money laundering nearly a month after the Sousse attack. The President ratified the law in August.

The law faced wide opposition from human rights defenders locally and internationally as it includes the death penalty in more than one chapter and for its very loose definition of terrorism.

Chapter 35 of the law regarding the compulsory disclosure of information even those bound by professional secrecy has raised a lot of controversy because it put exceptions for physicians and lawyers but ignored journalists. However, there was a consensus to include those working in press and media during the last discussion sessions in the Tunisian parliament.

In addition, there was a crisis in the National Television which had broadcast images of the beheaded head of the Tunisian child Mabrouk Soltani which led to the immediate dismissal of the head of the channel by a decision from the Prime Minister. This crisis raised a controversy for the interference of the

executive power into media which is regulated by the High Authority for Audiovisual Communication (HAICA). Amidst this crisis, the Ministry of Justice submitted a report accusing a number of journalists in accordance to chapter 31 of the law combating terrorism and money laundering. The National Tunisian Journalists' Syndicate considered this act as an inversion that the government is committing against public freedoms and press freedom which had started with the blatant interference in media disregarding a constituent body responsible for reforming the audiovisual sector and ending with putting journalists on trial pursuant to the law combating terrorists to shed some legality to political trials.

At the same time, the fate of Sofiène Chourabi and Nadhir Ktari remains unknown until now. These two journalists are missing in Libya since their news was cut off completely last September. The Ministry of Justice in the government of Tabrik announced in April 2015 that seven journalists were assassinated by armed groups and that the two Tunisian journalists were amongst them. However, the Tunisian Foreign Minister, Taïeb Baccouche announced on 11 August that Chourabi and Ktari are still alive. He stated that there is intensive communication regarding the two journalists after new information was gathered before resorting to the Security Council.

## Attacks on Journalists

- Journalists Mohamed Ali Bozzokaro and Nasser Al-Latif, working for the Tunisian television, were attacked while covering press conference organized by the ES Sahel (Étoile Sportive du Sahel) in March. Al-Latif was hospitalized as a result of his injuries. The Tunisian television threatened to stop broadcasting Tunisian sports events and workers in the sports section decided to stop commentating on football matches and simply broadcast without any accompanying commentary.
- An anonymous person physically and verbally attacked *Attounissia* journalist, Jehan Lighamry, on 4 May and was prevented from entering the newspaper's headquarters. Lighamry and others working for the newspaper had announced previously their intention to strike within the newspaper's offices in protest of acts of injustice by the newspaper's administration. On 6 May the journalist ended their strike and after negotiations between the head of the newspaper, representatives of the Tunisian Journalists Syndicate and the Tunisian Association for Newspaper Managers.

- A group of journalists were attacked on 9 May while covering a protest organized by the unemployed in the area of Al Fawar in the Kebili region demanding job opportunities in the working petroleum companies in the region. Two journalists, Hamad Al-Tayeb of the *Agence Tunis Afrique Presse*, and Magda Emara of the national radio were admitted in hospital. In addition the car of the national television was smashed and some members of the team were attacked, including the journalists Mourad Mazboud and *Mosaïque FM* reporter, Hanaa Crous when they tried to hide in the car. In addition, journalist Hadi Bousfa was also assaulted after the security forces withdrew from the area.
- Security forces physically assaulted some journalists while forcefully dispersing a march entitled "where is our oil?" on 6 June. Journalist attacked included Latif Anouar (*radio 6*), Latif Hamami (*Tunis Arrakamia*), Somaya Awlad Gharbeia (*Tunisian Company for Production*), Seif Trabelsi (*Shems FM*), Mohamed Madali (*Anadolou Agency*), Hossam Bouhla (*Mosaïque FM*), and Khalil Klai (*Muttawassit*). In addition, the camera of Somaya Awlad Gharbeia was confiscated and all its content deleted. The National

Tunisian Journalists Syndicate demanded the Ministry of Interior to investigate the incident.

- The team of *Nawaat* website was physically and verbally assaulted on 30 September by security officers in Bab Saadoun in the capital city when covering a student protest against the reconciliation draft law. The journalists were attacked despite showing their identification cards. A number of security officers<sup>24</sup> attacked Aroua Barakat trying to take her to the police station and destroy her camera and professional card. In addition, photographer Mohamed Ali Mansali was illegally detained in the security center in Bab Souika. The content in the camera which was evidence of the attack was deleted.
- Mouaz Samrani, cameraman for the *Tunisian Hiwar* TV, received death threats on 7 October in a video. He also received a phone call from an unknown person the following day repeating the death threat if he continues working on issues related to terrorism. On 16 July, Samrani had also received a threat via writing on his wall. He reported the incident and provided all the necessary evidence.

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<sup>24</sup> Information on the attack on the Nawwat website in Arabic <http://goo.gl/I9HhJl> (last visited on 11 December 2015)

## **Trials and Investigations**

- On 7 January the film director Ines Ben Othman was sentenced by the first degree court of Ariana (North West the capital city) to two month imprisonment and a fine after being convicted of "verbally insulting a public official while carrying out their duties". Ben Othman was exposed to smearing and violations to her private life via social networks at the hands of a security officer in the national police station of Nasr district in Ariana. She headed to the police station to complain and as a result a security officer accused her of insulting him. With an arrest warrant, Ben Othman was arrested and a case was put into motion.

- On 16 April blogger Yassin Ayari was released after spending half his prison sentence. His case goes back to December 2014 when he was arrested at Carthage International Airport when he arrived from Paris. He was sentenced in absentia by the military court to three years in prison for defaming the army on his facebook account on which he accused the army of corruption. An appeals court reduced his sentence to 6 months in March 2015 and

then an order for a conditional release was issued three months into his sentence.

- Nour Edine Mbarki, editor in chief of "*Akher Khabar Online*" stood before an investigative judge on 8 July in the first degree court of Tunis, the capital city. He was accused of complicity with terrorism and facilitating the escape of terrorists because the website published a picture showing the car transporting the gunmen behind the Sousse terrorist attack.

The investigative judge told Nour Edine Mbarki that the charge of facilitating the escape of terrorists is based on chapter 18 of the 2003 law combating terrorism as the image published could disable the running investigations as it could be a warning to the gunman's partners. Mbarki told Human Rights Watch that the judge asked him to attend again on 23 August for more inquiries, but then the session was indefinitely postponed.

- On 25 August, a court in Djerba (southeast Tunisia) decided not to hear the case against blogger Mohib Toumi who was charged with insulting the president and assaulting security forces. He was arrested on 6 August on the basis of posts on his facebook account in which he criticized security

forces violations during one of the events of the "where is our oil?" campaign. He was also accused of insulting the president.

- On 3 November, the Kef appeals court acquitted the journalist AlMoulidi Alzouabi and dropped the charges after five years of being on trial. The case goes back to 2010 when the Jendouba General Attorney brought him to court over claims of violence. The first degree found him guilty of defamation over articles he had published in a newspaper in opposition to the former and deposed president Abdin Ben Ali.

- During the end of November, the first degree court sentenced blogger and math professor Abdelfattah Said to a year in prison and a fine of 2thousand dinars (around 960 USD) for defaming governmental officials on Facebook and for his statement in a video he published on his account in which he claimed the involvement of public officials in the Sousse terrorist attack, and he discredited the ministry of interior's account of the terrorist attack.

- Journalist Walid Magri was summoned in December to stand before the National Force to Combat Crime in its headquarters in Ben Arous for

being a "suspect". *Inkyfada* website published in a statement of his that the reason for his summoning goes back to a report he published on 25 March entitled "Tunis Carthage Airport: The Barrack for parallel Security".

## **Banning Events, Dispersing Protests**

- Authorities banned Al-Tahrir Party from holding a political seminar entitled "Tunisia in search for mature leadership" that was supposed to be held in Sfax on 6 September<sup>25</sup>. According to the party, the reasons for the ban were because the organizers did not get any permission earlier and for not meeting the legal conditions to hold it. It is worth noting that this was not the first time that an event is banned. In July, an event for the same party was banned without any clear reasons.

- Security forces dispersed more than one protest organized by the "Where is our oil?" campaign that questions the official story around the production of oil in Tunisia. The campaign claims that Tunisian resources, including oil, are being stolen. Politicians

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<sup>25</sup> Information on the banning can be found in Arabic on Tunisia Afrique Presse <http://goo.gl/OchjHN> (last visited on 12 December 2015)

and human rights defenders condemned the way the security has violently death with these protests.

- In September, security forces dispersed by force protests in different cities against the law for economic and social reconciliation with businessmen. One of these protests was in Sfax and it was dispersed using teargas and batons. Another protest was near the famous Habib Bourgiba Street in Tunis. It was organized by the "I will not forgive" movement.

### **Confiscation of newspapers and suspending broadcast**

High Authority for Audiovisual Communication (HAICA) continues to monitor the broadcast of channels and radio stations that have not yet submitted their documents or that are functioning in violation to the decree number 116 of the year 2011 that organizes the freedom of audiovisual material and by which HAICA was established. However, some decisions made by HAICA have caused controversy as the case with the broadcast of *ZitounaTV*. Tens of journalists and staff of the channel in addition to a number of citizens organized a protest in February in front of the parliament to express their rejection of the decision to stop the broadcast of the channel.

The Tunisian Company for Distribution of prints has also exerted pressures in May on some newspapers, including

*Assabah, Essahafa, Akher Khabar*, and others for announcing the establishment of a cooperative to distribute their prints. Pressure was also exerted on sellers to prevent them from selling these newspapers. This led to the blocking of six newspapers from distribution on 12 May. This incident was met with condemnation between Tunisian newspapers and defenders of press freedom. Meetings between the Association for Newspaper Managers and the National Tunisian Journalists Syndicate were held to confront the crisis.

### **The crisis of dismissing the National TV Manager**

On 15 November, the Prime Minister Habib Essid dismissed the head of the National TV, Mostafa Belatif, and appointed Rachad Younis to oversee the affairs of the channel. In response many condemned the direct interference of the government in the affairs of media in spite of HAICA.

HAICA responded with a statement in which considered the prime minister's unilateral decision a clear violation of chapter 19 of Decree 116, especially that the appointment of the head of the channel was made in a participative manner between HAICA and the government and accordingly it is expected that the same spirit would continue.

# MOROCCO

## Basic Information

System of government: Constitutional monarchy

Populate: 35 million

Number of official journalist syndicates: 1 The National Syndicate for Moroccan Press

Number of newspapers and magazines 36

Number of radio stations: 31; 17 national channels and 14 private channels;

Number of TV channels: 12 national channels (no private channels).

Number of Internet users: 21 million

## Introduction

Morocco differs from other Arab countries as it enjoys relative stability as it has not been exposed to massive political shocks as was the case with other countries that have witnessed the "Arab Spring". The relative constitutional reform has contributed to this after popular demands for reform.

Despite that, journalist and human rights defenders suffer from a restricted environment that attacks freedoms. Opposition and opinion holders also suffer from security harassment, in addition to restricting artists and creativity if productions are

unconventional or shocking especially that the majority of the Moroccan government is of the Islamic trend.

Human rights defenders have suffered from continuous harassment from the Moroccan authorities, including being summoned to interrogation, travel bans and physical assaults. This is in addition to the raiding of the Moroccan Association for Human Rights in February. Furthermore, the Minister of Communication and government spokesperson, Mustapha El Khalfi, asked Human Rights Watch (HRW) in September to suspend all its activities in Morocco describing its reports as biased. HRW responded with disappointment from El Khalfi's position<sup>26</sup>.

In addition, journalists and human rights defenders continue to be put on trial. On top of the list is Maati Monjib, President of Freedom Now, who is on trial for being charged with endangering national security and receiving foreign funds.

## **Trials**

- In May, the Rabat Appeals court upheld the prison term against the journalist and human rights defender

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<sup>26</sup> HRW: **Statement Regarding Human Rights Watch Activities in Morocco**, <https://www.hrw.org/news/2015/10/02/statement-regarding-human-rights-watch-activities-morocco>

Hesham Al Mansouri<sup>27</sup> and the fine of 40 thousand Derhams (nearly 4 thousand USD) after being convicted of adultery. This is a fabricated accusation to smear his person. Al-Mansouri has witnessed several violations during his trial as he was not allowed to contact his lawyer or his family after his arrest. He was forced to take off his clothes and pictures of him naked were taken in the police station. His request to receive his medication during his detention was for a long time ignored.

- In July, the cartoonist Khaled Kedar was sentenced to a month in prison in a case that goes back to 2012. He was accused of being drunk in public and assaulting a public official. Kedar said in a statement that he received the news of his prison term by coincidence as the court did not summon him. His defense also did not attend the trial.
- The Journalist Hamid Mahdaoui was prosecuted for two different cases. He was handed a suspended sentence in July for four month in prison and a compensation of 10 Million Centimes (around

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<sup>27</sup> Coverage of ANHRI in Arabic <http://goo.gl/UrtyAi>; HRW: Morocco: Prison Term for Adultery, <https://www.hrw.org/news/2015/06/02/morocco-prison-terms-adultery>

10thousand USD) to Head of the General Directorate of National Security and a fine of 6 thousand Derhams (around 600 USD) to the Moroccan State. This was because of a report he published on the death of the socialist activist Karim Lachkar. In august, Mahdaoui was handed a sentence of fine of 30 thousand Derhams (nearly 3thousand USD) and to stop his website Badil.info for 3 months. This was for a news piece he published months before concerning a car bomb in one of the districts of Meknes.

- The court postponed its session with regards to a case against 12 individuals being tried for protests against Amandis Company. Thousands of people have participated in protests in the city of Tanjier in October. The case is postponed to March 2016. The 12 were arrested during the dispersal of a peaceful protest against water and electricity bills imposed by Amandis Company.
- The Marrakesh Misdemeanor Court is looking into a claim against the film director Nabil Ayouch and actress Lobna Abidar accusing them of prostitution, pimping, showing pornographic scenes, the complete dismissal of public shame, and inciting minors to commit debauchery. This is based on the film Al Zin

Li Fik. This film raised massive controversy in Morocco in 2015 as it discussed the issue of prostitution in Morocco. Abidar was physically assaulted by citizens. The last session in the case was on 30 December.

### **Banning events and protests**

- The Moroccan Association for Human Rights faced several incidents of harassment. In January the local authorities of Souk Sebt banned the association from holding a lecture on media and democracy. In February the central office was raided. During the raid, a security officer physically and verbally assaulted Rabia Bouzidi, member of the central administration. In addition, French journalists present at the time were arrested and their equipment was confiscated for content they had recorded previously in other areas. They were accompanied to the airport to be deported to France. In May security forces surrounded the association's headquarters to prevent them from holding a press conference on digital rights.

- The Ministry of Communication announced on 25 May that it will not grant a license to show the

film "Al Zin Li Fik"<sup>28</sup>. Moroccan authorities see the film as a grave moral abuse to values and Moroccan women and a blatant attack on the image of Morocco.

- In June, security forces banned a rap concert by singer Moad Belghouat, dubbed Haked (enraged), to be held in a non-governmental cultural and arts center owned by the foundation Touria & Abdelaziz Tazi in Casablanca. Authorities claim that the foundation did not acquire the relevant licenses for the concert.

- In August, security forces in Bernoussi district in Casablanca dispersed tens from the Democratic Approach Party and stopped them from distributing flyers calling for boycotting the parliamentary elections. Four members of the party were arrested earlier this day but later released. According to a statement by the party, the central office was cordoned by security and the whole area was covered by undercover police to monitor all entrances to the party and to follow on members.

- In October, security forces in Morocco dispersed a protest organized by students of school of

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<sup>28</sup> Statement of the Moroccan Association for Human Rights in Arabic regarding the banning of the film <http://goo.gl/kutcNL>.

medicine and pharmaceuticals in the Moroccan capital, Rabat. Four students were arrested and later released.

## **Assaults and arrests**

- The public prosecutor in Tiznit completely banned the journalist Mohamed Boutaam from entering the first degree court for writing about its affairs and for bringing the "45 minutes" program to take footages of the city and the gates of the court. He had accompanied the team of the program to prepare for a video report on false witnesses

- In May, lawyer, human rights defender and member of the political office of the Unified Socialist Party, Naim Kalaf, were physically assaulted near her office in Rabat. A group of individuals attacked her beating, insulting and threatening her. Her personal mobile was stolen. As a result she was taken to hospital. It is believed that this attack is a result to her opposition to how the security forces handled an unemployed person.

- Activist Ibtissam Lachgar was stopped by security officers after participating in a protest in front of the parliament and ministry of justice and freedoms on the international day against homophobia. Her

mobile phones were confiscated to make sure she does not have any pictures of the protest. Her phones were returned to her again.

- In July, four police officers in Kenitra raided the house of Badil.info journalist, Imad Kazout, which caused his family a state of shock and panic. Kazout said<sup>29</sup> they took his phone and ordered him to leave the house without providing any clarifications on the situation and without any legal basis. He added that he was taken to a foreign woman and accused him of stealing her mobile. She told them that he was not the offender however the police insisted to take more information from him and to check his identity.

- In November, the Moroccan authorities expelled the Dutch journalist Rik Goverde from Tanjier Port. He said in a post on his facebook account that the police had stopped him in front of a bank and expelled him from the country saying that they had orders to do so.

## **Travel bans**

- In August, security at the Mohamed V International Airport stopped the journalists Abdel

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<sup>29</sup> Report on the incident in Arabic on Badil.info  
<http://goo.gl/Uxhwik>

Samad Ayach from traveling to Tunisia to participate in a training workshop on journalism and media. The authorities informed Ayach that he was banned from travel based on an order from the public prosecutor.

- The historian and human rights defender, Maati Monjib, was stopped more than once in 2015 from travel leading to a local and international solidarity campaign. Monjib was stopped in September when travelling to Spain to attend a conference on historical transformations and democracy transition. He was stopped again in October when travelling to Norway. He was told that there was a travel ban order against him issued by the public prosecutor since August. Monjib entered an open hunger strike to protest such persistence against his rights. He ended his hunger strike 24 days later after the public prosecutor lifted his travel ban.

### **The case of Ali Lmrabet**

The local administration in Tétouan denied him a residency proof to finish procedures to issue his passport. As a result, on 24 June he entered a hunger strike in front of the UN headquarters in Geneva in protest against the harassment he is facing. Lmrabet ended the strike which lasted over a month

after the Moroccan Minister of Interior stated that he can renew his passport in Barcelona.

Lmrabet was previously banned from working as a journalist for 10 years after he wrote a critical article on the Western Sahara. He announced that he plans to issue a satirical newspaper after the 10 year ban is over this year.

# MAURITANIA

## **Basic Information**

System of government: Republic

Populate: 4 million

Number of official journalist syndicates: 1 Syndicate of Mauritanian Journalists

Number of newspapers: 100 (governmental study in 2012)

Number of TV channels: 2 national channels, 5 private channels, 5 radio stations.

Number of Internet users: 0.5 million

## **Introduction**

Despite the advanced position that Mauritania enjoys compared to the Arab World with regards to press freedom, still there are attacks on press freedom and freedom of expression in the country. In addition, journalism in Mauritania is not necessarily at its best. Print press is suffering from economic problems threatening their survival. Such problems include high taxes and the high cost of printing.

The incident when the Mauritanian president expelled a journalist during a press conference only shows that the authorities do not have the will or determination to see free press as a pillar for a democratic society.

The little effort, if any, exerted by Mauritania to identify and find Ishak Mokhtar, the journalist kidnapped in Syria in 2013, only shows that press freedom is suffering in the country.

Also, the IRA-Mauritania<sup>30</sup> movement has suffered extensively from violations against their freedom of expression. Security forces have stood against most of their protests organized to protect the rights of former slaves. The movement's leader Biram Dah Abeid continues to be imprisoned after being sentenced to three years. This reflects a serious violation against freedom of expression. It is worth noting that his imprisonment has led to widespread IRA protests in solidarity with him.

Violations committed against journalists and opposing opinions to the ruling regime reached the level of death threats. Violations included legal prosecution, conviction and imprisonment of opposition and activists. The young Mauritanian sentenced to death in 2014 continues to be imprisoned. His fate remains unknown as we wait for the appeals court decision.

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<sup>30</sup> The Initiative for the Resurgence of the Abolitionist Movement in Mauritania

## **Arrest and interrogation**

- On 20 April, authorities arrested the managing editor of *Al-Bayan El-Souhoufi* website, Moulay Brahim Ould Moulay M'hamed. He was interrogated by the counter-terror police over an article published in *Al-Bayan* claiming that Mauritania submitted a complaint in the UN against Morocco for committing terrorism and drug smuggling on the borders. This news piece was passed on by Algerian websites which angered the Mauritanian authorities as it considered the report to undermine diplomatic relations between Morocco and Mauritania. The authorities also accused an official at the Algerian Embassy to have stood behind the news. Molay was released three days after his arrest.

- On 25 June, police arrested Abderrahmane Ould Ahmed, one of the survivors of the Inal massacre in the early 1990s. He was detained for two days at the police station in Nouakchott where he was beaten and insulted. In less than two weeks, on 6 July, Ould Ahmed received a phone call from the Director

General of National Security<sup>31</sup> who threatened him with retaliation. This was after Ould Ahmed held a press conference on 3 July at the headquarters of the Free Confederation of Mauritanian Workers in which he spoke of the massacres of the 1990s naming those who have perpetrated these crimes.

- On 3 July the political police summoned *Al-Arabi TV* correspondent Abdullah Ould Sidiya for an economic report on Mauritania he had prepared for the channel. Ould Sidiya spent an hour in the political police headquarters then he was released<sup>32</sup>.

- The editor in Chief of the *Independent Mauritanian News Agency*, Ahmed Ould Mohamed Almustafa was stopped during his coverage of a traffic jam at a crossroad near the officers club in the capital's city center. His phone was confiscated and he was denied contact with anyone. He was also beaten before being taken in. He was released the same day.

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<sup>31</sup> AlKarama, Mauritania: An Activist Fighting against Impunity Threatened and Persecuted by the Authorities, <http://en.alkarama.org/mauritania/1876-mauritania-an-activist-fighting-against-impunity-threatened-and-persecuted-by-the-authorities>

<sup>32</sup> On the summoning of Ould Sidiya in Arabic <http://goo.gl/ruQ1S4>

- On 24 July, the commission of Zouerate summoned Arafat Ould Safra, manager of *Irshad* website and correspondent for *Elhourriya* website after the governor submitted a complaint for news he had published on the locality selling water to citizens.

- On 1 September, security summoned Mohamed Abderrahmane Ould Izouine, the manager and publisher of *Assafir* website. The head of the Social Democratic Harmony Party had took him to court after the website published about him receiving a license to fish in deep waters despite Assafir publishing a response by him . Two days later, the head of the party dropped his complaint.

## **Trials**

- In March the court of West Nouakchott convicted three anti-slavery activists and handed them a suspended sentence of one year imprisonment and ordered their release. They were convicted of being members of an unlicensed organization, IRA-Mauritania, unlicensed assembly, and incitement to protest. The three activists are Alsaid Ould Lwalid, Mariam Bint Elsheikh, and Yaqub Moussa.

- In August, the appeals court in Alak upheld a court sentence passed in January of two years imprisonment against Biram Ould Dah Ould Abeid,

leader of the IRA – Mauritania movement, and his deputy Brahim Bilal.<sup>33</sup> The two activists were arrested along with, Djiby Sow, head of Kawtal anti-slavery NGO, in November 2014 while participating in peaceful gathering combating slavery nearby the city of Rosso. Authorities gave Sow a temporary release for his health conditions. Several protests were organized demanding the release of the activists and the drop of all charges against them.

- On 13 October the guards of the ministry of health attacked a protest in front of the ministry protesting the deterioration of health services in Mauritania. Ould Oubek and four other activists were arrested and distributed on different police stations in Nouakchott and denied them communication with their family until they were transferred to the public prosecutor on 16 October charged with protest and assaulting public officials. The activists were released on 23 October.

## **Confiscation and suspending broadcast**

- The broadcast of the TV series entitled "Warta fy Warta" for making fun of presidential visits. The

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<sup>33</sup> Amnesty International, Slavery in Mauritania: The gap between words and actions,

<https://www.amnesty.org/en/latest/news/2015/08/slavery-in-mauritania-the-gap-between-words-and-actions/>

ANHRI, "ANHRI & Maharat Foundation Declare "Biram Dah Abeid" the Month's Prisoner in "Their Freedom is Their Right" Campaign", <http://anhri.net/?p=152146&lang=en>

first episode of the very popular show tackled visits made by the president and made fun of the fake "surprise" visits he makes as it is clear that the officials are aware of them happening.

- High Authority for the Press and Audiovisual Sector (HAPA) decided in September to suspend the broadcast of the program "Sahara Talk" for one month for what it considered to be violations within the content of the program. Several political parties condemned this decision considering it to be a serious precedence reflecting the lack of will of the regime to liberate the audiovisual sector in Mauritania<sup>34</sup>.

## **Protest dispersal**

- Opposition students faced repetitive assaults by security forces during their protests in front of the Ministry of Higher Education in May which caused several injuries.<sup>35</sup>

- Violent clashes erupted between security forces and IRA – Mauritania activists in July. Security fired tear gas and rubber bullets leading to injuries. Several activists were arrested.

- Security forces dispersed a protest organized by IRA for not being a licensed protest.<sup>36</sup>

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<sup>34</sup> More information on the Sahara Media website in Arabic <http://goo.gl/zLBdf2>

<sup>35</sup> More information in Arabic on the Independent Mauritanian News Agency website <http://goo.gl/pAmdgP>

- On 6 November, security forces dispersed by force a gathering organized by workers of National Company for Industry and Mines "SNIM" in the city of Zouerate. Security used batons and tear gas to disperse the protest.<sup>37</sup>

## **The death penalty against Mohamed Cheikh Ould Mkhaitir**

The fate of the young writer Mohamed Cheikh Ould Mkhaitir remains unknown or rather suspended. A year after he was sentenced to death, the Mauritanian judiciary has not yet specified a date to look into his appeal.

In December 2014, the Criminal Court of Nouadhibou sentenced him to death for heresy and ridiculing the Prophet referring to article 306 of the Mauritanian criminal code. His lawyers filed for an appeal however until the writing of this report a date was not set.

Marches in Nouadhibou took place welcoming the sentence and demanding its immediate execution. In addition, Ould Mkhaitir's lawyer withdrew from the case without any reason but it seems that he had been exposed to pressures or had concerns over his personal safety.

In March, international and local organizations demanded the immediate and unconditional release of Ould Mkhaitir, considering him a prisoner of conscience.

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<sup>37</sup> Sahara Media, more information in Arabic <http://goo.gl/BKChG7>

# UNITED ARAB EMIRATES

## Basic Information

System of government: Federal Presidential

Populate: 9.3 million

Number of official journalist syndicates: 1 UAE Journalists Association

Number of newspapers: 10 (National Media Council)

Number of Radio Stations: 12

Number of TV channels: 9

Number of Internet users: 8.1 million

## Introduction

The UAE witnessed a spectacular growth in income as a result of its oil sale revenues which led the country to spend millions of dollars in unparalleled buildings in the Middle East. It was able to attract investors from all over the world to open branches and has become a vital center for international conferences and events. The UAE has become a financial model for the region. This is the picture from afar. However, when you get closer you find a different story. Human rights organizations have documented no less than eight cases of enforced disappearances after they were detained in mid 2014. There are twelve other cases of incommunicado detention, in addition to tens of government critics and reformists in

prisons, including prominent human rights defenders, judges, academics and student leaders. The UAE continues its travel ban on the human rights defender Ahmed Mansour. In addition it does not allow human rights experts and opinion holders from entering the country.

## **The Legal Environment**

In addition to the unjust laws that have been in place since 2012, the President, Sheikh Khalifa Ben Zayed Al Nahyan, issued on 20 July 2015 decree law 2 of 2015 that criminalizes any act related to defamation of religion, and which combats all forms of discrimination and renounces hate speech, through any form of expression. While in principle it is considered a positive step towards combating hate speech and combating all forms of discrimination, penalties can reach execution which we refuse in principle. In addition the wording of the decree law is vague and thus can put any opinion holder at risk of prosecution.

The law stands against the international movement to abolish death penalty especially that this penalty is imposed on an opinion related crime and can expand to restrict freedom of expression in general. For example, the objective criticism of religious discourse, should it be considered a crime according to this law or not?

## **Blocking the website of the Gulf Center for Human Rights**

On 29 January, state security blocked the website of the Gulf Center for Human Rights. The website has been added on the list of banned sites. No reason or clarification was given by the authorities.

## **Kidnapping and enforced disappearances**

Amongst the disappeared three Emirati sisters whose families has not been able to reach them since 15 February 2015. They were summoned to one of the police stations in Abu Dhabi after they have published comments on social networks criticizing the government. Asma, Mariam and Al Yazzyah Al Suweidi were last seen on that day. Their mother later received a phone call from an official informing her that they are detained. The three sisters have published comments criticizing the authorities for imprisoning opposition without any right including their brother Eissa Al Suweidi. The three sisters were later released on 16 May.

On 13 February Dr Amer Al Shawa was released. Al-Shawa is a Turkish citizen and an acquaintance of the Al-Arabi brothers. He was detained on 2 October 2014 in Dubai International Airport and was allowed to communicate with his family only 12 days later in a short phone call. The Ministry of Interior and the Abu Dhabi Criminal Investigation Department at first denied its knowledge of his whereabouts and have hindered efforts by his wife to file a complaint. His

wife was not aware of his release except when he phoned her from Istanbul using the mobile phone of a taxi driver.

The Emirati authorities have reduced the ability of international human rights organizations from conducting research in the country and have taken procedures against individuals who have spoken about violations which have made it difficult to identify the extent of enforced disappearances and incommunicado detentions in the UAE<sup>38</sup>.

### **The trial of Khaled Al Ajami for broadcasting rumors on Al Bedaya TV**

The Federal Supreme Court acquitted on 21 September 2015 the owner of *Al Bedaya TV*, Khaled Fahad Al Ajami, Kuwaiti national, from accusations of supporting a clandestine organization and defaming symbols of the state and broadcasting false news and rumors.

UAE authorities had kidnapped and detained Khaled Al Ajami in mid December 2014 and no one was able to see him or know his place of detention for several months before he was put on trial.<sup>39</sup>

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<sup>38</sup> For more information in Arabic: <http://anhri.net/?p=142043>, <http://anhri.net/?p=147315>

<sup>39</sup> <http://anhri.net/?p=151476&lang=en>

## **The arrest of Muawiya Al-Rawahi**

UAE security arrested the poet and human rights defender Muawiya Al-Rawahi on 24 February on the borders between Oman and UAE and he was not allowed to return on the basis of tweets criticizing the crown prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces, Mohamed Ben Zayed.

At start, the Emirati authorities refused to announce his place of detention and the reason for arrest and did not charge him with any clear accusations until his father announced in a statement that he was transferred to Al Wathba Prison in Abu Dhabi in May 2015. The campaign "their freedom is their right" considered him one of the prisoners of conscience who deserves intervention for his immediate release.

## **Refusing entry of Amnesty International expert**

The Emirati authorities banned an expert from Amnesty International from entering the UAE on 1 June 2015 to participate in the conference Middle East Economic Digest Construction Leadership Summit (MEED) "to speak about the responsibility of corporations to ensure migrant workers'

rights are respected in the massive construction boom across the Gulf region"<sup>40</sup>.

According to James Lynch, the AI expert, authorities at the airport did not provide any clarification, however he saw an officer holding a deportation order which included the Arabic text: "Prevented from entering the country for reasons of security".

This is not the first time that UAE stops an international human rights organization from crossing its borders. In March Professor Andrew Ross from New York University was denied entry. He was preparing a study on labour rights in the area around NYU campus in Abu Dhabi<sup>41</sup>.

## **The Imprisonment of tweeter "Nasser Al-Farsi Al-Junaibi" three years**

State Security Court in the Federal Supreme Court, headed by Judge Falah Al Hagri, on 29 June 2015 sentenced Nasser Moussa Abdullah Al-Farsi Al-Junaibi to three years imprisonment and a fine of 500 thousand Derhams (136 thousand USD), and the confiscation of all his electronic equipment and the closure of the website. He was convicted of

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<sup>40</sup> <https://www.amnesty.org/en/latest/news/2015/05/uae-denies-entry-to-amnesty-international-expert>

<sup>41</sup> More information in Arabic <http://anhri.net/?p=149528>

spreading rumors, thoughts and information to incite hatred and undermine public order and social peace. Al-Junaibi (27 years old) had described in a tweet the proceedings of a case that goes back to 2012 in which he was charged of incitement of hatred as judicial farce.

### **Thinker Adnan Ibrahim denied entry into the UAE**

Authorities in the Abu Dhabi Airport detained thinker Adnan Ibrahim upon his return from Saudi Arabia on 7 July claiming to finish some routine procedures concerning his passport. After several hours he was informed that he is denied entry into the whole of the UAE. Dr Adnan left to Vienna via London as there was no direct flight to Vienna.

Adnan Ibrahim, born in Palestine and resident in Vienna, had arrived in Abu Dhabi to finish recording his Ramadan program "To Reassure my Heart" presented by Saud Al Dosari" and aired on "Rotana Khalijia".

### **First case according to the anti-discrimination and hatred law**

On 28 July 2015 the Deputy Director of Police and Security in Dubai, Dahy Khalfan, registered the first complaint according the anti-discrimination and hatred law that was passed by the president on 20 July 2015. The complaint was against Saudi

tweeter Mohamed Ben Abdul Rahman Al-Hatif claiming that he had insulted the UAE and incited hatred against it. It is worth mentioning that Al-Hatif is a writer with many contributions to local and gulf publications. Three novels of his were published. He has a PhD in journalism and public relations from University of Whales in 1992. He is critical of the political situation in Arab countries.

### **The arrest of Dr Nasser Bin Ghaith**

State security raided the house of Dr Nasser Bin Ghaith in the evening of Tuesday 18 August 2015. His house was searched and he was taken to an unknown destination. This was after he had tweeted tweets expressing opposition to Abu Dhabi granting land to Hindus to build a temple on it. In one of his tweets he published a picture of Buddhist temple with an Emirati person who seems to be participating in the rituals. His comment on the picture, it seems that our people understand religious tolerance absolutely wrong.

Nasser Bin Ghaith is an Academic with a PhD in law, with a specialization in international trade and international economic law which he earned in 2007 from the United Kingdom. He was previously arrested in 2011 and his house raided by state security forces for defaming the Abu Dhabi Crown Prince through comments on forums.

## **Banning human rights defender Ahmed Mansour from travel to receive the Martin Ennals Award**

The prominent human rights defender, Ahmed Mansour, won the Martin Ennals 2015 award which is earmarked for contributions in the field of defending rights all over the world.

Mansour was not able to attend the award giving ceremony on 6 October 2015 in Geneva as the Emirati authorities had withdrawn his passport and banned him from travel in April 2011 accusing him of defaming the rulers of UAE. Despite him being granted an amnesty in November 2011 he is banned from travel and until now his passport was never returned.

The Emirati authorities did not respond to international pleas to lift the travel ban on Mansour for him to receive the award. He finally participated in the ceremony via conference video and he presented his award to all human rights defenders in the Arab World.

## **Mubarak Al Dewila sentenced in absentia for a TV interview**

On 23 November the Supreme Federal Court sentenced in absentia the leader of the Islamic Constitutional Movement and former Kuwaiti MP, Mubarak Al-Dewila, to 5 years in

prison and his deportation. He was convicted of defaming the UAE in a TV interview towards the end of 2014.

Al- Dewila responded to a question on the Kuwaiti Al-Majlis TV in December 2014 on the reasons for UAE severe animosity to the Muslim Brotherhood and Political Islam in general. He answered saying, no one from the Kuwaiti Muslim Brotherhood knows the secret behind this hostile and personal attitude against the Muslim Brotherhood, wondering why is Mohamed Bin Zayed against Sunni Islam over the last years. This is what the Emirati authorities considered to be an insult to the rulers of the UAE.

### **Five years prison for blogger Abdullah Said Al Dhanhani**

The state security district of the Federal Supreme Court sentenced on Monday 23 November the blogger Abdullah Said Al Dhanhani to 5 years in prison and a fine of one million Dirham after he has been convicted of "publishing news harmful to the state's reputation" for describing the UAE as country fighting chaste Muslim women and the veil. In addition, he was convicted if insulting one of the leaders of the country publically via his website.

# OMAN

## **Basic Information**

System of government: hereditary monarchy

Populate: 4.3 million

Number of official journalist syndicates: 1 Omani Journalists Association

Number of newspapers: 28 publications

Number of Radio Stations: 3

Number of TV channels: 3 official channels and one satellite channel

Number of Internet users: 3.4 million

## **Introduction**

On 12 August 2014 a decree 38/2014 was issued to set a new law on the Omani nationality that could be used to target human rights defenders and other activists. The law, composed of 22 articles, has banned courts to listen to any complaints regarding nationality and put the whole issue in the hands of the ministry of interior. Article 4 of the law states the lack of the court's jurisdiction to look into issues of nationality and any related conflicts. The ministry of interior will have the jurisdiction to look into such cases far from international norms regarding justice or due process.

Article 20 of the law states that nationality can be dropped from an Omani citizen if its proven that they belong to a group or a party or a movement that holds principles and beliefs harmful to Oman's interests, or if they work for a foreign country whether from within Oman or outside and did not fulfill Omani government demands to quit work in the time span identified, or if they work for an enemy state working against the interests of Oman.

This is a very loose article that allows security authorities within the ministry of interior to use to target human rights defenders who cooperation with different international mechanisms, including the UN system.

### **Trial and imprisonment of the human rights defender Saeed Jedad**

Security forces raided the house of activist Saeed Bin Ali Bin Saeed Jedad Alkotheiry after midnight on the night of 25 November. He was arrested and transferred to Arzat Prison in Salala to execute a court sentence against him passed by a first degree court on 7 April 2015 and upheld by the appeals court on 18 November. He was sentenced to one year of jail and a fine of 1000 Omani Riyal (around 2412 Euros) after being

convicted of using the internet to publish material harming public order. This is based on topics he had written to commemorate the anniversary of the protest movement in Salala on 25 February 2011 and for writing a letter to Barak Obama concerning American policies towards human rights in the Gulf region.

### **Arrest of Ali Al Rowahi**

The Omani authorities released the writer Ali Al Rowahi on 2 January after four days of detention. The security bureau had summoned him on 29 December 2014 to stand before the special department in Muscat. He was arrested. It is believed he was arrested for two tweets he made on 27 December 2014 talking about corruption and encouraging people to demand their rights.

Al Rowahi is an Omani writer with several books on philosophy. He has several published articles in Omani and Arab media.

### **The arrest of Mukhtar Al Hanaiy**

State security arrested the human rights defender Mukhtar Al Hanaiy and Ahmed Hassan Al Baloushy on Tuesday 4 August 2015 while they were on their way to the UAE at a checkpoint for special operations and traffic police. They were taken to

Shinas police station and were interrogated for four hours. Al Baloushy was released, while Al-Hanaiy was taken to an unknown place and he was not able to call his family or have lawyers attend with him the interrogations.

It is worth mentioning that Mukhat Al-Hanaiy is a human rights activist and a former journalist for the Omani *Al Zaman Newspaper*. He was arrested in 2012 in two important cases. On 16 September 2012 he was sentenced by the first degree court in Muscat to one year in jail with a fine of 1000 Omani Riyals (2600 USD) for insulting the Sultan and violating the law of information technology. He was released on 22 March 2013 after being pardoned by Sultan Qaboos bin Said.

### **The Arrest of Taleb Al-Saeedi**

The Internal Security Service summoned the internet activist Taleb Al-Saeedy on 23 March 2015 to stand before the special division of the Omani police. Ever since, he has disappeared. Some reports state that he is still detained incommunicado in the police station. It is believed that he was arrested for his activities on social networks, which include continuous calls for liberty and reform in Oman.

Taleb is one of the known activists in Oman and he has documented violations against activists and detainees by the internal security service. On 13 July 2014 he was arrested and

interrogated for calling for a peaceful march in solidarity with the people of Palestine.

### **The arrest of activist Hassan Albasham**

The internal security service arrested the internet activist Hassan Albasham on 17 September 2015 where he was brought before the special division of the police in Sohar. He was released on 23 September. Two days later he was arrested again and was interrogated in the special division in Sohar. He was denied his right to contact his family or a lawyer regularly. On 18 October 2015 he was transferred to the Public Prosecution Service in Sohar where he was charged of "insulting the Sultan" and "undermining the prestige of the state".

Hassan Albasham is an activist on the internet who has written a lot in defense of prisoners of conscience. He has participated in the 2011 protests during the Arab Spring.

### **Prosecution of the family of activist Mohamed Al Fezary**

Security services summoned Mahmoud Al Fezary, brother of human rights defender, Mohamed Al Fezary, on 22 July 2015 to be questioned at the State Security Service in Muscat about how his brother was able to go to England on 17 July 2015

despite the travel ban, his house arrest, and all his personal documents confiscated.

Mahmoud was beaten and kicked all over his body and the Internal Security Service threatened the remaining family members that they will all be summoned by State Security if they are not informed how Mohamed Al Fezary was able to leave the country

### **The arrest of human rights defender Khalid Al Nofly**

Security forces stopped the human rights defender Khaled Al Nofly in the afternoon of 23 August while he was on his way between Oman and the UAE at the borders in the Emirati city of Hatta. He was informed that he must head to Al Wagaga center. There he was told that they must return to the Intelligence Service of the Omani Police in Sohar. When Al Nofly went to the Intelligence Services at 5 PM on 23 August 2015 he was immediately arrested and detained at the General Directorate of the Omani Police in Al Qurum district of the Muscat. He was denied contact with anyone.

Khalid AL Nofly is a human rights defender who has used social networks to fight corruption and defend prisoners of conscience. He was previously arrested in 2012 and sentenced

to 6 months for illegal assembly. He was released on 21 March 2013<sup>42</sup>.

### **The arrest of Saleh Al-Azri, Ali Al-Mokbali and Talib Al-Saeedi**

Security services summoned the three human rights defender on 3 August 2015 to stand before the Intelligence Service at the General Directorate of the Omani Police. The three defenders refused to attend and demanded an official summoning. After 7 hours they were arbitrarily arrested and taken to an unknown place.

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<sup>42</sup> <http://anhri.net/?p=150317&lang=en>



# SAUDI ARABIA

## Basic Information

Ruling system: Monarchy

Population: 32 million

Number of official journalists syndicates: None

Number of newspapers and magazines: more than 10

Number of Internet users: 20 million

## General Environment

### *Social environment*

The Saudi society is dominated by men of religion who hate cinema. It is illegal for non mahrams from men and women to have friendly relations. Shopping malls are the only place for leisure amongst youth. As a result there is a drive to meet friends via social networks.

The media system in the Kingdom is an authoritarian system establishes by the ruling powers, which controls and runs media. No one can critics or express opposition in Saudi media. There is a correlation between the nature of the media system and that of the political system. Saudis who feel frustrated and would like to express their thoughts and feelings against the government can do that using pseudo names on social networks.

Strangely, however, social networks did not only attract critics of the government and liberal activists. It has also attracted conservative men of religion, including the Jihadi Salafi to promote their message and reach out to religious people and those who welcome their thoughts. Twitter is the most popular social network in the country. The number of users from Saudi Arabia is 7 million. Mohamed Al-Arifi, the Saudi Islamic theologian, has 13.6 million followers on his twitter account. Social network has thus become media platforms outside the control of Saudi authorities, which in turn pushed the government to take steps to shutdown these platforms or to criminalize what is being posted on them, imposing harsh penalties. However, there are no signs that Saudis are retreating from using the internet, as they have become producers and not only users. A Saudi young man was the one who launched the application and channels of YouTube.

### **Press Syndicate**

There is no press syndicate in the contemporary sense of a syndicate in Saudi Arabia that is able to defend the interests of its members. However, we keep hearing in international and ceremonial events inside the Kingdom and outside of it of the Saudi Journalists Association. Its secretary general is Dr

Abdullah Al Gahlan. Its president is Turki Al Sediry and his deputy is Hashem Abdo.

The association was established with a government decision. The former Minister of Culture and Media, Dr Fouad Bin Abdel Salam Al Farsi, announced in June 2004 the establishment of a Saudi Journalists association.

### **Committee for the Promotion of Virtue and the Prevention of Vice, and the production of Evil**

- The Investigation and Prosecution Authority in Asir sent a letter on 4 November 2015 to the Committee for the Promotion of Virtue and the Prevention of Vice after documenting some violations committed by the Information Crimes Sector. It demanded the Committee to put a halt on luring defendants in moral cases using naked pictures. The Investigation and Prosecution Authority clarified in its fourth letter to the Committee for the Promotion of Virtue that defendants when questioned say that the source that initially communicated with them had sent them pictures revealing their Awrahs (intimate body parts) and begging to meet them. The defendant would head to the agreed date and there they get arrested. In

addition, the reports by the Committee for the Promotion of Virtue include facts that confirm that they are the ones that communicate with the defendant.<sup>43</sup>

- With orders from the Committee for the Promotion of Virtue and the Prevention of Vice, the administration in Mecca banned a cultural event by the Cultural and Arts Association in Jeddah that was meant to be held on 11 October 2015. The reason given was because the event will be of mixed presence between men and women.

An anonymous person filed a complaint to the Committee in Jeddah demanding them to cancel the event that was meant to be held hosting the media person Amira Al-Abbas, to present her success story. The anonymous person claimed in his complaint that the event will be gender mixed.<sup>44</sup>

- A team from the Committee in Ta'if to stop a poetry event that hosted the two poets Amin Al Asry and Hoda Al Daghfak on 16 November 2015 at the Ta'if Literary Cultural Club. Dr Ahmed Al-Helaly, a board member of the club and its administrative

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<sup>43</sup> More information in Arabic: <http://anhri.net/?p=154308>

<sup>44</sup> More information in Arabic <http://anhri.net/?p=152762>

supervisor was arrested. The reason given was for having a mixed gender event.

- Members of the Committee attacked a seminar entitled "Youth and Arts ... A call for Co-existence" that was held as part of the Riyadh International Book Fair on 8 March 2015. The reason was because one of the speakers in the seminar was denouncing ISIS destruction of archeology and this is what the Committee members thought to be a defense of Idols.

## **Saudi Arabia leads one of the Human Rights Committees**

The election of the Saudi Arabia representative to the UN in Geneva, Faisal Tarrad, to the position of the head of the Independent Experts Committee at the Human Rights Council, fell heavy on human rights defenders and victims of human rights violations. The Independent Experts Committee is the crown jewel of the Human Rights Council as it is responsible for consolidating human rights all over the world. The Experts Committee has the final word in the selection of human rights experts at the UN.

The Saudi Ambassador was elected despite the Kingdom's terrible human rights record. The violations it committees includes violations against freedom of expression, access to information, the right to peaceful assembly, women and minority rights and many other rights. Saudi authorities have executed 123 people since the beginning of 2015. It is the third country after China and Iran when it comes to death penalty and executions. International human rights organizations condemned the faults within the Saudi judiciary and the absence of any guarantees to a fair trial.

Internationally, Saudi Arabia has interfered in Gulf countries to repress peaceful protests. Its embassies in Arab countries persecuted writers and internet activists. Saudi is ranked before last amongst Arab Countries with regards to freedom of Internet in 2014 according to ANHRI's ranking.

### **Raif Badawi**

Saudi authorities suspended the execution of the penalty of lashing against activist and blogger Raif Badawi and there is news that he will soon be pardoned by the King after the campaign denouncing the inhuman penalty against him increased. The campaign gained momentum for Badawi was punished on the basis of his freedom of expression. The pressures to suspend the sentence led to tensions between

Saudi Arabia and European countries. On 9 March 2015 Saudi Arabia banned the Swedish Minister of Foreign Affairs, Margot Wallström, from giving a speech in a League of Arab States (LAS) meeting in Cairo, despite her invitation as an honorary guest. The following day, the Swedish Prime Minister Stefan Löfvén confirmed that Sweden had canceled its weapon trade agreement with Saudi Arabia.

The Saudi authorities considered the rejection of the court ruling a blatant interference in its internal affairs. The Saudi Ministry of Foreign Affairs issued a statement in March 2015 expressing its "astonishment and indignation" from international criticism regarding this case and confirmed that it rejects any intervention in the Kingdom's internal affairs.

The Supreme Court in Saudi Arabia had on 7 June 2015 sentenced Raif Badawi to 1000 lashes distributed over 20 weeks and 10 years in prison in addition to banning him from using media and social networks for contempt of Islam, his assault on the policies of the Kingdom of Saudi Arabia, and the building of a liberal website on the internet. The authorities actually implemented 50 lashes in January and the implementation has been postponed because of Badawi's health conditions.

Raif Badawi received the One Humanity Award in 2014 at PEN Canada. He was chosen as an honorary member of the

same organization. He also received the 2014 RSF Press Freedom award in the Netizen category.

## **Ashraf Fayadh**

A Saudi court on 17 November sentenced the poet and visual artist Ashraf Fayadh to death after being convicted of "questioning the divine self" , stemming from his 2008 poetry book *Instructions Within*.

Fayadh is 35 years old and comes from a Palestinian family that has been living in Saudi Arabia for 50 years. He had represented Saudi Arabia previously in the Venice Biennale as he was the deputy secretary of the Saudi wing in the exhibition. He had several artistic activities within the Kingdom. He was arrested in mid 2013 based on a complaint by a citizen to the Committee for the Promotion of Virtue and Prevention of Vice accusing Fayadh for holding "misguided and misleading ideas".

He was stopped in August 2013 by members of the Committee in Abha, south of Saudi Arabia following a complaint that was submitted against him for an argument he had. The plaintiff claims that Fayadh had insulted God, the Prophet Mohamed, and the State of Saudi Arabia and that he has distributed a poetry book of his that promotes apostasy and atheism.

His trial lasted six sessions. Fayadh denied all charges and brought in three witnesses who have denied the original witness statement of the plaintiff. Fayadh also confirmed that his poetry book was published 10 years ago and includes poems about love and was not written with the intention of blasphemy. Despite that he announced his repentance and retreat from any thoughts in the poetry book that the Committee might have seen as contempt.

On 26 May 2014, the General Abha Court convicted Fayadh and sentenced him to four years in prison and 800 lashes. The court at that time refused the prosecutor's call for death penalty, punishing him for apostasy based on the complaint submitted. The prosecutor appealed the court ruling and the case went to a lower degree court that sentenced Fayadh on 17 November 2015 to death for apostasy.

### **Nimr Baqir al Nimr**

The trial of the political activist and Shi'ite man of religion, Nimr Baqir al Nimr, continued for three years until the Supreme Court (Court of Cassation) rejected on 25 October the appeal against the death penalty sentence handed down on him for "inciting sectarian strife and destabilizing national unity".

On 15 October 2014, the Criminal Court sentenced al Nimr to death for disobeying and inciting others to disobey the ruler, and incitement through his speeches and preaching to undermine national unity. The court dropped a sentence of Hiraba (death and crucification).

His trial started in March 2013 when he was accused by the Public Prosecutor of aiding terrorists, disobeying the ruler, inciting sectarian strife, holding weapons against security officers, supporting the insurgency in Bahrain, and inviting foreign intervention. The Public Prosecutor was calling for Hiraba.

Saudi authorities had arrested al Nimr in July 2012 after being chased by security officers who had fired guns at him until his car crashed into a house. He was arrested while unconscious. This was for his support for the Qatif protests in February 2011.

It is worth mentioning that al Nimr is a religious and political opposition figure. He is 55 years old. He was born in al-Awamiyah in Qatif, east of Saudi Arabia. He studied in Iran religious sciences. He was famous for his preaches in which he criticized the Saudi government and his continuous demands to give the Shiite minority more rights.

The Saudi authorities consider him the most prominent instigator of the 2011 Qatif protests and have accused him of supporting the Bahrain protests.

The anti-riot forces arrested his nephew, Ali Mohamed al Nimr on 15 February 2012, when he was 17 years old, while participating in a protest demanding the release of Nimr Baqir al Nimr and all Qatif detainees. The appeals court sentence the Mohamed al Nimr to death and crucifixion.

### **Saudi Embassy in Kuwait demands the trial of Kuwaiti MP, Abdul Hamid Dashty**

The Saudi Embassy filed a memo to the Kuwaiti Ministry of Foreign Affairs in April demanding the trial of MP Abdul Hamid Dashty for what it has described as his repetitive defamation of the Kingdom in the media.

This complaint was because Dashty had criticized the "Decisive Storm" operation against Houthis in Yemen on TV explaining that this war would destroy the whole of the Gulf.<sup>45</sup>

### **Prosecution of the founders of the Civil and Political Rights Association (HASEM)**

The Saudi authorities continue to prosecute founders of HASEM after the criminal court in Riyadh sentenced on 9 March 2013 the dissolution of the association and the

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<sup>45</sup> <http://anhri.net/?p=143895&lang=en>

confiscation of all its funds and property including its website. The security persecution has started in 2011.

HASEM is an NGO founded by 11 Saudi human rights defenders. Its first prominent appearance of the NGO was following the floods in Jeddah in 2009. At that time HASEM issued a statement condemning what it had described as "political corruption" and called upon the King to form an elected parliament with wider jurisdictions allowing it to hold official accountable.

Abdul Aziz al Shebily, member of HASEM, stood before the Specialized Criminal Court on 7 May 2015 in accordance to the 2014 law to combat terrorism and its funding.

In 2012 the security services in Saudi Arabia launched a wide repressive campaign against members of the association that was founded in 2009 refusing to give it a license. HASEM has documented and providing information on human rights violations in Saudi Arabia to the UN. It has called for the prosecution of the Ministry of Interior for its violations against human rights.

The Specialized Criminal Court sentenced on 19 October HASEM member Dr Abdul Karim Al Khedr to 10 years in prison and another 10 years of travel ban. This was the appeal of the ruling of the Criminal Court in Buraidah, which sentenced Al Khedr to 8 years for disobeying the ruler,

inciting chaos by calling for protests, providing fake information to foreign groups, and participating in the foundation of an unlicensed organization. The court ruled that three out of the eight to be implemented and the remaining five to be suspended while banning Al Khedr from travelling for 10 years.

### **Prosecuting works of art**

*The detention of the team of the satirical program "Weshnohna Hlon"*

The police in Baqaa in Ha'il (North of Saudi Arabia) detained the team of the satirical program on 9 August 2015 for 48 hours after showing an episode on YouTube on 13 July criticizing the Nafud Park in Baqaa which had 2 million Riyals earmarked for it and nothing happened.

*Mecca bans the showing of the film Kdad*

Mecca banned the showing of the short film Kdad on 17 August 2015. The film was going to be showed in the theatre of the Cultural and Arts Association in Jeddah. It is worth mentioning that *From Reality* is a series of short films, including *Kdad*, which shows the different conditions in the Kingdom.

## Writers

The Ministry of Media banned the publication of the *Arreyadi* newspaper and referred its editor in chief, Saleh al-Khalif, and cartoonist Yazid Al Harthy, to investigations for the cartoon "the banana" that was published on 8 May 2015, after Al Nassr FC vs Lekhwiya SC of 2015 Asia AFC Champions League Group, under the headline "heavy refereeing mistakes. The Ministry considered this cartoon as insulting to Qatar and by publishing this cartoon, the newspaper has conducted an unprofessional act that contradicts the unity of the Arab Gulf."<sup>46</sup>

Journalist Alaa Berenji continues to be detained for the second year under ambiguous situations without being put to trial or charged. Berenji was arrested on 13 May 2014 after criticizing the law combating terrorism that was issued in 2014. He participated in campaigns on social networks that have denounced the law that allows the authorities to arrest and detain without any legal justification.

Security forces arrested Dr Zouhair Katby at 7:30 AM on Wednesday 15 July 2015 from his home for his opinions

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<sup>46</sup> <http://anhri.net/?p=144251&lang=en>

calling for religious and political reforms. He had announced them in a program aired on Rotana Gulf.

It is worth mentioning that Katby is one of the pro-reform activists in Saudi Arabia. He was born in Mecca in 1955 and his university degree is in Geography. He earned his master's degree in Geography from Om al Qura University, and his PhD from Egypt in 2002.

The Saudi authorities also transferred the political activist Mohsen Al Awaji and TV presenter Abdullah Medever to the Investigation and Prosecution Department in July 2015 for Medever's opinion expressed in his program "Fyl Sameem" (In Depth) with regards to the deceased King Abdullah Ben Abdul Aziz.

## **Press and Media**

The Ministry of Culture and Information blocked the website Iran Today according to a statement by the website's team published on 9 November.

The editor in chief of National Geographic announced on 2 September that the distributing company informed them that the authorities have banned the magazine from entering the Kingdom for cultural reasons. Press sources have confirmed that the banning was because the magazine's cover had a

picture of Pope Francis and the title "Pope Francis Remakes the Vatican".

Director of the Electronic Publications Department in the Ministry of Culture and Information, Tarek Khadrawi, confirmed in an open seminar organized by the Riyadh Media Forum that starting October 2015 there will be new regulations for licensing electronic newspapers. He said that any website that does not have a news providing description will not have the right to publish any news.

### **Prosecution of human rights defenders**

The Specialized Criminal Court sentenced human rights defender Mohammed al Bejadi to 10 years in prison on 5 March 2015. The court decided that the first five years to be implemented starting the date of his detention and the remaining five to be suspended. It is worth mentioning that al Bejadi has been detained in Ha'ir Prison since 20 March 2011.

On 13 October, the Specialized Criminal Court (exceptional court) sentenced human rights defender and HASEM leader Abdul Rahman Al Hamed, to 9 years in prison and a travel ban of another 9 years in addition to a fine of 50 thousand Riyals

(13300 USD) for inciting strife and contempt of the ruler.<sup>47</sup> On the same day, the court sentenced the human rights defender Abdel Aziz Al Senidy to 8 years in prison and a fine of 50 thousand Riyals, in addition to a travel ban for another 8 years. The accusations included inciting against the system and signing a petition calling for protests in public squares, and contempt of the King.

On 19 October, the Specialized Criminal Court sentenced human rights defender and one of HASEM's founders, Dr Abdel Karim Al Khedr to 10 years in prison and a travel ban for another 10 years.

On 5 November, Omar Al Said was sentenced by the Specialized Criminal Court to 2.5 years in prison and a travel ban of the same period. He was convicted of criticizing the ruler and joining an unlicensed group.

On 6 November, the appeals court ratified the ruling against human rights defender and blogger Mekhlef Al Shammari, which was a prison sentence of 2 years and 200 lashes for sitting with "trouble makers" when he had dinner with friends and expressed his condolences to a family of a deceased son of theirs.

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<sup>47</sup> <http://anhri.net/?p=153129&lang=en>

On 12 January, the Specialized Criminal Court of Riyadh sentenced the human rights lawyer Walid Abul Kheir to 15 years.

The Specialized Court for Terrorism sentenced the human rights defender and HASEM founded Mohamed Al Bejadi to 10 years in prison for several accusations including the possession of banned books and publishing articles threatening public peace. He was not informed of the trial date or allowed to contact his lawyer.

# LEBANON

## Basic information

Ruling system: republic

Population: 4 million

The official syndicate: Editors Association; Press Association

Number of newspapers: 31

Number of radio stations: 34; TV stations 8 (Ministry of Information)

Internet users: 3 million

## Background

Freedom of expression is organized in Lebanon through two laws. These are the law on publication and the criminal code. Usually the publications law deals with publication issues but we have found in some instances the authorities resorting to the criminal code in publication related cases.

## Press and Media Freedom

*Banning the distribution of newspapers and other forms of harassment*

Banning the distribution of Le Monde and Liberation

The Office of Public Information of the Directorate of General Security announced on 19 January 2015 that issues of the two

newspapers, Le Monde and Liberation have been banned for publishing images from Charlie Hebdo newspaper that is considered to be offensive of other religions, referring to the fact that Charlie Hebdo does not actually enter Lebanon cause it insults both Christianity and Islam.

The Director said that they will not allow anything insulting of religions to enter Lebanon, considering it completely unacceptable and that such things are not freedom of expression.

#### Minister of Justice takes Al-Akhbar to court for defamation

Judge Mohamed Saab, the legal adviser of the Minister of Justice, filed a complaint on 23 July through his attorney, Farouk Kheir Eddin, against Al-Akhbar Newspaper, its editor in chief, Ibrahim al Amin, and the writer Radwan Mortada, for defamation and publishing false news. This is based on an article written by Mortada and published in Al-Akhbar on 3 July in which the writer said that Judge Mohamed Saab has taken to court a publisher who had printed copies of the judge's book, 2006, without permission. He was compensated with 2 million Lebanese Lira before it was reduced in the appeals court to 150 million Liras, knowingly that compensation of murder rarely exceeds 1 million Liras.

### *Prosecution of journalists*

#### Journalist Mohamed Nezal sentenced in absentia

In what seems to be a pre-determined intention to imprison journalist Mohamed Nezal, he was put before the criminal court instead of the Publications Court which usually is the court with the jurisdiction over publication issues and does not hand imprisonment sentences in defamation cases. Judge Ghassan Tanios Khoury, of the Beirut Criminal Court, sentenced Nezal on 5 October in absentia to 6 months in prison and a fine of 1 million Lira (664 USD) for defaming the judiciary in a facebook post in 2013 referring to the injustice he saw from affiliates to the judiciary. He criticized the performance of Lebanese judges after he was expelled from one of the sessions looking into a case raised by the company owning Al-Dalia Land (a land separating the Raouche and the Ramlet El Baida areas in Beirut) to evict fishermen in the area.

#### Prison sentence against journalist Salem Zahran

Unlike usual, the Publications Court, which usually does not hand down prison sentence, sentenced journalist Salem Zahran, to 6 months and reducing it to 50 thousand Lira fine by which he gets imprisoned for one day for each 10 thousand Lira if he doesn't pay the fine. He was convicted of publishing false news about the President Michel Suleiman, when in an

interview on OTV Zahran said that the presidential team had sold a land prohibited from sale and is spending public money to appoint consultants and take trips outside of Lebanon.

Carmi Khayyat refuses to implement the International Court's Decision regarding Lebanon

Journalist Carmi Khayyat refused to remove videos of TV program episodes from the AlQana Website and her official YouTube channel. This was the decision of the international court of Lebanon that was passed in August 2012 in the context of the investigation around the assassination of Prime Minister Rafik Al Hariri.

The court condemned Carmi Khayyat and Algadid Company for exposing secret witnesses to risk by taking footage of them in a TV report and airing them in different episodes between 6 and 10 August 2012 without deleting this content from the website or its YouTube channel.

Machnoug accuses journalist Mohamed Zbeib with defamation

The Lebanese courts are looking into the charges brought against Al-Akhbar Journalist Mohamed Zbeib for defaming and insulting the Minister of Interior Nouhad Machnoug by publishing pictures of one of the checks issued by the Al-

Madina Bank to the Minister in 2002. The check is worth 1 billion and 436 million and 400 thousand Liras. Machnouk filed a complaint against him accusing him of defamation and insult.

In the same context, a solidarity with Zbeib protest was held in which a number of journalists and audiovisual media outlets, activists, independent figures and friends have participated.

#### Hezbollah takes Dima Sadek to court

The Lebanese media person, Dima Sadek, stood before the General Attorney on 4 November 2015 who questioned her with regards to the case brought against her by Hezbollah accusing her of defamation and insult. This was because she had asked one of her guests in her program "Nharkom Said" (Have a good day) aired on LBC questions regarding corruption cases linked to officials with the party, in addition to the tweets she had published on her facebook account.

After interrogation for one and a half hours, the judge decided to release her until a decision is taken with regards the case.

#### The trial of Al-Jazeera Presenter, Faisal Al Qassem

The lawyer, Ashraf Mousawi, filed a case against the Al Jazeera presenter, Faisal Al Qassem, accusing him of

cynicism, disregard, and assault of the military establishment and its reputation in media.

Faisal Al-Qassem had ignited wide controversy in Lebanon because of a tweet he posted end of September 2014 criticizing the Lebanese Army. In his tweet he said, The Lebanese Army's accomplishment since it was established: video clips with Wael Kafoury, Nagwa Karam, Elisa, and Haifa and the burning down of Syrian refugee camps in Aarsal. Quickly this tweet became very popular on social networks and was widely shared.<sup>48</sup>

## **Violations against Media institutions**

*ArabSat stops broadcasting Al Mayadeen TV and transfers the broadcasting service from Lebanon*

The chairman of Al Mayadeen TV, Ghassan Ben Jeddo, announced in a press conference on 6 November, that ArabSat had taken a decision to stop the broadcasting of the channel. This was because the channel had reported on the killing of pilgrims in Mina. One of the guests accused Saudi Arabia for its bad management of the Hajj season. Ben Jeddo confirmed that this opinion upset some countries (i.e. Saudi Arabia) and

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<sup>48</sup> More information in arabic <http://anhri.net/?p=148286>

Arab Sat decided that it's in breach of the contractual agreement with the Channel.

Arab Sat exerted pressures on the Lebanese Ministry of Communication to stop airing the channel and insinuated the possibility of moving the broadcasting station to Amman. In fact ArabSat ended its contractual agreement with the Ministry of Communication and is moving its broadcasting to Amman starting 19 November 2015.<sup>49</sup>

#### Court case against the team of Hki Jelis Program

LBC announced on 14 November 2015 that the Lawyer Walid Dagher on behalf of the Minister of Foreign Affairs and Emigrants Gebran Bassil filed two separate cases before the public prosecutor in Beirut against the producer and presenter of the program "Hki Jelis", Joe Maalouf, and the executive producer and editor in chief of the program, Rami Zein Eddin, and the presenters Sirin Samarjian, and Vanessa Taya, in addition to the representatives of LBC, charging them with defamation and publishing fabricated news for broadcasting two consecutive episodes of the weekly program on accountability and the enrichment law which handled the

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<sup>49</sup> <http://anhri.net/?p=154204&lang=en>

wealth of the ministry and questioned the source of this wealth demanding the minister to respond to these questions.

### Saudi Embassy in Beirut sues Lebanese media

Saudi Arabia Ambassador to Lebanon, Awad Esseiry, announced on 11 November that the Lebanese courts are looking into a number of claims raised by the embassy against a number of media outlets in Lebanon for insulting and defaming Saudi Arabia. He clarified that his country does not care much about the polemics of some channels particularly those affiliated to Hezbollah but it will not be silent towards any insults.

## **Freedom of expression and creativity**

### *Freedom of Creativity*

#### Beirut Syndrome Play

The censorship office of the General Security imposed a condition to delete some sentences from the play Beirut Syndrome to get a license for showing .the play is written and directed by Lucien Bo Rjeily.

Bo Rjeily announced on his facebook page on 16 November that he had gone to the censorship office to receive the approval to show the play. The story is about a citizen who decides to expose and try a political leader who is corrupt and

a criminal while there are no other tools for accountability. Bo Rjeily was surprised to find that the censorship office had asked him to delete two sentences in the script in which the corrupt politician talks about the benefits of the censorship office and his good relationship with it. Bo Rjeily refused to accept such intervention.

Banning the show of the documentary "In this Land Lay Graves of Mine"

General Security banned the showing of the film "In this Land Lay Graves of Mine" directed by Reine Mitri. The officer informed her verbally on 16 June that the commercial showing of her film as it ignites sectarianism and threatens civil peace.

The film discusses the geographical and sectarian divisions dominating the Lebanese society for over 4 decades of destruction, division and loss, through a cinematic work that refers to fear as a common factor between all the conflicting factions in Lebanon. The film highlights some aspects of history, memory and sectarian displacement, in addition the general pardon that set the characters of a very fragile peace.

After the movie was banned from showing in cinemas, the security forces imposed on the administration of the American

University in Beirut a ban from showing the film 3 hours before it was meant to show. That was on 27 October 2015.

### General Security bans the showing of two films in the Beirut International Film Festival

The Lebanese general security banned refused on 7 October to show the two films Wasp of the Swiss Lebanese director, Philippe Audi-Dor, and the film Life is Waiting of the Brazilian director, Iara Lee, which were meant to screen in the 15<sup>th</sup> session of the Beirut International Film Festival. The festival announced that it will not be screening both films as they failed to acquire the necessary permits. It is worth mentioning that this is not the first time that the General Securing blocks the screening of films from the Lebanese public. It has previously banned the documentary Green Days directed by the Iranian Hana Makhmalbaf. Also, it has banned the Lebanese documentary Chou Sar? Directed by De Gaulle Eid in which the film tackles the massacre of his family during the civil war.

### Activists on Social Networks

Complaint against the activist Assaad Zebian for compromising religion

Lawyers, Ilias Akl and Charbel Samaan filed a complaint to the public prosecutor on 31 August 2015 against the activist from the campaign "Teliit Rehitkom" (You Stink), Assaad Zebian, accusing him of undermining religion and public blasphemy through his facebook account. They referred to the Lebanese Penal Code article 473 that stipulates who blasphemes the name of God publically will be punished by prison between one month up to one year; article 474 which stipulates that who denigrates religious rites through publication or incites defamation will be imprisoned for a period between three months up to three years.

On 8 October, the Division of Public Relations at the General Directorate of Internal Security Forces revealed that based on a warrant, the activist Assaad Zebian had been arrested for being charged with writing statements on the Lebanese Flags on the Lebanese flags on the walls of Ministry of Interior and localities on 6 October 2015, while a group was protesting in the area around the Bank of Lebanon.

#### Michel Doueihy to stand on trial for critical facebook posts

The public prosecutor summoned Michel Doueihy on 28 September to question him over a complaint filed by the General Security referring to criminal codes such as article 308 which stipulates penalties reaching life sentences on

charges related to provoking civil war and incitement to carry weapons and fight. This was based on Doueihy's facebook post on 16 August criticizing the failure of the Lebanese General Security in handling several issues yet its success in arresting Ahmed Al Assir.

Doueihy headed to the prosecutor in Tripoli on 28 September 2015 where he was arrested and detained in Al-Saraya Prison. The investigative judge decided to transfer him to trial demanding a 3 year imprisonment according to articles 316 and 386 of the Penal Code for inciting sectarian strife.

#### The arrest of Laya Al Kayaje for a press statement

Lebanese Military Intelligence arrested the Palestinian Laya Al Kayaje after being summoned for an interrogation over statements she made in a press interview with her on 11 September. Her statements included claims of her being tortured and raped by investigators while she was detained by the military intelligence in Rihaniyya in 2013.

Laya Kayaje was arrested in Saida on 16 September 2013 for publishing statements on facebook in solidarity with Ahmed Al-Assir (a Lebanese Salafi who opposes Hezbollah) and criticizing Lebanese policies. She was accused of Supporting

Ahmed Al-Assir against the Lebanese Army and charged of making communications on social networks that are harmful to the military institution and a number of politicians and inciting sectarian strife.

## Human rights defenders

### *Continuing legal harassments against members of the Lebanese Center for Human Rights*

The publications court continued to look into the case raised by the Lebanese Parliament Speaker and leader of the Amal Movement against the Lebanese Center for Human Rights after the latter issued a report on 10 February 2011 condemning allegations of torture in Lebanon. The report, which is based on documented statistics, statements and interviews, included allegations of torture committed by Amal Movement members. The case was transferred to the publications court on 24 February 2014 after the investigative judge charged them of defamation.

## **The right to protest**

### "You Stink" Campaign

"You Stink" is the slogan of the civil protest campaign organized by a number of Lebanese youth protesting the accumulation of garbage in the streets of Lebanon. The

campaign organized a number of protests in the Riad El Solh and Martyrs squares. Protesters were demanding the resignation of the government because of the political corruption and the factional quota system. These protests were transformed into protests against the deteriorating situation in Lebanon generally speaking. Other civil movements joined the "You Stink" campaign. Security forces met this peaceful movement with repression fearing that the movement would expand to other areas.

A number of protesters suffered serious injuries when beaten with sticks and batons and as a result of the teargas and rubber bullets by security forces which have forcefully dispersed the protests on Saturday 22 August 2015.

Hundreds of protesters had gathered in Riad El Solh square in the afternoon of 19 August demanding the resignation of the government, while the government was discussing the garbage crisis. Security forces attacked them and arrested a number of the protesters. This has led hundreds of protesters and activists to start an open sit-in on Saturday 22 August until the government is brought down.

Protesters were starting to arrive at the square and after some hit and run between them and the security forces, the number

of the protesters increased and thus were able to enter the square and set their tents for the sit in. Security forces then attacked using sticks and batons, teargas and rubber bullets, injuring more than 30 protesters.<sup>50</sup>

### Excessive use of force to disperse the Ministry of Environment strike

In the evening of 1 September confrontations erupted between security forces and activists who have been protesting the continuation of the garbage crisis. This was in the area around the ministry of environment. Security forces forced protesters occupying the ministry's building out leading to the fall of injuries.

A number of protesters were arrested when they tried to sneak into the building in front of the ministry. Security officers had asked media to leave the ministry's headquarters before live broadcast was cut.

Protesters from a number of civil movements had camped in the offices of the ministry of environment in downtown Beirut demanding the resignation of the minister for his failure to resolve the garbage crisis.

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<sup>50</sup> <http://anhri.net/?p=149675&lang=en>

When the anti-riot police surrounded the building, protesters divided into two groups. A group that camped inside the building and another that protested outside of the building. Their numbers increased after they called for more activists through social network sites.

Live broadcasting of the confrontations was severed and security forces used excessive force to disperse the protesters.

# JORDAN

## **Basic information**

Ruling system: Monarchy

Population: 6.8 million

Official journalists syndicate 1: Jordanian Journalists Syndicate

Number of newspapers: 20 (Jordan Center for Mass Communication Research)

Number of TV stations: 4 private, 2 national

Number of radio stations: 10

Internet Users: 5.8 million users

## **Legal Environment**

The 2015 UNESCO report "Assessment of Media Development in Jordan Based on UNESCO's Media Development Indicators" recommended the revision of laws restricting freedom of expression and media and to revise the law on access of information so that it meets international standards, in addition to issuing a complete legislation on broadcasting and transforming the Media Commission to an independent body that is protected from financial and political interventions. 4

The report also recommended that the law on publications and publishing be amended as well that of the Journalists Syndicate so as to remove all imposed restrictions on the profession of journalism including those who are not members of the syndicate who should be able to work and introduce themselves as journalists. Recommendations also included the elimination of the criminalization of defamation and insult of a public official from the penal code to meet international law standards and to replace these with civil defamation laws, which will create the needed balance between protecting reputations and respecting human rights. The changes should also not allow public institutions to sue for defamation. The report also recommended the transformation of the Jordanian Television to a Broadcasting service protected from financial and political intervention.

### **The Journalists Syndicate**

The Journalists syndicate played a role in the events of 2015 as it put pressure on the Jordanian government to support Al Dostour Newspaper to find a way out of its financial crisis. It also stood against the arrest of journalists for publication related cases, including publishing on the internet. This was against the decision of the Office of the Interpretation of Laws, which considered crimes of defamation and insult via websites

and social networks to be a breach of article 11 of the Electronic Crimes Code and that in these cases articles 42 and 45 of the publications law should not be applied. The syndicate's board considered on 27 October that decision as a regression in the Kingdom's obligations in reforming legislations organizing media and press.

The syndicate also stood by journalists on trial for publications cases and paid the bail for the journalist Ghazi Mrayat on 11 July 2015. In addition it paid the bail to release the editor in chief of Al Sabil Newspaper, Atef Al Jolany, in August 2015.

### **Peaceful Assembly**

*The trial of the political activist Adnan Abu Arqub for chanting during a peaceful march*

State Security Court started on the noon of 23 November looking into the case against the political activist Adnan Abu Arqub for inciting against the ruling system because of chants he shouted during a march organized by the People's committee for the defense of Al-Aqsa Mosque and the holy sites early October. Security forces had summoned Abu Arqub on 3 October over the phone to get some information. After interrogating him he was arrested and transferred to Marka Prison.

*Security disperses the Muta University Staff strike*

Security forces arrested a number of workers of Muta University who have been striking in the university demanding the calculation of the end of service compensation for daily workers and to re-instill the 30 Dinar raise for the university's administrative staff who have been deprived of it. The arrest happened after the university's vice presidents against the striking staff accusing them of raiding their offices.

University's security also on 11 May dismantled the strike's tent while security forces surrounding the main gates and arrested a number of workers and issued arrest orders against other.

*Detention of Thabet Assaf and Bassem Al Rwabda for a protest*

Preventive Security of the General Security Directorate arrested the two activists Thabet Assaf on 15 January and Bassem Al Rwabda on 17 January for their participation in a peaceful protest protesting the Charlie Hebdo cartoons.

The Preventive Security transferred them to the General Intelligence Department in Amman where they were interrogated in the absence of their lawyers. They were then transferred to the State Security Court and charged with incitement to undermine the ruling system referring to article

149 of the criminal code. A month later, the two men were standing before the military state security court which has convicted them of insulting the King in accordance to the Jordanian penal code. Rwabda was sentenced on 6 May to 5 months in prison. Assaf was sentenced on 27 May to 3 months. Rwabda was released the day of his trial as he had spent his sentence. Assaf was released on bail on 26 March.

*Security forces disperse a debate against death penalty*

The Jordanian authorities on 10 October banned a debate entitled "Death Penalty does not prevent crime" commemorating the World Day against Death Penalty.

The organizing body was surprised that the debate was banned. The coffee shop owner where the debate was to take place received a warning from the Capital's governor that he would be judicially prosecuted if this event is held despite the fact that all legal conditions for the event were met as the governor was informed of it 3 days before its date.

*Social Development Ministry in Jordan dissolves 94 charities.*

The Jordanian Ministry of Social Development shut down 94 charity organizations since the beginning of 2015 and has warned 71 other organization. The most prominent breach used to justify the closure was the appointment of a temporary

administrative committee or receipt of foreign funds without the ministry's approval, or collecting donations without approval.

### **Confiscation**

*Poetry Book, A body for the sea a dress for the poem*

The poet and writer Moussa Hawamda announced on 17 August that the publications and publishing department has censored his poetry collection "A body for the Sea, A dress for the Poem" and demanded him to withdraw its copies from the market. Hawmda said in a press statement that the department informed Noon publishing house in Amman that they must withdraw the copies from the market and to not sell the book. When he went to inquire he was informed that the decision was based on inappropriate parts in his collection and when he asked for an official letter they said there was none but he wants they can get him a court order.

It is worth mentioning that Moussa Hawamda is a Palestinian poet who graduated from the Jordanian University in 1982 and he is a member of a number of unions of writers and journalists in the Arab World. He had participated in several Arab and European poetry festivals and his poems have been translated to several languages.

*Public Prosecutor demands the dropping of the case against Minister of Interior by "Radio Balad"*

The head of the investigative unit in Radio Balad, Mosaab Shawabka, had filed a judicial complaint against the Minister of Interior, Salama Hammad, at the administrative court in June 2014 accusing him of blocking information on the forced expelling of Syrian refugees.

The public prosecutor has asked the administrative court to drop the case as the plaintiff has no legal interest in requesting the information.

The public prosecutor based its request on article 7 of the law organizing the right to access information and stipulates that all Jordanians have the right to access information if requested in accordance to law and if the citizen had a legitimate interest or reason for this information.

*Minister of Transport raises a case against Amon News*

The public prosecutor summoned Wael Al Graysha, editor in chief of Amon News website, and publisher Samir AL-Hayari on 29 October to question them regarding the case raised by the Minister of Transport, Lina Shbeeb, after the website published two news pieces about the extensive travel of the minister at the cost of the state to participate in conferences

that have nothing to do with her position and another article written by Fares Al Hbashna published on the website.

The editor in chief requested that the Prime Minister be summoned to be questioned as witness on the issue of her travel.

*Parliamentarian threats to block a news website for a video*

The managing editor of Gerasa News, Islam Sowalha, that after the website published an article with a video revealing a Parliamentarian assaulting an Egyptian worker, the MP Zeid Al Shwabka phoned the website's correspondent and threatening to close down the site.

*Judicial case against Roya TV because of a comedy section in the program "Mahatat Mafrouda"*

The Media Commission filed a complaint against Roya TV on 8 September for airing a comedy section in its satirical program "Mahatat Mafrouda" dealing with blatantly with issues regarding children's program that has no educational standards. The Media Commission considered this section "obscene" and saw that it contained sexual insinuations that do no suit children, in addition to being offensive to morals and deviant from norms, and thus is a breach to the Commission's law and conditions of licensing for airing the program.

From its side the TV issued an apology with regards to any misunderstanding and that clearly the program is meant for adults and does not target children.

#### *Shutting down of Yarmuk Satellite TV*

The Audiovisual Media Commission and security forces shut down the live broadcasting studios of the Yarmuk TV on 31 August. This occurred without any previous warning and with a justification that the TV does not have a broadcasting license. The Channel stated in a statement that it has been working for 3 years after finalizing and meeting all the conditions to broadcast.

It is known that Yarmuk is a channel that has been supportive of the Arab revolutions and its opposition to the bringing down of the former Egyptian president Mohamed Morsi.

#### *"Sahafiyoon" a new publication by the Media Institute*

The Jordanian Media Institute published in both Arabic and English its first edition of the magazine Sahafiyoon which is edited by the Master program students. The first edition covered the trip by the students to Sweden to advance their technical skills. This trip was organized by RSF and funded by the Culture Foundation of the Swedish Postcode Lottery.

*The prosecutor detains editor in chief of Al Sabeel Newspaper*

The public prosecutor in Amman detained the editor in chief of Al Sabeel, Atef al Gowlany, on 19 August 2015 after a complaint submitted by the director of the Jordan Standard and Metrology Organization, Haidar AlZebn, after Gowlany published an article on gas cylinders criticizing the organization's refusal to transfer the cylinders.

Gowlany was interrogated over several accusations, such as "lack of accuracy and truth when publishing press material", "Defamation", and "insulting a public official". The public prosecutor referred to article 11 of the electronic crimes code. Gowlany was later released after the Journalists syndicate interfered.

*Detention of journalists of Alhayat news*

The public prosecutor decided on 16 November to detain Degham Khreisat, publisher of the newspaper and website, Daa Khreisat, editor in chief, and managing editor Ramez Abu Seif, for a week pending investigation into an accusation of violation of the law on publications and electronic crimes.

The public prosecutor of Amman Court had refused to release the journalists on bail after the complaint submitted by the Head of the Legislation and opinion Bureau, Nofan Al

Agarma, and the bureau's secretary general, Abdel Latif AL Nagdawi, because of material published on their website and newspaper.

*Journalist Gamal Ayoub accused of disrupting relations with a foreign country*

Security services arrested the journalist Gamal Abdel Naby Ayoub on 23 April for "disrupting relations with a foreign country" after he wrote an article criticizing the war that was launched by Saudi Arabia and a number of other Arab countries known as the "Decisive Storm" against Yemen to protect the rule of the Yemeni President, Abd Rabbuh Mansur Hadi when the Houthis took over power. The public prosecutor in Amman ordered his detention for 15 days in Marka Prison pending investigation.

The journalist Gamal Ayoub is known for his bold and critical political writings, which are characterized with clarity, honesty, and criticism of governmental policies. In his writings he calls for comprehensive social and political reforms in the Kingdom.

*Sentence against Hossam Abdullat upheld*

The court of cassation decided on 17 June to uphold the state security court ruling to imprison Hossam Abdullat one year for inciting against the political system when he announced his opinion in the TV program "Kashf Al Mastour" (revealing the hidden) which he presents on Jordan Future TV.

On 10 May 2015, the court had accepted to look into the appeal against the state security court ruling. It said in accepting the appeal that the facts attributed to Abdullat and which were aired through the channel are fixed facts and known to all. Therefore presenting these facts is nothing but to show an incident of public interest and thus the elements of a crime of broadcasting unknown facts or events and presenting them as the truth is what was missing in the proceedings and that is why the first degree ruling deserves to be appealed.

*Accusing the journalist Ghazi Mirriatt of exposing the Kingdom to the danger of hostile attacks*

The State Security Public Prosecutor decided on 8 July to detain the Al Rai newspaper journalist, Ghazi Mirriatt, in Marka prison for 15 days after accusing him of doing acts that expose the Kingdom to the dangers of hostile attacks, disrupting the country's relation with a foreign country (Iran), and exposing Jordanians to the risk of retaliation. Mirriatt had

published an investigative report on an Iraqi-Norwegian who is a member of the Iranian Quds Force who was planning to execute terrorist attacks inside Jordan. He was arrested with 45 kg of the highly explosive RDX hidden in the north of the Kingdom. Mirriatt was released on 11 July on bail. The head of the Journalists Syndicate paid the bail.

*Essam Al Amri acquitted from violating the media law*

The court acquitted, on 2 November, Essam Al Amri from violating the audiovisual media law. This was case brought against him by the Audiovisual Commission when he criticized the Prime Minister, Abdullah Ensour, in his morning radio program "Sout Al Mowaten" (The citizen's voice). The court saw that Al Amri's act is a practice of his right to criticize and express his opinion and thus does not account as a crime.

The director of the Audiovisual Commission had sent an official letter to the Public Prosecutor in October 2013 as guided by the Prime Minister, complaining against Essam Al Amri and accusing him of violating the audiovisual media law by criticizing the Prime Minister when a new car was bought for him.

## **Social Networks**

### *Jihad Muhaisin arrested for a facebook comment*

The state security public prosecutor decided to detain writer Jihad Muhaisin in Balqa prison 15 days pending investigation. He was summoned and interrogated on 12 July and accused of insulting and undermining the ruling system for facebook posts.

On 23 June Alghad Newspaper suspended Muhaisin and banned him from writing for the newspaper. In the same month he was also fired from his work at the Ministry of Political development where he was an adviser for the minister since 2010. This was for facebook posts in which he criticized the ruling system in Jordan.

### *Trial of member of student union*

On 13 April Jordanian authorities transferred Ibrahim Ebeidat, head of the Hashimite University's student union transportation committee to trial after being charged of defaming the Integrated Company (company that owns the buses transporting students in the university) and its representative.

The company's representative had filed a complaint against Ebeidat for defaming the company when they argued in a

hospital where a student was being treated for burns on her feet as a result of one of the bus coolers had exploded.

*Activist Omar Zorba detained*

The public prosecutor in Amman refused to release activist Omar Zorba and ordered his detention for one week pending investigations into a claim filed by Amgad Nader Alzahaby, son of the former Prime Minister accusing Zorba of defamation and violating the private life. This was based on facebook posts by Zorba in June 2015 satirically making fun of a wedding held in one of the best hotels in Jordan. In his post he was talking about the differences in social classes in the Jordanian society. He did not mention the name of the former prime minister or his son and referred to news already published on other websites.

Omar Zorba is a social network activist. He does not introduce himself as a writer or a journalist. His posts are mainly funny social critiques. He is considered to have the most popular page amongst Jordanian youth as he is followed by more than 305 thousand persons.

*Iyad Quneibi arrested for a facebook comment*

Security forces arrested Dr Iyad Quneibi and put him in solitary confinement starting 15 June 2015 for posting an

article on facebook criticizing Jordan's relations with Israel and the "westernizing" of the Jordanian society. On 18 June 2015, Quneibi was informally charged by the state security court with "inciting against the political ruling system".

On 10 June, Quneibi had published an article on facebook entitled "Jordan and the acceleration towards the abyss". He was summoned by the intelligence department and interrogated and charged.

*Detention of blogger Aly Mohamed allatayfa for facebook posts*

Security services arrested Aly Mohamed Allatayfa on 30 June and transferred to trial where he was charged with several accusations including, insult and undermining Jordan's relations with foreign countries.

*Five students arrested for Al Aqsa Mosque posters*

Security services arrested five students in the school of technological engineering of Balqa University. They were interrogated and transferred to security service on 7 October for finding a number of Al-Aqsa Mosque posters.

## **Queen Nour publishes a report criticizing the state of freedom of expression**

The Royal Court issued a statement on 5 September on its page on Facebook to confirm that any opinions, statements, positions, or comments expressed by a member of the Royal family only reflects their personal opinion. The only exceptions are official statements issued by the Royal Court or through media and social network channels of the King and Crown Prince.

This comes after Queen Nour Al Hussein the wife of the late Jordanian King tweeted about the restrictions on freedom of expression in Jordan after the law combating terrorism was passed. In her tweets there is a clear accusation against King Abdullah for adopting a contradicting discourse towards freedom of expression. She also criticized the vague language of the law that gives powers to arrest and detain journalists and others.



# BAHRAIN

## **Basic Information**

Ruling system: Constitutional Monarchy

Population: 1.5 million

Number of official journalists syndicate: Bahraini Journalists Association

Number of newspapers: 7 daily, 15 weekly, 38 monthly in addition to 860 newsletters from cultural institutions.

Number of radio stations: 10

Number of TV stations: 6 official channels

Internet Users: 1.3 million

## **The legal environment**

The Bahraini Parliament approved on 18 May amendments to the penal code stipulating that a penalty of imprisonment or fine will take place to anyone who has publically insulted the Shura Council, Parliament, the National Council or any constituent body or the Bahraini armed forces, security forces, national guard, national security, courts, and authorities.

These amendments did not clearly specify what is meant by the insult. Any criticism of the executive powers could be seen as an insult. Many Arab countries have preceded Bahrain in

using these fluid statements against anyone who has criticized or opposed the opinion of the executive authorities, which means more repression using law at a time when the parliament should be legalizing the expansion of the right to criticize public institutions.

### **Jo Prison**

According to human rights reports, Jo Prison has been specified for political prisoners who have been sentenced in political or state security related cases. This prison is known for its ill-treatment and that it is overcrowded, especially building 10 which has become known as the torture building. The prison administration has tried systematically to prevent any leak of information outside of the prison by closely monitoring the prisoners and their communication and by harassing them during family visits.

On 10 March, information on the ill-treatment of one of the prisoners and his family by prison guards came out. This has led to a riot inside the prisons. The prisoners were able to take over the prison and push the guards out of the buildings. This prison riot ended with extreme use of force by special security forces that have used guns and tear gas randomly which has caused widespread asphyxiation and fainting. At least 10 cases were injured by bullets.

Prisoners were left in the open for 10 days before they were put in two plastic tents (310 prisoners in one tent and 318 in another, and the rest were transferred to another place). Prisoners were kept like that for two months.

Those who were accused to have led the riot (around 120 prisoners) were transferred to building number 10, which was previously used to detain foreign prisoners who would be kept there for a couple of nights before being deported to their countries. However, this building has become infamous for torture in the aftermath of the 10 March incident.

### **The Ministry of Interior intentionally targets journalists during peaceful protests**

Police forces targeted and injured the photographer Mazen Mahdy, correspondent of the German News Agency and the European Pressphoto Agency, using teargas on 5 January while he was covering the protests related to the arrest and detention of Ali Salman in Albilad Al Qadeem, a suburb in Manama.

On the same day, Amer Mohamed, a cameraman working for Reuters, and Hamed Mohamed, a photographer also working for Reuters, were attacked using teargas targeted at them directly by the police.

In the afternoon of 4 January while covering similar protests in Albilad Al Qadeem, Mahdy was injured twice by teargas canisters targeted at him directly by an armored car even though he was wearing a press jacket.

### **Shutting down Al Arab TV**

The Bahraini authorities announced on 9 February that it has shutdown AL-Arab TV after it has held an interview with Khalil Marzouki, Aly Salman's assistant. Salman is the Secretary General of Al Wefaq Movement, which is the most important opposition movement in Bahrain. The statement issued by the Media Affairs Unit accused the TV of not abiding to the applicable laws and regulations organizing media and gulf and international agreements in a manner that is compatible with the current situation regionally and internationally with regards to the war on terror.

### **The kidnapping of photographer Yasser Ahmed (The American)**

Security officers in a civil car blocked the car of photographer Yasser Ahmed, dubbed Al Amriky, on 30 April 2015 in one of the streets of Albilad Al Qadeem. He was taken into their car and to his home where his camera and equipment were confiscated. The criminal investigations offices confirmed that

they have Yasser Ahmed without giving any further information to his father that has tried to contact them. On the third day, his family received a call from the criminal investigations requesting them to bring Yasser's clothes and necessities.

Yasser Ahmed is a photographer who has participated in covering the events of the great sit-in Pearl Square in February and March 2011, and the Albilad Al Qadeem protests that have escalated since the arrest of Aly Salman.

### **Blocking the LualuaTV website**

On 16 June, Bahraini authorities blocked the website of LualuaTV in Bahrain without any warning or judicial ruling.

### **Denying entry for Tania El Khoury**

On 6 May, the Bahraini authorities denied the British Lebanese writer Tania El Khoury from entering Bahrain to conduct some research on art in the Arab World and visit the national museum, even though her passport allows her to stay in Bahrain up to 3 months.

Airport security forced her to wait for two whole hours for security check and at the end she was informed that she was not welcome in the country and had to leave to Beirut without providing any information as to why.

## **Human rights defenders**

### *Nabil Rajab*

Nabil Rajab is a prominent human rights defender in the gulf region and is the president of the Bahraini Center for Human Rights, managing founder of the Gulf Center for Human Rights, deputy secretary general of the International Federation for Human Rights (FIDH), and member of the advisory board for the Middle East Department of Human Rights Watch. There is currently a travel ban on him and he is facing a possibility of a prison sentence that could reach up to 10 years for practicing his right to freedom of expression.

On 20 January he was sentenced to 6 months for the public defamation of governmental institutions. He was released on 13 July by a royal pardon after international criticism and pressures were exerted. A travel ban and other cases are brought against him.

He was arrested on 2 April and accused of insulting a constituent body and publishing false rumors at a time of war. The penalties of these accusations could reach 10 years in prison. The accusations were brought against him for tweets and articles he had written in March 2015 regarding ill-treatment in Jo Prison and Bahrain's participation in the Saudi led coalition against Yemen.

*Terrible conditions and health care for Abdulhadi AlKhawaja in his prison*

Abdulhadi AlKhawaja and Dr Abduljalil al-Singace have repetitively gone into hunger strikes since they were arrested to bring attention to the terrible prison conditions and torture they have been suffering. They are a part of a group of activists and human rights defenders known as Bahrain 13 who were sentenced to life for their role in the peaceful protests that have erupted in 2011.

The latest hunger strike by AlKhawaja lasted 32 days. He ended his strike on 21 May. He stated in an open letter published by the Gulf Center for Human rights that building number 10 in Jo Prison has become known as the torture building and that he always hears the screams of victims there. This form of torture has escalated in the last few months and has become the worst since 2011. He continued saying that the violations taking place have become beyond description.

*Legal prosecution of human rights defender Zeinab Al Khawaja*

Authorities have prosecuted Zeinab Al Khawaja. On 2 June a Bahraini court sentence the activist to 9 months in prison and a bail 300 dinars to suspend the sentence. She was convicted of

entering a prohibited zone in Jo Prison and insulting a public official.

The Bahraini authorities detained Zeinab Al Khawaja for several hours when she was visiting her father Abdulhadi. She was accused of entering a prohibited zone. She was released but the complaint was filed to the Bahraini prosecution.

In another case, the appeals court ruled on 22 October to reduce the sentence to imprison Al Khawaja from 3 years to one year while confirming the fine of 3 thousand Dinars (8thousan USD). This was the appeal of the case of insulting the King when she tore up his picture.

The first degree court had sentenced her on 4 December 2014 to 3 years in prison and fine of 3 thousand Dinars for insulting the king. This was because when she spoke at the end of her trial in October 2014 she said "I am the daughter of a proud man, a free man. I was born free and I will give birth to a free man even if he was born inside our prisons. It is my right and my responsibility as a free person to protest injustice and oppressors and I hold on to that right and I am proud of my responsibility". She then tore the picture of the King of Bahrain, which was considered by the authorities an insult to the King.

### *Abduljalil al-Singace*

The human rights defender Abduljalil al-Singace remains in prison under terrible conditions because of his human rights activities and despite international appeals to release him.

Al-Singace is a Bahraini academic and engineer, blogger and human rights defender. He is the spokesperson and head of the human rights office of Haq Movement for Civil Liberties and Democracy. He was a board member of Al Wefaq movement until he resigned in 2005. He is one of the activists and human rights defenders in the group known as Bahrain 13 and who were sentenced to life for their roles in the 2011 peaceful protests.

Al-Singace entered a hunger strike on 21 March to attract attention to the terrible prison conditions and torture he is suffering, including the violence that had taken place on 10 March. He announced that he will continue his strike until prison conditions for prisoners of conscience are improved in Jo Prison.

Al-Singace was transferred to Al-Qalaa hospital on 1 April as his health deteriorated. He is also suffering from disc in his lower back and neck. Authorities refuse to provide him with the necessary medical care.

The campaign "#theirfreedom\_theirrights" to defend Arab prisoners of conscience - launched by Maharat and ANHRI on 4 May 2015, and later joined by members of the IFEX Arab Group which are AFTER, Gulf Center for Human rights, Bahrain Center for Human Rights, March Lebanon, SMEX, Americans for Democracy and Human Rights in Bahrain, in addition to Yaqiza Association, Ilam Association, and Mada Foundation – announced the selection of al-Sengace to be the campaign's focus for November 2015.

*Human rights defender Najj Fateel*

Najj Fateel is a human rights defender and board member of the Bahrain Youth Association for Human rights. He was sentenced to 15 years in 2013 for his human rights activities. He was seriously injured in the 10 March Jo Prison riots. Fateel was amongst the prisoners exposed to physical and psychological torture. He has suffered from a broken leg and nose.

*Human rights defender Hussein Jawad*

In the early mornings of 16 February, security forces raided the house of human rights defender Hussein Jawad and arrested him, confiscating his passport and electronic

equipment. He was transferred to the criminal investigations building. Jawad has been exposed to harassments because of his human rights activities. He is now on trial for insulting the King and inciting against the ruling system through his Twitter account.

*Ibrahim Sherif, leader of the National Democratic Action Society (WAAD)*

In the early mornings of 12 July, security forces raided the house of Ibrahim Sherif, the leader of WAAD and took him to the Muharraq Police station. He was interrogated in the absence of his lawyer and charged of inciting hatred against the regime. This is because of the speech he gave during a memorial service in which he confirmed the thoughts for changing the constitutional monarchy and refused sectarian discrimination, describing the government as a failure and at the end confirmed that the only solution for the country is reform.

Ibrahim Sherif was arrested on 17 March 2011 with a leaders and symbols of the popular movement demanding reform and constitutional monarchy. He was charged with disturbing peace, incitement to protest and working on overthrowing the government, for participating in the largest wave of peaceful protests that erupted in February 2011.

He was sentenced along with others on 22 June 2011 by an exceptional military court to five years in prison. He was released on 20 June 2015, after spending four years in prison.

*The case of Sheikh Ali Salman*

The case against Ali Salman is still being looked into. In the first session of the appeal, on 15 September, the judge refused to accept evidence from the lawyers that could lead to his acquittal.

Salman has been in detention since 29 December 2014. On 16 June 2015 he was convicted by the Fourth Supreme Criminal Court in Bahrain with regards three freedom of expression related charges and acquitted from the remaining accusations. He was sentenced to 4 years in prison.

The Ministry of Interior arrested him on 29 December 2014. He was interrogated and charged with incitement to hatred of the regime, calling to overthrow the regime by force, inciting youth through fatwa to disobey the ruler, insult of the judiciary and the executive powers, seeking external intervention, broadcasting lies to disturb peace. This was for preaches he had given between 2012 and 2014.

*Prison sentence against Bahraini writer Fadel Abbas*

The criminal court sentenced on 28 June the journalist, member of the Bahraini Journalists Association and Secretary General of the Unitary National Democratic Assemblage, Fadel Abbas, to 5 years in prison for broadcasting false news and rumors at a time of war. This was for denouncing the war launched by Saudi Arabia against Yemen.

Security forces arrested Abbas on 27 March 2015 after the Assemblage issued a statement condemning the Saudi military attacks against Yemen.

*Prison sentence against Ghada Jamshir*

A Bahraini Court sentenced on 9 June the activist Ghada Jamshir to one year and 8 months in prison or a bail of 400 Dinars to suspend the sentence for being convicted of insulting public officials on her twitter account.

The Electronic Crimes Department had summoned the activist on 9 September 2014 to question her around a complaint filed by the officer Salman Ben Attiatallah Al Khalifa, director of the King Hamad Hospital for a group of tweets about what was happening in the hospital. The complaint was transferred to the Northern Prosecution which had decided on 15 September 2014 to detain Jamshir for 7 days pending investigations.

Ghada Jamshir had criticized how the King Hamad hospital has been allocated for nationalized and foreign people and

how the newest hospital in Bahrain suffers from deteriorated medical services<sup>51</sup>.

### **Opposition and human rights defenders stripped of the nationality**

On 31 January, the Ministry of Interior issued a decree announcing that it has stripped away the nationality from 72 persons for committing illegal acts. They included five human rights defenders: Sayed Ahmed Alwadae, Ali Abdel Imam, Abbas Bosafwan, Hussein Jassem, Dr Ali Al Deiry

Ahmed Alwadae is the general director of the Bahrain Institute for Rights and Democracy. Ali Abdel Imam is a blogger and freedom of expression activist that has been targeted by the Bahraini authorities since he started the Bahrain Online Forum and in 2011 he was sentenced in absentia to 15 years in prison for planning to overthrow the regime. He managed to leave Bahrain to London in May 2013. Abbas Bosafwan is a pro-democracy journalist based in London. He is also the president of the Bahrain Center for Studies in London (BCSL). He does a lot of research on the reasons and consequences of the 2011 uprising in Bahrain. Hussein Youssef Mohammed Jassem is a

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<sup>51</sup> <http://anhri.net/?p=145551&lang=en>

human rights journalist in the Lualua TV and a blogger. Ali Al Deiry is the founder of Bahrain Mirror, an online news forum.

The decree ratified by the cabinet was issued in accordance to article 10c of the Bahraini Nationality Law that was amended in 2014. The nationality was dropped from 72 persons for being charged in several cases. Accusations against them includes espionage, recruitment of individuals, funding terrorist groups, smearing the image of the regime, seeking to form a terrorist group, incitement to change the regime illegally, membership in terrorist groups, defaming friendly countries.



# KUWAIT

## Basic Information

Ruling system: constitutional emirate

Population: 3.8 million

Number of official syndicate: 1 Kuwaiti Journalist Association

Number of newspapers and magazine: 21

Number of radio stations: 9

Number of TV channels, 6 Satellite Channels

Internet Users: 3 Million

## Introduction

On 16 June 2015, the Kuwaiti parliament approved law 63/2015 regarding combating cybercrimes. Sarah Leah Whitson, HRW Middle East director said, "This new law comes at a time when Kuwait is prosecuting many opposition politicians and activists, journalists, and other government critics using expansive interpretations of moral imperatives and national security requirements". "It appears designed to allow the authorities even wider legal latitude to curtail Kuwaitis' right to free speech."<sup>52</sup>

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<sup>52</sup> <https://www.hrw.org/news/2015/07/22/kuwait-cybercrime-law-blow-free-speech>

Several Kuwaiti bodies have announced its rejection to the law, considering it to be a new repression to freedoms, especially freedom of expression.

## Musallam Al-Barrak

the case of Musallam al Barrak, known as the "we will not allow you" or the "al Irada Square" speech, took a lot of space of the Kuwaiti public opinion because of the way he was tried, the unjust sentence, the way he was arrested to execute the sentence, and the prosecution of people who repeat his speech. Al-Barrak now is dubbed the "Nation's conscience" for his position was in the right place and his speech was clear to the public. The number of people who have prosecuted for repeating his speech is quite large, and thus attracting a lot of attention to the case.

"Enough absurdity" is the title of the seminar that was held in the square across the Kuwaiti Parliament and known as the "al Irada Square" in October 2012. The former MP and secretary general of the People's Action Movement, Musallam Al-Barrak, had given a speech targeting the Kuwaiti Emir saying "some of your advisors have trade interests and some have hatred hidden in their hearts toward the people and democracy, so don't make your powers as and Emir a channel for their

interests and hatreds. The worst advice is the one that brings capital and power together. Hear our voices that are derived from the people's power or else Kuwait will fall into the abyss of autocracy and we won't allow this Your Highness, (repeated 9 times)". He was sentenced to two years. 67 individuals who have repeated his speech have also been put on trial and the courts are still looking into their cases.

The Kuwaiti Court of Cassation's verdict issued on 18 May was to uphold the prison sentence against the former Kuwaiti MP, Musallam al-Barrak, for two years for insulting the Emir of Kuwait.

The first degree court had convicted al – Barrak in 2013 and sentenced him to 5 years in prison which was reduced by the appeals court to 2 years only.

A large security force raided the farm of al-Barrak's brother, Barrak Mohamed al-Barrak, in the early morning of 3 June 2015 breaking the external and internal doors and shooting in the air to terrorize workers. Forces searched the premises without showing a warrant.

Al-Barrak was arrested along with 9 of his family members in the early mornings of 13 June 2015 to implement the final court ruling against him. He was put in Prison number 2 allocated for those sentenced to death penalty in drugs cases.

He was put in solitary confinement with an intention to harm him psychologically. Usually, in cases like his, prisoners are put in the State Security Cell in the Central Prison.

Al-Barrak is a political opposition who had won the 2012 legislative elections as part of the popular coalition. He was born on 30 January 1956.

The criminal court on 16 June 2015 sentenced 21 citizens to two years suspended for three years and a bail of 2000 Dinars (6618USD) for repeating the speech of al-Barrak.

### **Al-Fontas Group**

The Kuwaiti public prosecutor issued on 9 July an order to arrest 13 Whatsapp users, four of them from the ruling family, in the case known as the "Al-Fontas Group". They were charged with broadcasting false news harming the country and its security, defaming the judiciary and doubting their financial integrity, and misusing the phone.

Security services had arrested a number of peaceful protesters at al-Irada Square on Monday 23 March 2015 and charged them with assembly and violating the law of assembly.

Security services claim that by searching a mobile of one of the protesters they found communication in a group named Al-Fontas in which members of the ruling family, former MPs, lawyers and media are members. The aim of the group is to

incite against the authorities, harm the interests of the nation, and defame the judiciary.

On 21 September, the criminal court postponed the trial and lifted the travel ban from 9 of the defendants.

### **Sheikh Abdullah Salem Assabah**

Sheikh Abdullah Salem Assabah is repressed for his tweets. Security forces arrested Assabah (one of the grandsons of the Emir's brother) when he was returning to Kuwait on 5 June 2015. He was charged with compromising the prince and broadcasting false news to destabilize security. On 28 July 2015 the criminal court acquitted him. Press sources stated that the court found him innocent because it was convinced that the twitter account was not his.

### **Offending Saudi Arabia**

*Nawaf Al Hindal – defamation of the former King of Saudi Arabia – Tweet*

The Kuwaiti authorities now use defaming Saudi Arabia as an excuse to detain activists on twitter. This is probably because of the expanding role of Saudi Arabia in the Gulf.

It has become normal now that Kuwaiti activists are summoned and prosecuted for their critical views expressed on social networks, particularly twitter.

State Security Service issued an arrest warrant for the human rights defender Nawaf al Hindal on 26 January 2015. This was while he was out of Kuwait. He was charged with defaming the deceased King of Saudi Arabia on twitter after the King had died.

*Dr Hakem Al Mateery – defamation of Saudi Arabia – TV interview*

On 19 May 2015 the criminal court acquitted Dr Hakem al Mateery, Secretary General of the Kuwait Islamic Nation Party, from charges of defamation of Saudi Arabia in a TV interview.

Mateery was arrested in mid March 2015 for seriously insulting Saudi Arabia during a TV interview around the death of the Saudi Nation Party's Secretary General.

*Mohammed Al-Ajami (Abu Asm) – tweet*

On 19 May 2015, the Kuwaiti Criminal Court ordered the imprisonment of Mohammed Al-Ajami (Abu Asm) 30 days pending the trial in the state security case in which he is accused of defaming the Kingdom of Saudi Arabia in a tweet on twitter.

Al-Ajami was acquitted on 18 May 2015 from the Kuwaiti Misdemeanor Court for contempt of religion for a tweet

condemning the dropping of the nationality of the preacher Nabil AL-Awadi.

*Abdurrahman Al-Ajami – defaming Saudi Arabia and insulting the Emir of Kuwait – Tweet*

On 11 November, the appeals court acquitted the tweeter Abdurrahman Al-Ajami from the charges against him. He was accused of insulting the Kuwaiti Emir and Saudi Arabia. The sentence cancelled the 4 year prison term handed down on him by the first degree court.

*Sakr al Hashash- Tweet*

The court of cassation on 1 June upheld the verdict of the Criminal Court that was passed on 27 May to acquit the tweeter Sakr Al-Hashah from the state security case brought against him for insulting the Saudi Arabia.

He was previously sentence in 2014 to one year and 8 months for insulting the Kuwaiti Emir through twitter.

*Nasser Al Smeit – Tweet*

On 14 June 2015 the criminal court acquitted Nasser Al Smeit from the charges brought against him of insulting Saudi Arabia. He was arrested on 24 January and accused of performing a hostile act against a foreign country in a public space. Smeit had tweeted following the death of the King of

Saudi Arabia. The Embassy thought it was offensive and filed a complaint to the Kuwaiti Ministry of Foreign Affairs.

*Hamed Boyabes – Insulting the Emir and Saudi Arabia – Tweet*

On 23 November, the Kuwaiti Criminal court sentenced Hamed Boyabes to 4 years in prison for defaming Saudi Arabia. The Public Prosecutor in November 2014 had ordered the detention of Boayes 10 days pending investigation for the same case.

*Tarek Al Mateery – Tweet*

Security forces arrested the head of the Civil Democratic Movement from in front of his house in the morning of 18 March 2015. He was accused of performing a hostile act against a foreign country without permission, intentionally broadcasting false news and information on the internal situation of the country to undermine the prestige of the country, publicly inciting to overthrow the government in Kuwait, and finally the misuse of the phone. A complaint was filed against him by the Ministry of Foreign Affairs. On 23 November 2015, the Criminals Court acquitted him from all the aforementioned charges.

*MP Abdel Hamid Dishty – Defaming Bahrain and Saudi Arabia – Tweet*

The case against MP Abdel Hamid Dishty that started in 2014 continued this year. The case started when the Public Prosecutor accused Dishty in September 2014 of performing a hostile act against a foreign country without permission and thus putting Kuwait at risk of cutting political relations with that country. This was for he had posted a number of tweets that defamed the ruler system in Bahrain and incited its people to rebel against this illegitimate regime.

The Saudi Embassy in Kuwait filed a complaint to the Kuwaiti Ministry of Foreign Affairs demanding the prosecution of MP Dishty for what it called repetitive defamation of Saudi Arabia in media.

This complaint comes as result of Dishty Criticizing the Decisive Storm Operation against Huthis in Yemen in a TV interview considering that this war will destroy the whole of the Gulf.

On 10 September the Kuwaiti Criminal Court postponed the Saudi Defamation case to 8 October.

**The war on Yemen and its effect on Tweeters**

The Saudi led war on Yemen met much opposition in Kuwait. Many of them expressed their opinion through peaceful

means, which the Kuwaiti government considered to be a defamation of Saudi Arabia, threatening relations with it and as a result prosecuted those who expressed their opposition.

*Khaled Al Shatty*

State Security Investigations arrested the lawyer and MP Khaled Hussein Al Shatti for tweets on his twitter account criticizing the military operation in Yemen. Accusations included insulting the powers of the Emir, demoralizing the armed forces, defaming Saudi Arabia and threatening relations with Saudi Arabia. Al-Shatty is 45 years old and is a member of parliament. He is specialized in politics and strategy and writes to the Al Dar Newspaper. He is a member of the Kuwait Journalists Association.

Al-Shatti is a lawyer and is a board member of the Bar Association and a member of the Arab Lawyers Union. He published a legal reference book that includes all Arab and international legislation on arbitration. He is also considered a human rights defender as he has been defending victims of sectarian radicalism and terrorism.

**Violating the right to peaceful protest**

On 15 June 2015 the Kuwaiti Appeals Court upheld the first degree sentence to acquit 33 Bedon activists (with no nationality) who were accused of assembly, threatening public

security, assaulting security officers, and damaging security cars. This was for a protest in Kuwait in 2011.

*The trial of the First Nation's Dignity March continues*

On 8 June 2015 the Kuwaiti Criminal Court fined the defendants who have participated in the First Nation's Dignity March, and they are 53, 100 dinars each.

Special Forces had arrested tens of youth who have participated in October 2012 in a march close to the Kuwaiti towers in Al-Khaleej Al-Araby Street and in Al-Irada Square. The march had more than 150 thousand citizens participating. It was forcefully dispersed leading to tens of injuries. Those arrested were charged for protesting with a permit, resisting the police and assaulting them, and undermining security.

*The trial and travel ban of Nawaf Al-Hindal*

On 25 March 2015, the General Directorate for Investigations imposed a travel ban on the human rights defender Nawaf Al-Hindal, Director of Kuwait Watch, after he was arrested on 23 March 2015, while documenting violations during a peacefully protest at AL-Irada Square. He was only released on 25 March 2015.

*The detention of Abdel Hakim AL Fadly and his exile*

On 11 June 2015, the Criminal Court upheld a decision to exile the Bedon activist Abdel Hakim Al Fadly and imprison him for one year with a bail of 200 dinars to suspend the prison term.

On 29 January the Criminal court had sentenced Al-Fadly to one year in prison and exile for being convicted of participating in a protest regarding the Taima Events in Jahra in February 2014 when the Bedoun had organized a protest that lasted five consecutive days to push the Kuwaiti government to accelerate the process to resolve their problems.

### **Defamation**

Jaafar Mohamed Ali mentioned on his twitter account that his lawyer had filed a complaint against 338 tweeters who have defamed him on Twitter.

*Former MP, Abdel Hamid Dishty*

On 27 May, the Misdemeanor Court of Kuwait sentenced the former MP Abdel Hamid al –Dishty to one month in prison and a bail of 300 dinars to suspend the sentence after being convicted of defaming former MP Mohamed AL Sakr

The court also sentenced him to another one month imprisonment with a bail of 300 Dinars for the defamation of

the editor in chief of Al Jaridah newspaper Khaled Helal Al-Mateery.

*Exiling Saad Al-Ajami*

On 18 October 2015 the Kuwait Appeals Court ruled that it had no jurisdiction on the case of exiling the Kuwaiti Media person Saad Al –Ajami. The Ministry of Interior had expelled Al-Ajami from the country after stripping away his nationality and that is for his opposition to the government.

The Kuwaiti Government had decided in September 2014 to withdraw the nationality of 18 persons, including Saad Al Ajami, head of the media committee of the opposition HASHD Movement. Ajami was handed to the Saudi security services on 21 April 2015.

*Former MP Saleh Al Mola – defaming the Egyptian President*

Authorities summoned the former MP to question him on 6 January for insulting the Emir and the Egyptian president. He was detained for 10 days for tweets he posted during Sisi's official visit to Kuwait that lasted on 6 January 2015. He was released on bail on 11 January.

*Nasser Al Dowaila, Mubarak Al Dowaila, Tarek Suweidan – defaming Egypt*

On 3 August 2015, the former MP Nasser al Dowaila, his brother Mubarak, and the preacher Tarek Suweidan stood before court for opposing the ruling regime in Egypt and describing the regime as a "military coup".

On 9 June, the criminal court postponed the case.

*Mubarak Al Dowaila – defaming UAE*

On 12 November, the Kuwaiti Criminal Court acquitted the former MP Mubarak Dowaila from the accusation of defaming the UAE. This was based on a complaint filed by the Ministry of Foreign Affairs accusing him of defaming relations with the UAE.

*Khalifa Al Khorafy*

The criminal court decided to postpone the case of defaming the constitution in which the defendant is the former MP Khalifa AL Khorafy and the team of his program Talk Shawk on Al Youm TV. AL Khorafy is accused of defaming and undermining the Kuwaiti constitution.

*Six Egyptians arrested for defaming Kuwait*

On 11 November 2015 the Public Relations and Media Department in the Ministry of Interior announced in a statement that it had arrested 6 Egyptian citizens working in

Kuwait (Ahmed Alsayed Mohamed Farah, Ahmed Gaber Ahmed Abdel Salam, Mohamed Farag Ali Selim, Tarek Abdel Hamid Abdel Hakim Abdel Hamid, Mohamed AL Showadfy Abid Al Showadfy Al Ashry, Abdel Rahman Mohamed Abdel Rahman Ahmed), for abusing their facebook accounts and using it to broadcast defaming statements against Kuwait, its institutions and citizens and to broadcast malicious messages on different websites to incite the Egyptian community to strike and to ignite hatred. This was because two Egyptian workers in Kuwait and two Kuwaitis quarreled in one of the malls in Hawally. The six Egyptians were transferred to the investigative authorities.

*Abdullah AlRassam*

On 24 June 2015, the criminal court sentenced Abdullah Al Rassam to one year and 8 months and a bail of 500 dinars (around 1654 USD) to suspend the sentence for three years. He is accused of defaming the Emir by tweeting statements such as "would our government dare ask the American Embassy for a traffic ticket to expel any of them! Not even the highest rank could". This was in reference to the decision to exile Saad Al Ajami to Saudi Arabia after being stripped of his Kuwaiti nationality.

*Sara Drees – defaming the Prophet – twitter*

On 19 November the public prosecutor summoned the political activist Sara Al Drees to question her on defaming the Prophet Mohamed through her Twitter account. On 4 November a lawyer had filed a complaint to the public prosecutor accusing AL Drees of defaming the Prophet when she tweeted about a book about the Prophet's marriage from Saffiya Bent Hay Bin Akhtab. She was interrogated with and released with a bail of 1000 dinars.

**Press institutions**

*Shutting down Dar Al Watan for Press and Printing and Publication*

On 16 November 2015, the Court of Cassation upheld the ruling of the appeals court to shutdown the Dar Al Watan Company for press, printing and publication out which the Al Watan newspaper is published along with a number of other magazines. This was for violating its licensing conditions.

On 24 May the appeals court had approved the decision by the Ministry of Information to shut down Dar Al Watan after an appeal by the Government against the decision of the urgent matters judge to reverse the decision of the Ministry of Information until a verdict is passed.

The Ministry of Information ordered on 22 January to shut down Dar Al –Watan after the Ministry of Trade and Industry withdrew its license claiming that it had violated its conditions with regards to the minimum capital as the law states that the license will be withdrawn from any institutions that loses more than 75% of its capital.

It is worth mentioning that AlWatan Newspaper is considered the highest selling rate newspaper in the country. It was first published as a weekly political newspaper in 1962, then became daily in 1974. The newspaper has witnessed a transformation in its policy in 2014 as it became a newspaper that would be considered opposition.

### **Banning books from the Book Fair**

The Kuwait International Book Fair decided to ban a number of books from the 40th session of the Fair that was opened on 18 November 2015 without providing any reasons for the ban. A number of writers announced that their books have been blocked from the Fair. The list included Saud Alsanousi, prize winner the International Prize for Arabic Fiction in 2013, the poet and novelist Abdullah al-Basis”, who wrote “*Misguided Memories*” that was banned from distribution in August 2014, Abdel Wahab AL Hamadi, Faisal Al-Hubaini, the poet Faisal

Al Raheil, Dalaa Al Moufti, Suleiman Al-Shatti, Bothayna Al Essa and her novel.

## **Academic Freedom**

*Hamad Mohamed Al Mattar*

The appeals court acquitted the chemistry professor of Kuwait University and the former MP, Dr Hamad Mohamed Al Mattar, from an accusation of inciting fear amongst people after he warned people to not eat fish because of the pollution in the Kuwaiti sea.

In January he was transferred to the prosecution for his academic view that he announced in the program "AlSha'n Al Ham" (the Important Affair) aired on AL Watan TV in November 2014. He said that the test results of the Ministry of Health of samples of the Kuwaiti beaches shows that there is a large rate of bacterial and chemical pollution. He then advised not to swim or fish in these beaches.

Al Mattar was surprised that the Ministry of Health had not revealed the results and he posted on his twitter account "first degree verdict innocent and this was upheld today by the appeals court and I still say that Kuwait's sea is polluted and thus fish is polluted. My innocence is the proof".

# QATAR

## Basic information

Ruling system: Constitutional Monarchy

Population: 2.3 million

No official journalist syndicate

Number of newspapers and magazines: 6

Number of radio stations: 3

Number of TV stations 4

Internet Users: 1.9 million

## Introduction

The amount of information about the daily life of a Qatari citizen is minimal and is limited to the Qatari made media to follow the news of all the countries except Qatar itself. But a deeper look into Qatar we discover that it is not much different from its counterparts in the Gulf. The visit of the team of the Independent Media Group revealed the level of restrictions on media freedoms. The BBC team that was covering the labour conditions in sports establishments being build in preparation for the 2022 World Cup was arrested. Months before two German journalists were arrested for an investigative report on the 2022 World Cup. Also, the Qatari poet continues to serve

his 15 years prison term for a poem dreaming for the Arab Spring to reach Qatar.

### **Attacking foreign journalists**

#### *The arrest of the BBC Team*

On 18 May, the BBC announced the Qatari security forces had arrested its team in Qatar while they were covering labour conditions in the sports establishments being built in preparation for the 2022 World Cup.

The Qatari government had invited western journalists to make sure themselves how the labour conditions have improved. One of the BBC correspondents Mark Lobel tried to evade the Qatari security officers to make sure of what they claim, he was arrested along with his team and they remained two days in detention.

#### *Two German journalists detained for an investigative report on the 2022 World Cup*

The Qatari police arrested the sports journalist Florian Bauer working for the two channels ARD and WDR on 27 March with the rest of his team, which included a cameraman, a voice engineer, and a driver. This was while they were filming foreign workers in building sites. The detainees were

questioned at the police station before standing before the prosecution where they were detained for 14 hours and were not allowed to leave the country for five days. In return, they did not get back their equipment which was confiscated during the arrest. Their equipment returned on 26 April, four weeks later, and after the material was deleted.

### **Human rights defenders**

*ANHRI and Maharat announced Mohammed Ibn al-Dheeb is the August prisoner for the campaign their freedom is their right*

The Qatari poet Mohamed Ibn al-Dheeb remains behind bars serving a 15 year prison sentence for defaming the emir and inciting to overthrow the regime after writing a poem entitled "Jasmine Poem" in 2011 for the Arab spring revolutions. He recorded it and uploaded it on the internet in January 2011. In the poem he announces his support for the Tunisia Revolution and says "we are all Tunisian confronting the oppressive elite". In the poem he also condiment all Arab regimes describing them as thieves. He also expressed his wishes that the Arab Spring reaches Qatar.

The campaign their Freedom is their Right announced in August that the poet will be their prisoner of conscience of the month.

*Sexual pictures push the editor in chief of al-Sharq Newspaper to resign*

The editor in chief of al-Sharq Newspaper, Jaber al Harmi announced his resignation immediately after the newspaper published on 1 June an article about the dangers of Henna with a picture of women's hands covered with Henna tattoo photocopying scenes from the Kama Sutra book that includes sexual positions. Al Harmi announced his responsibility to an unintentional mistake and he handed his resignation to the board.

Many readers and internet activists announced their solidarity with Al Harmi

### **Prosecution of Aljazeera journalists abroad**

*The arrest of al jazeera journalist in Germany*

Relations between Egypt and Qatar saw escalated tensions after Egypt accused Qatar of supporting the Muslim Brotherhood that the Egyptian authorities consider to be a terrorist organization, and using Aljazeera for this purpose. Egypt convicted a number of Aljazeera journalists and has requested the Interpol to detain others. Aljazeera confirmed on 21 June 2015 that the prominent journalists Ahmed Mansour has been arrested in Germany based on a request from Egypt while he was taking a flight from Berlin to Qatar.

*Aljazeera correspondent stopped in Moscow*

Aljazeera decided to suspend the website's correspondent in Moscow for falling into a large professional mistake while writing one of the reports. The correspondent published a report entitled " Snowden revives conspiracy theory in Moscow: Bin Laden is alive" which has attracted many Arab and international media's attention. However, the source of this information was the local Moscow Tribune.



# PALESTINE

## Introduction

We cannot say that there is one law that applies on Palestinian journalist. Palestinian media is divided into three parts: that falls under the jurisdiction of Israeli Law, that falls under the jurisdiction of PA law, and that falls under the jurisdiction of Hamas Authority in Gaza.. Controlling freedom of expression is the balance between these three forces and how each one of them controls the land that it imposes on it its red lines.

Palestine is a people under occupation according to UN resolutions. Agreements between Israel and the PA have put some duties on the PA. After Hamas has taken Gaza under its jurisdiction alone, we now have three powers that try to control and repress media and press freedom and freedom of expression in Palestine. These are Israel, the PA, and Hamas in Gaza.

According to the report of the Palestinian Press Syndicate, more than 70 journalist has been injured and beaten by the Israeli army since the beginning of October 2015<sup>53</sup>

## Activists

*Arrest of MP Khalida Jarrar indefinitely*

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<sup>53</sup> More information in Arabic <http://anhri.net/?p=156057>

The Israeli military court in Ofer prison held a session on 22 June to look at the list of accusations brought against the Palestinian MP Khalida Jarrar, who is also the deputy vice president of the Prisoner Support and Human Rights Association (Addameer). The court postponed its verdict indefinitely.

The Israeli military prosecutor on 15 April accused Jarrar with 12 accusations, charging her with being a member and active in an illegitimate organization.

It is worth mentioning that Jarrar was arrested from her home in Ramallah on 2 April. The military commander of the occupation force had issued on 2 April an arrest order. On 5 May, a new order was issued. With Jarrar arrested, now there are 12 Palestinian MPs in Israeli prisons.<sup>54</sup>

#### *Assassination attempt of Mustafa Barghouti*

Dr Mustafa Barghouti, the secretary general of the Palestinian National Initiative and MP, accused Israeli authorities to push agents to assassinate him for supporting the latest Intifada.

Two unidentified men had attacked him on the evening of 24 October 2015 using a sharp weapon in front of his home in the

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<sup>54</sup> More information in Arabic <http://anhri.net/?p=145924>

Tira district west Ramallah. He was injured and had to be immediately taken to hospital for an operation in his face.<sup>55</sup>

## **Theatre**

*Occupation forces stops the fund of Al Midan Theatre in Haifa*

The Minister of Culture in the Israeli government, Miri Regev, decided to stop funding Al Midan Theatre in Haifa for showing the play "Parallel Time" which tells the story of the Palestinian detainee Walid Dekka (born 1961 and sentenced to life since March 1986). The decision comes after a campaign initiated by the occupation forces against the play and Al Midan theatre. The play deals with the detainee's life and the letter he wrote in prison to his wife Sanaa Salama who married him while he was in prison in 1999. Their first encounter was in one of the visitations where she was getting to know the detainees and their suffering as part of her press work in 1996.

<sup>56</sup>

## **Publications and media institutions**

*The public prosecutor shuts down Al Arabi Al Jadid in Ramallah*

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<sup>55</sup> For more information in Arabic <http://anhri.net/?p=153294>

<sup>56</sup> For more information in Arabic <http://anhri.net/?p=147204>

Naila Khalil, manager of the Al Arabi Al Jadid office in Ramallah that the Palestinian Public Prosecutor ordered on 4 November to close the office of the London based newspaper as they don't have a license.

The newspaper had applied for a license on 16 November 2014 and is regularly following up with the relevant authorities but until that time they were not granted a license.

The decision to close the office was after an article was published criticizing the PA.<sup>57</sup>

*Occupation forces shut down Freedom Platform Radio after raiding it*

The Israeli occupation forces issued a decision to close down the radio for 6 months and ban them from entering the Radio Building in Hebron, threatening to bring down the building if anyone enters it. The forces handed Mahmoud Eknaibi and Mohamed Ebeido summons to meet the intelligence on 3 November.

**Journalists**

*Daoud Abul Kas injured*

The photographer for the Palestine Today Agency, Daoud Abul Kas was injured in the noon of Friday 23 October when

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<sup>57</sup> For more information in Arabic <http://anhri.net/?p=154082>

his foot was hit by a gas bomb targeting him directly during the clashes between the occupation forces and the people in Nahal Oz, east Gaza. He was wearing the Press shield

*Occupation forces target Mona Qawasmi and Ali Diwani with live and rubber bullets*

Israeli occupation forces targeted on 10 October Al-Quds Newspaper Correspondent, Mona Qawasmi, with live bullets injuring her hand while she was covering clashes between Palestinian youth and Israeli soldiers Shufat Camp Barriers. Israeli forces also targeted Palmedia correspondent Ali Diwani with rubber bullets injuring his foot while he was covering clashes between Palestinian youth and police officers in Bab Al Amoud.

*Tens of journalists strike protesting the targeting of journalists*  
Tens of journalists protested in front of the Radio and Television Commission in Ramallah to protest the killing of Palestinian journalist and the targeting of their institutions by the Occupying Forces.

The Syndicate accused the Israeli army of intentionally targeting Palestinian journalist while covering events, especially the latest events. The head of the syndicate said that 60 journalists have been injured while covering the latest

protests until the day 21 October. Five of these journalists are in serious conditions.<sup>58</sup>

*Injury of photography Essam Al Rimawi while covering clashes in the West Bank*

The photographer of the Turkish Anadolu Agency, Essam AL Rimawi, was injured on 10 October by a rubber bullet in his foot while covering clashes in the West Bank in Al Bira city.

*Taha Abu Hussein*

Israeli forces injured on 9 October the correspondent of Al Raya and Al Rabea radios, Taha Abu Hussein with metal bullets to his head while he was covering the clashes in Hebron between Palestinian protesters and Israeli forces.

*Sakhr Taleb Zawayta injured by a rubber bullet*

The cameraman of the Palestinian TV was injured by a rubber bullet shot by the Israeli Army during the dispersal of Palestinian protests in Jenin on 9 October 2015. He was injured along with six other individuals, including a medic who tried to reach one of the injured.

*Arrest of Mohamed Abu Sobeih, correspondent of the Freedom Platform Radio*

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<sup>58</sup> More information in Arabic <http://anhri.net/?p=152919>

Israeli forces arrested Mohamed Abu Sobeih in Hebron on 6 October while he was covering the Sahla district events. They justified the arrest by claiming that he had attacked a settler. He was taken to the police station and questioned.

*Hanaa Mahameed injured by occupation forces while live on air*

Israeli forces attacked the Al Mayadeen correspondent Hanaa Mahameed while live on air during her covering of the clashes between Palestinians and the Israeli forces. She was seriously injured in her face and neck and was taken to hospital until she appeared in the morning of 4 October live on air with the marks of the attack on her.

*Assault on 5 media personnel while covering Al Aqsa events*

Four photographers and a media researcher were injured after Israeli forces attacked them with sound bombs and beat them with batons while they were covering the Aqsa Mosque events on 29 September.

*Attacking Abbas Momny, AFP photographer*

The photographer Abbas Momny was injured while covering violent clashes in Beit Furik on 26 September 2015. Israeli forces attacked as soon as he arrived at the town and they beat

his colleague Andrea causing injuries in addition to break their cameras.<sup>59</sup>

*Imprisonment of Ali Abdul Karim Oweiwi*

An Israeli military court sentenced Oweiwi to 6 months in prison after arresting him on 29 March. He works of al Rabea radio in Hebron. He was released on 23 September after finishing his prison term.

*Injury of journalist Mohamed Basman Yassin*

Israeli forces injured Mohamed Basman Yassin with rubber bullets in his leg while he was covering a peaceful march against the separation wall by the people of Bil'in village on 28 August.

Israeli forces attacked the march, which led to the injury of tens of the protesters with asphyxiation because of the teargas bombs. The journalist Yassin was also injured by a rubber bullet to his leg.

*Occupation police detain Firas AlDebs for 9 hours in Jerusalem*

The Israeli police detained the journalist Firas Aldebs, AlAqsa Mosque head of public relations and Media department. He was arrested from in front of a police station on 11 August and

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<sup>59</sup> Mor information in Arabic <http://anhri.net/?p=151642>

detained for 9 hours. His camera was confiscated. He refused to be summoned by the police and attend an interrogation on 10 August.

*Preventive force in Hebron arrest Abu Arafa*

The Palestinian Preventive Security services arrested the journalists Amer Abu Arafa, correspondent of the Shehab News Agency in Hebron after they raided his home late at night on 17 August without a search warrant or an arrest order. They confiscated his computer and camera and mobile phone from his home and took him to the preventive security headquarters in Hebron.

*Journalist Lowaa Abu Rmaila attacked*

The occupation police beat the journalist of Palestine Today, Lowaa Abu Rmaila while covering the settlers' storm into Al-Aqsa Mosque on 26 July.

She said that she met the request of the police to stay away, so another police officer pushed her to the ground and started beating her, making fun of her when she told him that she was a journalist. He continued to assault her.

*Internal security summons two journalists in Gaza*

Internal Security Service in Gaza confiscated on 25 June the computer and mobile phone of the journalist Hani Al Agha,

managing editor of Annahar website. He was informed that he must return to the service on 29 June. Also the writer and political analyst Hesham Abu Younis was summoned to Internal Security in Gaza on 29 June.<sup>60</sup>

*Occupation force injure 3 journalists with burns*

The occupation force intended to injure journalists covering a protest in North Jerusalem to commemorate the anniversary of the killing of the Mohamed Abu Khodeir who was burnt to death by radical settlers. Journalists were attacked with pepper spray by soldiers and three journalists were suffered burns and were transferred to the nearest medical center.<sup>61</sup>

*Guardian reporters attacked*

Security forces at the Zaytoun School of UNRWA in Gaza refused to allow the Palestinian journalist Hazem Belousha and the Guardian team to take footage of refugees as they were making a film on the anniversary of the war. The police tried to confiscate the camera and assaulted the Palestinian journalist physically and verbally. The memory card was confiscated and he was detained for 45 minutes.

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<sup>60</sup> More information in Arabic <http://anhri.net/?p=148154>

<sup>61</sup> <http://anhri.net/?p=146544&lang=en>

*The trial of the journalist Youssef Al Shayeb for a report in Al Ghad*

Youssef AL Shayeb stood before the Palestinian Appeals Court in Ramallah on 16 June for a report he published in the Jordanian AL Ghad Newspaper in 2012. The report was about corruption in the Palestinian Embassy in France. The case is being looked at by two courts at the same time and lawyers are trying to stop the process for the breach in processes and procedures.

It is worth mentioning that Al Shayeb has been a journalist since 1998 and has the Best Journalist Award for 2003.

*The arrest of Mohamed Awad for no clear reasons*

Palestinian intelligence arrested on 5 May the journalist Mohamed Awad from in front of his work in Ramallah without informing him of the reason. His family confirmed that his arrest was arbitrary and for political reasons. The court extended his detention on 21 May for 15 days as requested by the prosecution to complete investigations.

*Journalist Abdel Hafiz Alhashlamon's house raided*

Occupation forces on 19 May raided the house of the journalist Abdel Hafiz al Hashlamon as part of its wide arrest campaign in Hebron. They gave his son an order to meet them at the Intelligence.

*Israeli force injury of Xinhua News Agency photographer, Nidhal Ashtia*

Israeli forces on 28 April targeted the Xinhua News agency photographer Nidhal Ashtia using rubber coated metal bullets and injuring him in his shoulder and his stomach. This was while covering a Tulkarem march heading towards the Israeli factories, Geshori.<sup>62</sup>

*Occupation forces arrest Abu Warda*

The Israeli army raided the house of journalist Amin Abdel Aziz Abu Warda, director of Asdaa Press office in Nablus. This was in the early morning of 16 April. They searched the house and arrested him holding him in a separate room questioning him for an hour before taking him in and confiscating his computer and mobile phone.<sup>63</sup>

*Injury of a photographer will Israelis attack protesters*

Occupation forces targeted the photographer of Raya FM, Samer Nezal, while covering a protest in Al Bira in the West Bank when he was shot at with a rubber bullet on his foot.

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<sup>62</sup> More information in Arabic <http://anhri.net/?p=144262>

<sup>63</sup> More information in Arabic <http://anhri.net/?p=143383>

Teargas and rubber bullets were used to disperse the protesters.<sup>64</sup>

*The Attack on a peaceful protest organized by the press syndicate*

Israeli forces attacked a peaceful march organized by the Palestinian Press Syndicate on International Press Freedom Day. The march was attacked with sound bombs and gas. Journalists went out on a march on 2 May towards the military check point in Bethlehem to demand freedom of movement by putting an end to the attacks on the media freedoms in Palestine and the world. The attack on the march resulted in the injury of a number of journalists, including the head of the syndicate, who suffered burns in his left leg and right foot. The Syndicate's secretary general also suffered injuries in his left foot.

The Reuters Cameraman, Mohamed Zaki Abu Ghaniya was also injured in his right foot.

*Three protesters injured in Ramallah*

On 16 November, three citizens including a journalist were hit with rubber covered metal bullets during clashes with the

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<sup>64</sup> More information in Arabic <http://anhri.net/?p=153462>

Israeli forces in Al Bira in Ramallah. The occupation forces shot live and rubber covered metal bullets at the citizens. Three were injured including a journalist, Shady Hatem, from Raya FM. An ambulance as also targeted with metal bullets.

*Tens of injuries amongst protesters at the Beit Eil Checkpoint*

Israeli occupying forces shot live and rubber bullets and sound and teargas bombs at a protest on 29 September near the Beit Eil Checkpoint in Ramallah. The protest was in solidarity with Palestinian detainees in Israeli Prisons and to denounce Israeli violations to the religious symbols in Jerusalem. Tens of protestors were asphyxiated and some had to be transferred to hospital.

*Killing of protesters*

Israeli security forces shot at a protest near Bethlehem on 5 October killing the 13 year old boy Abdul Rahamn SHadi Mustafa with a bullet to his chest while he was returning from school carrying his school bag. Also, 18 year old Palestinian man was killed in a separate incident on 4 October in Tulkarem. The Israeli army said that it was investigating both incidents

*Photography and tens of protesters injured in the "Solidarity with prisoner" Friday in Ramallah*

A photojournalist and 3 protesters, including an Israel peace activist were injured lightly and tens of other protesters suffered from teargas bombs when occupation forces attacked the "Solidarity with Prisoners" Friday march in Bil'in in Ramallah.<sup>65</sup>

### **Social Media**

*Poet accused of inciting violence through facebook*

Public prosecutor on 2 November charged the National Democratic Rally activist and Palestinian Poet, Dareen Tawfik Tatour, with posting on facebook to incite violence and support terrorist organizations.

The police claim that the young woman has posted on her facebook account videos of operations. In the background her voice reading a poem she had written titled "Uprise my people Uprise ..."<sup>66</sup>

*Security service in Gaza arrests Mushira Tawfick Al Haj*

Security services in Gaza summoned the AlHadaf website journalist, Mushira Tawfick Al Haj on 5 August to question

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<sup>65</sup> More information in arabic <http://anhri.net/?p=154183>

<sup>66</sup> More information in Arabic <http://anhri.net/?p=154064>

her on a report she had written and published on facebook on medical negligence in Gaza. The ministry of health filed a complaint to the public prosecutor accusing her of defamation and insulting doctors. She was detained for 48 hours and then released the same day because of pressures from the media.<sup>67</sup>

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<sup>67</sup> For more information in Arabic <http://anhri.net/?p=148872>

# IRAQ

## Introduction

Ruling system: Republic

Population: 36 million (2014 government estimates)

Internet Users: 3.8 million

Number of newspapers and magazines: 100 (Manassat website)

Number of radio stations: 11 (Manassat website)

Number of TV Channels: 13, one is terrestrial.

Official journalists syndicate: 1 Iraqi National Journalists Syndicate

## Legal environment

The Iraqi parliament continued to discuss the freedom of expression and peaceful protest law until 2015. This draft law was written in 2008 during the first Nouri al-Maliki government. Al Maliki was seeking to ratify it by the former parliament. His government refused to make any amendments to the draft law despite strong opposition of the law by civil society organizations and defenders of freedom of expression. This made it difficult to pass in the last parliament. Member of the Parliament's Human Rights Committee, Ashwaf al Jaf, said on 18 October that there are two points of disagreement in the

law that is causing the delay in the voting. The first concerns the notification of the authorities and security of the time of protest to take all the necessary procedure to protect the protest, clarifying that the draft law had specified five days notification in advance. However, some have asked to extend it to ten days and others want to reduce it to two days. The second point of conflict is with regards the political party meetings and activities in universities and schools, referring to the fact that some have asked to ban any such activities in schools and universities as they are places for education only and others see that it is normal for such activities to take place. On 27 October, the Cultural and Information Committee of the Parliament announced that the name of the law will change to be "Peaceful Strikes and Protests". The head of the committee, Maysoon Al-Damluji, said in a press statement that the law with the amendments has become focused on strikes and peaceful protests since freedom of expression is already guaranteed by the constitution and thus does not need a law with its name.

Activists and civil society organizations have announced their rejection to the draft law. More than 150 civil society organization and 300 political, civil, religious, journalists, and academic personalities signed a statement that was announced in a press conference in the Parliament expressing the rejection

of the political will against freedom of expression and peaceful protest in Iraq that is trying to impose restrictions on this right. The signatories considered the law as an attempt to re-invent new dictatorship in Iraq.

### **Press Institutions**

#### *Kurdish Security forces close press institutions*

Since the beginning of October 2015, the Kurdistan has been witnessing several protests as a result of the political crisis around the success to President Masoud Barzani. This is especially the case in Sulaimaniya where the opposition is present. At first the protest marches were demanding salary payment and the resignation of the President whose term is already over since August 2015. Quickly these protests transformed into riots. To control the coverage of these protests, security forces with some protesters have attacked the offices of a lot of the local press institutions. Security forces affiliated to the Kurdish Democratic Party attacked in the evening of 10 October some Kurdish media institutions in the cities of Irbil, Dahuk, and Suran. Attackers threatened staff and kicked them out after damaging the utilities and equipment. NRT was attacked along with the Kurdish News Network and were arbitrarily closed without any reasons given.

In a connected context, Irbil, Dahuk and Uran have seen violent attacks on the offices of the Kurdish News Network of the opposition Ghoran Party. Eleven staff members were threatened and detained for a number of hours then released after deporting them out of the city. The Ghoran Radio station's office was closed down in Irbil. The office of Rudaw station was attacked by stones by protesters on 10 October 2015.

Facebook was blocked in Irbil for a whole day on 10 October 2015.

*Al Sharq Al Awsat stopped printing in Iraq*

Al Sharq AL Awsat stopped printing in Iraq starting 24 August since the Iraqi government has failed to fulfill its duties to protect the newspapers from repetitive violations. Armed men entered the printer in Baghdad and damaged the editing and production of the newspaper by deleting a headline of the first page and swapping it with two pictures from internal pages. The newspaper was printed without a headline. In addition they deleted one of the last page articles.

The newspaper mentioned that it had been exposed to similar attacks, including deleting a report in the inner page that was on Iraqi news. That was the issue published on 26 March 2015. The Newspaper confirmed that the changes to the newspaper

is not related to a technical problem at the printer but it is intentional destruction of the work done by sectarian groups that does not believe in free opinions.

*Ministry of Communication continues to block Iraqi and Arab news website*

Iraqi and Arab media institutions have suffered from their websites being blocked inside Iraq starting 10 June 2014 when the security authorities in cooperation with the Ministry of Communication blocked 20 news websites. They lifted the block on most of the websites except the Baghdadiya Website and Baghdadiya News and Al Arabiya TV Channel, in addition to al Qurtas News that continued to be blocked until February 2015 without any reasons given.

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**Journalists**

Central and south Iraq is witnessing popular protests against corruption starting 31 July. Despite some reforms have been adopted to combat corruption on 11 August, the protesters are demanding a complete reform of the judicial system in particular.

Journalists covering the protests have been physically attacked and terrorized by local officials and anonymous individuals

whose aim is restrict media coverage of these events to convince protesters to go home.

The Press syndicate in Basra along with UNAMI condemned terrorizing actions in the city. RSF documented no less than 20 cases of violence against journalist that varied between phone threats and physical attacks.

*The killing of Nazem Naim AlQeisy*

The central criminal court in Iraq sentenced on 22 November 2015, 3 convicted persons to death for killing the media person Nazem Naim AL Qeisy. It sentences another to life for hiding the crime.

*The killing of Emad al Jaboury*

Security forces found on 14 November the body of the cameraman of AlFurat TV, Emad Al Jaboury, in a house still under construction in Najaf. His body was found three days after he was kidnapped by unidentified armed men after he left the office. Sources from the Iraqi Police say that the body was found in a house under construction owned by an officer. The body had marks of shotguns.

*The arrest of Okeil Al Ghazali in Najaf*

Local authorities in Najaf arrested the blogger and journalist Okeil Al Ghazali on 3 November 2015 for defaming officials by publishing documents on facebook.

Okeil AL Ghazali was arrested on 3 November as he was entering the local council to cover a session. Sources said that a case has been fabricated against him accused of attacking the Council speaker. It is assumed that he has been arrested for his press reports on the local council which the speaker thought are defamatory.

*The killing of Journalist and activist Siyab Maged AlAqabi*

Security forces found on 29 October the body of the journalist Siyab Maged Al Aqabi in central Basra after less than 24 hours passed since he was kidnapped by armed men in a four wheel drive. The police said that body had torture marks and a shotgun to his head.

*Journalist Haider Zoweir attacked for his criticism of the health minister's policies*

Haidar Zoweir, program presenter in Al Iraqlia TV was violently attacked by staff close to the health minister after he had posted on facebook comments criticizing her policies.

*Kurdish Journalist threatened*

Nebz Ahmed, head of KNN office in Kurdistan was threatened by known and unidentified bodies. He is also legally prosecuted for his criticism of the Kurdish Democratic Party.

*Ala Hoshyar injured in a bomb explosion in Kirkuk*

The cameraman of NRT, Ala Hoshyar was seriously injured when he was covering military operations of the Kurdish Peshmerga forces in Kirkuk on 30 September. An explosive exploded into him on 30 September in different parts of his body. Doctors described his condition as serious.<sup>68</sup>

*Detention ENB in Dhi Qar*

Two civilians detained the correspondent of ENB, Hakki Karim Hadi, and photojournalist Ahmed Hakki, for some time while they were doing some press work in Dhi Qar. They were prevented from doing their job despite having all the necessary permits.

*Detention of Fadhil Karaawy*

Security forces Babel detained former cameraman and journalist of Hurrah TV, Fadhil Karaawy on 12 September for publishing pictures and content on the negative situation in the

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<sup>68</sup> <http://anhri.net/?p=152222&lang=en>

governorate. He was previously threatened that he will be harassed and terrorized. He did not stop covering the protests and publishing controversial pictures. He was released two weeks after he was arrested.

*The disappearance of human rights lawyer Waïy AlMansouri*

The lawyer and the president of the Advisory Center for Human Rights, Waïy AlMansouri has mysteriously disappeared from the Hashimiya district in Babel in August and days after the eruption of protests demanding reform. Two days before his disappearance he had met two activists and intellectuals for different regions to coordinate and protests.

*Execution of Yehia Abdel Hamid, AlRashid Radio Manager in Mosul*

ISIS militants on 12 September executed Journalist Yehia Abdel Hamid in Mosul. He was accused of cooperating with Iraqi government security services.

Militants had executed him by shotguns and informed his family that he has been executed telling them that they can pick the body from the forensic medicine hospital and they warned them not to hold a funeral or else they will be punished.

He was executed four hours after he was arrested from his home, his car stolen and his house items of value taken, including his personal computer.

*Journalists Haider Fadel Allamy threatened*

Haidar Allamy, a photojournalist for several news agencies and satellite channels has received a threat from a senior official in Waset for his coverage of the protests.

Negm Al Rabiey attacked with hand grenades

Unidentified men attacked the house of the manager of the ALBaghdadiya Office in Iraq and program presenter, Negm Rabiey, in the late hours of Tuesday 28 July in Baghdad. No one was injured. He accused political bodies of standing behind the attack.

**Peaceful Assembly**

*Anti riot police disperse a peaceful assembly in the green zone*

Iraqi anti-riot police dispersed by force on 17 November a protest organized by tens of civil activists in front of one of the entrances to the Green Zone in Baghdad. Authorities say that the protesters did not get the necessary permits to organize the protests. The reason for the protest was to push the parliament to open an investigation into corruption. Organizers said, real

tangible effort in combating corruption is missing from the parliament.

*Thousands protest for the Head of the local Council of Judiciary to resign*

Thousands of Iraqis protested on 2 October in Karbala demanding the removal of the head of the local council of judiciary and to question the governor of Karbala in parliament. They also demanded To fill the shortage of judges and activating the role of the Attorney General so that he can perform his role efficiently. Karala was amongst other regions that witnessed wide scale popular movements and protests to combat corruption and improve services.

*The killing of protesters when attacked by white arms in a peaceful protest*

An organized group attacked protesters against corruption in Tahrir Square in Baghdad on 14 August using white arms, killing two protestors. This occurred despite the heavy presence of the security forces. This reflects serious negligence and a level of cooption by security.

Tahrir square had witnessed the protest of tens of thousands of people against governmental and political corruption and the spread of poverty and unemployment and the lack of services.

Security forces have blocked the ways leading to the green zone where the presidential palace, government and parliament are based.