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**Promotion and protection of all human rights,
civil, political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 May 2010]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Freedom of Expression in the Arab World

The Cairo Institute for Human Rights Studies (CIHRS) regrets to report that the Freedom of Expression in the Arab world has come under increasing pressure over the last two years.

In Egypt, liberty-depriving punishments have been meted out less frequently for press and publication related offenses and there has been a relative openness in the private visual media and press. Nevertheless, a qualitative decline in freedom of expression is clear when it comes to bloggers and internet activists. This has been made evident by the wide-scale attacks against them. In the last year alone, dozens have been placed under administrative detention pursuant to provisions in the Emergency Law. Other individuals have been abducted or temporarily held in undisclosed locations by State Security offices. Several bloggers have been detained under the Emergency Law for nearly three years without charges or trial, despite numerous court orders for their release.¹ The Egyptian authorities are also cracking down on some forms of collective political protest. Some Ministers of Parliament within the ruling party have even demanded that the Ministry of Interior shoot demonstrators or others they consider to be lawbreakers.²

In Morocco, despite the fact that the country has seen an expansion of the independent press in recent years and relative tolerance for criticism, the last two years have witnessed a deterioration marked by increased censorship of the press, particularly in matters pertaining to criticism of the royal family, discussions of corruption cases that implicate public figures, and the advancement of opinions at odds with the Moroccan administration of the Western Sahara. This has been accompanied by the increasing use of liberty-depriving punishments, which have targeted several journalists, bloggers, rights activists, and political activists in the Sahara region.

In Syria, there is zero tolerance for freedom of expression. Several writers, bloggers, political activists, advocates for Kurdish minority rights, and prominent human rights defenders have been given stiff prison terms and undergone unfair trials without due process. Liberty-depriving punishments continue to be used against journalists and writers in Tunisia and Algeria as well. Although the independent media has a very limited presence in Tunisia, it faces extraordinary pressures that involve blockades on their offices and physical attacks on staff. Furthermore, in Syria, Saudi Arabia, and Bahrain, the long list of blocked websites continues to grow.

In the occupied Palestinian territories, the conflict between Fatah and Hamas has entailed a ban on Hamas-affiliated media in the West Bank and Fatah-affiliated media in the Gaza Strip. Both parties have censored the media, and in the West Bank journalists and media workers affiliated with Hamas have been arrested and detained.

In Yemen, the authorities have launched a vicious war on the independent press and against all forms of freedom of expression. Last year alone, at least ten newspapers were confiscated or banned from distribution or printing. Yemen has also created a special publications court that has sentenced several journalists to prison and at times temporarily or permanently revoked their professional credentials and licenses. The security apparatus has raided newspaper offices and torched or confiscated trucks distributing newspapers.

¹ See “Bastion of Impunity, Mirage of Reform”, CIHRS 2009 annual report on the state of human rights in the Arab world, December 2009.

² About one week ago, the ruling National Democratic Party officially distanced itself from the statements of some of its MPs, which had been widely criticized both in and out of Egypt. See, “Akhiran: al-wajh al-haqiqi li-l-tawari’ ...al-rasas li-l-mutalibin bi-l-hurriya, <www.anhri.net/?p=4590>.

Journalists and writers have been abducted and placed in secret detention facilities because of their writings. These practices have also affected rights advocates involved in collecting and documenting information about the authorities' serious violations, particularly abuses against the Houthis and political and social protest in the south. In the first four months of 2010, the daily crackdown on freedom of expression has continued mercilessly. The offices of the Aden-based al-Tariq were raided while the offices of October 14 were set on fire. The Ministry of Information has issued several orders banning several newspapers, among them the weekly al-Watani, which has been hit with a ban nine times since the war on the press began in May 2009; as well as al-Ayyam and Hadith al-Madina. Dozens of political activist and journalists are being tried before exceptional courts.³

Among those currently facing prosecution is journalist Mohammed al-Maqalih, a member of the Consultative Board of the Yemeni Observatory for Human Rights. He is facing trial in the Specialized Criminal Court on charges of insulting the president in an article he wrote four years ago.⁴ Al-Maqalih was abducted and disappeared for more than four months in September 2009 before being put on trial. During this time he was physically and psychologically tortured, including being subjected twice to a mock execution. In January 2010, the press and publication court sentenced journalist Anisa Mohammed Ali Othman to three months in prison and banned her from writing for one year after she was convicted on charges of insulting the president. Journalist Moaz al-Ashhab was sentenced to one year in prison and banned from writing for one year on charges of showing contempt for the Islamic faith.⁵ Salah Yehya al-Saqladi, Fuad Rashid, and al-Sayyed Ahmed al-Zubairi are currently being tried on charges of publishing electronic material that threatens the public order and incites hatred⁶

The Cairo Institute for Human Rights Studies calls on the Arab governments and urges the United Nations Human Rights Council and all UN member states to call on the Arab governments to:

Refrain from violating all international legal standards and norms by continuing to infringe upon the freedom of expression and opinion of the citizens of the Arab countries.

Refrain from using "combating terrorism" as a pretext to repress the citizenry and crack down on basic liberties, including the basic right to freedom of opinion and expression.

Respect their international obligations and stop all violations of freedom of expression. In particular, this requires ending the exceptional states of emergency in force in many countries of the region, abolishing liberty-depriving penalties for press and publication crimes, respecting citizens' right to information, and reconsidering all statutes that criminalize freedom of opinion and expression, in violation of Article 19 of the International Covenant on Civil and Political Rights.

Strengthen guarantees for judicial independence and prevent the interference of the executive authority with the justice system. Authorities need to guarantee respect for the sovereignty of the law among all state bodies, and ban the suspension or confiscation of newspapers except by court order.

³ www.anhri.net/yemen/makal/2010/pro311.shtml.

⁴ See www.anhri.net/?=4160

⁵ See www.anhri.net/?=4818

⁶ See www.anhri.net/?p=3347