



## Freedom of expression in the Arab countries in 2017

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#### **Introduction**

There isn't the least doubt that the tense political relations between states in the Arab region along with the internal policies and practices of violence have greatly affected the situation of freedom of expression.

The spread of weapons in the hands of some religious groups and the absence of the state's capacity to impose the law have caused the impunity of the perpetrators.

Some Arab governments exploited the situation in the region to impose a suffocating siege on freedom of expression and to prevent the peaceful transfer of power.

In 2017, the conflict between Iran and the Gulf countries intensified, as the Gulf States accused Iran of meddling in its internal affairs, in addition to severing ties between Saudi Arabia, Bahrain, the UAE and Egypt on one hand, and Qatar on the other. The civil war in Libya has been ongoing since dictator Muammar Gaddafi used heavy weapons against his people during the revolution of 17 February 2011.

The Saudi-led coalition war against ousted President Ali Abdullah Saleh and Al-Houthi forces in Yemen continued, in order to enable President Abdurbo Mansour Hadi to rule the country.

Meanwhile in Iraq, the Iraqi government has been able to liberate Iraqi cities from ISIS. In Syria, it seems that the situation is in favor of President Bashar Al-Assad's continuation to rule despite the killing of thousands of victims and the displacement of millions of refugees inside and outside Syria.

2017 could be called the year of finishing thwarting the attacks of citizens during the Arab Spring calling for freedom and social justice, it is also the year to demonize the Arab Spring

revolutions and hold them responsible for the crises suffered by citizens, ignoring that these crises were the cause of the revolutions of the peoples of the region in 2011.

## **Mauritania**

The Mauritanian authorities passed constitutional amendments aimed at abolishing the Senate and other constitutional bodies, as well as changing the national flag by a referendum on August 5 2017.

The referendum process contributed to shrinking the already narrow space for freedom of expression in a country ruled by General Mohamed Ould Abdel Aziz, who came to power after a military coup.

Ould Abdel Aziz mobilized all state institutions to passing his amendments, and as he was addressing tens of thousands of citizens in the eastern city of Kiffa calling for the constitutional amendments to be approved, the security forces were dispersing peaceful protests using tear gas, in a blatant violation of the right to peaceful protest.

Opponents believe that the purpose of these amendments is to manipulate the constitution in

preparation for adjusting the duration of the term of office of the President, which ends in 2019.

## **Yemen**

The war launched by the Saudi-led coalition against forces of ousted Ali Abdullah Saleh and the Houthis continued with the objective of stabilizing the rule of President Abdurbo Mansour Hadi. This war ended the revolution of February 11, 2011 and with it the dreams of citizens in building a state of freedom, social justice and human dignity, and forced citizens to choose between the two; Saleh or Hadi, who are nothing compared to the ambitions of citizens.

In 2017 Ali Abdullah Saleh was killed by the Houthis on Monday, December 4, 2017, after an alliance between the two since the invasion of the capital Sana'a on September 21, 2014.

The year was also characterized by violence and hostility against freedom of expression in Yemen by the forces of both Saleh and Houthis on one hand and by the coalition forces on the other. For example, the Houthi and Saleh forces carried out

killings, kidnappings, torture of journalists, confiscation of property and blocking websites.

For example, on Thursday, November 16, the Houthis blew up the house of Yemeni journalist Abdullah Al-Shalef, located in the village of Al-Hul in the Bran district of Nahm in Sana'a.

On November 10, an explosive device targeted the premises of the Al-Shomou' Foundation for Press and Publishing and the home of its General Manager, Saif Al-Hathari in the Green Zone of Aden, which caused great damage to the fence of the institution and the neighboring houses.

On the other hand, on Sunday, November 12, 2017, the security authorities of the Saudi coalition in Aden arrested human rights activist Ahmed Said al-Wafi without giving any reasons for the arrest, or an official disclosure of his whereabouts.

Ahmed Said al-Wafi is the most prominent activist known for following cases of enforced disappearances and torture of detainees.

## **Iraq**

Freedom of expression faced severe violations in 2017, as human rights activists and journalists who work to address issues such as corruption

and abuses by armed groups were subjected to killing and intimidation.

The battles of the liberation of Mosul took the lives of many journalists, while reporting the battles against the so-called Islamic State in Iraq and Sham organization "ISIS".

This year, the Iraqi authorities repeated the attempts to impose restrictions on freedom to peaceful protest through the Freedom of Expression, Assembly and Peaceful Demonstration Act, which faced fierce opposition from civil society organizations and political parties, as well as members of the House of Representatives.

After several postponements of voting on the law, the Parliamentary Culture and Human Rights Committees agreed on August 5, 2017, to return the bill to the government for amendments in response to pressure from many civil society organizations, media figures and politicians.

It is noteworthy that the House of Representatives had already decided on July 18, 2016, to refer the bill to the competent committees for re-drafting after the demonstrations in Tahrir yard in Baghdad, and the Parliament postponed the vote on this project on November 12 2015, for lack of agreement among the committees.

# Kuwait

## Introduction

The Kuwaiti citizen continues to struggle for achieving the legitimate rights enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic and Social Rights.

With regard to freedom of opinion, expression and belief, Kuwaiti activists are still trying to repeal laws against freedom of expression and opinion, such as the Cybercrime Act and the Criminalization of Verbal Abuse of the Emir.

They are fighting for the right to litigation in cases of withdrawal of nationality, and many other laws that need to be amended in order to conform with the right to freedom of expression.

After the authorities seized control of the media, the Kuwaiti citizens tried to monitor the violations and announce free opinion through social media, which provided them with a wide space to express their opinion. But the Kuwaiti authorities are pressing all means to deprive citizens from this free space by using police and judicial pursuits of social media users.

## **a. Violations against activists of social networking sites**

By monitoring the human rights situation in Kuwait and monitoring violations against the right to freedom of opinion and expression, it is clear that Kuwait is the largest Arab country in terms of the number of cases and security prosecutions against activists of social networking sites,

This was confirmed by a security source for Al-Qabas newspaper on November 18, 2017. He confirmed that the General Department of Criminal Investigation, represented by the Department of Combating Cyber Crime, dealt with 3500 various cases during the first ten months of 2017, some accounts it considered to be "immoral" and other accounts it considered to have been established with the aim of "insulting, defaming and spreading doubt".

The source confirmed that in light of the crimes investigated by the public and private prosecution in cybercrime most of the cases of cybercrime were charges of "insulting", followed by charges of "defamation".



The most frequently targeted sites were WhatsApp, followed by Twitter and Instagram..

## **1 - The continuation of the trial of Mullah after "Kuwait deserves its billions":**

On March 13, 2017, the Court of Cassation (Supreme Court of Kuwait) decided to reject the appeal filed by the Public Prosecution against former MP Saleh Al-Mulla and upheld the ruling of the First Instance Court and the Court of Appeal on charges of insulting the Emir of Kuwait and insulting Egypt.

The case dates back to January 2015. Mullah preempted the visit of Egyptian President Abdel Fattah al-Sisi to Kuwait, where he said: "Sisi is not welcomed. The people of Kuwait deserve their billions."

He added: "Sisi .. will be a guest of His Highness .. His Highness the Prince .. Sisi Your guest, the Prince, my security, my sons and all the people of Kuwait .. and their future and what they have are in your hands."

On November 1, 2015, the Criminal Court acquitted Mulla of the charges against him. The Kuwaiti Court of Appeal upheld the ruling on

March 9, 2016, but the Kuwaiti prosecution challenged the verdict.

## **2 - A new sentence to imprisonment of Abdul Hamid Dashti 3 years:**

On March 26, 2017, the Criminal Court sentenced the former MP Abdul Hamid Dashti to a three-year sentence for his Twitter comments on the background of King Salman's visit to Kuwait.

It is noteworthy that the total years of imprisonment of the former parliamentarian Abdul Hamid Dashti, has reached 46 years, under allegations of insulting Saudi Arabia and Bahrain, and threaten Kuwait's diplomatic relations with the two kingdoms on the backdrop of Twitter tweets, and a television interview via a satellite channel.

Abdulhamid Abbas Hussein Dashti, who is still abroad, is a lawyer born on 5 August 1954 and a former member of the Kuwaiti National Assembly. He graduated from Kuwait Military College in 1974. He began his career as a pilot and has held several positions in the military field until he resigned from military service. 1982.

### **3 - imprisonment of Rania al-Saad, and Saleh al-Said, 3 years for "insulting Saudi Arabia":**

On March 27, 2017, the Court of Appeal sentenced tweeps Rania Al Saad and Saleh Al-Saeed to three years in prison, and overturned the court's decision to acquit them of the offense of insulting Saudi Arabia on the social networking site Twitter.

Prosecutors charged both of them with state security charges for Twitter comments following a complaint by the Saudi embassy on Aug. 27, 2014, against them for allegedly insulting the king of Saudi Arabia on Twitter.

### **4 - Fining the writer and artistic critic Laila Ahmed:**

On August 16, the court of misdemeanors sentenced a journalist and artistic critic Laila Ahmed to a fine of 3,000 dinars (approximately \$ 9900) and a three-year suspended sentence and a commitment of good behavior on the backdrop of her criticism of Halima Buland on social media. As she criticized the TV anchor Halima Buland for the clothing and makeup and linking it to the deterioration of the state of the arts and culture in Kuwait.

## **5 - The cassation court upholds the imprisonment of Sheikh Abdullah Al-Salem Al-Sabah:**

On July 16, 2017, the Kuwaiti Court of Cassation ruled that Sheikh Abdullah Al-Salem Al-Sabah was sentenced to three years' imprisonment in effect for insulting the Emir and a number of public figures.

Sheikh Abdullah remained in prison until he was released by the Ministry of the Interior on 14 November 2017, after receiving amnesty in the case of insulting the Emir and insulting and slandering the Minister of State for Cabinet Affairs and Acting Minister of Information Sheikh Mohammed Al-Abdullah.

Sheikh Abdullah was granted a "special" amnesty, in addition to Sheikh Mohammed's abdication, after serving a full year in prison in a case in which he was sentenced to three years in prison after being interrupted by the social networking site Snape Chat.

On January 25, 2017, the Court of Appeal ruled that Sheikh Abdullah Al-Salem Al-Sabah was sentenced to three years in prison in effect on the charge of "insulting the princely entity" and fined

him 5001 dinars (about \$ 16,600) for compensation for insulting him through social networking sites.

It is worth mentioning that the Public Prosecution has investigated Sheikh Abdullah Al-Sabah in December 2015 for allegedly insulting the Emir of the country, challenging the prince's mandate and insulting and slandering some members of the ruling family following a complaint by Sheikh Mubarak Al-Mubarak Al-Sabah, as Sheikh Abdullah Salem Al-Sabah published a video through the application of "Snape Chat" hurts him and his family and some of the sheikhs of the ruling family.

#### **6 - imprisonment of lawyer Hani Hussein 5 years allegedly for spreading false news:**

On October 8, 2017, the Criminal Court sentenced the lawyer Hani Hussein to five years in a case of broadcasting false news about the fake Bengali doctor's case, while acquitting him of the charge of stirring sectarian strife.

On 20 July 2017, the Public Prosecution summoned Hany Hussein to investigate the complaint against him from the Ministry of Health accusing him of publishing false news, after tweets on his Twitter account posted about a "fake Bengali doctor working in the Ministry of Health,

and that he filed a complaint to the officials of the Ministry of the Interior providing them with the identity of the Bengali and briefed them with the two passports, the original and fake Kuwaiti one. "

### **7 - The cassation court rejects the request to stop the implementation of the imprisonment of 5 members of the Fintas group:**

The Kuwaiti Court of Cassation has dismissed the case of the group of Al-Fintas, which includes three members of the ruling family. They are Athbi Fahad Al-Ahmad Al-Sabah, the nephew of the Emir, Ahmed Al-Daoud Al-Sabah and Khalifa Al Ali Al-Sabah. The court submitted the suit to the prosecution of the criminal implementation and the later requested from the interpol to arrest members of the group fleeing the country, with the aim of arresting and delivering them to Kuwait.

The court ruled on Monday, 15 May 2017, and finally support the prison of the Athbi Fahd Al-Ahmad Al-Sabah, Ahmad Al-Daoud Al-Sabah, Khalifa Al Ali Sabah, lawyer Abdulmohsen Al-Ateeqi, and lawyer Falah Al-Hajraf for 5 years each.

The court also approved the acquittal of Fawaz al-Sabah, Yusif al-Issa, Mohammed al-Jassim, Mishary Buyaabs, Ahmad Sayyar and Jarrah al-Dhafiri. The court ruled that the appeal of Saud al-Asfour, who was arrested on March 13, 2017, will not be considered .

Hamad Al-Haroun was not included in the list of the appellants and is still outside the country. Therefore, the absentee court sentenced to ten years in prison remains in effect until his return and his appearance before the courts.

On April 17, 2017, the Court of Cassation rejected the requests of the lawyers of five members of the Group of Fintas outside the country to suspend the judgment of the Court of Appeal and enable their clients to enter the country.

It is noteworthy that the Attorney General of Kuwait, Counselor Dirar al-Assousi, issued a decision on 9 July 2015, arresting and bringing 13 users of the application of "Whatsapp" and charged them of "broadcasting false news that would harm the country and its security," and "abuse and defamation and challenge the judges and questioning their financial liabilities and accusing them of bribery, "and charged them with" misuse of the telephone. "

## **b. Violations against human rights defenders**

### **1. “Namshi laha – let us walk to her” campaign is threatened by phone:**

Human rights defender Hadeel Boukreis, as well as participants in “Namshi Laha – let us walk to her” campaign, aimed at showing solidarity with Saudi women and calling for the cancelation of the custody system, were threatened with telephone, e-mail and social media.

Following the organization of the campaign for a peaceful march in Kuwait City on the evening of 05 April 2017, the supervisor of the march, Hadeel Boukreis, and its participants were subjected to a fierce media campaign by supporters of the Saudi government inside and outside Kuwait, including one of the members of the Kuwaiti National Assembly. Hadeel and her colleagues received a large number of serious threats by telephone and Social media accusing them of treason.

### **2 - Fadhli is forced to sign a pledge not to protest:**

The Kuwaiti authorities released human rights defender Abdul Hakim al-Fadhli on August 1 from



the central prison in Kuwait after serving a one-year prison sentence for peaceful protests, among other verdicts.

Prior to his release, al-Fadhli signed a pledge not to participate in any other protests and was fined 500 Kuwaiti dinars (about 1,650 US dollars) in accordance with another ruling issued by the Court of Cassation on February 16, 2017, with a suspended sentence of two years and a bail of 500 Kuwaiti dinars (About \$ 1,650), and ordered him to sign a judicial undertaking that he will never protest again.

Abd al-Hakim al-Fadhli is a prominent human rights activist involved in monitoring abuses, particularly against the category of stateless persons known as Bidoon. He was detained, imprisoned and tortured several times and sentenced in January 2015 to one year in prison with hard labor followed by deportation for his participation in a demonstration calling for Bidoon rights.

### **c. Violations against peaceful gatherings**

**1 - The continuation of the trial of Musallam Barrak for insulting of the former President of the Judicial Council:**

During the course of 2017, the trial of the former MP Musallam Barrak for insulting the former President of the Council of Justice Counselor Faisal Morshed continues.

On Monday, April 3, 2017, the Court of Misdemeanors decided to acquit Barrak of the charges against him.

Morshed had filed a lawsuit against al-Barrak on charges of insulting and defaming him, and insulting the men of the judiciary, against the background of a speech Barrak gave on 10 June 2014, in Al Erada Square.

Morshed abdicated his complaint but on 3 October 2016, the court decided to go on with the trial under the pretext that Morshed waived the personal part of the case against the Barrak only, while he presented it in his personal capacity and headed it to the Supreme Council of the Judiciary. He has no waiver on behalf of the Council on the complaint.

It is noteworthy that Al-Barrak was released from prison on Friday, 21 April 2017, after serving his sentence in implementation of a verdict issued in 2015 by imprisoning two years in effect for

insulting the Emir of Kuwait against the backdrop of a speech in Al Erada Square in 2012 entitled Enough in absurd.

## **2. Cancellation of the patent and imprisonment of the accused in the case of "entering the Council":**

The Court of Appeal canceled November 27, 2017, acquittal of defendants in the case known as the "entry of the Council" and re-arrested the imprisoned who are 3 current PMs and 7 former PMs and 57 other citizens, and pursuant to this provision, the accused will be immediately arrested and imprisoned.

After the verdict, Deputy Prime Minister and Minister of Interior Sheikh Khalid Al-Jarrah was commissioned by the ministry to form a special task force to control the convicts and prevent their exit from the country.

It should be noted that on December 9, 2013, the Criminal Court acquitted all 70 defendants, including nine former deputies, of the charge of storming the National Assembly building.

Hundreds of opposition activists entered the National Assembly building on November 16,

2011, demanding the dismissal of Prime Minister Sheikh Nasser Mohammad Al-Ahmad Al-Sabah on charges of corruption.

Sheikh Nasser resigned two weeks later, and a new government was formed. The Emir then dissolved the National Assembly and called for new elections.

#### **d. Violations against creators**

##### **1 - Lawsuit to withhold novels written in the vernacular:**

The lawyer, Mohamed Jamil, filed an urgent appeal to the Administrative Court on 11 November 2017, before the book fair, demanding that all novels written in colloquial language that include "vulgar and not up to the reader's thoughts because of its triviality and its containment of obscene words" should be banned.

In his lawsuit, the lawyer pointed out that the Kuwaiti Constitution stipulated that Arabic is the official language of the country. Therefore, the books that are circulated or published must be in the classical Arabic language. No books may be published or distributed in the vernacular.

## **Conclusion**

Despite the many violations monitored by the Arabic Network for Human Rights Information in Kuwait in 2017, the hope of pushing the authorities to adhere to the protection of rights and freedoms still exists, after the historic decision and victory for the right to privacy of the Constitutional Court, as it annulled on October 5, 2017 the law of DNA, after the appeal filed by former MP Marzouq al-Khalifa.

Former MP Marzouq al-Khalifa and lawyer Adil al-Abdalahadi had filed an appeal against the law of DNA before the Constitutional Court claiming that it violates the constitutional principles of the right to personal liberty and the right to privacy and violates the principles of humanity, conventions, privacy and international laws.

It is noteworthy that the National Assembly passed the DNA law in June 2015, following the terrorist bombing of the Imam al-Sadiq Mosque in Ramadan 2015, then it was published in the Official Gazette on 2 August 2015. The law obligates all citizens, residents and visitors in Kuwait to conduct DNA testing to be stored in a database with the Ministry of the Interior.

## Jordan

### Introduction

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Violations against all sorts of freedom of expression continued in Jordan in 2017, but there has been a clear increase in the number of violations against news sites on the Internet.

The Jordanian authorities dealt with an authoritarian approach against freedom of expression and blocked a number of news websites inside Jordan without a judicial verdict and without prior notice, and did not differentiate between Jordanian or non-Jordanian websites on the Internet in an attempt to prevent a different voice from reaching the citizens.

These authorities used all the justifications and false allegations to make the Jordanian citizen accept these violations, first justifying violations and unfair decisions as a necessity to protect the customs and traditions of Jordan, and others under the pretext of maintaining public security and the fight against terrorism and third allegation is the rejection of foreign funding.

Violations in 2017 affected the Protection and Freedom of Journalists Center concerned with

freedom of information, which indicates that the Jordanian authorities regard the non-governmental organizations working in the defense of human rights as adversaries who must be controlled.

This year, also, witnessed violations against media freedoms and attacks on journalists and creators against the backdrop of expressing their views and beliefs through peaceful means.

**\* The Arabic Network for Human Rights Information (ANHRI) monitored several violations during 2017, for example:**

**a. Violations against online newspapers**

**1 - Blocking the site of "Watan" newspaper:**

On Sunday 19 November 2017, the Jordanian authorities blocked the website of the newspaper "Watan - Outside the Swarm" from its followers in Jordan without a judicial verdict, a warning and without giving any reasons.

According to a press release to an anonymous source, the Media Commission monitored a news website, which publishes Jordanian content, from outside Jordan, without obtaining a license. The source explained that the Commission blocked the

site, under Article 49 of the Jordanian law of Press and Publication " .

Watan started its activities in 1996, and the following year the Saudi authorities blocked it, then it was blocked in the UAE in 2010. With the decision of Saudi Arabia, Bahrain, UAE, Egypt to boycott Qatar, Egypt and Bahrain also blocked the site.

## **2. Blocking my.Kali website on LGBTQ issues:**

On July 31, Muhammad al-Qutishat, Director General of the Audiovisual Media Commission, decided to block the website of My.Kali on the grounds that it did not register and authorize broadcasting, violating article 49 of the Press and Publication Law. The decision of the Commission follows a complaint made by Jordanian parliamentarian Dima Tahboub against the magazine which deals with LGBTQ issues in Jordan.

Articles 48 and 49 of the Publications Law amended in 2012 grant the Director of the Press and Publications Commission the power to block unauthorized or illegal websites and to close the website headquarters without giving reasons or



obtaining a court order. Sites can challenge the decision before the High Court of Justice, an administrative court.

My.Kali is the first Middle Eastern and North African magazine interested in social integration of the heterosexual and transgender community and regularly takes place in Jordan.

The magazine was founded in 2007 by a group of students, with the aim of engaging with homophobia, pedophilia, and the challenge of sexual duality in the Arab region.

### **3- Blocking the news website “Kol al Ordon – All Jordan”**

Jordanian authorities blocked the site of "Kol al Ordon - All Jordan" news on Friday morning, January 13, 2017, without a judicial verdict or an advance notice after it published the news of the arrest of retired general Mohammed al-Atom.

On January 14, 2017, the site of “all of Jordan News” published a statement announcing that it had been exposed to piracy since Friday morning, January 13, 2017, targeting the arrest of retired Major General Mohammed Al-Atoum's news. After the news was re-published again, the site

disappeared from networks operating in Jordan as the site continues to operate outside the country.

The statement stressed that the site is working in the networks available outside Jordan, which means that it is not a subversive act, but rather that it is intended to stop the site inside the country without the permission of the judiciary.

Major General Al-Atoum, a political activist, is one of the founders of the Retired Army Members Movement and its official spokesman. He is one of the most prominent advocates of a return to the 1952 constitution, he is also one of the claimants punish the corrupts and stop the looting of public money

## **b- violations against Internet activists**

### **1. The arrest and trial of activist Hisham Ayasra:**

Jordanian security forces arrested the student movement activist Hisham Ayasra, on the evening of July 26 against the background of views posted on his personal account on "Facebook".

Al-Ayasra appeared Thursday before State Security Prosecution, charged with inciting against the political regime. Al-Ayasra rejected the charges against him, stressing his right in freedom of expression guaranteed by the Jordanian constitution and all international legislation. The Prosecution decided to hold him in pre-trial detention pending investigations.

Ayasra remained in detention until the State Security Court on Sunday (July 30th) approved his release on bail.

Al-Ayasra's detention came on the backdrop of several posts expressing his feelings about the Jordanian government's permitting the travel of an Israeli security guard in the Israeli embassy in Amman without trial after the murder of two Jordanian citizens.

On Sunday, July 23, the Israeli security guard crisis burst after he killed a 16-year-old Jordanian boy who allegedly attacked him with a muff in the Amman embassy compound, then he killed the owner of the house in which the guard lived.

## **2 - Detention of a group of journalists and social media activists:**

On October 25, 2017, the Attorney General of Amman decided to detain a group of journalists and social media (facebook) activists, following a complaint filed by the Secretary-General of the Royal Court, Youssef al-Issawi, on October 9 of the same year. They published news about the alleged property of Yusuf al-Issawi

The journalists are the editor-in-chief of the Jordan-based news website "Hawa" "Islam Al-Ayasra", the news reporter for al Thil - the shadow news agency "Jihad Al-Batayneh" and a journalist at Jafra News website "Laith al-Kurdi".

The activists of the social media are: "Ahmed al-Maghrabi", activist on the page Almahabash News "Ahmed Zabin," activist on the page of Sakhr News "Amer Tillawi," and activist on the page Rsaifeh News "Murad Aldawood."

After hearing the statements of journalists and activists, they were released except for Ahmed El Maghraby, as the prosecutor decided to hold him in pre-trial detention for a week, which could be extended at Jweideh prison.

### **c- Violations against inventors**

## **1- The Minister of Interior cancels the concert of the musical band "Mashrou Laila"**

Jordanian Interior Minister Ghaleb Al-Zu'bi decided to ban a concert for the Mashrou Laila which was due to be held in Amman on June 27, 2017, claiming that it contained things which may "provoke public sentiment."

Laila is a 5-member rock band, all of whom were students at the American University of Beirut. The band was formed during a musical workshop at the university in February 2008, and the band performed a small show at the opening of a concert at the university which satisfied the public.

## **2 - Investigating cartoonist Emad Hajjaj because of a drawing criticizing the Orthodox Patriarch in Jerusalem:**

On October 30, 2017, the Jordanian Criminal Investigation Directorate summoned the cartoonist Emad Hajjaj to investigate him on the backdrop of a complaint filed by a citizen over the publication of Emad Hajjaj for a cartoon criticizing Patriarch Theophilos and selling the property of

the Orthodox Church in occupied Jerusalem and various Palestinian cities.

Emad Hajjaj, a cartoonist who drew a cartoon depicting Christ and wrote: "I, Jesus Christ, son of Mary, declare my innocence to the Patriarch Theophilus III and all those who were involved in the sale of the noble Orthodox Church properties to the Israeli occupation."

Emad was interrogated at his point of view, and the hearing ended with his release. He was to be present on 31 October before the prosecution.

On 31 October, Emad Hajjaj complied before the prosecution, which charged him with "insulting the heavenly religions" punishable under the Penal Code and the charge of insult and libel contained in article 11 of the Cyber Crime Act.

At the end of the investigation, the prosecutor decided to release the cartoon artist Hajjaj without bail, and the governor of the capital decided not to arrest and release Hajjaj.

#### d- Violations against Journalists

##### 1 - The arrest of the correspondent of "Ya Media" during filming of a television report:

A group of Preventive Security and security center in the Deir Ala western district of Balqa Governor, arrested the correspondent of "Ya Media" in the

northern Jordan Valley, journalist Majed Dibis and one of his colleagues. Security forces confiscated all photographic equipment on Thursday, during filming a news report about aquaculture November 2, 2017, for allegedly filming without a license.

He was then transferred to the South Shouna Security Center, where he was interrogated about his journalistic work and whether he had any links with the unlicensed Yarmouk satellite channel. He was then transferred to Al-Nathara and held in custody. He was held until the following day, then released after paying a bail under the condition of returning to the investigation two days later before the prosecutor.

On time, Debis attended and was interrogated and then transferred to Salt prison where he stayed for four days, then released.

"Ya Media" is a daily electronic news portal published by Yaa News Company, licensed in 2013 and based in Amman.

**2- Preventing Al-Masry Al-Youm correspondent from entering the country:**

On 10 July 2017, Al-Masry Al-Youm correspondent Wael Hassan was detained by the security services at Queen Alia International Airport for 15 hours. He was deported on the first plane bound for Egypt after being informed of the decision to prevent his entry into Jordan without giving any reasons for this decision.

Wael Hassan went to Jordan to participate in a workshop on the production and narration of digital investigations organized by the Arab Information Network for Arab Investigative Journalism (ARIJ) in Amman.

### **3 - Closure of the office of "al-Jazeera" and the withdrawal of its license:**

The Jordanian authorities decided on June 6, 2017, to close the Qatari Al-Jazeera office in Jordan and withdraw its work permit. The official Jordanian news agency Petra quoted Mohammed Al-Momani, the Minister of Information and the government spokesman, as saying: "After studying the causes of the crisis in relations between Egypt, Saudi Arabia, With the State of Qatar, the government decided to reduce the level of diplomatic representation with Qatar and cancel the licenses of the office of Al Jazeera in the Kingdom.



## e. Violations against human rights defenders

### 1. Threatening the Center for the Protection and Freedom of Journalists:

Jordanian authorities have threatened the Center for the Protection and Freedom of Journalists (FJC) for receiving foreign funding. The Jordanian authorities informed the Center for the Protection and Freedom of Journalists that its registration category prevented it from obtaining foreign funding under government law.

On August 28, 2017, the General Controller of Companies, Ramzi Nazha, sent a letter (no. M sh/16/18/64486) to the Center for the Protection and Freedom of Journalists, which included the request to stop obtaining funding from any external or internal party and also not to advertise the company (The Center for the Protection and Freedom of Journalists) as a non-profit company and correcting its data and documents under legal liability and threatened to cancel the registration of the company if it is found to be in violation of the law.

The threat comes despite the fact that it works to defend journalists and hosts annual media

freedom workshops and events without a formal complaint for 19 years.

The Center for the Protection and Freedom of Journalists was founded in 1998 as a civil society organization active in the defense of media freedoms in Jordan following the publication of the Temporary Press and Publications Law in 1997, which placed increasing restrictions on the media and caused the closure of several newspapers.

The Center maintains an independent role and is not a party in political actions, but it deals with all policies, legislation and procedures that constitute a restriction on the freedom of the media.

## **Libya**

### **Introduction**

The situation of freedom of expression in Libya in 2017 is characterized by the continued control of arms and armed groups, and the number of violations is steadily increasing amid total impunity in the context of a war whose sides are not reluctant to target free voices calling for human rights.

Since the use of dictator Muammar Gaddafi violence against demonstrators during the revolution of February 17, 2011, the killing and abduction of civilians has become a phenomenon of armed groups and gangs motivated by political or ethnic or tribal reasons or for ransom in the absence of an effective judicial system. Arab and other foreigners have also become targets for killings because of religious affiliation and kidnapping for ransom or sale in the slave market. The chaos, political confrontations and the widespread proliferation of weapons affected the human rights situation in Libya, impunity and collective punishment plagued. Since 2014, there has been a sharp increase in the number of kidnappings of civilians by armed groups. These operations have become an integral part of daily life in Libya .

In Libya, power is shared by many armed groups fighting among themselves. These groups can be reduced to two main fronts, General Khalifa Hafter's Front and the Misurata Front, which is predominantly Islamic.

On August 15, 2017, the International Criminal Court (ICC) issued an arrest warrant for Mahmud Mustafa Boseif al-Worfali, commander of the "Thunder Brigade" loyal to General Khalifa Hafter,

on charges of war crimes on suspicion of killing 33 people in Benghazi.

Amid the chaos and violations of human rights in Libya, the Constituent Assembly was able to draft the constitution at its meeting on July 29, 2017, at its headquarters in Al-Bayda, east of the capital Tripoli, to approve the draft constitution of the country with the approval of 43 out of 44 members who attended the session, amid the siege imposed by protesters against the draft constitution on the headquarters Committee in conjunction with the voting session.

Representatives of the Bedouin minorities of the "Taboo" and "Amazigh" boycotted the meetings of the Constituent Assembly, arguing that the vote contravenes the principle of consensus and is devoted to the dominance of the Arabs.

The constituent body for drafting the draft constitution was elected on February 20, 2014, comprised of 60 members including 6 women to prepare a new constitution for the country.

**\* The Arabic Network for Human Rights Information has documented many violations during 2017, for example:**

**a- Abduction and enforced disappearance of opinion makers**

## **1 - The abduction of activist Abdul Maltoub al-Sarhani**

A civilian activist, Abdul-Maltoub al-Sarhani, the head of Al-Tarek Youth Organization, was kidnapped and communication with him has been cut off since he left his home on 27 August 2017.

His family filed a complaint to the security authorities at Al Hadaek police station in Benghazi, on the backdrop of the absence of the activist Abdel-Maltoub al-Sarhani since he left his home at 9 pm on Sunday (August 27th).

It is worth mentioning that Abdul-Maltoub al-Sarhani is not the first to be kidnapped in the city of Benghazi. A few days before his abduction, the family of Salim Ayad Abdalnabi announced that he had disappeared after masked men took him on Wednesday morning August 23 from his house in the town of Salouq.

A number of unidentified corpses were found handcuffed and tortured, near the al-Talhiya water tank in the Naawqiya area, southwest of the city of Benghazi, without comment from the political

authorities and amid media and security concealment.

In August 2017, an armed group attacked four-wheel-drive vehicles in the Al-Sharq Hotel in downtown Tripoli. The former Libyan Prime Minister Ali Zidane was kidnapped. No one claimed responsibility for his arrest until he was released on August 22, 10 days after being abducted by gunmen.

## **2 - The abduction of academic Salem Beit al-Mal:**

Salem Mohammed Bait al-Mal, a professor in the Department of Marine Engineering at the University of Tripoli, was kidnapped on his way to work,

on the morning of 20 April 2017. As a small truck appeared on the other side of the road and cut the road in front of him then came out of the truck four armed men grabbed Dr. Salem and put him in the car and drove him to an unknown place, neighbors found his car in a street close to his house in the area of Janzur Sayyad, west of Tripoli at about Ten in the morning. His family did not find his place of abduction despite efforts.

Dr. Salem al-Bayt al-Mal, aged 71, continued to be abducted for 47 days, during which he ate one meal a day and was denied access to treatment until he was released on 6 June 2017.

## **b. Violations against peaceful gatherings**

### **1 - Tripoli Security Directorate refuses to give a permit for holding a peaceful demonstration:**

The Tripoli Security Directorate refused to authorize a peaceful demonstration in Al Shohadaa Square in the Libyan capital of Tripoli on Monday 25 September 2017. Libyan businessman Abdel Basset Aktit, the former candidate for prime minister, called to protest against the current political and economic situation in the country in what he called "25/9 movement".

The Tripoli Security Directorate called on citizens not to respond to the demonstrating calls, imposing a state of emergency in Tripoli, deploying security forces heavily in the streets and alleys since the early morning.

As of about 4 pm, dozens of young people went out to Al Shohada Square in Tripoli, shouting slogans

that most Libyans chanted against Muammar Gaddafi in 2011.

An hour passed on "Aktit movement" then another unexpected and unannounced demonstration took place against Aktit and in the same square, carrying slogans such as "Tripoli, the city of peace ... Aktit leave," which increased the possibility of confrontation. After Aktit departure Faeyz al Seraj, head of the Presidential Council, arrived to the square and met some of the people of the capital.

### **c. Assaulting journalists**

Journalists and correspondents are subjected to numerous verbal and physical abuses, as well as the arrest and confiscation of photographic equipment, although many of them carry profession IDs of journalism as well as permissions from the Department of Foreign Media.

\* ANHRI documented during 2017:

#### **1 – The arrest of 4 journalists in Al-Jafra:**

A number of armed members of the Al Karama operation in Al Jafra area stormed into the residence of four journalists while covering the



Hun Cultural Festival in Al Jafra area on 9 October 2017. The journalists and their companions were taken to the headquarters of the Aviation Club at Al Jafra military base before being released after pressure from several parties October 10, 48 hours after the arrest.

The four journalists are Lubna Younis, the editor of the February newspaper, and her colleague Islam al-Zarqani, as well as Rabia al-Habasi, Ali Nasr al-Din, from the Fasanian newspaper, and Al Tadamon agency along with their driver.

## **2 - Assault on the journalist Fatima Obeidi Batrouk:**

Fatima al-Obeidi, a reporter for Libya Now, was physically assaulted as her camera equipment was broken on October 9, 2017, while filming a peaceful demonstration outside the House of Representatives in Tobruk for a group of citizens demanding their financial benefits of their work. Security forces shot in the air to disperse the demonstration, attacked the journalist and broke down photographic equipment.

## **3 - The abduction of journalist Saqr Abdullah correspondent of "Libya Panorama" in Jafra:**

Unknown personnels kidnapped journalist Saqr Abdullah, correspondent of Panorama Channel in the Qatroun area on Tuesday July 25, 2017, in the city of Sabha after returning from al-Jafra area, before being released one day later.

Neither the journalist nor any official source has given an explanation for the kidnapping.

#### **4- Preventing journalists from covering Eid al-Fitr prayers in Tripoli:**

The security forces arrested the Libyan news agency and seized the cameras temporarily on 25 June claiming there was no license to operate in the field, even though it had a certified card from the Department of Foreign Information. Al Jazeera direct team was expelled from the field without any legal justification for security reasons, while other independent photographers complained of harassment while filming Eid prayers.

#### **d. Violations against media**

1- Benghazi authorities close Al Wassat radio in Tobruk:

The authorities of Benghazi in Tobruk closed Al Wassat Radio on February 27, 2017, without a judicial warrant or notifying of Al-Wasat Institution. The authorities then seized the broadcaster equipments in Tobruk and stopped broadcasting from Benghazi without announcing any reasons for this sudden closure, except for the reference to radio frequency interference with the official local radio frequencies.

#### **e. Violations against Creative Works:**

##### **1. Confiscation of 31 books:**

Authorities of General Khalifa hafter, who controls the city of Ajdabiya, confiscated a shipment of books from 'Al Tejwal" roaming library. The confiscated shipment included copies of thirty-one titles of Arabic and international cultural and literary books.

The library, on its Facebook page after the confiscation process, announced that it would freeze its work until the confiscation of the books without justification ends, demanding the issuance of a law to identify the names of prohibited books from circulation inside the country, with the approval of the censorship of publications

accompanied by a detailed explanation of the reason for the ban..

## **2 - Closing Dar al-Faqih Hassan in Tripoli:**

On September 4, 2017, a group of armed men closed Dar al-Faqih Hassan historical library in the old city of Tripoli. The closure was believed to have been the result of the defamation campaign against Ahmad al-Bukhari (Kashan), of which two chapters were published in a book titled "A sun on closed windows". Claiming that this content (not consistent with values and taste) in the Libyan society, no security authority in the capital Tripoli announced its responsibility for closing the library

On July 4, 2017, Dar Al Faqih hosted the signing ceremony of "A Sun on Closed Windows", in coordination with the Libyan Association for Arts and Literature .

### **f. Supreme Committee for Issuing Fatwas incites hatred of Ibadhis:**

In the absence of central authority and insecurity throughout the country, the Supreme Committee for Issuing Fatwas of the General Authority for Endowments and Islamic Affairs, which is the

religious authority of the interim government, issued a fatwa in July 2017 describing the Ibadhi sect as a "deviant sect and devoid of aberrants (Khawarij) ... with no dignity".

The fatwa is an incitement against Ibadhis, who can easily be identified and attacked on the backdrop of widespread insecurity in Libya.

The Ibadhis spread in Tunisia, Algeria and Libya. Their number in Libya ranges from 300,000 to 400,000. The Ibadhi Amazighs occupy the mountains of Nafusa, Tripoli and the western coastal city of Zuwara. Amazighs account for between 5 and 10 percent of the Libyan population.

Sudan

Introduction:

Journalists and defenders of freedom of expression in Sudan have aspired to a wider area of freedom of expression and to putting an end to the confiscation of newspapers during 2017, based on the recommendations of the national dialogue which recognized freedom of opinion, expression and belief, and freedom of organization and peaceful assembly. In addition to that there was a decrease in the strong attack of the security bodies on the media, which came since the

announcement of former US President Barack Obama lifting the economic and trade sanctions imposed by the US government on Sudan since 1997, for a six months probation period.

But all those aspirations and ambitions of journalists in freedom of expression went unheeded as the security apparatus resumed its attack on the press and media after the formation of the National Accord Government on May 12<sup>th</sup> 2017.

Many journalists in Sudan this year have been subjected to violations by the press and publishing department of the security services. Those violations included security instructions and interference in the affairs of press editing, confiscation of newspapers and police and judicial prosecutions of writers and journalists.

The security authorities have been used to conveying to newspapers a verbal list of instructions and issues where publication is prohibited, usually by executive authority informing the newspaper with which events and policies to cover.

The security authority is also accustomed to exercising "remote censorship", where newspapers that do not comply with security

instructions and the commitment of the executive authority get confiscated, and officials in such newspapers are exposed to security accountability.

The confiscation of independent print newspapers after printing was the most serious violation of freedom of expression in Sudan in terms of the number of times the violation occurred and its impact on a large number of journalists and press organizations.

In 2017, there were many cases of confiscation of independent paper newspapers after printing them for varying periods against the background of the publication of articles related to corruption in the administrative authority of the government, or increase in prices, and others.

\* The Arabic Network for Human Rights Information (ANHRI) documented many violations of freedom of opinion and expression, for example:

#### A. Violations against journalists

1. Osman Mirghani, editor-in-chief of Al-Hayat newspaper:

On October 23<sup>rd</sup>, Osman Mirghani, the editor-in-chief of the Sudanese independent daily Al-Tayar, was fined 10,000 Sudanese pounds (\$ 1500) or six months in prison in case of non-payment, for publishing an article titled "Stances with the President," written by academic Mohamed Zein El Abidine, a professor at Al Zaem University, published by Al-Tayar newspaper in February 2012, and the court sentenced the academic Mohamed Zein El Abidine to three years in prison, and suspended the sentence for his health condition.

Othman Mirghani decided not to pay the fine and chose to serve the prison sentence. He was transferred to prison, while Mohamed Zein El Abidine was released due to his health condition, but put on probation for five years.

## 2. Writer Suheir Abdul Rahim fined:

On August 21<sup>st</sup>, 2017, the Press and Publications Court sentenced journalist and writer Suheir Abdel Rahim who used to work for Al-Tayar newspaper 3,000 Sudanese pounds fine (approximately \$ 470), on charges of abusing and ridiculing the performance of the police, because of the sharp criticism directed by the writer to the Sudanese police in an article entitled "police



sponges" criticizing the speed of police pursuit of shoe thieves in mosques and their slow action in the follow-up and prosecution of public money thieves involved in corruption cases of all kinds and forms.

The court considered the case after a report by the Khartoum state police chief to the Press and Information Prosecution against both Soheir Abdel Rahim and Al-Tayar newspaper, saying that the newspaper's report included content that "ridicule the performance of the police and reduces its prestige."

### 3. Summoning journalist Maha al-Taleb:

Maha al-Taleb was summoned by the press security service many times this year;

The Press and Media Division of the press security agency summoned Maha al-Taleb on Sunday July 16<sup>th</sup> and interrogated her for several hours about an interview she did with the dismissed director of the Office of the President of the Republic, Taha Osman Al Hussein, in Addis Ababa.

On Monday April 3<sup>rd</sup>, the security apparatus of Khartoum-II district interrogated her about a newspaper article published on the same day

about ISIS. The article covered the activity of some Sudanese within ISIS in Libya.

She was also interrogated on Wednesday, March 8<sup>th</sup>, 2017, for 45 minutes regarding a news report on the relations between the Sudanese and US governments. She wrote about the reasons for the inclusion of Sudanese nationals on the list of those banned from entering the United States, and quoted a source in the Sudanese foreign affairs about the renewal of President Trump's decree to prevent Sudanese nationals from entering American territory and that "the US administration's" knowledge of the Sudanese affairs was "fragile "

The interrogation lasted for 45 minutes and at the end they asked her to avoid news that harms the interests of the country and wait for official channels.

4. The issuance of a Fatwa to kill Shamael Al-Nour:

Journalist Shamael al-Nour was attacked in February 2017, the attack which included some Imams during the Friday prayer sermon, it amounted to issuing a Fatwa of killing her.

All that was against the background of an article she wrote in Al-Tayar newspaper on February 2<sup>nd</sup> under the title "The obsession of virtue". That situation led the editor in chief Osman Mirghani to submit a police report as a precautionary step.

The list of journalists pursued by the Sudanese authorities against the background of the expression of opinion included journalist Ahmad Kafouta, who investigated the Press and Publications Office on February 19<sup>th</sup>, 2017, Mahjoub Muhammad Saleh, editor of Al-Ayyam newspaper, Nasr al-Din al-Tayeb.

On January 15, the Atbara Criminal Court sentenced Usama Hassanein al-Sayyid, a reporter for Al-Watan newspaper in Atbara, because he investigated a corruption case.

The list also includes: Hanadi al-Siddiq, who was summoned by the security services on July 13<sup>th</sup> and July 14<sup>th</sup> because of an article she wrote titled "Exploitation of Authority," which was published on July 13<sup>th</sup> by Al-Jarida newspaper.

The violation of rights of journalists was not limited to the Sudanese security, but extended to the Egyptian security services.

After the political dispute between the Egyptian and Sudanese governments over the Halaib and Shalatin region and accusing Sudanese President

Omar al-Bashir of supporting Egyptian dissidents who are fighting the Egyptian government in Darfur. Those disputes have affected the work of journalists and freedom of expression.

Cairo airport authorities banned the entry of journalist Tahir Sati to Cairo and deported him to Sudan. After that, Iman Kamaluddin, a journalist in Al-Sudani newspaper, was expelled from Cairo airport on Monday evening April 24<sup>th</sup> 2017.

The authorities of Cairo airport have also refused the entry of Al-Wafaq newspaper editor-in-chief Rihab Taha on October 7<sup>th</sup>, while he was accompanying his sick son on a visit that was for private reasons and unrelated to any professional activity or work that Rihab had intended to do in Cairo.

The violation of the rights of Sudanese journalists to travel and stay have led the Sudanese Journalists' Union, which is close to the Sudanese government, to call on the Khartoum government on April 25<sup>th</sup> to deport Egyptian journalists working in Sudan.

#### B- Violations against press organizations:

Sudanese security services used to confiscate independent newspapers that dare to cross the

red lines and adopt a vision contrary to that of the Sudanese government.

During 2017, ANHRI has documented the following violations:

1. Confiscation of Al-Sayha newspaper:

On Sunday dawn, August 20<sup>th</sup>, the security services seized all copies of the Sudanese newspaper Al-Sayha without a warrant. The security forces waited until the printing had finished printing all copies, then told the distribution agents in the newspaper that there were orders to confiscate them all.

The confiscation of the newspaper came after the publication of a dialogue with the leader of the rapid support militia, Mohammed Hamdan Daklou (Hamidati) on August 17<sup>th</sup>, who ruled out the option of a military solution against the forces of tribal leader Musa Hilal, in violation of the opinion of Vice President Habbo Abdul Rahman, who threatened to address Moussa Hilal by all means including military intervention.

2. Confiscation of Akher Lahza newspaper:

The Sudanese Security and Intelligence confiscated all copies on August 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>

2017, and the August 22<sup>nd</sup> of the Sudanese daily Akher Lahza without a judicial ruling or even announcing a justification for the confiscation, amid speculation that the confiscation would be because of a critical article against Prime Minister Bakri Hassan Saleh.

The editor-in-chief Abdel-Azim Saleh said that he had contacted with a number of competent authorities headed by the Federation of Journalists and the Security and Intelligence Service and did not receive any answer on the reasons for confiscation.

### 3. Confiscation of Al-Tayar newspaper:

On September 9<sup>th</sup> and 12<sup>th</sup>, the Sudanese security and intelligence confiscated all copies of Al-Tayar daily private newspaper without explaining why.

The newspaper's employees believed that the reason for the confiscation of the September 12<sup>th</sup> issue was an article by Asma Juma titled "New revenge campaign" that had criticized the government of President Omar al-Bashir, while the confiscation of the issue of 9<sup>th</sup> September was because of the interview of journalist Shamael Al-Nour with the President of the Sudan People's Liberation Movement Abdul Aziz Al-Helu.

The Press and Publications Council also banned Al-Hayat newspaper from September 28<sup>th</sup> and 29<sup>th</sup>. The letter sent by the Council did not include the reason for the ban, in what is believed to be an op-ed piece by journalist Shamael Al-Nour under the title "Judgments and the most famous corruption case in Sudan!" which was considered offensive and insulting to the judiciary.

#### 4. Confiscation of Al-Jareeda newspaper:

On July 13<sup>th</sup> and October 14<sup>th</sup>, the security services confiscated the copies of Al-Jareeda newspaper without a warrant or justification. The July 13<sup>th</sup> confiscation was speculated to be due to an article by Hanadi Al-Siddiq titled "Exploitation of Authority" while the October 14<sup>th</sup> was believed to have resulted from the publication of a number of op-ed articles which criticized and ridiculed Sudanese diplomat Hassan Idris Saleh, a member of the Sudanese Permanent Mission to the United Nations, who was accused of harassment in New York.

#### 5. Confiscation of Al- Zawya sports newspaper:

Sudanese security forces confiscated the copies of the Monday July 10<sup>th</sup> issue of Al-Zawya newspaper which contained news items about the freezing of Sudanese football activity.

On July 6<sup>th</sup>, FIFA decided to freeze football activity in Sudan after Sudanese government intervened for the group of General Abdel Rahman Ser al-Khatim, who declared himself president of the Sudanese union after an election that was not recognized by FIFA.

#### 6. Al-Sudani newspaper reprimanded:

On August 14<sup>th</sup>, the Press and Publications Council sent a letter to Ziauddin Bilal, the editor-in-chief of the Sudanese daily Al-Sudani, asking him to publish a comment on a newspaper's picture that the council saw "exposed men in general and young people in particular to temptation and seduction"

The Council mentioned in the letter that Idris Moussa filed a complaint against the newspaper on July 23<sup>rd</sup> that the newspaper had published on July 1<sup>st</sup>, 4<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 16<sup>th</sup>, 20<sup>th</sup>, and 23<sup>rd</sup> at the (Cocktail) page, a selected group of images of beautiful women, some of them were attractive, which was contrary to the "religious teachings",



and exposed men in general and young people in particular for seduction and falling into lowering the eyes.

C- Confiscation of books and restrictions on cultural institutions

1. Blocking the novel "Fall of the Imam" from Khartoum exhibition:

The literary and artistic works committee at the Khartoum International Book Fair blocked the novel "The Fall of the Imam" by Egyptian writer Nawal Al-Saadawi from the Book Fair which was held on October 17<sup>th</sup>-29<sup>th</sup> at the exhibition grounds in the Berri area of the Sudanese capital

The novel "The Fall of the Imam" was published in 1987 by Al-Mostakbal Al-Arabi House translated into 24 languages and was reprinted in 2000 by Al-Saqi publishing house.

2. Confiscation of the book "Times of Wind, Concern and Freedom":

On May 10<sup>th</sup>, the security forces of the city of Karima, 423 km north of Khartoum, seized the book "Times of Wind, Concern and Freedom, a

Biography", which was loaded from Cairo claiming that it "did not obtain a permission from the Department of Literary and Artistic Works in Sudan."

In October, Management of works of art supported the Security decision and gave the green light to confiscate the book through a report that the book contains "critical criticism of the long state institutions and public figures."

The book "Times of Wind, Concern and Freedom" is the biography of Dr. Haidar Ibrahim Ali, published by Al-Hadara publishing house.

#### D- Violations against activists and human rights defenders

##### 1. Referring activist Mudway Ibrahim to trial:

On August 29<sup>th</sup>, the illegitimate trial of human rights defender Mudawy Ibrahim Adam ended with a presidential pardon.

The security authorities had arrested Dr. Mudawy on December 7<sup>th</sup>, 2016. Others accuse him of helping Amnesty International prepare a report, "Scorched Land and Poisonous Air: Sudanese

Government Forces Destroy Marra Mountain in Darfur," which accuses Sudanese authorities and Sudanese President Omar al-Bashir of using chemical weapons in Marra Mountain.

On May 11<sup>th</sup>, 2017, the first deputy prosecutor of the Sudan, accused Dr. Mudawi with charges of "undermining the constitutional order and waging war against the state," such charges carry the death penalty.

## 2. Trial of Amal Habbani:

On July 11<sup>th</sup>, Khartoum court sentenced journalist and human rights activist and member of the "No to Oppressing Women" initiative, Amal Habani, to 10,000 Sudanese pounds fine or four months in prison on charges of "obstructing an employee while working".

Amal refused to pay the fine and was given a prison sentence because of a communication by a member of the Sudanese security and intelligence service alleging that Amal Habani obstructed him during the TRACS trial.

## 3. Police prosecution of Human rights activist Ahmed El Nour Al-Daw:

Gadarif state police arrested human rights activist Ahmed al-Nour al-Daw, on August 21<sup>st</sup>, and he was taken to the senaa't police station. They delayed his release until late night so he had to stay the night in the police station.

The arrest of Ahmed al-Nour was on the background of a communiqué from the President of the Federation of the Blind, Mohamed Awad Fadl al-Mawla, who has been controlling the union for nearly twenty years after Ahmed al-Nour exposed corruption files in the Union of the Blind in Gedarif.

#### 4. Freeze Road Accident Initiative:

The Humanitarian Aid Commission in the state of Kassala froze the activities of Road Accident Initiative in the eastern city of Kassala without giving reasons.

Road Accident Initiative is one of the initiatives established by a group of young people 3 years ago to treat patients in need of support. The initiative started in Khartoum and extended to the rest of the cities and was adopted on social media for support and advocacy.

Algeria

## *Introduction*

The deteriorating political and economic situation in Algeria has increased the negative impact on the conditions of freedom of opinion and expression.

The bad health state of President Abdelaziz Bouteflika, in addition to the presence of the Salafist groups, and the insistence of the Algerian authorities on imposing their political vision and religious orientation on the peaceful opposition, independent media and human rights activists have all played a significant role in shrinking the space available for freedom of expression.

The media arena in Algeria now has 140 publishing houses, and the economic crisis has caused 60 newspapers since 2014 to close business, since newspapers have declared bankruptcy because they cannot even pay journalists and printing costs, in light of the continuing economic crisis, the reduction of government advertisements on some newspapers, and cutting them completely from the "rogue" newspaper.

The security authorities have blocked protests and oppressed attempts to stage demonstrations in the streets against 80-years old President Bouteflika, who has rarely been seen since he had a stroke in 2013.

A. Blocking websites:

- Blocking "All about Algeria" website:

The Algerian authorities blocked the website "All about Algeria" in both Arabic and English versions on [www.tsa-arabi.com](http://www.tsa-arabi.com) and [tsa-algerie.com](http://tsa-algerie.com) on Algérie Telecom and Mobilis networks.

A statement issued by the site's administrators said they were unaware of the reason for the blocking, which took place since Thursday, October 5<sup>th</sup>, without giving reasons.

The blocking is likely to be linked to the editorial curve, which was critical of the Algerian authorities.

B. Pursuing Civil Society Activists:

Algerian authorities obstructed the licensing of associations and prevented civil society

organizations from fulfilling the role assigned to them in the service of their local communities and normal activities.

### 1. Targeting the Ahmadiyya sect & preventing them from registering as an association:

In March 2016, the Ahmadiis' attempt to register as an association subject to the provisions of Algerian law was rejected.

Since then, the Algerian authorities have filed lawsuits against more than 280 Ahmadiis accusing them of "membership of an unrecognized society, collecting donations without permission, practicing worship in unauthorized places, spreading propaganda internationally that harms the national interest and mocking the doctrine and principles of Islam."

Those authorities targeted the Ahmadiyya community since June 2016. More than 50 of them were arrested in Blida, Skikda and other areas because of their faith.

On September 12<sup>th</sup>, 2017, the Court of Appeal of Ain Tadjas, in the Algerian state of Mostaganem (355 km west of the capital), sentenced Mohamed Wali, leader of the Ahmadiyya group in Algeria, to a suspended six months in prison sentence, for

allegedly "collecting funds without authorization and insulting the prophet."

Since August 28<sup>th</sup>, 2017, security forces have arrested Mohammed Wali after an arrest warrant issued against him following a previous absence from the same court in February 2017. He was sentenced to three months' imprisonment.

2. Human rights defender Kamal al-Din Fakhar, serves two years in the Medina prison:

Kamal al-Din Fakhar, a human rights defender, spent two years in the Medina prison, 90 km south-west of the capital. He was released on Sunday, July 16<sup>th</sup>, 2017, on charges of "forming an association to undermine the integrity of national unity and state security, and call for the armed separation of the state of Ghardaia from the Algerian state."

That was against the background of the sectarian clashes between Arabs and Amazighs in the region of Ghardaia (600 km south of Algiers).

"Ghardaia" is known for the strife among the Arab and Amazighs between the two sects Maliki and Ibadi, with usual sporadic clashes, but before midnight on Tuesday July 7<sup>th</sup>, 2015, clashes broke



out between the two parties using firearms, Molotov cocktails and stones, which increased the number of casualties and injured.

Kamal al-Din Fakhar was arrested on July 9<sup>th</sup> 2015 and sentenced to three prison terms, one year in prison in October 2015, two years on May 24<sup>th</sup> 2017 and 18 months on May 25<sup>th</sup>, 2017. He went on a hunger strike for more than 100 days in protest against his arrest, before ending it on April 20<sup>th</sup>, 2017, following the urging of doctors.

Kamal Eddin Fakhar is the founder of Tefahot, an organization that works to protect and promote the rights of Amazigh and was formerly a member of the Algerian League for the Defense of Human Rights (LADDH).

### C. Attacks on mosque imams (clerics):

Various Algerian cities have witnessed numerous incidents of attacks by worshipers against the imams of mosques loyal to the Algerian government inside and outside the mosques. Such attacks drove some of the imams for the first time in Algeria's history to threaten to boycott Friday

prayers in protest against repeated attacks against them.

The attacks on mosque imams are not a new phenomenon, but they have been increasingly on the rise during 2017.

Some individuals have severely beaten an imam in the Bir al-Jair district of Oran, and an imam was attacked in Skikda.

The attacks amounted to death threats, as unknown persons put a shroud at the entrance to the Mosque of Omar Farouk in Oran and wrote words describing the imam as an "infidel".

It was even necessary that the Ministry of Interior, local communities and urbanization to confirm that they had taken all necessary measures to protect the imams.

#### D.Press and media:

Algerian authorities have tightened restrictions on some media institutions by establishing regulations and laws that limit freedom of publication, by banning advertisements for independent press organizations and by giving them to institutions that agree with the government.

*ANHRI observed the following:*

1. Minister of Information issues two decrees restricting press freedom:

On March 28<sup>th</sup>, 2017, Minister of Information Hamid Qurein addressed media professionals in two documents violating the right to freedom of expression and restricting freedom of the press, one of which seeks to organize ethical and fair coverage of the legislative elections held on May 4<sup>th</sup>, and the other was addressed to the audio-visual media officials.

The document prohibits the media from giving the floor to those calling for boycotting the elections. It prevents the media from speaking directly to citizens during the electoral campaign, or from broadcasting debates and political statements that may affect public security and the state, or which may result in skirmishes in violation of journalistic and political ethics.

While in its most serious article the audiovisual media officials must ensure that any abuse, insult or defamation against the person of the head of State or institution he represents is prevented.

2. Director of the "Al Tanweer" newspaper enters a hunger-strike because of corruption in the distribution of government ads:

The director of Al Tanweer newspaper, Ya'qub Boukrit, decided to enter an open hunger-strike starting October 22<sup>nd</sup>, 2017 in conjunction with the National Press Day, in protest against the fact that his newspaper did not receive its share of government advertisements.

It is worth mentioning that the advertisements of state bodies and institutions are distributed by the State Publishing and Advertising Company, which undertakes the task of distributing advertisements to print newspapers.

In the opinion of independent institutions, the advertisements are distributed on the basis of the proximity of the newspaper and its owner to the authority in general and with the publishing and advertising company in particular.

3. Authorities agree to open private television channels:

In a step forward, the Algerian government approved the establishment of private television channels, which gives hope for the possibility of

presenting all political and social views. On October 28<sup>th</sup>, the Ministry of Communications announced that it would stop receiving applications for opening of private television channels in Algeria, on The Official Gazette of September 28<sup>th</sup> 2017 in Issue 56 of the 54<sup>th</sup> year, in which the government allows the establishment of seven satellite channels related to political, economic and social events as well as programs covering news, reports, analysis, comments, dialogues and seminars, cooking, discoveries, series, entertainment and sports, and broadcast on satellite "Hotel Sat".

#### 4. Confiscation of books:

The Algerian International Book Fair prevented the participation of Algerian researchers: (Djouh Djerbal, a lecturer in contemporary history at the University of Algeria, editor of the journal "Critique", published in Algeria in Arabic and French, and Algerian writer and researcher Issa Qadri) , In a seminar titled "Combating Colonialism", which was scheduled for the first of November within the framework of the activities of the fair.

That was on the background of the researchers' signing a petition calling for holding early

presidential elections in Algeria because of the illness of President Abdelaziz Bouteflika and the mystery surrounding his ability to govern and lead the country.

#### 5. Peaceful assembly:

Algerian police arrested on September 6<sup>th</sup> a number of young people during a march demanding the implementation of Article 102 of the Constitution, which stipulates the vacancy of the Presidency if the President's health impediment continues for 45 days due to President Bouteflika's illness and doubts about his ability to perform his constitutional duties. During the march, young people wore t-shirts with the same number.

The party "New Generation", one of the most prominent parties calling for the announcement of the vacancy of the post of President, the leader of the party Nouredine Okreif was arrested that morning, at one of the police stations in Algeria, with a significant number of citizens, after participating in the campaign to wear t-shirts written on them Article 102 of the Constitution.

There was heavy security presence in the streets of the center of the capital since the early morning of Sept 6<sup>th</sup> in anticipation of the demonstrations

demanding the removal of President Abdelaziz Bouteflika.

## 6. The attack on activist Rashid Nkaz in Paris:

A former member of Algeria's ruling National Liberation Front, Ammar Saadani, attacked Algerian activist Rachid Nkaz during a protest rally in front of the residence of Saadani in a Paris suburb on the pretext of "attracting the attention of the Algerian people to issues of corruption and smuggling money abroad."

Morocco

### *Introduction*

The protest movement known as the "rural mobility" of the cities of northern Morocco, and the authorities facing it, have taken the stage of human rights events this year in Morocco.

The movement of the countryside began in the city of Al Hoceima in northern Morocco in October 2016, after the killing of fish seller Mohsen Fikri who was crushed by the orders of members of the

police in a garbage truck with fish confiscated by the security forces on the pretext of its illegality.

Al Hoceima is one of the rural towns in northern Morocco, which is under economic and social marginalization by the government, making it a permanent focus of protests.

The demands of the "rural mobility" since its launch, has been the trial of the real culprit of the killing of Mohsen Fikri, along with the prosecutor who ordered the destruction of Mohsen Fikri's goods, and the Minister of Agriculture and Fisheries as responsible for the chaos and corruption known by the sector in the region.

The demands afterwards developed to include social demands (better health care and university institutions and job creation) and political (including the lifting of "militarization of the countryside" by canceling a previous decision considering Al Hoceima a military area, reducing the permanent security barriers that spread across all roads and countryside, and stop calling the military barracks in the province during each protest.)

The demands also included the trial of those involved in the killing of left-wing activist Kamal



al-Hassani, who was from Al Hoceima city, and was killed in October 2011 by an unknown person who is likely to be linked to the authorities in retaliation for his leading role in the February 2011 movement.

The demands also included the prosecution of those responsible for the killing of five young men of the region who were burned to death after being tortured at a police station in 2011.

The movement found solidarity from many Moroccan cities, and the Moroccan authorities faced those protests by several means, including a political speech by the King calling for calm and response to the demands of the citizens, and also a serious violation of human rights, in particular the right to freedom of opinion and expression, and the right to peaceful assembly.

Two groups of activists are currently on trial on serious charges;

The "Nabil Ahmeeq" group consists of 21 activists, three of whom are tried while present. The group faces charges of "compromising the internal security of the state" and "attempts to sabotage, kill and loot" or "conspire against internal security."

The 33-year-old Zafzafi group faces allegations such as "committing crimes against the internal integrity of the state, damaging the unity and sovereignty of the Kingdom of Morocco and undermining the loyalty of citizens to the Moroccan state."

*During 2017, ANHRI monitored*

A. Violations of the right to peaceful assembly:

1. Arrest of the leader of rural mobility in Al Hoceima:

Security forces arrested Naser al-Zafzafi, one of the leaders of the rural mobility protest movement on the morning of May 29<sup>th</sup>, in the city of Al Hoceima in northern Morocco for allegedly attacking a mosque imam while delivering a sermon on Friday, May 26<sup>th</sup>, 2017.

The incident dates back to May 26<sup>th</sup>, 2017, when Zafzafi interrupted a mosque imam who described the protests calling for reform as "incitement to unrest." Zafzafi accused the imam of the mosque of being a mufti in order to besiege the protesters

and arrest them in collusion with the authorities. Zafzafi found support among the worshipers.

On the same day, the arrest warrants were issued against Zafzafi, so the city witnessed demonstrations in support of him. The demonstrators raised the slogan "All of us are Zafzafi". The demonstrations ended with clashes with the security forces and Zafzafi managed to escape from the police until he was arrested on May 29<sup>th</sup> 2017.

This coincided with the arrest of dozens, including prominent activists in the movement Ashraf al-Khalkoufi and Mohammed Jalul.

Zafzafi was subjected to several abuses during his pre-trial detention. Zafzafi informed the defense that he was tortured after his arrest

Following the charges, on July 10<sup>th</sup>, a video clip of Zafzafi was leaked during his arrest, revealing parts of his body in an attempt by the authorities to deny his torture, in violation of the right to privacy.

2. The trial of activists of the popular movement in the Moroccan countryside:

On Wednesday June 14<sup>th</sup>, the Court of First Instance in Al Hoceima sentenced 32 activists

detained with sentences ranging from suspended two months' imprisonment to two years' imprisonment.

The court heard the detainees after midnight, despite the obvious state of exhaustion they had shown, and did not pay attention to the defense's demand that the court should have presented the findings of the medical examination to investigate detainees' allegations of torture during police detention.

### 3. The trial of minor Abdul Rahman Al-Azri:

The case of the child Abdul Rahman Al-Azri was heard before the Court of Appeal and the child was first brought before the courts on October 3, for the first time since his arrest.

The judge ordered the Court of First Instance in Nazareth to postpone the hearing of his case and only to prove the child's identity and prove the presence of members of his family, before deciding to postpone the trial.

Abdul Rahman Al-Azri, the youngest detainee on the background of rural mobility, aged 14, a 7<sup>th</sup> grade student, was arrested on August 9<sup>th</sup> 2017 in Al Hoceima while he was attending the funeral of activist Imad al-Atabi, who was shot in the head

during the July 20<sup>th</sup> march then was taken to the hospital where he died.

The Public Prosecution charged the child with participation in an unauthorized march, throwing stones at security personnel, and placing roadblocks on the roads.

#### 4. 50 activists arrested during a demonstration:

Moroccan security forces used violence and tear gas to disperse crowds demanding the release of detainees, and economic and social demands in the Moroccan countryside.

Security forces besieged the city of Al Hoceima and arrested 50 activists during the marches on Monday June 26<sup>th</sup>.

#### 5. Surrounding the shores of Al Hoceima to prevent protests:

Security forces besieged the shores of Al Hoceima, the capital of the countryside, after demonstrators in the countryside marched to the shores of Al Hoceima city.

Security forces chased activists on a beach on Saturday July 1<sup>st</sup> after a security vigorous raid on the city center to prevent protests from continuing.

Activists resorted to creating new forms of protest that the Moroccan street had not known after a series of arrests of activists and security crackdowns in the city.

Residents switched off the lights, climbed rooftops, chanted slogans and knocked down kitchen utensils.

#### 6. Violent security intervention to break a women's vigil in front of parliament:

Security forces violently intervened on Saturday July 8<sup>th</sup> to a protest by a number of women human rights defenders in response to a call by Moroccan women against political arrest to denounce the arrest of singer Salima Zayani, known as "Celia".

Security forces dispersed the vigil without warning, using all forms of assaults from beatings, punching, kicking, insulting, and other violent and inhumane practices.

#### 7. The arrest of artist Yasser Musawi in Tetouan:

Moroccan police arrested artist Yasir Musawi, a researcher in the philosophy of art, and graduate of the Philosophy Division of Abdelmalek Saadi University in Tetouan, on Thursday, February 16<sup>th</sup>,

2017, after protesting the intransigence of the administration of the Faculty of Arts and Humanities in Tetouan in the delivery of university documents.

It should be noted that the artist Yasser Musawi had previously fought battles, including the art sit-in, which he fought in 2016 Faculty of Arts and Humanities in Tetouan in protest against "administrative and educational corruption."

## B. Attacks on journalists and media institutions

### 1. Amendments to the Press and Publication Code threaten thousands of websites with blocking:

Entered into force on August 15<sup>th</sup> 2017, amendments adopted by the House of Representatives during 2016 to the "Press and Publication Code", published in the Gazette on the same day.

The Code is composed of three laws: the Press and Publication Law No. 88.13, Act 89.13 on the Statutes of Professional Journalists and Law No. 90.13 on the National Press Council.

Although the new press and publishing law, for the first time, acknowledged the electronic press

and was free of freedom-related penalties for journalists, it contained many articles restricting the creation and management of e-newspapers, including that the new law which stipulated that every publication or electronic newspaper must have an editor-in-chief provided that he holds a university degree or a specialized certificate in the field of journalism and that he holds a professional journalist status, while the old law only required that each newspaper or publication have an editor-in-chief.

The new law also prohibits government employees from taking on the job of editor-in-chief, which deprives press institutions and websites of experienced calibers who have been working in this field for several years.

The new law also transformed the publishing director into an authority on the press material within the institution who is paid by the press establishment.

The new law replaced the right to issue newspapers by notification to obligating them to issue a license to publish the newspaper.

It gave the right to the agent of the King (Public Prosecutor) to object to the issuance of the newspaper, and it became imposed on the founders of the newspaper to bring their case



before the judiciary in order to determine the reasons for rejection, while in the meantime publishing any issues would be considered criminal.

The law used loose expressions to be interpreted in accordance with the will of the ruling authority, as it allowed the executive authority not to authorize the distribution of foreign publications if they included insult to the Islamic religion or the monarchy or inciting against the territorial integrity of the Kingdom, defaming or insulting or prejudicing the private life of the person of the King, the person of the Crown Prince or the members of the royal family, or violating the duty of reverence and respect for the person of the King.

The law also considered the photo permits a grant granted by the Authority to only the electronic newspapers that met the conditions and it is known that all photography without authorization in Morocco is subject to sanctions.

## 2. Arrest of journalists and media activists:

Moroccan authorities prevented France 24 from filming the episode of "Talk of Capitals" on June 9<sup>th</sup>

2017, which was scheduled to address the demonstrations in the countryside on the pretext of not obtaining a license for photography.

Moroccan authorities have also intimidated satellite channels and media outlets for not covering the movement.

They arrested Mohammed al-Serihi, director of Countryside 24, and charged him with "harming the internal safety of the country, calling for demonstrations and gatherings, insulting an organized organization, threatening security forces, collecting donations and benefits, and claiming the title of journalist ".

The list of detainees also includes Jawad al-Sabri, a photographer at countryside 24, who was arrested on June 6<sup>th</sup>, 2017, Abd Al-Hadi Heddo, director of the Araghi.tv website, who was arrested on June 6<sup>th</sup>, Hussein al-Idrisi, a photographer at Reef Press, who was arrested on May 27<sup>th</sup> 2017, Rabeeb al-Ablaq, the correspondent of BADIL Info on May 27<sup>th</sup>, 2017, Murtada Ammarasha, who works for Awar TV, was arrested on Saturday, June 10<sup>th</sup>, 2017, Fouad Saidi, who works for Awar TV. Agraw.tv), on May 27<sup>th</sup> 2017, and the journalist "Mohamed Hilali" director of the "Rural Press" site, who was arrested in downtown, Al Hoceima on June 16<sup>th</sup> by

some elements of the police, bringing the number of journalists detained against the backdrop of rural mobility to 8 journalists.

King Mohammed VI issued two royal pardon lists, one on August 20<sup>th</sup>, that included none of the names of detainees in the protest movement, while the first was in late July and included pardon for about 40 prisoners, and not including the leaders of the protest movement.

### 3. Deportation of foreign journalists:

At least four journalists were deported by Moroccan authorities during 2017, and expulsion decisions were explained by the allegation that journalists were not officially licensed to work.

- Deporting Jamal Alilat, a journalist in Algeria's "Al Watan" newspaper:

Algerian journalist Jamal al-Aliat, who works for the French-language al-Watan newspaper, was arrested by Algerian security forces on May 28<sup>th</sup>, 2017 and deported to Algeria on June 30<sup>th</sup> on the grounds that he did not obtain a photo permit.

- Deportation journalist Saeed Kamali Dehqan:

Moroccan journalist Said Kamali Dehqan, the Guardian correspondent for the country, was deported on Thursday Sept. 28<sup>th</sup>, allegedly for not having permission to go to the countryside as a reporter, because he was preparing a report on "rural mobility" in Hoceima.

- Deportation Spanish journalists José Luis Navazo & Fernando Sanz:

Moroccan authorities forced Spanish journalists Jose Luis Navazo and Fernando Sanz to leave Moroccan territory on July 25<sup>th</sup> for trying to cover protests in the Moroccan countryside.

#### 4. Ruling on the fine of head of journalists Union in an opinion case:

On October 3<sup>rd</sup>, the Court of First Instance in Rabat sentenced Abdellah Bakkali, president of the National Syndicate of the Moroccan Press and director of the publication of Al-Alam newspaper, to the amount of 20,000 dirhams (approximately \$ 2,000) in the case filed against him by former Interior Minister Mohamed Hassad, for allegedly insulting and slandering local administration officials on the background of an opinion piece.

The case goes back to the complaint filed by Interior Minister Mohamed Hassad, accusing Abdullah al-Bakali of "slandering the governors and (conservative) workers" for publishing an editorial in Al-Alam newspaper, the oldest Moroccan newspaper, in October 2015, on the "financial corruption experienced by the election of the House of Counselors that took place in September 2015."

5. Preventing the "Telexpress" website journalists to cover the seminar of the Prime Minister:

The press crew of the "Telexpress" website was denied access to the press conference held by the Prime Minister at MAP headquarters in Rabat on Tuesday Oct. 17<sup>th</sup>, although the seminar was open to professional journalists.

The government denied this violation and blamed the Arab Maghreb News Agency in Rabat.

6. Imprisonment of Hamid al-Mahdawi, director of "Badil Info"

The Court of Appeal in Al Hoceima early on the morning of September 12<sup>th</sup>, 2017, tightened the sentence against journalist Hamid al-Mahdawi,

director of the "Badil Info" site, from three months in prison to a one-year prison for "inciting people to commit misdemeanors by public speeches and shouting" on the background of his presence in Al Hoceima city on July 20<sup>th</sup>, 2017, before the march calling by activists of the rural movement to demand the release of detainees and meet the economic and social demands necessary for the lives of rural people.

The court of first instance in the city of Al Hoceima on July 25<sup>th</sup> sentenced him to three months in prison with a fine of 20,000 dirhams (about 2,100 US dollars).

The continued detention of Mahdavi since July 20<sup>th</sup>, and his trial in addition to the editorial line of the independent website led to the announcement of the administration of the website on October 21<sup>st</sup>, that the site stopped working because of the difficult financial crisis since the arrest of its director Hamid Mahdavi.

### C. Violations against Internet Activists

1. Sentencing blogger Mohammed Taghreh for 10 months:

On August 18<sup>th</sup>, 2017, the court of First Instance in Anzakan sentenced the blogger Mohamed Taghrah, known as "Hamza al-Hazin", to 10 months in prison and fined 500 dirhams (approximately US \$ 53) for "slander and defamation of the gendarmes", based the background of the broadcasting of a video clip on the Internet that includes accusations of bribery and forgery of police in Khamis Ait Amira Center and the Public Prosecution of the Baskan Trial Court.

The security services in Agadir arrested Mohammed Tanger on Friday August 4<sup>th</sup> 2017.

2. Human rights activist Rashid Ishi imprisoned on the basis of opinions on Facebook:

The human rights activist Rachid Ishi, a member of the Moroccan Association for Human Rights in Fez-Meknes, was released on November 21<sup>st</sup> 2017 after serving a two-month prison sentence for posting on his Facebook account, calling for solidarity with Moroccan rural detainees.

The Court of First Instance in Safro sentenced Rashid Ishi to prison for two months with execution and fined 2000 dirhams (approximately \$ 212) for "incitement to commit a felony by

electronic means", and incitement to disobedience"

3. Presentation of the activist Nawal Benaissa for trial:

The Public Prosecutor's Office in Al Hoceima decided to bring the activist Nawal Benaissa to trial on October 23<sup>rd</sup> while released on charges of "inciting to commit felonies and felonies through speeches or shouting."

The police summoned Nawal Benaissa, on September 25<sup>th</sup> to investigate after posting on her Facebook account.

Nawal Benaissa is a 36-year-old Moroccan activist and one of the most prominent faces of women in rural mobility. She took command of the movement after the arrest of Nasser al-Zafzafi.

#### D. Violations against civil society institutions

1. Blocking the work of the Moroccan Association for Human Rights:

Moroccan authorities continued to obstruct the work of the Moroccan Association for Human Rights throughout the country for the third year,



and its activities were banned either directly or indirectly

It also hindered the registration of local branches of the association and its central office in Rabat, by obstructing the association's receipt of the deposit after the delivery of the incorporation documents in accordance with chapter 5 of the Law on Associations.

### *Conclusion*

ANHRI considers that the violations described in the report as uninterrupted systematic behavior for decades in Morocco.

However, the high frequency of demands for reforms has once again highlighted this behavior and increasingly revealed the resistance of the authorities to any possible change.

The deportation of foreign journalists, the arrest and prosecution of Moroccan journalists, and the violent use of violence against demonstrators and peaceful gatherings are systematic in Morocco, while unfair trials against activists and dissidents are not exceptional.

Violations of this nature reveal the falsity of King Mohammed VI's claims to democratic reforms and respect for human rights in his March 2011

constitutional amendments, which were rejected by large segments of the February 20<sup>th</sup> movement at the time, as an attempt to circumvent the public movement and radical demands and called for democracy against the backdrop of the impact of the Arab Spring at the time.

Tunisia

Introduction

Defenders of human rights in general and freedom of opinion, expression and belief in particular, struggle in order to preserve the gains of the Tunisian revolution.

The situation of human rights in Tunisia is progressing in some aspects, and looming in others, while the Government attempts to renounce progress in certain aspects relating to the right to freedom of opinion and expression and the right to organize and peaceful assembly.

Although this year witnessed progress in the application of the right to freedom of belief through the initiative of Tunisian President Béji Caid Al-Sibsi to call for the abolition of the law

prohibiting the marriage of Tunisian women to non-Muslim foreigners, and the government retracting the decision to bar employees from making statements, however, there was an attempt by the Tunisian authorities to return to the police state through the draft law "Reassuring attacks on security personnel" and returning to the Ben Ali regime through the "Reconciliation Law".

Violations of freedom of opinion and expression have also increased, as journalists faced many difficulties in obtaining information from government agencies, and the police introduced special permit applications for foreign media correspondents when traveling.

*ANHRI documented in 2017:*

I. Freedom of belief

1. To allow the marriage of non-Muslim men to Muslim women:

On August 13<sup>th</sup>, 2017, President of the Tunisian Republic Béji Caid Al-Sibsi called for the repeal of the law issued by the Minister of Justice to prevent

the marriage of a Tunisian woman to a non-Muslim foreigner.

Al-Sibsi signed to the formation of a committee to Study and draft the Journal of Individual Rights, which deals with the consideration of equality in various fields, and appointed the deputy to the People's Assembly Boshra Bahaj Hamid at the head of this committee.

The Personal Status Code in Tunisia does not does not mention the ban on the marriage of Muslim women to a non-Muslim man or the difference in religion as a contravention of marriage. However, the law issued by the Minister of Justice on November 5<sup>th</sup>, 1973, prohibited the official in charge of marriage documentation and witnesses of the marriage of Muslim women to marrying non-Muslims, to document the marriage contract, and considered it illegal, until the declaration of Islam of the man was revealed to the Grand Mufti of the Republic..

It is noteworthy that the marriage contracts of the Muslim women to non-Muslim men, which are concluded outside Tunisia and not registered in Tunisia; later listed in the civil status books without the need for the husband to declare his

Islam to the Grand Mufti of Tunisia, as required by the law of the Minister of Justice.

## II. Violations against journalists and the media

1. The government backs down from the decision to prevent employees from making statements:

The Tunisian government retreated from Ministerial Decision No. 4, which forbids public officials from making statements to the media.

The National Union of Tunisian Journalists confirmed in a statement issued on February 27<sup>th</sup>, that it was agreed upon with the government to cancel Ministerial Decision No. 4 on March 3<sup>rd</sup> 2017.

The ministerial decision exacerbated the crisis between journalists and the government, and journalists considered it a flagrant violation of their right to information.

On January 17<sup>th</sup>, 2017, Prime Minister Yousef Al-Shahed issued a ministerial decree calling on all public officials to refrain from making any statement or intervention and to publish or disclose information or official documents concerning their job or the public institution in which they work without the prior permission of their direct president.

## 2. Security forces assaulted journalist Hamdi Al-Suweisi:

A security force arrested the Diwan FM radio journalist Hamdi al-Suweisi on Monday morning September 18, while covering the event of enabling the teacher Faizah al-Suweisi to enter her school in Al-Bahr district-III in Safages state after some protesters prevented her from teaching and expelled her from school, claiming that she was an atheist who prevented students from performing Friday prayers.

The security forces demanded that Al-Suwaisi cover the protest by moving away a bit, fearing clashes between the security forces and the protesters, which he complied to, but then he was surprised by three security officers who prevented him from working, insulted him with bad words and beat him with sticks, injuring him in the face and smashing his glasses, and tearing off his identity papers while one of them threatened him with fabricating a serious charge against him.

Hamdi added that a security commander asked security personnel to detain him and take him to the police station.

During his transfer, he was physically assaulted and insulted inside the security vehicle and inside the police station in Hay al-Bahr district.

They took his phone and checked his Facebook account.

Mahdi Ben Omar, the editor of the Diwan FM radio station, was also attacked by security personnel when he went to the police station to inquire about the reason why his colleague Hamdi al-Suweisi was detained.

### 3. Threatening the correspondent of the Tunisian newspaper Al-Shorouk in Medenine

Ahmed Lamloumi, correspondent of the Tunisian daily El Shourouk in Medenine (southeast of Tunis), filed a complaint to the President of the Medenine Cultural Society on the grounds of the death threat.

Al-Lamloumi gave voice recordings of the death threat, which he said was made by the president of the Medenine Cultural Society, on the background of an investigative report titled "Medenine Cultural Festival Decent Interest" ... weak propaganda and a troubled director of journalists".

The report was published on Friday 25<sup>th</sup> August 2017, in which he criticized the organization of the festival in its 38th edition, and discussed in detail the criticism of the publicity and the quality of the presentations through interviews recorded with the audience of the festival, as well as the way of dealing with journalists.

4. National Union of Journalists calls on the Ministry of the Interior to investigate attacks on journalists:

The National Union of Tunisian Journalists (SNJT) demanded the Ministry of Interior to investigate the attacks on journalists throughout April and May 2017. The union warned against the dangers of continuing security restrictions on journalists despite dozens of recommendations.

In a memorandum to the Minister of the Interior on May 6<sup>th</sup>, 2017, the union expressed its concern about the slow pace of security interventions in protecting journalists during attacks during coverage of several events such as social movements and demonstrations, which would make journalists feel insecure and deepen the crisis of impunity in attacks against journalists.

The union reported that the monitoring unit in the occupational safety center in the union recorded an increase in the frequency of attacks by security



personnel on journalists during the first week of May 2017, after recording a decrease during the month of April compared to March of the same year.

5. The former president was prevented from entering the headquarters of the special Rabat FM radio station:

A number of unknown individuals in the state of Monastir (east), blocked the road in front of the car of former President Mohamed Moncef Marzouki on Sunday, October 29<sup>th</sup>, 2017, to prevent him from entering the headquarters of the private radio "Rabat FM" where he was expected to have a radio interview, forcing him to leave the place, in a clear security absence.

6. Interrogation of the director of Nawaat site because of an article on the law of reconciliation:

Sami Ben Gharbiya, the founder and director of the Tunisian independent news website "Nawaat" and the legal representative of the site, was present on Wednesday, May 3<sup>rd</sup>, 2017, in front of in front of the National Guard's research and inspection team in Awaina for "robbery, and misappropriation of secrets"

On the background of an article published on April 21<sup>st</sup> 2017, on the details of the presidential plan of action to pass a modified version of the Economic Reconciliation Act, which provides for reconciliation with officials accused of corruption and receiving bribes under the rule of former President Zine El Abidine Ben Ali, and to stop their prosecution if they returned stolen stocks.

### III. Violations against political opponents

#### 1. Calling Mr. Humaid bin Aziza by the Department of Criminal Cases:

The sub-administration of criminal cases in Al-Qarajani summoned Hamid Bin Aziza, President of the University of Tunis, Sufian Al-Ghali, Director of the Faculty of Economics and Political Sciences in Tunis, and Mr. Sultan Trabelsi, the General Secretary of the College, to appear before them, in order to make their statements in a case raised by a teacher from the College after a dispute with her administration on an educational issue.

It should be noted that Mr. Hamid bin Aziza was among those who unanimously rejected the improvised amendments to the texts governing the

elections of the administration of universities, which the supervisory authority tried to enter during the past year.

## 2. Presidential guard forces give up Hama Hamami's protection:

Since the beginning of July 2017, the Tunisian security services have abandoned the protection system provided by the presidential security to Hama Hammami, head of the Labor Party and spokesman for the Popular Front, and replaced it by another system provided by the Ministry of the Interior.

The presidential guard forces used to provide security protection to the spokesman of the Popular Front after the assassination of Popular Front leader Shukri Belaid on February 4<sup>th</sup>, 2013, and it was enhanced with the assassination of his colleague Mohammed al-Barhami on July 25<sup>th</sup> of the same year.

## 3. Sentence to imprisonment for President of the Tunisian Union for Media Association for 6 months:

On May 11<sup>th</sup>, 2017, the Tunisian district court of Tozeur (south of Tunisia) sentenced the director of the radio station "JRM FM", and the president of the Tunisian Union of Information Society, Salam Malik, to six months in prison for protesting the violent handling by the security forces during a raid on his family's home during February 2017.

Salam Malik objected to the violent intervention of security agents after a member of the security forces had gunned down his niece during a raid on his family home in search of his brother, who is suspected of belonging to a militant group.

A security officer filmed a video of Malik's objection to the intervention and filed a complaint against him. Malik was then summoned to the police station to testify, and then transferred to the trial that sentenced him to prison.

#### 4. Threats to use violence against the opposition:

In a speech to the Tunisian people on Wednesday, May 10<sup>th</sup>, 2017, the President of the Republic, Mr. Béji Caid Al-Sibsi, addressed the Tunisian people with a speech including the insistence on passing the law of economic reconciliation regardless of the positions of civil powers and popular rejection,

and threatened to apply the "law" if they insisted on expressing their refusal and took to the streets. Al-Sibsi also announced that the National Army should be involved in securing the production and transportation of phosphate, oil and gas in the southern regions of Tunisia.

He stressed that the decisions of the Presidency and the People's Assembly should be adhered to as the elected bodies empowered to take decisions.

#### 5. Suspicious role of the media in distorting the image of social movements:

A media scandal broke out on Sunday evening, April 16<sup>th</sup>, 2017, following an audio leak attributed to Nabil El-Qaroui, owner and founder of Nessma TV, a private channel close to the symbols of former President Zine El Abidine Ben Ali, during a dialogue that appeared to be with the channel's editorial board about launching a campaign against the Tunisian organization "I'm awake" and fabricating false news against it, and to discredit the members by calling journalists to insult and criticize, to portray them to Tunisian public opinion as mercenaries and traitors to the country and foreign agents, and spoke lightly and disregard for judicial rulings.

#### IV. Violations of the right to peaceful assembly

##### 1. The "Assault on Security Officers" bill:

The law of "assault on security officers" faced overwhelming opposition during a parliamentary session held in late November 2017, and the majority of deputies during the session demanded to withdraw the bill.

The draft law represented a way to restore the deprivation of liberty of citizens, up to ten years imprisonment on charges of loose language such as spreading security secrets and disturbing the public order, and established procedures for the administrative licensing of the work of photography and publishing, gave special privileges to security personnel working on this sector, and devoted a culture of impunity punishment which opens the door wide to the return of the domination of the police state.

The bill is due back to April 2015, when former Prime Minister Habib al-Said's government referred it to the parliament and disrupted the discussion because of heated debate.

## 2. The arrest of five activists from the Manish-Msameh campaign:

Security forces arrested five activists in the Manish-Msameh campaign in the state of Kef, including a blind young man, on September 9<sup>th</sup>, 2017, after their protest against the "reconciliation law with the figures of the former President Zine El Abidine Ben Ali's regime.

The security forces demanded that the activists show their identity cards and they refused to respond to them.

In response to the activists' adherence to their identity cards, the security forces assaulted them with verbal and physical violence before a young man who is blind being taken away to the hospital because of his deteriorating health after being beaten.

And they arrested Afra bin Azza, Taima bin Azza, Yousra al-Qurashi and Amir Pellawi, where they were taken to the police station.

They were detained after holding the right to silence and refusing to be questioned by the police in the absence of their lawyers.

They were presented on Sept. 12<sup>th</sup> to the National Guard in preparation for their appearance before the Public Prosecution.

The Manish-Msameh campaign is an independent social movement that seeks to unite all citizens and all political, legal and intellectual components on the task of withdrawing the reconciliation law, which the movement described as "whitewashing corruption and absolving the capital of the people's wealth."

The attack on activists of campaign in Kef coincided with similar violations by the security forces, one in Bab Suweika and the other in Zaghouan state.

3. Dispersing a sit-in for the disabled in front of the oil company OMV by force:

On Tuesday afternoon Aug. 22<sup>nd</sup> security forces broke up the sit-in in front of the main entrance of OMV's Austrian natural gas processing company, in the Bosmeh area, using force, following the municipality's decision to remove all tents in front of the company's headquarters.

Security forces arrested one of the protesters while the others were released.

The unemployed, from the Bosmah area of Gabes, southern Tunisia, entered an open sit-in since May 2017 to demand their rights to development, employment and industrial pollution control.



On July 2<sup>nd</sup>, the security forces dispersed the sit-in at the industrial zone. The unemployed decided to take their sit-in to the oil company OMV by having a tent in front of the company's headquarters, threatening to escalate in case of non-response to their demands.

Kingdom of Saudi Arabia KSA

### *Introduction*

The decision taken by Saudi Arabia, UAE, Bahrain and Egypt to boycott Qatar has had an impact on freedom of opinion and expression and the circulation of information in the four countries and also in Qatar during 2017.

It is enough to know that the authorities in Saudi Arabia have blocked Qatari media websites, including Al Jazeera channels, the websites of Qatari newspapers, and have taken repression as a means of silencing voices opposed to the boycott.

Although King Bin Salman told The Economist in January 2016 that "the kingdom is going to be more open and more receptive to freedom of expression."

Despite some measures taken by the Kingdom this year to improve its image to the world in terms of women's rights, still the adoption of the new "Terrorism and Financing" law, the forcible displacement of the Shiite majority population of Awamiya, and the arrests campaign to those against the decision of boycotting Qatar, prove beyond any doubt that the women's rights actions were closer to propaganda campaigns than to the desire for genuine change to preserve human rights.

In a report published on July 3<sup>rd</sup>, 2017, the Wall Street Journal reported that the Kingdom had purchased electronic programs from Europe and America, especially from the Italian company "Hacking Team", to prevent criticism of the government and the regime by spying on Saudis on the Internet and on all social networks.

These newly purchased programs enable the Saudi government to take control of cyberspace within the kingdom, which means easily identifying any citizen outside the squadron or publishing material that would offend the regime or officials in an attempt to suppress any voice that is considering criticizing the royal family.

Saudi Arabia witnessed many violations of freedom of expression and belief in 2017, including arrests of activists, clerics and journalists, and prevention of publication

*ANHRI documented many violations of freedom of opinion and expression in the Kingdom, including:*

#### A. Adoption of the "Terrorism Crimes and its Financing" Law

On October 31<sup>st</sup> 2017, the Council of Ministers decided to approve the Anti-Terrorism and Financing of Terrorism Act, and a royal decree was prepared.

The new law introduces two new bodies, the Public Prosecution and the State Security Presidency, and the two bodies report directly to the king.

The definition of terrorism in the first article of the law is vague and malleable, and it can be interpreted in many ways.

The law uses words such as "disrupting public order", "undermining the security of society and the stability of the state or endangering its national unity."

Article 3 of the law considers that the attempt to change the system of government in the Kingdom

to be a terrorist act without reference to the use of violence for this purpose.

Under Article 30 of this Act, a citizen may be sentenced to five to ten years imprisonment for terrorism if he describes – directly or indirectly – the King or Crown Prince of any description that is challenging religion or justice.

ANHRI monitored the names of dozens of detainees during the campaign launched by the Saudi authorities since Sept. 11<sup>th</sup>, 2017, in the context of the Gulf crisis and the dispute with Qatar, while the official Saudi authorities did not announce the names or numbers of detainees, including names identified by the network (academics, clerics, Economists, reporters, journalists, poets, human rights activists and others) in what is considered the worst campaign in recent times.

The Kingdom acknowledged the arrests and the Saudi Press Agency announced on Sept. 11<sup>th</sup>, that an official source (not named) said that “the State Security Presidency has been able during the past period to monitor the intelligence activities of a groups of people who have been working for external parties against the security of the Kingdom, its interests, methods, capabilities and

social safety, aiming to stir up sedition and undermine national unity.”

Saudi Foreign Minister Adel al-Jubeir also justified the arrests in an interview with Bloomberg on Thursday Sept. 21<sup>st</sup> that the campaign came to dissolve an "extremist plan" that those people were working on after receiving funds from foreign countries.

*\* Among those arrested were:*

1. Saudi cleric Awad al-Qarni:

The Saudi authorities arrested the cleric Awad al-Qarni on September 10<sup>th</sup> after the crisis with Qatar. A Saudi court in March 2017 has fined Awad al-Qarni a fine of 100,000 Saudi riyals for "preparing and sending anything that would harm public order by posting on his Twitter what included stirring public opinion and influencing on the interdependence of society with its leadership and impacting on the Kingdom's relationship with other countries.

Al-Qarni has been subject to constant harassment by Saudi journalists and officials who have been in charge of the regime since the Gulf crisis started because of his tweets after the crisis with Qatar,

and many of them demanded banning him from Twitter, while others accused him of betraying the country and belonging to the Muslim Brotherhood.

2. 6 judges of the Specialized Criminal Court in Riyadh:

Saudi authorities arrested 6 judges from the Specialized Criminal Court in Riyadh during the September 2017 arrests campaign after the crisis with Qatar.

It is noteworthy that the Specialized Criminal Court is specialized with trials according to the Terrorism Act issued in 2014, and one of the detainees was the judge who sentenced the Saudi opponent Nimr El-Nimr.

The latest arrests campaign comes in the context of the Saudi authorities to launch a broader campaign against advocates, activists and academics because of their opposition regarding the Gulf crisis and the dispute with Qatar.

3. Gamal Al-Najm and Mubarak bin Zu'air:

The Saudi authorities on Wednesday Oct. 4<sup>th</sup> arrested Jamal Al-Najem, a professor of Sharia at Imam Muhammad bin Saud Islamic University, and Mubarak bin Zair, assistant professor at the same university.

## B. Violations against creators

1. The arrest of a singer who performed the "Dab" movement on stage:

The Saudi authorities arrested the singer Abdullah Shahrani after performing the "Dab" dance on stage in one of the festivals in Taif.

Shahrani's arrest came days after a video showing him performing the dab movement had spread, which the National Narcotics Control Board has repeatedly warned of as a symbol of drug abuse.

On Aug. 8<sup>th</sup>, 2017, the General Secretariat of the National Anti-Narcotics Committee confirmed that the security authorities in Taif had arrested an informant for violating the regulations of the National Committee, the Nebras project and the performance of the Dab movement, which symbolizes cannabis abuse.

## C. Violations against human rights defenders

1. Sentencing writer Nazir Al-Majed to seven years in prison:

The court of appeal in Riyadh has upheld the sentence against Nazir Al-Majed, for seven years

in prison, followed by a seven-year travel ban and a fine of 100,000 Saudi riyals (about \$ 27,000).

On January 18<sup>th</sup>, 2017, the Specialized Criminal Court in Riyadh sentenced Nazir Al-Majid to seven years in prison, followed by seven years of travel ban and a fine of 100,000 Saudi riyals (about US \$) for allegedly "disobeying the guardian, participating in demonstrations, and writing articles, and contacting with correspondents of foreign news agencies, based on the background of his work in the defense of human rights, especially his defense of freedom of demonstration in Saudi Arabia

2. Detention of activist Mariam Al-Otaibi for more than 100 days:

On March 19<sup>th</sup>, 2017, Mariam Al-Otaibi, a woman's rights activist, was arrested after her father filed a complaint against her for being absent from the house using the state law in force after the activist decided to move to Riyadh to work there and to become independent.

Mariam Al-Otaibi's detention continued for more than 100 days until the Saudi authorities released her on Sunday, July 30<sup>th</sup>, without bail or the presence of a male guardian to receive her.



It is noteworthy that Mariam Al-Otaibi is one of the most prominent Saudi women activists on social media campaigns demanding the right of women to drive, and dropping the male guardianship, which gives the father or brother or husband of women authority in many matters of life such as travel or independent housing.

### 3. The detention of women's rights defender Lujain Al-Hathloul:

Saudi security authorities detained activist Lujain Al-Hathloul in King Fahad International Airport in Dammam, on the evening of June 4<sup>th</sup>, 2017 as soon as she had come back from UAE. She is known for her defiance of the law banning women from driving, and she was arrested due to her peaceful activities in defense of women's rights.

Two hours after her arrest, she was transferred from Dammam to Riyadh for questioning by the Investigation and Public Prosecution Service, without informing her of the reason for her arrest, enabling her to contact her family or a lawyer to attend her interrogation.

The arrest of Lujain Al-Hathloul continued until the authorities released her on the seventh of the same month.

#### 4. Security forces besieged Awamiya and forcibly deported its citizens:

Saudi security forces besieged the town of Awamiya, a home for the Shiite opposition in the east of the kingdom, to evacuate the historic Mossawara neighborhood of its inhabitants, claiming that its houses were a danger to its inhabitants and that the neighborhood was populated by a number of wanted fugitives.

Saudi authorities blocked the neighborhood with military equipment and cut off electricity from houses to force them to leave without offering a suitable alternative and without adequate compensation either.

The security forces imposed on Shiite citizens to get out of specific checkpoints waving white flags.

On April 5<sup>th</sup>, 2017, three United Nations human rights experts urged the Kingdom's authorities to stop the demolition of the historic neighborhood with a unique heritage and at least 2,000 people.

#### 5. Arrest of Khalloud Yafa'i for violating the strict dress code:

On July 18<sup>th</sup>, 2017, Saudi security forces arrested Khalloud Yafa'i, a young woman, and interrogated

her for several hours before releasing her on the same evening because of a video posted on social media websites, where she was walking around the heritage village of Ashikar in the Shakra (190 km northwest of the capital) wearing a short skirt and a shirt revealing her arms.

Saudi Arabia has a strict social system that violently violates women's rights based on interpretations of Islamic law. Women are not allowed to appear on the street or in public places without a headscarf and a dark-colored gown.

#### E. Blocking websites

The Saudi authorities have blocked thousands of websites for political, social and religious reasons. Saudi Arabia's Communications and Information Technology Commission (CITC) has blocked 600,000 pornographic websites over the past two years that were not listed under cybercrime.

In April 2017, the Saudi Communications and Information Technology Commission (STC) reported that more than 900,000 links were processed in 2016 for violating the codes, and called on Saudi Internet users in the Kingdom to report pornographic sites.

ANHRI's website is still among the blocked websites in the Kingdom.

# Palestine

## *Introduction*

Freedom of opinion, expression and belief in Palestine was subjected to a large number of violations. The campaign was run by the Israeli occupation, the Palestinian Authority in the West Bank, and Hamas in Gaza Strip.

Laws restricting freedom of expression were imposed. It is striking that the majority of violations that occurred during 2017 were against journalists and correspondents of Arab and international media.

The Israeli occupation forces imposed military trials against Palestinian citizens, and these trials lacked the minimum conditions for a fair trial, with a 100% conviction rate.

The Israeli occupation has also used a law issued in 2002, during its war with Lebanon, called “The

illegal fighters law” which is based on only doubt rather than conviction, and provides cover for the Israeli army to arrest and jail citizens without allowing them a fair trial procedure.

The Knesset passed the law to allow Lebanese detainees to be held for long periods without charge, but Israeli officials have since used the law to detain Palestinians from the Gaza Strip for renewable periods.

The law provides that the court automatically accepts the Ministry of Defense's finding that a group constitutes an "enemy" force and that belonging to it makes the detainee a person whose release may harm the security of the State.

The Israeli police prevented several media crews from covering incidents in the city of Jerusalem, threatening some of them and targeting others, forcing them to leave the scene.

On March 3<sup>rd</sup>, 2017, the settlers attacked a group of journalists, including the correspondent of the Wafa News Agency, Rasha Harazallah, while covering a march against settlement in the village of Nabi Saleh in Ramallah.

There have been also numerous violations against journalists in the West Bank and Gaza Strip, most of which were due to the split in power between Fatah and Hamas.

On June 24<sup>th</sup>, Palestinian President Mahmoud Abbas ratified Act No. 16 of 2017, known as the "Cybercrime Act" published in the Official Gazette on July 9<sup>th</sup> 2017.

The law used such derogatory terms as "spreading or participating in acts that would disrupt public order, jeopardize the safety and security of the homeland, prevent or obstruct authorities from carrying out their duties, disrupt the provisions of the Basic Law or harm national unity and social peace. The law imposes penalties for those "crimes" amounting to hard labor.

That law was a sword above the heads of those who expressed their views through various means of expression during 2017, under which the Palestinian Authority launched a large-scale arrests campaign for journalists on charges of "leaking sensitive information to hostile parties" and social media activists on charges of "misuse of technology".

Violations against opinion makers and various means of expression during 2017 included:

A. Violations against journalists

1. Al-Wefaq security prevents some journalists from covering:

On Saturday, November 11<sup>th</sup>, 2017, security forces of the Palestinian Wefaq Government in the Gaza Strip assaulted a number of journalists by beating and pushing, preventing them from covering the Fatah movement festival to commemorate the death of late President Yasser Arafat, despite receiving cards and badges for journalists for access and coverage. That included the correspondent of "Dunia Al-Watan" newspaper, e-journalist Mohammed Awad, and correspondent of "Ma'an" satellite channel Abdullah Mqdad.

2. Prison sentence in absentia for journalists pending investigation:

On June 4<sup>th</sup>, the Gaza Magistrate's Court issued a sentence in absentia ordering the detention of

Arab television network journalist and correspondent of the Yemeni Al-Masirah channel Hajar Mohammed Abu Samra for six months and NIS 1,000 (about 280 dollars) fine.

The court decision was issued in absentia, without the knowledge of Hajar or her lawyer, and was kept secret until September 13<sup>th</sup>, 2017.

The court has leveled four charges against Hajar: "Accusing the Ministry of Health of having financial and administrative corruption within the Department of treatment abroad, spreading false news about the Ministry of Health, publishing inaccurate information about the Ministry of Health lacking integrity and objectivity, and claiming that her name is Mona Harb "

3. Israeli occupation forces close three media outlets' offices in the occupied West Bank:

On October 18<sup>th</sup>, 2017, the Israeli occupation forces closed the offices of three companies providing media services to Palestinian, Arab and international media outlets which are Pal Media, Trans Media and Ram Sat, in the cities of Ramallah, Hebron, Nablus and Bethlehem for six months, after storming their offices and



confiscating production and broadcasting equipment.

They also posted on the door of the company a publication signed by the commander of the IDF for Judea and Samaria stating that the company was closed for necessary reasons, claiming that these companies "provide media facilities and services for al-Aqsa and Jerusalem satellite channels inciting against the State of Israel. "

#### 4. The arrest of journalists Amir Abu Aram and Ala Titi:

On October 2<sup>nd</sup>, Israeli occupation forces arrested Amir Abu Aram and Alaa Jabr al-Titi after they raided their houses in the West Bank.

The Israeli occupation forces raided Amir's house in the town of Bir Zeit, north of Ramallah, in the middle of the West Bank, after breaking the door of the house, confiscating his mobile phone, arresting him and then transferring him to an unknown location.

Amir works for a program on Al-Aqsa TV, a Hamas-affiliated channel, and he is also a journalist with Al-Jazeera.

They also stormed Alaa al-Titi's family house, gathered the whole family, who live in a three-story building in one room, and searched the house.

The occupation forces conducted an investigation with all Alaa's brothers, raided and searched his house in al-'Arroub refugee camp and confiscated his mobile phone, PC and CDs.

After more than an hour, the Israeli occupation forces arrested Alaa and took him to an unknown location.

Alaa al-Titi is a correspondent for the Al-Aqsa channel of the Islamic Resistance Movement (Hamas), which broadcasts from Gaza.

On Tuesday October 10<sup>th</sup>, 2017, the Israeli Military Court of O'ffer extended the detention of journalists Amir Abu Aram and al-Aqsa TV reporter Alaa Titi until October 10<sup>th</sup> on charges of "incitement through Facebook and working in a banned media organization."

##### 5. Israeli forces close Al-Jazeera Qatari channel:

In a press conference on August 6<sup>th</sup>, 2017, Minister of Communications Ayoub Qara announced that he had ordered stopping Al-Jazeera's work in Israel on the grounds that it

supported terrorism, adding that the decision was based on the closure of Sunni Arab countries the offices of Al-Jazeera and the prohibition of its work.

Israeli Prime Minister Benjamin Netanyahu has called for the closure of Al-Jazeera's Jerusalem office because of its coverage of the Temple Mount incidents.

6. Turkish Anatolia Agency photographer arrested:

Israeli intelligence agents arrested a photographer of the Turkish Anatolia Agency Mustafa al-Nazir Ayad al-Kharouf from his home in Jerusalem at 10 am on November 16<sup>th</sup> 2017, after confiscating his mobile phone.

Mustafa al-Nazir was taken to the "Gharf IV" police station, where he was held until 3:30 pm. During this period, he was subjected to verbal abuse and provocation by police officers who threatened him more than once with deportation from Israel, where papers were within the Israeli Interior Ministry.

From time to time, a police officer mentioned that he was in the country illegally and accused him of

"planning to carry out terrorist plots against the State of Israel."

At 4 pm the interrogator came, introduced himself, and told Mustafa that he would interrogate him and that he was charged with "planning to carry out an act of hostility against Israel "and "illegal stay in the State of Israel".

He gave him the right to contact a lawyer and asked him to respond to the charges against him. Mostafa was interrogated about his presence in Jerusalem and his Facebook account, his media work and how he portrayed " Hamas-related" demonstrations.

The interrogation lasted for an hour and a half, after which the interrogator told him that he was detained. He was transferred to al-Maskoubiya prison and the next morning he was brought before the court.

The charges against him were dropped except for the charge of "illegal communication with hostile parties" that was kept for the judge who, after inspecting the case file, released him on bail.

#### B. Violations against the right to peaceful assembly

1. The killing and wounding of demonstrators against the electronic gates at the entrances of Al-Aqsa Mosque:

Palestinian protests erupted after Friday prayers on July 21<sup>st</sup>, 2017, rejecting the metal gates set up by the Israeli government in front of the gates of Al-Aqsa Mosque following the killing of two Israeli policemen on July 14<sup>th</sup> 2017.

The Israeli occupation forces met Palestinian groups gathered in the vicinity of the mosque to express their objection, with tear gas and rubber bullets.

The protests escalated to clashes between demonstrators and the occupation forces, who killed at least five people (as of July 24<sup>th</sup>). In addition, 1090 Palestinians were injured in the Occupied Palestinian Territory of Jerusalem.

The Israeli occupation forces prevented the arrival of the Red Crescent medical teams to the scene. They attacked paramedics, volunteers and ambulances, injuring six of the medics with rubber bullets and wounding three others with bruises as a result of being beaten by the Israeli occupation forces.

In the end, the Israeli occupation authorities decided on July 25<sup>th</sup> to remove the electronic gates

from the entrances to the mosque, after the protests.

2. The authorities dispersed a march condemning the trial of Basil Al-A'raj and his companions:

Palestinian security forces forcibly dispersed a demonstration on Sunday March 12<sup>th</sup> in the center of Ramallah, West Bank, to protest the trial of Bassel al-Araj, who was assassinated by the Israeli occupation forces.

Dozens of protesters gathered in front of the court complex in Al-Bireh city, in conjunction with presenting Basil and his companions to the Magistrate's Court, despite his death and the arrest by the occupation forces of four of his comrades.

The Palestinian judiciary charged the five youths with "possession of weapons without authorization and endangering people's lives," according to a number of lawyers. But the charges on Basil were dropped posthumous.

The security forces attacked dozens of activists and journalists, severely beat them with batons,

and fired tear gas, pepper gas and live bullets in the air, to suppress the sit-in and disperse the protest.

### C. Violations against human rights defenders

#### 1. Israel refuses to grant Human Rights Watch a work permit:

On February 20<sup>th</sup>, 2017, the Israeli authorities rejected Human Rights Watch's request for a work permit for its director of Israel and Palestine, claiming that it was "not a genuine human rights organization."

In its rejection letter to Omar Shakir in Feb 20<sup>th</sup> 2017, the Ministry of Interior quoted the Foreign Ministry that "public activities and reports by Human Rights Watch were engaged in politics to serve Palestinian propaganda, while falsely raising the (Human Rights) slogan".

The ban came as Israeli authorities sought to limit the scope of local and international human rights organizations in Palestine since the adoption of a law in July 2016 that aimed at human rights groups imposing cumbersome reporting requirements, and form a burden on their advocacy work.

Israel has refused the entrance of Human Rights Watch in Gaza since 2010, with the exception of one visit in 2016.

## 2. The trial of activist Issa Amr:

The Palestinian Preventive Security Service arrested activist Issa Amr, the coordinator of Youth Against Settlements on September 4<sup>th</sup>, 2017, on the basis of topics he had posted on his Facebook account.

He was held for seven days until he was released by the Magistrate's Court in Ramallah on bail of JD1000 (Approximately \$ 1400).

The prosecution in the West Bank accused Issa of "lengthening the tongue and inciting sectarian strife," according to the Jordanian Penal Code, "The slander and insults and stirring up sedition threatening public security," based on article 20 of the Cybercrime Law.

## 3. Raiding and destroying the Ibn Khaldun Printing Press branches:



On Wednesday March 1, 2017, the Israeli occupation forces raided Ibn Khaldun Printing Press House in both of Shuweika and Tulkarm cities.

The force cut off the cables of the surveillance cameras, broke all the computers and confiscated the hard drives, broke all the printing machines, and then went to the printing press in Tulkarm to repeat what they did in the first printing press house.

The occupation army force also raided Dozan Press in the Deheisheh refugee camp south of Bethlehem and seized and closed several machines and equipment, allegedly for printing inflammatory materials against Israel.

#### D. Violations against artists and creators

##### 1. Israeli Minister of Culture incites against a Palestinian director:

On Sunday, September 24<sup>th</sup>, 2017, Israel's Minister of Culture, Meir Regev, called on the Israeli Attorney General to open an investigation with the Palestinian director and artist Mohammed Bakri for his visit to Lebanon and for his remarks at a press conference in Beirut.

Bakri stated at a press conference at the "Dar Al-Nemr of Art and Culture" in Beirut that:

*"The normalization of relations with the Zionist enemy is a betrayal, the debate around it is a disgraceful and totally unacceptable issue, and that his presence in Lebanon, which Israel considers an enemy country, is a victory over the racist laws that deprive the original landowners of their right to communicate with their cultural and geographical neighbors spread across their Arab surroundings."*

Bakri visited Beirut during the "Palestinian Days" week during which he screened his films and plays.

2. Destruction of cartoon artist Osama Nawaf's studio:

Israeli occupation forces raided the home of Palestinian cartoonist Osama Nawaf Nazzal's family in the village of Kafr Naama, west of Ramallah, on the morning of March 27<sup>th</sup>, 2017.

His house was destroyed including his studio that was at home and all the drawings in it were confiscated.

### 3. Confiscation of "A Crime in Ramallah" novel:

On Feb 6<sup>th</sup>, 2017, the Palestinian Attorney General, Ahmed Barak, issued a decision to confiscate the novel "A Crime in Ramallah" by the Palestinian novelist Abad Yahya, claiming that the novel contained "shameful" words, and seized all versions of the novel for sale in libraries, shops and bookstores.

That was on the basis of investigations conducted by the Public Prosecutor's Office, alleging that some words in the novel were "insulting morals, chastity and public morals" and "harming the citizens, especially minors and children".

The novel "Crime in Ramallah" tells the story of three younger youth from after the second intifada generation (from 2000 to 2005) who were faced with a crime revealing the political and social changes that have taken place in the community.

#### E. Violations against Online Activists

##### 1. Decision to block 11 news websites:

On Thursday, June 15<sup>th</sup>, the Palestinian Public Prosecutor issued a decision to block 11 Palestinian newspapers websites affiliated to Hamas, most of which were from the Gaza Strip, and close to Hamas and Fatah leader Mohammed Dahlan without a judicial ruling.

The Palestinian Authority and the Attorney-General have kept silent on the details and motives of the campaign and have not even disclosed the number of sites that have been blocked.

The websites were surprised by the blocking procedures and all their knowledge was limited to what Internet companies leaked about receiving the decision from the Palestinian Attorney General to block those sites.

The list of blocked sites included the Palestinian Information Center, Palestine Now, Shabab News Agency, Agnad website, Voice of Fatah News, Palestine Online, Palestine Press, Fress Press, Shafa News, Akhbar Al Akhbar and Amad News.

## 2. Closure of Fatah's Facebook page:

Facebook closed the Fatah movement page on Feb 26<sup>th</sup>, 2017, claiming it had violated Facebook standards and a day later Facebook re-opened it claiming that was a mistake.

Facebook had already blocked the page before, which has been followed by more than 70,000 people more than once, while banning moderators from posting photographs of Palestinian victims on the page.

On Feb 16<sup>th</sup>, 2017, the admins of the page posted an old photograph of President Yasser Arafat accompanied by leader Mahmoud al-Alul while inspecting a Kalashnikov assault rifle.

Meanwhile, another photograph was posted at the same time of the young 17 year old Qusay Amor who was killed on Jan 16<sup>th</sup> 2017 in Teqoa east of Bethlehem, during clashes that lasted for 10 days afterwards.

Facebook administration closed the page and banned the page admins for 30 days each.

3. Preventive Security summoned an activist for being pro-normalization:

On Sunday, Oct 22<sup>nd</sup>, 2017, the Palestinian Preventive Security Service summoned freelance journalist and blogger Diaa al-Haroub, one of the most prominent faces of the protest against the screening of the film "Case No. 23" by Ziad Duweiri at the fourth session of "Cinema Days" in Ramallah Cultural Palace, as the director of the film calls for normalization.

The next day, the Preventive Security Service interrogated Diaa for five hours at the authority's headquarters in Al-Baloua area in Ramallah.

The investigation focused on his activities during the university days and his activities against normalization.

The Ramallah Municipality banned the screening of the film "Case No. 23" on October 8<sup>th</sup>, 2017, at the Ramallah Cultural Palace, after objections at field protests, and on the social media accounts of both Palestinian activists and members of the Palestinian Campaign for Academic and Cultural Boycott of Israel.

The protesters considered that Dweiri was pro-normalization, and that he had shot his film in the occupied Palestinian territories, using Zionist technical cadres and a resident for months in Tel Aviv.

While the Palestinian Ministry of Culture issued a statement confirming "the right to take decisions regarding any creative product in complete independence, in order to enhance the role of the individual in society and respect for his ability to distinguish and to form artistic criticism."

Egypt

Introduction

It is difficult for observers of the human rights situation in Egypt to distinguish one category from another when it comes to violations of freedom of opinion, expression and belief; all areas of expression without exception have been grossly violated during 2017 under the pretext of combating terrorism.

Egyptian President Abdel Fattah El-Sisi announced on April 9, this year the state of emergency in Egypt for three months, following

the terrorist attacks on the churches of St. Mark in Alexandria and St. George in Tanta.

The state of emergency, under the infamous Emergency Law (No. 162 of 1958), gives police the authority to detain suspects and monitor citizens and restricts freedom of peaceful assembly, it has been used for years to suppress dissent and close the public sphere.

President Abdel Fattah Al-Sisi also ratified amendments to the emergency law on April 27, and the amendments introduce further exceptional measures.

Amendments allow judicial officers to detain persons and allow suspects to be detained for up to 7 days before appearing before the prosecution.

The state of emergency was canceled and the emergency law was suspended in May 2012, in response to the demands of citizens in the Jan 25 2011 revolution.

#### A. Laws restricting Media

The Egyptian Constitution of 2014 replaced the Higher Media Council, the National Press Agency, the National Information Authority, the Ministry of Information with the Supreme Press Council, the Radio and Television Union, and their functions in



the regulation of audiovisual media and the organization of the print and digital media, and to preserve its independence, neutrality, pluralism and diversity, and to implement the constitutional obligation.

Following the parliament's approval of the Law on Institutional Organization of the Press and Information on December 14, 2016, Egyptian President Abdel Fattah Al-Sisi formed the Supreme Council for Media, the National Press Agency and the National Information Authority, on April 12 2017 in the absence of a law to regulate the ethics and codes of honor of journalism and media.

But the two bodies included figures known for their support and affiliation to Al-Sisi and his government, leading the three institutions to function without a law to regulate the profession, and were satisfied to follow the approach of the Ministry of "National Guidance" developed by former President Gamal Abdel Nasser in the 1960s, which was renamed the "Ministry of Information" by president Mubarak. Both were based on the one-voice rule, where statements were written by the security services, published by the newspapers, broadcast by radio in the

morning, and vocalized by talk shows' hosts and their guests during the evening programs.

The Supreme Council for Media introduced itself to the press and media institutions as a third version of the Ministry of National Guidance which adopted intimidation and sanctions as a means to unify the political tunes, which revealed the imminent desire of Al-Sisi to unify the Egyptian media into one voice that is repeating the statements of the security services, a path that has been proven to fail in the past and led to disasters that the Egyptian citizen has been paying the price for till now.

In fact, the Supreme Council of Media has been taking decisions in the past few months to regulate all media whether it is political, moral or social, beyond the powers given to it by both the Constitution and the law, to the extent of intimidating media figures and forcing them to adopt the authority's points of view.

It did not stop at targeting media figures, but went on to target creative works as well.

The Supreme Council for Media targeted the dramatic and creative works, and its head and members appointed themselves as censors.

The Council threatened to impose financial sanctions on those who violate the rules it established, and even encroached upon the powers of the Department of Supervision of Works at the Ministry of Culture in order to raise the bar of self-censorship, and increase the red lines for those responsible for the media and the press in Egypt.

## B. Journalists Syndicate Elections

The Board of the Journalists 'Syndicate called for the election of the Chairman and the half-renewal of 6 members of the Board on Friday, March 3, but the quorum for holding the General Assembly was not completed.

Two candidates competed for the seat of chairman, while 71 candidates competed for membership of the union board.

The General Assembly was split between those who defend the independence of the syndicate after the crisis of attacking and raiding the union to arrest journalists Amr Badr and Mahmoud Musallam, even if it meant engaging in confrontation with the executive authority from one side, and those calling for calming the

situation down and the search for the interests of the members on the other.

The Egyptian government did not hide its support for the journalist Abdelmohsen Salama, the candidate for the chairman seat, and leaked promises to increase the training allowances provided by the government to the members of the syndicate in the event of his victory.

On Saturday, March 11, The Minister of Manpower Mohamed Saaffan received in his office at the ministry, Abdelmohsen Salama, to discuss the possibility of providing employment opportunities in the private sector for journalists' children.

On March 17, Abdelmohsen Salama won the seat of chairman of the Journalists Syndicate, while Gamal Abdel Rahim, Mohamed Kharaja, Hussein Al Zanati, Amr Badr, Ayman Abdel Majeed and Mohamed Saad Abdelhafeez won seats in the board.

After the elections, on Saturday April 1, Eng. Sharif Ismail, the then Prime Minister, received Abdelmohsen Salama at the Cabinet of Ministers and the Prime Minister agreed to increase allowances and pensions for journalists.

## C. Violations against Freedom of Media

The Arabic Network for Human Rights Information (ANHRI) documented more than 237 violations against journalists by the end of October, and monitored 58 journalists behind bars throughout 2017.

Violations against journalists included preventing them coverage, physical assault, destruction of equipment, detention, prolonged pre-trial detention, fines, blocking publication of articles, and confiscation of newspapers.

The Front for the Defense of Journalists and Liberties (an initiative to defend press freedom, including press syndicate and non-press syndicate journalists) launched a report on May 4, on the conditions of freedom of the press, which recorded 203 violations against journalists and media professionals during the first quarter of 2017.

\* Among the violations documented by ANHRI in 2017:

### 1. Violations against Media outlets:

The closure of the Guardian's office, the confiscation of the Al-Bawaba newspaper for two days in a row, the closure of Aswat Masriya newspaper, the prevention of printing of the Al-Masrya newspaper because the cover included a poem in solidarity with Egyptian football player Mohammed Abu Treika.

## 2. Violations against journalists and media personnel:

\* The ongoing abuse against Azza al-Henawi:

On Tuesday September 12, The State Council Disciplinary Court sentenced journalist Azza Al-Henawi to a four-month suspension for insulting the president.

The administrative prosecution referred her to a disciplinary hearing after criticizing President Abdel Fattah Al-Sisi during her show "News of Cairo" that was broadcast on March 6, 2016 on Cairo channel, and the prosecution charged her with deviating from the show's script, insulting the president, and expressing personal opinions while presenting the show.

\* The re-arrest of journalist Hani Salah al-Din:

Security forces arrested journalist Hani Salah al-Din on August 21<sup>st</sup>, 2017, allegedly for inciting to demonstrate, less than a month after he had been acquitted in the Rabaa Operations Room case.

Sawt Al-Omma newspaper claimed in its issue published on August 15<sup>th</sup> that Salah al-Din had encouraged three journalists referred to investigation, to demonstrate in front of the Journalists' Syndicate and to raise slogans hostile to the state and its symbols, which Salah Al-Din denied on his personal Facebook account.

Giza Criminal Court acquitted Hani Salah al-Din in the case known as Rabaa Operations Room, after he was held in custody from August 25<sup>th</sup> 2013 to May 8<sup>th</sup> 2017.

\* The arrest of a journalist at Al-Bawaba News and his disappearance:

The National Security Apparatus in Giza arrested journalist Abdullah Rashad, the editor of the accidents section of Al-Bawaba News, immediately after leaving the newspaper's office in Dokki on the evening of August 24<sup>th</sup>, 2017.

He was taken to Dokki Police Station and then deported to the National Security headquarters in Sheikh Zayed.

The security services did not announce his arrest until August 30<sup>th</sup>, when the Interior Ministry

announced in a statement that Abdullah Rashad was not a Journalists' Syndicate member, that he was a former Muslim Brotherhood member who took part in the activities of the Brotherhood, and that he was wanted for arrest and trial in case No. 610 of 2016 Sohag Criminal, in regards to his participation in the Specific Operations Committees in Sohag.

The statement said that Abdullah Rashad's role was managing two Facebook pages of the terrorist group, and he was deported to Sohag Prosecution, which decided to detain him until his trial in December 2017.

\* Prosecutors accuse journalist Tariq Gamal Hafez with tarnishing the general dignity of the judiciary:

On May 5<sup>th</sup> 2017, the State Security Prosecutor in the 5<sup>th</sup> settlement summoned journalist Tariq Gamal Hafez, the head of the judiciary section of Al-Fajr newspaper, and charged him with no charges stipulated by any of the Egyptian laws, against the background of publishing press reports on appointments in the Public Prosecution, including the names of the sons and relatives of judges and security leaders.

Tariq was interrogated for 15 hours without rest, in a deliberate act of coercion "physical, psychological and moral" against him.



The interrogator tried in many ways during the long interrogation to "intimidate" him sometimes and "befriend" him other times, to find out the source for his information, pointing out that the documents may have been misappropriated.

At the end of the investigations, the prosecution charged Tariq with: Defrauding the General Council of the Supreme Judicial Council with the aim of undermining its dignity, disturbing public peace, harming the judicial authority by publishing false news, and deliberately slandering it among other charges. He was released on bail of EGP 5, 000.

\* The innocence of journalist Abdel Rahman Yaqout after two years of pre-trial detention:

On March 5<sup>th</sup>, 2017, Alexandria Criminal Court acquitted Abdel Rahman Abdel Salam Yaqout, a cameraman at the Karamouz website, after nearly two years of pre-trial detention in case No. 3880 of 2015 Dekheila Administrative, known as "The attempted arson of the Fawzi Mwaaz police station".

The proceedings date back to March 21<sup>st</sup>, 2015, when the website entrusted him with covering a demonstration in front of the Fawzi Mwaaz police station in the Hanoville area west of Alexandria. During his work, the police arrested him and took

him to the Dekheila police station. The prosecution accused him in two cases related to the same incident.

\* The suspended sentence of one year imprisonment for the former Journalists' Syndicate Head, and two of his deputies:

On March 25<sup>th</sup>, Qasr El Nil Court of Cassation sentenced the former Journalists' Syndicate Head, and journalists Gamal Abdel Rahim and Khaled Al-Balshi, to one year in prison for a period of three years in the case of the security forces raiding the syndicate.

Qasr El Nil Misdemeanors Court had accepted the appeal of the chairman and the journalists on the sentence of November 19<sup>th</sup>, 2016, from Qasr El Nil Misdemeanors Court, imprisoning them for two years and a fine of 10,000 Egyptian pounds, for allegedly "harboring fugitives" inside the syndicate building. The court reduced the sentence to one suspended year each.

The security forces stormed the headquarters of the Journalists Syndicate on May 1<sup>st</sup>, 2016, to arrest journalists Amr Badr and Mahmoud al-Sakka, protestors at the syndicate's headquarters, who were arrested and brought against the

backdrop of the call to demonstrate in the case of "Tiran and Sanafir".

The prosecution charged the chairman, his vices and the secretary general of the union with harboring fugitives.

\* The investigation with Yahya al-Qazzaz on the background of a Facebook post:

On October 21<sup>st</sup>, Cairo Appeal Court decided to release Dr. Yahya El-Qazzaz, a professor of geology at Helwan University, on bail of 10,000 Egyptian pounds, following investigation on charges of insulting the President, based on communique No. 7592 of 2017.

The Public Prosecutor has ordered an investigation into the report submitted by lawyer Ashraf Said, in which he accused al-Qazzaz of accusing Sisi of treason on his personal Facebook account, demanding his execution, and inciting to kill him by beating by shoes

That was after Sisi's agreement on the re-demarcation of the maritime border between Egypt and Saudi Arabia, handing over the sovereignty of the islands of Tiran and Sanafir from Egypt to Saudi Arabia.

\* Continued imprisonment of journalist Mahmoud Shawkan and researcher Hisham Jaafar:

The health of the photojournalist Mahmoud Abu Zeid, known as "Shawkan", who is serving his fourth year in prison in the "Dispersal of Rabaa sit-in" case, only based on his work as a photojournalist, has deteriorated.

Shawkan suffers from Thalassemia, and was transferred from the prison hospital to the Qasr Al-Eini hospital, to conduct a number of investigations.

Due to the lack of the needed equipment in Qasr El-Eini hospital, Shawkan was returned to the prison hospital with a blood sample drawn and delivered to his family for analysis at a private laboratory outside the prison.

Hisham Jaafar, who has been in custody since October 21<sup>st</sup>, 2015, for allegedly "joining a banned group and receiving foreign bribes", has completed the maximum limit on pre-trial detention of 24 months as stated in the Criminal Procedures Code, but he remains in pre-trial detention, and is being illegally imprisoned. He is also suffering from atrophy of the optic nerve.

D.Restricting Internet access:

On May 21<sup>st</sup>, the Egyptian government's Middle East News Agency announced the blocking of 21 websites. The agency quoted an unnamed "high-level security source" saying the decision was because of content supporting terrorism, extremism and lies spread by those sites.

MENA reported a number of those sites targeted to be blocked, including Mada Masr, Al-Jazeera, Al-Sharq channel, Arab Egypt, Arab 21, Al-Shaab, Hamas Online, and Rassd.

However, the sites that were blocked increased rapidly until they reached 450 websites, according to ANHRI, without any government agencies claiming responsibility for the blocking.

The list of blocked websites in Egypt included news websites, other human rights organizations, Qantara website for dialogue with the Muslim world on intercultural dialogue and communication [www.qantara.de/](http://www.qantara.de/) , Reporters Without Borders <http://www.rsf.org/> and The Arabic Network for Human Rights Information, <http://anhri.net/> .

On Sept 8<sup>th</sup>, Human Rights Watch announced that the Egyptian authorities had blocked its website inside Egypt [www.hrw.org](http://www.hrw.org) , after the organization

had published a report on torture in Egypt, and included accusations of police torture of political detainees, prior to the authorities' decision to block the website.

## E. Violations against human rights defenders

### 1. Nationalization of Civil Society Organizations Law:

The Egyptian President ratified the new NGOs Law on May 24<sup>th</sup>, 2017, after the Parliament approved it at the end of November 2016.

The law was passed, ignoring the rejection of Egyptian civil society organizations expressed by 6 political parties and 22 civil society organizations in a statement on Nov 15<sup>th</sup> 2016.

The law prohibits any association or institution from carrying out any study or survey without the permission of the authorities. It is also prohibited the publishing of the results of such studies and surveys without permission.

The law also provides that civil society organizations should inform the authorities of all information concerning their funding, activities and programs and seek authorization for activities.

The law also established a new entity to follow up the affairs of the associations called the "National Organization for Organizing the Work of Foreign NGO's", this entity shall decide on everything related to the establishment, work and activity of foreign NGOs in Egypt, and all forms of cooperation with governmental and non-governmental institutions inside the country, (Article 72 of the law defines the formation of the entity, which is close to a war council).

It is comprised of a president with the rank of minister and membership of a representative of the General Intelligence Service, a representative of the Ministry of Defense, a representative of the Ministry of Interior, a representative of the Administrative Oversight, a representative of the Ministry of Foreign Affairs, a representative of the Ministry of International Cooperation, a representative of the Ministry of Justice, a representative of the competent Ministry and a representative of the Central Bank. It is interesting that this body did not include one representative from civil society organizations.

2. The civil society organizations case:

The campaign against independent human rights organizations continued in the case of civil society organizations No. 173 of 2011.

This campaign revealed the use of the justice system in an attempt to get rid of the voices condemning the daily violations committed by the Egyptian authorities.

The case dates back to December 2011 when civil society organizations were accused of receiving funding from a foreign government without a license.

The case was divided into two parts: one for the prosecution of foreign civil society organizations' staff and the other for the Egyptian organizations.

### 3. The detention of Sarah Hegazy, and Ahmed Alaa in the case of the "Rainbow" flag:

On Tuesday Oct 3<sup>rd</sup>, the Supreme State Security Prosecution decided to detain activist Sara Hegazy and activist Ahmed Alaa for 15 days pending investigations into the case known as "The Rainbow Flag" case on charges of joining a group founded contrary to the provisions of the law and promoting the ideas and beliefs of this group, in addition to another accusation for Sarah Hegazy of incitement to infidelity and immorality in public, against the backdrop of the dissemination of their



views in support of LGBTQI rights on social media, after raising the Rainbow flag in a concert.

4. Banning "Susan Fayyad" from El Nadim Center from traveling:

On Wednesday morning, Cairo International Airport authorities banned Dr. Suzanne Fayyad, a human rights defender and a member of Nadim Center for the Rehabilitation of Victims of Violence and Torture from traveling, on the instructions of an investigative judge, according to the airport authorities.

5. Banning Human Rights defender Negad Al-Borai from traveling outside Egypt, and referring two judges to a disciplinary board:

On January 26<sup>th</sup>, 2017, the security bodies at Cairo airport banned lawyer and human rights defender Negad Al-Borai from traveling to Jordan, upon a decision by the investigating judge in the civil society organizations case.

He was stopped during his return to Cairo on October 3<sup>rd</sup>, 2016, and was arrested in 2014 due to similarity of names.

On March 30<sup>th</sup>, 2017, the investigating judge appointed by the Ministry of Justice decided to refer Judge Asim Abdel-gabbar, Vice-President of the Court of Cassation, and Hisham Raouf, President of Cairo Court of Appeal, to the Disciplinary Board. That was because of participating in preparing a draft anti-torture law prepared by legal experts during a workshop organized by the United Group on March 11<sup>th</sup>, 2015 to ensure that the draft law was in line with the provisions of the new constitution and in conformity with international standards before they were referred to the investigation by the Supreme Judicial Council, on charges of preparing a draft anti-torture law in cooperation with an illegal Human Rights center.

#### 6. Investigation with Abdelhafiz Tayel founder of the Egyptian Center for the Right to Education:

Abdelhafiz Tayel, founder of the Egyptian Center for the Right to Education, was interrogated on June 20<sup>th</sup> before the investigating judge in the civil society organizations case.

Tayel faced charges of receiving foreign funding aimed at harming the national security of the country, establishing the Independent Teachers

Syndicate in violation of the law, tax evasion, and "moral fraud".

7. Investigation with human rights activist Mohammed Zaree in the civil society organizations case:

On May 24<sup>th</sup>, 2017, Mohamed Zaree, the director of Egypt's office of Cairo Institute for Human Rights Studies (CIHRS) appeared before the investigating judge in case 173, known as the civil society case, at the New Cairo Court (5<sup>th</sup> settlement).

It should be noted that this was the first investigation with Mohammed Zaree, who has been banned from traveling for a full year (without investigation or summoning) at the request of the investigating judges in the same case.

Zaree received the Martin Ennals Award, which is awarded annually to prominent human rights defenders around the globe.

8. Closing Al Nadeem Center for Rehabilitation of Victims of Violence and Torture:

On Thursday, February 9<sup>th</sup>, 2017, A large police force with a person from the Ministry of Health and another from Al-Azbekiya police station,

raided the headquarters of the Nadeem Center for the treatment and rehabilitation of victims of violence and torture, on a holiday, to implement the decision to close the clinic based on the decision of the Department of Free Treatment. The force closed and sealed the clinic and the center with red wax.

Al Nadeem Center filed an appeal against the closure decision to try to stop it after the security forces had raided the center on February 18<sup>th</sup> 2016, but the court has not reached a decision yet. Al Nadeem is a place where survivors of violence and torture are assisted by a team of female doctors who have chosen to help the victims.

Despite all the difficulties and obstacles, they continue to provide assistance to victims against whom the authorities insisted on using violence and torture.

#### 9. Arrest and disappearance of Ibrahim Metwally, Coordinator of the Association of Families of the Disappeared:

Ibrahim Metwally Hijazi is still detained on the backdrop of his activities in the Association of the Families of the Disappeared, an association of individuals whose relatives have been subjected to enforced disappearance.

At 9 am on Sunday, September 9<sup>th</sup>, security bodies at Cairo airport arrested Ibrahim Metwally while he was on his way to Geneva to participate in the meeting of the UN Working Group on Enforced Disappearances.

After a three-day disappearance, on September 13<sup>th</sup>, the Supreme State Security Prosecution admitted that Metwally is being detained for 15 days pending trial had been sentenced by the Supreme State Security Court on charges of "leading a group established contrary to the provisions of the law and publishing false news."

The embassies of five countries - Germany, Canada, Italy, England and the Netherlands - issued a statement on November 3 expressing their deep concern about the continued detention of Ibrahim Metwally Hijazi.

The Egyptian Foreign Ministry responded to the statement by summoning the ambassadors of the five countries to provide a solemn official protest statement.

10. Human rights organizations oppose the nomination of the Director-General of UNESCO:

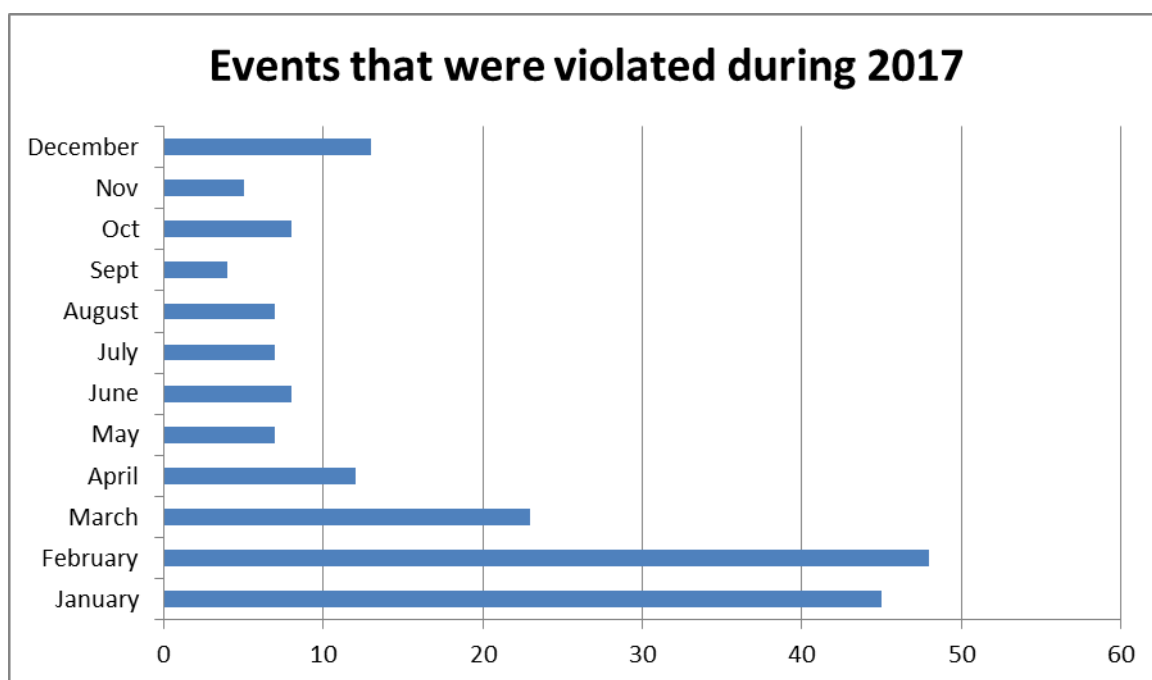
On Oct 9<sup>th</sup>, 2017, 6 Egyptian human rights organizations announced that Moushira Khattab,

may be the most out of scope candidate for the post of Director General of UNESCO. As she was a representative of a state that has been blocking newspapers, detaining dozens of journalists and media professionals, and blocking hundreds of websites with police decisions, in addition to the silence and complacency of the candidate to the shutting down of al-Karama libraries established by Egyptian human rights defender Gamal Eid, as well as the attack on libraries and cultural institutions like Alef bookstores, El-Balad Library, Townhouse Gallery and Rawabet theater, which raises doubts about the Egyptian candidate's "appropriateness" to become the director of one of the most prominent international organizations, especially when it comes to the defense of freedom of thought and expression.

#### F. Violations of the right to peaceful protest

It is noteworthy that the number of peaceful protests has been decreasing since the beginning

of 2017. ANHRI monitored 158 peaceful protests during January 2017, while protests reached 42 protests only during December of the same year, according to the statistics of the Democratic Path Report.



ANHRI also monitored more than 183 violations of the right to peaceful protest, and it is also noted that the number of violations has decreased as a result of the decrease in number of events which goes back to the violence that the authorities used to deal with peaceful protests and attacks on demonstrators, in addition to the harsh sentences and fines

During the second half of June, Egypt witnessed a security campaign targeting protesters against the

maritime border demarcation agreement between Egypt and Saudi Arabia, according to which Egypt relinquished its sovereignty over the islands of Tiran and Sanafir to the Saudi side.

\* The security forces committed numerous violations against activists, the most prominent of which are:

1. Breaking into the house of opposition figure Kamal Khalil:

On June 22<sup>nd</sup>, security forces stormed the home of Kamal Khalil, arrested him and brought him before the Public Prosecution without his lawyer, in order to investigate him in case No. 10369 of 2017 Nozha Misdemeanors, after a report from internet intelligence accusing him of calling for demonstrations, insulting the President and publishing false news.

The prosecution decided to return him the next day with the security memo, and then decided to release him on bail of EGP 2000

2. Raiding the house of lawyer Tarek Hussein:

On June 17<sup>th</sup>, security forces stormed the house of lawyer at the Egyptian Center for Economic and Social Rights (ECESR) Tareq Hussein and brought



him before Khanka prosecution for "incitement to demonstrate and joining a banned group."

The prosecution decided to release him on bail of EGP 3,000.

### 3. Assaulting Hamdeen Sabbahi and Farid Zahran:

Some members of the security forces assaulted former presidential candidate Hamdeen Sabbahi and the head of the Egyptian Social Democratic Party, Farid Zahran, on June 15<sup>th</sup>, 2017, as they were leaving the Egyptian Social Democratic Party headquarters in downtown, after discussing the movements of the political forces to protest against the government's and parliament's violation of the nullification of the ruling regarding the maritime border demarcation agreement signed by Sisi with Saudi Arabia.

### 4. The death of Nubian leader Gamal Sorour as a result of his hunger strike at the Shallal security camp:

Nubian citizen Mohammed Saleh Sorour, AKA Gamal Surour, died at the Aswan Security Camp on November 4<sup>th</sup>, 2017, after delayed treatment when he went into a coma.

The victim is one of the 25 Egyptian citizens who have been held in pre-trial detention in the Central Security Camp in the Shallal area of Aswan since September 4<sup>th</sup> on charges of demonstrating and blocking the road against the backdrop of a festive march with tambourines organized on September 3<sup>rd</sup> to celebrate the Eid al-Adha holiday and demand the implementation of Article 236 of the Constitution.

The detention of the demonstrators has continued since that date until they were released on November 25<sup>th</sup> from the State Security Emergency Court and adjournment of the hearing to December 12<sup>th</sup> 2017.

5. Trial of the lawyer and former presidential candidate Khalid Ali:

On September 25<sup>th</sup> Dokki Misdemeanors Court decided to sentence human rights lawyer Khaled Ali, for three months and an EGP 1000 fine, for violating public decency in front of the State Council building following the ruling nullifying the

demarcation of the maritime border between Egypt and Saudi Arabia on January 16<sup>th</sup>, 2017.

That was in a fabricated case against him by one of the “Hesba” lawyers.

On Tuesday, May 23<sup>rd</sup>, Khalid Ali was brought before the Public Prosecution for a complaint accusing him of violating public modesty, on the background of his celebration of the ruling obtained by the Administrative Court of Justice, which nullified the agreement to hand over Tiran and Sanafir islands to Saudi Arabia.

The Public Prosecution decided to detain him to the next day pending the security memo and the report of the criminal lab after he was denied the right to defend himself.

The next day the prosecution decided to release Khaled Ali on bail of EGP 1,000 and to refer him to trial.

Khalid Ali appealed the sentence on September 26<sup>th</sup> and the case remains ongoing.