



Breaking the Chains

MIDDLE EAST AND ARAB WORLD PRESS FREEDOM REVIEW

May 2009 — April 2010



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Cover image: The Association of Iranian Journalists' door sealed. ©2009/AoIJ

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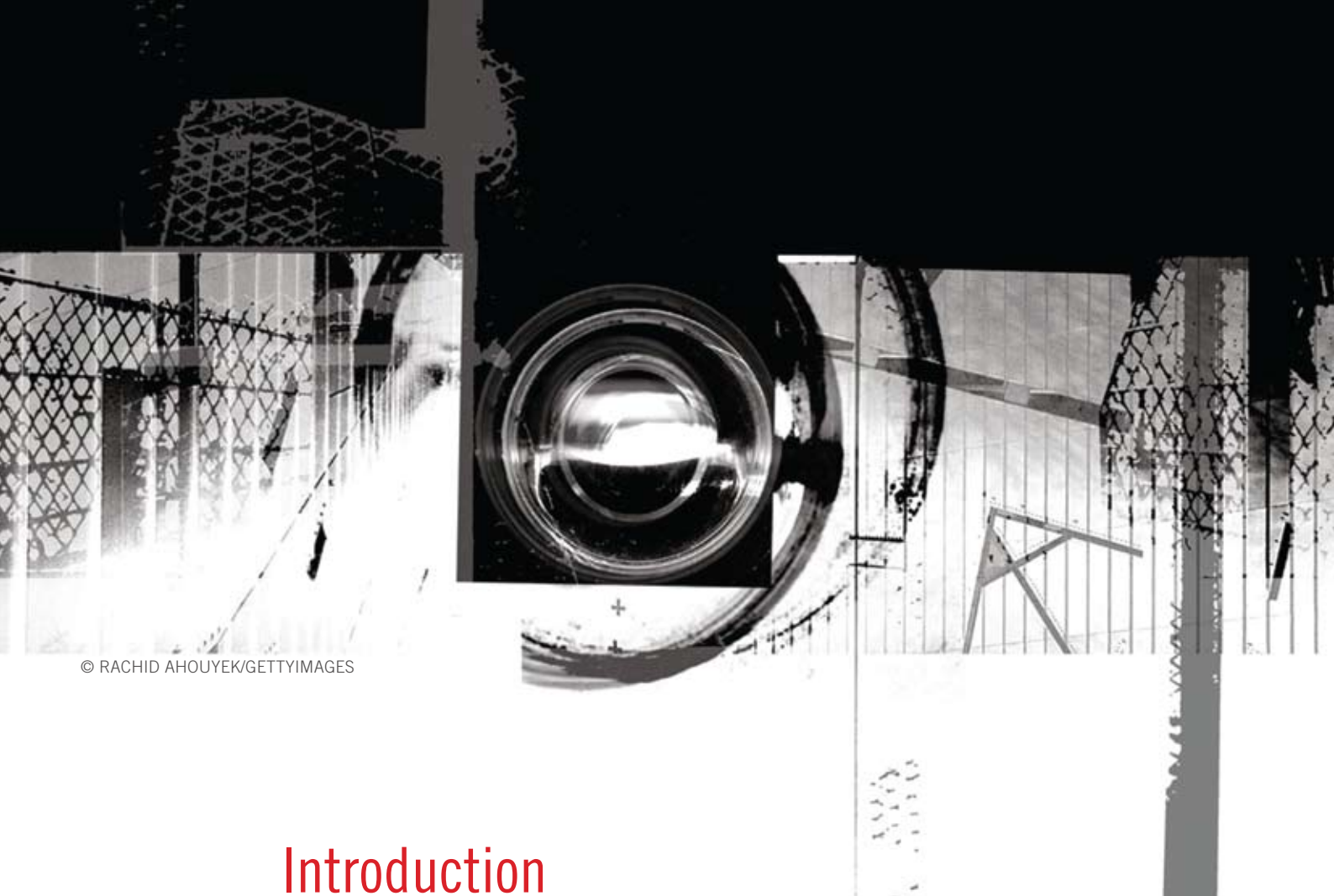
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Introduction

This, the third *Breaking the Chains* report published by the International Federation of Journalists and journalists' unions throughout the Middle East and Arab World, again reveals the extent of violations of journalists' rights with a focus on the use and misuse of the law to restrict, intimidate and punish journalists for their work. Tens of journalists across the region have been prosecuted and jailed on spurious charges and fabricated evidence, by laws designed to prevent the free reporting of events, to quash media scrutiny of government, and to restrict public debate.

Iran heads the list this year with tens of journalists among the thousands who have been rounded up and jailed since the disputed presidential elections of June 2009. The mass street demonstrations and the restriction on the work of foreign and non-state media during the chaos of last summer are some of the defining images of last year. However, the ensuing media clampdown and oppression in the months that followed received little attention and are poorly known. There is a danger that the Iran election will be remembered more for the role of twitter and facebook in circulating news and the efforts of foreign media to make sense and verify the reliability of the information in covering the unfolding events.

Behind the hype of the citizen journalism though is a disturbing story of the rounding up of over a hundred

professional journalists to be detained without charge, without access to lawyers, doctors, family members; a story of repeated closure of remaining non-state newspapers, websites and restrictions on internet access; a story of newsroom paranoia as journalists are vetted and excluded from state media if suspected of sympathising with the demonstrators; a story of restrictions on travel for departing journalists and visa rejections for visiting journalists; and finally a story of the closure of the Association of Iranian Journalists (AoIJ) and attempts to muzzle the leadership from speaking out on behalf of their colleagues. At one point three members of the AoIJ's board were all in detention following the Ashura demonstrations in December. As the report went to press, Mrs Badrossadat Mofidi, the AoIJ General Secretary had been in prison for over four months, held in solitary confinement. For these reasons Iran was selected as the central issue for protests around World Press Freedom Day for the IFJ.

Also in the media spotlight this year has been the rapid deterioration of conditions in the Yemen. The stability of the country appears increasingly precarious with the ongoing insurgency in the North, civil unrest in the South and the spectre of Al Qaida groups working in the East. Journalists have become a victim of this crisis as the government attempts to restrict and control information. Much of the summer was dominated by the stand-

off between the military and private security guards at the Al Ayyam newspaper in Aden. Meanwhile journalists were being arrested, abducted and targeted for trying to report the developments in the country. One journalist, Mohammed Al Maqaleh was abducted by armed masked men last September following his reports on the civilian casualties in the North. The authorities denied knowledge of his whereabouts for four months before conceding in late January 2010 he had been held in an official prison. Freed on 24 March, Al Maqualeh revealed he had suffered torture, fake executions and severe sickness. Despite the horrific treatment meted out to him by extrajudicial state agents, he is still facing legal charges that could see him jailed again.

Tunisia meanwhile experienced a presidential election in October that saw the re-election of President Ben Ali for a fifth term in office winning 90% of the vote following a campaign of uncritical political coverage. There were numerous cases of acts of intimidation against outspoken journalists and journalists' leaders. Prominent cases include that of Taoufik Ben Brick, jailed for six months on trumped up charges of assault for his vocal criticism of the government. Fahem Boukadous emerged from eighteen months of hiding in January and received a four year sentence on charges related to endangering public order while attempting to cover the Gafsa demonstrations in early 2008 against poverty and unemployment. Disputes over government pressure and the relationship between journalists and politics were at the centre of the crisis that split the Syndicat National des Journalistes Tunisiens.

Morocco, a country with a proud record of independent journalism and progressive governance, has witnessed an alarming rise in charges against journalists, arrests and seizures of newspapers. The situation came to a head in October when the police organised a cordon around the Akhbar al-Youm newspaper preventing journalists from accessing their offices following the publication of a cartoon of a member of the royal family's wedding. The Syndicat National de la Presse Marocaine organised demonstrations and a national day of protest to break the siege and demand an end to the targeting of journalists. Driss Chahtane, director of Al Michael weekly, was sentenced to one year jail, accused of "intentionally publishing false information" in articles about King Mohamed VI's health.

Despite the above, there have been many positive developments in the region. The apparent upsurge in the use of the law against journalists is in itself a reflection of a profession that is increasingly assertive of its rights and determined to test and expand the traditional boundaries of political discourse and reportage. There is a thriving movement within journalism that rejects the compromises of earlier generations and determined to grasp the

freedoms enjoyed by their colleagues elsewhere and made newly available by the impact of the Internet.

With greater freedom comes greater responsibility, and there is a mounting need for journalists to reassert their professional credentials by demanding that all those who lay claim to the profession meet the highest ethical standards. It is for this reason that the IFJ's Ethical Journalism Initiative has enjoyed such traction in the region by providing support for journalists' unions to lead public debate on how to create the conditions for press freedom and independent journalism at the service of the public.

As in previous years this report has been jointly drafted by the IFJ and its affiliated unions in the region. The report records, as far as possible, legal cases brought against journalists for their work over the past year. It identifies the status of media legislation in each country highlighting the problematic clauses in need of reform. It also shamelessly promotes the work of both the IFJ and its members to address these issues and to improve conditions for journalists.

This year there is an extra contribution by Article 19, a leading campaign body on international standards of media law and free expression who have provided a comparative overview of the status of media legislation across the region and highlighted some of the progress made in 2009.

The report is a campaigning tool for our unions and partners to help focus action priorities. It provides a snapshot of the current situation that contributes to our overall knowledge. It does not claim to be a comprehensive detailed analysis of each country's situation and deliberately does not try to measure levels of freedom or create a country ranking. Such attempts, while useful for attracting public attention to the importance of free journalism, invariably fall foul of arbitrary and subjective judgements and fail to properly recognise the internal dynamics and currents of change taking place. Press freedom cannot be measured just by the number of prosecutions or the detailed wording of a media law; the letter of the law is often far less important than its application.

Many of these issues were thrashed out at a recent seminar hosted by the Moroccan syndicate with the IFJ's executive committee and representatives of the Federation of Arab Journalists in Marrakech earlier this year. In particular it was agreed to review and strengthen the process for assessing country situations and the broader political and cultural contexts in which the media are operating. It also called for closer co-operation between the IFJ and Federation of Arab Journalists on advancing the press freedom campaigns.

Oliver Money-Kyrle
IFJ Assistant General Secretary

International Covenant on Civil and Political Rights, Article 19

1 Everyone shall have the right to hold opinions without interference.

2 Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3 The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- a) For respect of the rights or reputations of others;
- b) For the protection of national security or of public order (ordre public), or of public health or morals.

The Covenant allows derogations on this right for the protection of national security, public order (Article 19-3/b) and in a situation of “a public emergency which threatens the life of the nation....to the extent strictly required by the exigencies of the situation.” (Article 4-1).

MEMBERS INCLUDE:

Algeria, signed 1968, ratified 1989
Bahrain, accession 2006
Egypt, signed 1967, ratified 1982
Iran, signed 1968, ratified 1975
Iraq, signed 1969, ratified 1971
Jordan, signed 1972, ratified 1975
Kuwait, accession 1996
Lebanon, accession 1972
Libya, accession 1970
Mauritania, accession 2004
Morocco, signed 1977, ratified 1979
Oman, not a signatory
Palestine, not a signatory
Qatar, not a signatory
Somalia, accession 1990
Sudan, accession 1986
Syria, accession 1969
Tunisia, signed 1968, ratified 1969
UAE, not a signatory
Yemen, accession 1987

Overview and Legal Developments in 2009-2010

Freedom of expression is a fundamental human right as defined in Article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights (ICCPR). Laws affecting the media and other means of expression are a key part of the framework for the free flow of information and ideas in society guaranteed by these standards. Where these laws provide an enabling framework, largely consistent with international standards of respect for freedom of expression, they can play a key role in fostering a free media, and thereby the media's role in underpinning democracy and participatory development, and in holding officials and other powerful social actors to account. Where these laws allow for government control, place undue obligations on the media and/or restrict media output, they can have the opposite effect.

With the exception of Oman, Qatar, Palestine* and UAE, all countries in the Middle East and Arab World are States Parties to the ICCPR and have thus made an international commitment to freedom of expression. Most of them are also members of the Arab League, where Article 32 of the amended version of the 2004 Arab Charter also guarantees freedom of expression. Hence, they are required to meet fully their human rights obligations under international law to protect freedom of expression. In addition, all of the countries have opted to provide a separate guarantee of freedom of expression in their domestic constitutions.

Despite these commitments, freedom of expression is heavily restricted in all countries of the region. The overview of the legal framework shows some common features, although specific restrictions varying in each country. These include:

- **Use of criminal law to limit free speech:** all countries in the region have criminal defamation, libel and insult contained in



Penal Codes, usually with higher sanctions for defamation of state officials and public figures and defamation of religion. One of the most serious problems with these laws is that a breach may lead to a harsh sanction, such as a heavy fine, suspension of the right to practice journalism or even imprisonment. Even where these are not applied, the problem remains, since the severe nature of these sanctions means they cast a long shadow and exert a real chilling effect on speech. All of this is particularly a problem in countries in the region that have no established tradition of democracy and where courts and politicians may therefore react disproportionately to criticism. It is now well-established that unduly harsh penalties, of themselves, represent a breach of the right to freedom of expression even if the circumstances justify some sanction for abuse of this right.

- **Restrictive press and media laws:** apart of criminal laws, press and media laws often include criminal sanctions for various press offense, allow for banning certain publications, set system of licensing for journalists, require licensing and capital requirement for publications or allowing for censorship of publications deemed politically, culturally, or sexually offensive. These laws contain illegitimate restrictions on who may publish

* The Palestinian Authority is only an observer at the United Nations.

and what may be published, in contradiction to permissible restrictions on freedom of expression set by international standards or duplicate provisions in laws of general application, sending a chilling ‘double warning’ to the media.

- **Use of anti-terror laws to stifle legitimate political and social protest:** anti-terrorism and national security laws are another tool by which the governments in the region illegitimately suppress free speech. Very often, the restrictions imposed by these laws are impermissibly vague or respond to statements which pose only a hypothetical risk of harm, making them ideal instruments of abuse to prevent voicing of unpopular ideas or criticism of government.
- **Restrictive internet regulations:** these include provisions such as possibilities for governmental censoring sites that are deemed undesirable, requirements of all Internet users to register with the authorities, requirements on Internet users to obtain a licence before being allowed to publish on the Internet. The ISPs are being forced to police access to the Internet by monitoring users or reporting misuse to the authorities.
- **Lack of right to freedom of information framework:** with the exception of Jordan, the governments in the region failed to adopt specific legal framework on freedom of information and have continued in their legacies of secrecy. The countries have been averse to the free flow of information either to cover-up human right abuses or the high levels of corruption deeply rooted in the region.

Some positive changes may have occurred in Bahrain, Jordan or Sudan on the media front, such as amendments to existing press and publications laws, or discussions on access to information. Ostensibly, these initiatives should inject a level of independence to the media sector of the countries concerned.

However, the respect for freedom of expression in domestic legislation has clearly not improved in the region overall but rather has sharply deteriorated. At large, the governments show no genuine commitment in adhering to

their international obligations in this sphere; independent voices critical of the government are restricted and democratic developments have been stalled. Apart of punitive application of legislation against free speech, the problems include threats to life of journalists and human rights defenders, the lack of knowledge of freedom of media issues and a difficult environment for media, civil society and human rights defenders, who are particularly vulnerable when they highlight the absence of democracy or corruption.

The following sections highlight the most critical legal provisions in this respect. They also examine new laws and amendments of existing laws related to regulation of media outlets adopted most recently, as well as other laws that have been used restrictively to limit freedom of media, such as penal codes, anti-terrorism legislation, state security laws and internet regulations.

Algeria

Although the 1976 Constitution of Algeria, revised in 2002, guarantees the protection of freedom of opinion and freedom of expression (Articles 36 and 41) of the Constitution, the legal framework severely limits these rights and poses restriction on media freedom.

For example, the Algerian Penal Code includes several press offenses. Defamation of the President can lead to up to twelve month imprisonment and a fine (Article 144bis); same penalty applies on defamation of the Parliament, state officials, judicial authorities or armed forces (Article 146). Defamation of religion is punishable by five years imprisonment and €1,300 fine (Article 144 bis2). Defamation of judges, public employees or officers in the discharge of their duties can lead to a prison term between two months up to two years (Article 144). In cases of “repetition of defaming the Parliament, judicial councils or the army”, the criminal penalties can be doubled (Article 146).

There have been long standing calls to abolish the mentioned Article 144-bis of the Penal Code. Despite the Communication Minister Ezzedine Mayhoubi pledge in 2009 to review the respective provisions of the Penal

Code according to the electoral program of Bouteflika, no such review has been put in place and there is no known initiative to amend the Penal Code at present.

The principal law regulating the media, the Information Law 97 of 1990, contains provisions that guarantee the right of journalists to information and confidentiality of their sources of information. However, the Law contains a vague provision that prohibits disclosure of information that “harm national security, national unity, or state security”, harm constitutional rights and freedoms of citizens, or harm the reputation of investigation or judicial authorities”. National and foreign publications are prohibited from breaching “Islamic morals, national values and human rights, or inciting racism, radicalism, or treachery”. According to the Information Law, journalists are required to refrain from libel, calumny and slander and the Law provides for six months to 3 years prison sentence for defamation of religion. Publishing or broadcasting “false or biased news that would harm state security and national unity” can be sanctioned by 5-10 year of imprisonment. The law also provides for imprisonment and fines for publishing information on judicial proceedings, defamation of President and representatives of diplomatic missions of foreign countries. Courts can order interim or permanent closure of publications for violation of the law.

Further restrictions on the freedom of expression are imposed by the Presidential Decree of 27 February 2006, issued to implement the Charter on National Peace and Reconciliation. The Decree provides for three up to five-year prison terms and fines for those who “speak or write exploiting or employing the wounds of the national harm the country’s institutions, weaken the State, or belittle its officials’ reputation or tarnish the country’s international image”.

In July 2009, Algeria adopted the new Law on Combating Cyber Crimes (made official in August 2009) that clearly violates a number of rights stipulated in the Algerian Constitution, including freedom of expression (Article 36), right to privacy (Article 39) and freedom of assembly and speech (Article 41). The Law, that criminalises computer hacking, stealing personal data and intellectual property and operating terror-related websites, allows the

state to censor and restrict internet content without the permission of the court. The Law also introduces a new body for combating cybercrime, while the nature and specific powers of this body are not clear and create potential for further enforcement of censorship.

Bahrain

The Constitution of Bahrain, adopted in 2002, guarantees freedom of expression under the conditions that it does not violate “fundamental beliefs of Islamic doctrine, unity of the people, and avoids agitation of discord or sectarianism” (Article 23). It also guarantees the confidentiality of press and prohibits censorship except in exigencies (Article 26).

The main regulation of press is contained in the Press and Publication Law No. 47 of 2002. The Law includes some positive issues, such as the protection of confidentiality of journalists’ sources of information and guarantees the right to access information. However, it provides for six months prison sentence for criticizing the state’s official religion, the king and inciting actions that undermine state security; repetition of the crime within three years can lead to a five year imprisonment. In addition, the Law provides for fines up to 2,000 Bahraini Dinar for defamation of a Leader of foreign state, legislative council, courts, publishing false information that would damage public security or interest, and news contrary to public morals. The Law also allows the banning of publications that “harm morality or different confessions, leading to disruption of social stability”.

The Penal Code, the Law No. 15/1976 amended in 2005, also provides for prison sentences of journalists up to two years for broadcasting or publishing false news that would disturb public safety or damage public interest or financial confidence in the state. It also includes provisions on criminal for defamation and libel, and criminal sanctions for publishing news related to criminal or civil court proceedings or investigations without using the public interest test.

Furthermore, the Anti-terrorism Law, Law No. 58/2006, added more restrictions to press freedom. Under the Law, journalists can be subject

to imprisonment up to five years for possessing or obtaining a publication for distribution or obtaining any other medium of expression to print, record or broadcasting for the promotion of a terrorist attack.

The Bahrain authorities have been promising a reform to the media law for journalists for over five years. In January 2010, the Bahraini House of Representatives adopted an amendment to the Penal Code. The Amendment extended the provisions on criminal insult in Article 217. The new provision prohibit insult towards “the Appointees (Shura) Council, House of Representatives, the National Council, official bodies, Defence Force, National Guard, Courts, or public authorities or utilities,” and such conduct can be penalized by the imprisonment or fine.

In February 2010, the Bahraini House of Representatives also started deliberating a new draft of Press Law proposed by the Appointees (Shura) Council and another amendment to the current Press and Publication Law proposed by the government. Although the draft Law introduced some positive aspects to press freedom protection, it maintains criminal penalties for editors-in-chief and empowers the court to temporarily suspend the issuance of a publication for publishing what is deemed a crime. The Draft Law contains provisions sanctioning importers and distributors of publications issued outside Bahrain if those publications violate the Bahrain law, and sanctions on printing houses for violation of the law when the authors or publisher of a publication is unknown.

In January 2009, the Ministry of Information of Bahrain also issued a resolution based on which the Ministry of Information can order the blocking of a website without referring the case to a court. The same regulation also requires ISPs to “prohibit any means that allow access to sites blocked by the ministry, whether by Internet address, use of a proxy server or any other means.” Hundreds of websites have been blocked as a result of this resolution.

Iran

The Iranian Constitution guarantees press freedom as long as “fundamental principles of Islam” and “the rights of the public” are

respected (Article 24). However, a number of laws severely restrict freedom of expression and press freedom.

The Press Law of 1986, amended in 2000, forbids any offences against the country’s leaders or cleric and publishing material that “creates divisions among the different strata of society,” or “harms the bases of the Islamic Republic.” Offences related to press are dealt by the Press Court, a branch of general courts. Press courts can impose criminal penalties on individuals and order closures of newspapers and periodicals. The Law also established the Press Supervisory Council within the Ministry of Islamic Culture and Guidance to examine press violations. This Council may initiate prosecutions and is empowered to refer cases to the press court. From December 2008, Iran has also a law providing for death penalty for creating websites that promote “corruption, prostitution or apostasy”.

Further restrictions on press are provided by the Penal Code. For example, it stipulates that “anyone who undertakes any form of propaganda against the state...will be sentenced to between three months and one year in prison”; while leaving the term “propaganda” undefined. Crimes against the state, insults toward Islam or espionage can lead to the death penalty. Offences deemed to be an “insult to religion” can be punished by death, or prison terms of one to five years for lesser offenses, with “insult” similarly undefined. Other articles provide sentences of up to two years in prison, up to 74 lashes, or a fine for those convicted of intentionally creating “anxiety and unease in the public’s mind,” spreading “false rumors,” writing about “acts that are not true,” and criticizing state officials.

The Preventive Restraint Act is used regularly without legal proceedings to temporarily ban publications.

Islamic Revolutionary Courts that normally only deal with major crimes, are used to prosecute journalists. They are empowered to try “any offence against internal or external security.” Their procedures allow them to hold defendants for indeterminate periods of time. Proceedings are held in secret, and the defendant has no right of access to defense lawyers.

In November 2008, Iran adopted the Cyber Crimes' Sanctions Law. The Law requires internet service providers (ISPs) to ensure that "forbidden" content is not displayed on their servers, that they immediately inform law enforcement agencies of violations, that they retain the content as evidence, and that they restrict access to the prohibited content. ISPs that do not abide by government regulations (including filtering regulations) can be fined, and with subsequent offenses temporarily or permanently suspended.

In April 2009, the Iranian Parliament passed an amendment to the Press Law that submits online content to the regime of the Law. The Amendment provides that the provisions of the Press Law "apply to domestic news sites and domestic websites and set out their rights, responsibilities, legal protection, crimes, punishments, judicial authority and procedure for hearings." Online content is now required to meet the severe restrictions placed on printed and broadcast media mentioned above. Websites are now also required to obtain a license before publication, and are subject to the authority of the Press Supervisory Board. Online publications which do not obtain a license face charges such as propaganda against national security and "insult to religion" which can carry up to five years imprisonment or death penalty.

These two new laws related to the internet content are particularly concerning in Iran as the post-election demonstrations in 2009 showed that the internet was one of the last remaining outlets of free expression in the country.

Iraq

The Iraqi Constitution, adopted in 2005, guarantees freedom of expression and freedom of press and media (Article 38), however, renders the respect for the right of freedom of expression conditional upon respect for public order and morality. Article 44 of the Constitution allows restrictions on the right of freedom of expression to be imposed "by law or on the basis of it, and insofar as that limitation or restriction does not violate the essence of the right or freedom".

Under the 2005 Constitution, all existing laws, including those developed under Saddam

Hussein, are considered to continue in effect unless specifically annulled or amended by the Council of Representatives. As a result, a large armoury of laws which are highly restrictive of fundamental rights and freedoms and are available to silence legitimate criticism of public officials or government practices.

The 1969 Penal Code, criminalizes defamation and libel, makes it a crime engage in a range of expression such as shouting or singing in a manner that provokes dissent or obtaining materials that incite constitutional change or that promote "banned ideologies" with the aim of publishing them; and includes numerous restrictions on what may be published in the name of protecting "state secrets". Various provisions in the Penal Code also prohibit the publication of false facts or allegations.

The legacies of the former regime's legal system also survive in the 1968 Publications Law that, inter alia, provides for up to seven years jail for publicly insulting the government, the national assembly or public authorities, or inciting violence and civil disorder.

Throughout 2009, the legal and regulatory framework of media in Iraq was marked by instability. A number of new laws were being proposed or were being at various stages of consideration by the Iraqi Parliament that would severely restrict freedom of media and freedom of expression in the country. These included:

- Draft Communications and Media Commission (CMC) Law dealing with the remit of the CMC (CMC was established by the Iraqi Constitution as the regulatory body for both broadcasting and telecommunications, as a "financially and administratively independent institution" and "attached to" the Council of Representatives). According to available information, one version of the draft Law aimed at removing the independent framework of the CMC and either abolishing or significantly diminishing it. The communication regulation would be moved to the government – to the Ministry of Communications, that would mean granting the government a control over key aspects of communications infrastructure.

- Draft Iraqi Media Network (IMN) Law – the draft law that would replace the occupation era CPA Order 66 (the Order 66 founded the state media group). Again, there are several interpretations of the pending draft. One is that the new law, would continue publicly funded media as an entity referred to in the law as the Iraqi Media Corporation (IMC). The draft law generally represents an attempt to uphold the internationally recognised principles for publicly funded media that are set out in Order 66. However, there are also concerns that the new law might contain conditions weakening IMN’s public service broadcast identity; and also that the newly proposed IMC would be mandated not only with the review media activity and its compliance with the law, but also with collecting and sharing media market data. It should be also noted, that the annual budget of the IMN was reduced by 70% in may 2009 (from 93m USD in 2008 to 28m USD in 2009).
- Draft Journalism Protection Law – submitted to the Iraqi Parliament in August 2009. The underlying intention of the draft Law was to improve the protection of journalists in Iraq. However, the propose text failed short of such essential purpose as it would also impose significant direct and indirect restrictions upon freedom of expression. Such restrictions included a limited right of access to information, problematic provisions on the protection of sources and the imposition of a *de facto* system of licensing for journalists.
- In November 2009, the CMC proposed new rules on media broadcasting. The proposal for the regulation contains some new standards for media broadcasting, including the prohibition of broadcasting material that carries on “clear threat of inciting to violence or ethnic or religious hatred,” “compromising civil order, or agitating chaos, or threatening the democratic system or civil peace.” Broadcasters would be required to respect religious and national feelings and interests and refrain from broadcasting improper material to children. The rules also provides for impartiality, accuracy and honest reporting. Broadcasters shall refrain from airing

news known to be false or misleading. The approval of this regulation is pending.

- Draft Freedom of Information Law – there have been two draft laws prepared, one by MP Amal Al Qadhi, the Deputy Chair of the Integrity Committee and one by a group of independent experts, it is unclear whether either of them have been presented to parliament.

Jordan

The Jordanian Constitution guarantees freedoms of expression and press (Article 15). There have been few positive reforms in recent years, expanding protection of freedom of expression. In May 2007, the Jordanian Parliament adopted Law No. 27/2007 that introduced a specific mechanism for accessing information, guaranteed independence of journalists in the course of their work and protection against forced disclosure of their sources of information. In line with King of Jordan Abdullah’s opposition to the jailing of journalists for their work in November 2008, the law abolished imprisonment for press offences. Prison sentences were however replaced with excessive fines up to 20,000 Jordanian Dinars (€23,000) that have chilling effect on freedom of expression. Jordanian journalists can still be jailed under the Penal Code and the Emergency Law. According to the Penal Code, “insulting the King” and “stirring sectarian strife and sedition” exposes its authors to the threat of three years in prison and a fine of €600. Citizens may be prosecuted for slandering the government or foreign leaders, and for offending religious beliefs. The Code also provides for journalists’ imprisonment, if they “defame any religion protected under the constitution”, “offend the prophets”, or “insult to religious sentiments and beliefs, fuelling sectarian strife or racism.”

On 2 March 2010, the Jordanian Government adopted a new amendment to the Press and Publications Regulation. The amendment contains two major components: it establishes a judicial chamber specialized in press and publication cases at both the Courts of First Instance and Courts of Appeal in Jordan; and also stipulates that crimes of state security, lie within the jurisdiction of Amman Court of First Instance

if the crimes were committed by licensed print media or radio and television broadcasters.

In January 2010 (published on 13 January 2010), the Court of Cassation, the country's highest judicial authority, issued an opinion stating that websites should be classified as "publications" and recommended that the Press and Publications Law was extended to online news sites and other electronic media. The Court's opinion empowers authorities to prosecute or impose fines on journalists, bloggers and editors for publishing online material that may be deemed offensive or imply criticism of the Government, national unity or the economy. The government affirmed that it will not use the opinion to repress the media, but rather proposed a Media Code of Conduct to streamline the relationship between the government and the media. The document was adopted by the Jordanian Government on 17 December 2009. It document reiterates the state's obligation to take all necessary measures to guarantee freedom of expression and the right of media agencies to freedom and independence. The government pledged that it will not renew subscriptions with all types of media, in addition to cancelling all existing contracts as of 1 January, 2010 and instead resorting to direct purchases from the local market. The document also affirmed that ministries and public departments are not allowed to appoint journalists, who work in a private media outlet, in any public department to ensure the independence of media agencies.

Kuwait

The 1962 Kuwaiti Constitution guarantees freedom of opinion and the freedom of press and publication in accordance with the provisions and conditions of law (Articles 36 and 37).

The 1960 Penal Code, amended in 1970, criminalizes broadcasting opinions denigrating, mocking or belittling religion which is penalized with one-year prison sentence and a fine (it allows exception for cases when broadcasting research on religion via a lecture, an article or a book in a fair balanced style free from provocative speech whereas the researcher demonstrated well intention in his scientific critical approach). Journalists can also face prison

sentences up to three years for publishing false news, statement or rumors in times of war that may affect military preparations or operations, spread panic among people or weaken morale of the nation.

In 2006, the Press and Publications Law, Law No. 3/2006, limited the government's ability to cancel licenses of publications and gives final decision on that. However, the courts can still impose administrative sentences, as confiscation, closure, and withdrawal of licenses. Also, the 2006 Press and Publication Law still imposes criminal penalties for various offences: publishing material that criticises religion can lead to a one-year imprisonment and a fine between 5,000 and 20,000 Kuwaiti Dinar; criticizing the emir can lead to a fine between 5,000 and 20,000 Kuwaiti Dinar; journalists shall not attribute statements to the Emir without permission from his office. The Law also includes a number of content restrictions regarding denigration of the constitution, insult of judicial system, judges and prosecution, infringing upon public morality or instigating violation of public order, disclosure of documents classified by authorities or under law, denigration of human dignity or their religious beliefs, or harming Kuwait's ties with other countries; that can lead to a fine between 3,000 and 10,000 Kuwaiti Dinar.

There have been ongoing attempts to amend the Press and Publication Law – as well as the Law on Radio and TV Broadcasting in 2009. In June 2009, the Ministry of Information introduced to the draft law provisions that would allow foreign participation in the investing in local media agencies, and reduce government's control of media. However, in the version of the draft from January 2010, submitted to the Ministerial Legal Committee, the newly proposed changes added to the content restriction publishing material that "compromise national unity or stirs up sectarian unrest or incitement thereof", and "insult, vilification or contempt of Kuwait National Assembly or the Council of Ministers." The amendment would also provide for prison sentences of one to two years for press offences and fines that could go as high as 100,000 dinars. It also increased penalties of insult to God, the prophet Mohammed, or members of the royal family

for up to two years in prison and fines from 100,000 to 200,000 dinars. A prison sentence of up to one year a fine of 50,000 to 100,000 dinars would be introduced for any attack on the person of the Emir or for “compromise national unity or stirs up sectarian unrest or incitement thereof”, and “insult, vilification or contempt of Kuwait National Assembly or the Council of Ministers”. The amendments also provide for prior censorship of broadcast media and various artistic productions. The draft law has not yet been approved and is currently undergoing commenting process.

Libya

The 1969 Constitutional Declaration of Libya guarantees speech and press freedoms “within the limits of public interest and Principles of the Revolution.” The Great Green Charter for Human Rights, passed in 1988, does not explicitly enshrine the principle of free speech or the right to information.

Although the Publications Law, Law 76 of 1972, guarantees the freedom of press and of opinion, it states that exercising those freedoms shall not be contrary to the values and objectives of the society. It also sets “belief in the revolution and its goals” as a condition to establish a publication or a newspaper. The Law prohibits censorship of publications and newspapers but, inter alia, also prohibits publication of any decisions of the Revolutionary Command Council or the Ministers Council without their authorisations, bans publication of “any material that questions the goals or principles of the Revolution, that focuses on the negative aspects of any topic or affair while ignoring its positive side in order to tarnish the Jamahiriya”; violation of these provisions are punishable by imprisonment for an unspecified period and a fine of 1,000 dinars.

The Law on Enhancing Freedom, Law No. 20/1991, adopted in 1991, provides that “every citizen has the right to openly express his thoughts and opinions in the People’s Congresses and in the Jamahiriya media,” unless “he/she uses [that right] in violation of the people’s authority or for personal motives.” It also states that no citizen shall be held liable for his/her exercise of this right unless he/she exploits it with a view to

detracting from the people’s authority or for personal ends.” However, it also stipulates that “it is prohibited to advocate ideas or opinions clandestinely or to attempt to disseminate or impose them on others through enticement, force, intimidation, or fraud.”

Under the Penal Code publishing false news or rumours about the country’s internal situation that would damage the country’s reputation or shake its confidence abroad can lead to a life sentence. In December 2009, the information about a new draft Penal Code was made available by the Secretary of Justice of Libya. a positive step as a number of the current Libyan Penal Code severely limit the right to freedom of expression and have been frequently used to suppress those suspected of being opposed to or critical of the current political system. The Draft Penal Code contains some overall improvement but still retains provisions that violate freedom of expression. For example, it states that offending a public official shall be punishable by imprisonment (Article 198), it provides for imprisonment for insulting Mu’ammar al-Gaddafi (Article 155) and for the life imprisonment for promoting principles with the aim of changing the Jamahiriya system using illegal means (Article 167). The draft Penal Code was not yet adopted by the Basic People’s Congresses, the first step in the legislative process, as the Congress asked for further amendments to the text.

Mauritania

The Constitution of Mauritania guarantees freedom of speech and of the press (Article 10). However, the Constitution also allows for content and media to be banned if they threaten national sovereignty, security, or unity or the territorial integrity of Mauritania or if they insult Islam or foreign heads of state (Article 11).

The 1991 Freedom of Press Law allowed the government to exercise censorship, repress journalists and confiscate publications. Following the 2005 coup d’état, in 2006, Mauritania adopted a new Press and Publication Law that abolished the obligation of newspapers to submit a copy of each issue to the interior ministry for approval prior to publication. The new law however, provides for financial and penal sanctions for journalists

who threaten “the state’s security”, “offend the President of the Republic”, damage the reputation of public institutions or officers, or “undermine Islam or the reputation of the state.” A High Authority for the Press and Broadcast Media (HAPA) was created a few months after the adoption of the law. The agency acts as a media monitoring body, which also oversees the liberalization of the broadcasting sector.

In March 2010, the Constitutional Council of Mauritania revoked a number of provisions of the Anti-Terror Law, passed by the Parliament in January 2010, for violation of the constitution. The law gives security forces power to tape suspects’ phones and carry out searches on their homes “at any time”. Current law prevents house searches after 10:00 pm. Further shortcomings of the Law include a failure to define the crimes covered by the law and granting the executive broad powers to subject actions under the law.

Morocco

The Moroccan Constitution guarantees, among other things, freedom of speech and of the press (Article 9).

However, the 1958 Press Law, amended in 2002, provides for financial penalties and up to five-year jail sentences on journalists and publishers who libel, defame, criticise the monarchy, Islam, state institutions or discuss territorial integrity regarding the country’s sovereignty over Western Sahara. In these circumstances, the Press Law authorises the banning of publications. Furthermore, the Press Law provides for up to five years imprisonment and 11,000 fine for causing offence to the royal family. Similar provisions are applicable when the publication attacks Islam, the monarchy or territorial integrity. Defamation of the courts, armies, ministers and national administration is punishable by one year imprisonment and €11,000 fine. Similar provisions punish defamation of heads of foreign states, prime or foreign affairs ministers. Publishing, broadcasting or reporting false information can lead to up to one year prison sentence. The Law also allows the Ministry of Interior to ban a single issue of a periodical or a publication deemed to compromise public order to disrespect the Monarch and the family.

The 1963 Penal Code contains also prison terms between one and five years for insulting the Monarch and the Crown Prince, and between six months and two years for the insult of one of the members of the ruling family.

The 2003 Anti-Terrorism Law defined terrorism in a very broad manner. An act is considered as terrorist if its “main objective is to disrupt public order by intimidation, force, violence, fear or terror” and is composed of one or more acts listed in the article. The Law provides for prison sentences between two and six years for praising in speech, writings, publications or posters acts deemed as terrorist crimes.

There have been no significant developments in legal framework of Morocco in 2009. However, highly restrictive Press Code has been used throughout 2009 to harass independent media. Although most prison sentences are suspended by the courts, politically motivated prosecutions are frequent and exert pressure for self-censorship of media.

Oman

The Basic Law of Oman guarantees freedom of opinion and expression “within the limits of the law (Article 29).

The 1984 Press Law requires accreditation for journalists to practice the profession, and licensing and capital requirement for publications. The Law contains a chapter on content restriction: it prohibits publishing material that defame the Sultan, or members of the ruling family, that damage public order or that calls for the endorsement or promotion of values contrary to Islam; violation of this provision can lead to a prison sentence up to three years or a fine of one thousand Omani Riyal. A number of provisions prohibit publishing what would endanger the safety or internal or external security of the State or that would damage national currency, or that would harm public morals or ethics or religion; violation of those provisions can lead to a two year prison sentence.

Under the Penal Code, defamation of the Sultan can lead to a prison sentence between three months to three years and/or a fine between 25 and 500 Omani Riyal. Same prison sentence applies for the defamation of the President of a

foreign state. Denigration of religion can lead to a prison sentence between 10 days and three years or a fine up to 500 Omani Riyal.

Online journalists also face imprisonment under the Omani Telecommunications Law, amended in 2008. The Law provides for up to one year and/or a fine of no more than 1000 Omani riyals for anyone who uses a system on a device or a means of communication to direct a message while knowing it is untrue or causes harm to a person or a service. Same penalties are applied for sending a false message that would endanger an individual's safety or the quality of a service.

Licensing conditions for establishing private broadcast media, under the 2004 Private Radio and Television Companies Law, are difficult to meet. Applicants are limited to Omani nationals with high capital owing to the €1 million required to establish an outlet.

Law of State of emergency, Law No. 75/2008, allows the National Security Council to exercise censorship over media in all its forms, print, radio, TV broadcasting and to prevent, control or confiscate or shut down its offices.

Palestine

The 1995 Basic Law guarantees freedom of conscience and expression (Article 19).

The main regulation of media is the 1995 Press and Publications Law. Although the Law provides for freedom of the press and of publishing, it also stipulates that it is illegal to publish anything contrary to principles of freedom, national responsibility, human rights and respect for truth. The Law contains a list of restrictions, including prohibition of publishing material that is "inconsistent with public morals" or which may "shake belief in the national currency," or "harming national unity." These restrictions are backed up with censorship powers as publications must deposit copies with the government prior to distribution. The Law also establishes a licensing regime for the printed press, including high initial capital requirements. It further imposes a number of conditions on who may be an editor-in-chief, a responsible director and an owner of a publication.

Somalia

The 2004 Transitional Federal Charter of the Somali Republic states that Government shall guarantee the freedom of press and independent media in accordance with Law (Article 20). The Charter replaced the Constitution of 1960. The Somaliland Constitution also guarantees freedom of expression.

Repressive laws are issued by different authorities in Somalia and include a set of media laws, a 1960 penal code and an anti-terrorism law. However, given the political context, there is no nationwide enforcement of law in Somalia and media are routinely attacked without any legal justification.

In December 2007, the Transitional Federal Government of Somalia (TFG) passed a media law that restricts press freedom. According to the Law, journalists should "avoid the dissemination of fictitious information and denouncements that can damage the stability and unity of the nation and that can jeopardize the peaceful cohabitation of the public." Vaguely worded articles or repressive ones provide for heavy fines for press offences, restrictions on who can be a journalist and on media licensing, facilitating broad interference by the Ministry of Information in media matters.

TFG also passed Anti- Terrorism Law that stifles freedom of expression, particularly the coverage of opposition groups based in Eritrea and the journalistic travels to Asmara are deemed as acts promoting terrorism.

The Constitution of the Puntland Regional State of Somalia, which mainly controls north-eastern regions of the country, guarantees "the right to display free expression" (Article 25). Puntland Regional State of Somalia passed security law in April 2006 that curbs media freedom as police and armed forces use it to challenge media independence.

In Somaliland, freedom of expression is enshrined in Article 32 of the Somaliland constitution. Somaliland adopted a Press Law in 2004. The law requires media outlets to register with the Attorney General's office and contain content restriction regarding public morals and religion. However, licensing private radios

is still banned by the government that fears of unleashing destructive clan rivalries on the airwaves. Journalists have reported that access to information from government is difficult and ministers are unwilling to give information.

Sudan

The 2005 Constitution of Sudan guarantees freedom of expression in accordance with the law. Article 39 of the Constitution requires media agencies to comply with ethics of the profession and refrain agitating religious, ethnic, racist, or cultural hatred or to incite on violence or war.

The 1991 Penal Code penalizes defamation of religion with up to six-month prison sentence, a fine or 40 lashes (Art. 125). Other provisions on defamation can lead to imprisonment and fines. Publishing or broadcasting false information or news known to be incorrect intended to cause fear or panic or to compromise public peace or disrepute of the State is punishable with six month prison sentence and/or a fine.

In 2001, Sudan adopted an Anti-Terror Law. The law contains provisions that criminalize facilitating in speech or in publishing the commission of a terrorist act.

In June 2009, Sudan Parliament passed a new Press Law, following the months of controversy and protests by international bodies and civil society. Although the new Press Law removed a proposal to introduce high fines on journalists and the power of Press Council to close newspaper, it still prohibits the publication of material contrary to religion, or confidential information about the security of the country and military forces. The new Law gives the National Press and Publication Council (NPPC), a body under the supervision of the President's office, the power to issue and cancel the license of a publication and to suspend newspapers for three days maximum without a court decision. Otherwise, the courts shall decide penalties and can choose how long to suspend newspapers.

On a positive side, in September 2009, Sudanese president Omar Al Bashir, issued a decision to lift pre-censorship, one of the state's practices aimed at "controlling"

newspapers – the practice of intelligence officers visiting newsrooms each evening to review newspaper content, eliminating articles that were considered "quite sensitive". This decision should be a positive step if it is implemented without any changes or conditions.

Tunisia

The Constitution of the Republic of Tunisia guarantees freedom of opinion and expression (Article 8) but provides for restriction prescribed by the legislation.

The Press Law of 1975, amended in 1988, 1993 and 2001, provides for up to five years imprisonment and a fine of between 1.000 and 2.000 dinars for defaming the president of the Republic; defamation of religion can lead to a prison sentence between three months and two years. Publishing or republishing of false news can lead to a prison sentence between three months and two years. Defamation of public institutions including the judiciary and the army can lead to a prison sentence up to three years. Similar provisions also apply on defamation of President and members of foreign governments. Prior to publishing publications have to be deposited to the Ministry of Interior for approval.

The Penal Code, amended in 2005, includes a number of repressive provisions. Publishing or circulating banned publications can lead to a prison sentence up to one year and a fine up to 600 Tunisian Dinar. It also bans circulating publications that disturb public order or compromise public morals, which is punishable with a up five-year prison sentence and a fine up to 1,200 Tunisian Dinar.

United Arab Emirates

Article 30 of the Constitution of the UAE guarantees freedom of speech and press, but a range of legal provisions restrict these rights.

The 1980 Press and Publications Law prohibits criticizing the President of the State and the ruling family. This can lead to a prison sentence up to two years and/or a fine between 5,000–20,000 Dirham; the Court can also order shutting down the publication for a period not exceeding six months. Press law

authorizes the state to censor both domestic and foreign publications prior to distribution. Offending Islam or the regime or the superior interests of the state is prohibited. Journalists are prohibited from publishing material contrary to public morals, or agitating hatred or divide among people. Slander of President of a foreign state is prohibited. Calumny of Arabs and tarnishing their civilization and heritage is also forbidden. Violations of content restrictions can lead to a prison sentence up to six months and/or a fine up to 5,000 Dirham.

The 1987 Penal Code provides for imprisonment up to five years for insulting the President of the State and the flag and national symbol. Publishing information, news or documents that belong to public institutions can lead to a prison sentence and a fine. Inaccurate or ill intended publishing of news or information about court hearings, or publishing news about prosecution investigations can lead to up to one year imprisonment and a 10,000-Dirham fine.

In January 2006, the UAE was the first Arab country to adopt a Cyber Crime Law. The Cyber Crime Law contains penalties for Internet users or publishers – publishing or producing material contrary to public morals can lead to a prison sentence up to six months and/or a fine up to 30,000 Dirham. Insult of Islam or any religion or its rituals or broadcast immoral material or private items in breach of public decency can lead to a seven year prison sentence.

On 20 January 2009, the UAE Federal National Council adopted a new Media Law. Although the Law contains some improvement over the previous draconian media law, it still includes several severe restrictions on free speech. In particular, it contains a number of ambiguous and over-broad content based restrictions, ambiguous provisions on who is governed by the law and what standards they must adhere to, prohibition of publishing material that misleads the public and “harms the national economy,” or “disparages” government officials, provisions laying out a troubling registration regime for certain media (including a provision that requires media organizations to provide a large security deposit

to the government), and provisions providing the government supervisory power over the hiring of journalists and editors. Range of fines in for defaming the government officials are set between 100,000 and 1,000,000 Dirham and “receiving foreign financial support” without permission from the National Media Council can lead to the same fine.

Upon the protest by Emirati journalists and the UAE Journalists’ Association in February 2009, the UAE President Shaikh Khalifa Bin Zayed Al Nahyan decided to suspend the Law and establish a committee to revise it. There is no information on the status of this revision at present.

Yemen

The Yemeni Constitution provides for freedom of speech and of the press “within the limits of the law” (Article 42).

The 1990 Press and Publication Law imposes criminal sanctions on criticism of the “head of state” and the “goals of the Yemeni Revolution”, as well as publication of “false information” that may spread “chaos and confusion in the country”. The Law also bans publication of anything “harming the Islamic faith or denigrating a monotheistic religion”.

The 1994 Penal Code contains criminal penalties for “airing views that denigrate or mock religion or its rituals or teachings”, and “publicly inciting against a group of people that would disturb public peace”; both crimes are punishable with a three year prison sentence. If the religion subject to slander is Islam the penalty goes up to five years imprisonment. Insult of the President of the Republic, President or representative of a foreign state, Council of Ministers, the Army, Courts, or public institutions is punishable with a two year prison sentence or with a fine up to 4,000 Yemeni Riyal. Publishing false information that would disturb public order or harm public interest can lead to a one year prison sentence; penalty could be doubled. Publishing or producing material that harms public morals or the reputation of the country can lead to up to two year prison sentence or a fine.

In May 2009, the Yemeni Ministry of Information established the Special Court for Journalists to try journalists for violations of the Press and Publications Law and the Penal Code, on the initiative of special prosecutor. The decision to establish the Court came after a decision by the Yemen Ministry of Information to suspend eight leading newspapers. The idea of establishing specialised press courts was launched as a media friendly measure to deal more professionally with media cases. But the government used the court it established in Sanaa to strengthen pressure on journalists. The court started to hold hearings since July 2009 and sentence a number of journalists and banned them from

practicing journalism since then. Seen as lacking independence from the government, Yemeni journalists strongly criticized it.

In March 2010, the Yemeni Shura Council, a consultative body of experts, started debating a new draft of the Press and Publication Law. The text of the draft is not yet available. Although there have been a number of attempts to adopt a new Law on Access to Information (so far, three draft laws have been discussed), none of the drafts have been adopted by the Parliament and the status of the legislative work on the draft in the Parliament is unclear.

ALGERIA

Tensions and government pressure on the media that accompanied the presidential elections in April 2009 eased in the second half of the year. But media and journalists continued to be targeted when they reported on certain sensitive issues, in particular corruption and security.

The main legal basis used to prosecute journalists is the Penal Code. The code also grants the judiciary the power to fine and ban newspapers. Despite the numerous affirmations made by the government about its readiness to amend the Penal Code's articles providing for imprisonment for press offenses, no review has taken place.

The broadcasting sector is under the authorities' control, but until recently, the country was among the few that avoided Internet censorship. In July 2009 a Cybercrime law was

adopted, which requires providers to diligently remove content, in case of violation of laws or information contrary to public order or morality, and upon the authorities' request. These provisions represent a threat to freedom of expression as a whole.

On 17 March 2010 the website of independent *Radio Kalima* was blocked in Algeria, where the radio had been launched two months earlier. The same day the radio broadcasting on the Hotbird satellite, was also blocked by the French provider EUTELSAT.

Journalists working conditions have been a major challenge for Algerian journalism. The social and material uncertainties in which Algerian journalists live continue to affect the independence and quality of journalism in the country. The lack of a national collective agreement in the sector has exposed



Journalists in strike at the Algerian Radio headquarters. ©2010/ ElWatan

journalists to flagrant labour abuses. On 7 March 2010, journalists of the Algiers based radio *Al-Bahja* went on strike to demand permanent contracts for the posts they had filled for years. *Radio Al Bahja* is part of the State Radio Broadcasting Company (ENRS). Journalists were threatened by the police to leave the premises or face retaliation. A few days later, the General Director of the ENRS – who had been himself quoted saying that 900 freelance journalists in the state owned-media worked under illegal conditions – charged

seven journalists who participated in the strike with “illegal occupation of a public place and impeding the functioning of the public service” (although the radio continued to broadcast programmes).

The IFJ called on the broadcasting authority to find a rapid solution to the problem and ensure decent working conditions to the journalists working in its stations. It also strongly condemned the action and the silence of the Ministry of Communication in this affair.

Cases

NAME / MEDIA	FACTS
Larabi Samir, Mourad Abacha, Bilal Brahmia, Hassiba sadki, Karima Boudrai, Fouad Ramki, Fadia Babou, <i>Al Bahdja</i> radio (ENRS).	10.03.2010: The seven journalists of the Algiers based radio <i>Al-Bahja</i> were charged by the General Director of the ENRS for participating in the strike with “illegal occupation of a public place and impeding the functioning of the public service”, following a protest by more than 20 journalists at the radio, demanding permanent contracts for the posts they had filled for years.
Nacim El-Kfel, Director, <i>Sirry LeIghaya</i> .	03.11.2009: An Algiers court banned <i>Sirry LeIghaya</i> (Highly Classified), a supplement to <i>Al Monaqasa</i> newspaper, claiming it was working without license. The case stems from articles published in the supplement about embezzlement in a municipality of central Algeria.
Hafanoui Ghoul, Freelance journalist, human rights activist	OCTOBER 2009: Ghoul was summoned to respond to a lawsuit filed in 2008 by three officials in the city of Djelfa including the governor, after the journalist published a report in the independent daily <i>al-Wasat</i> about embezzlement in the city's administration and human rights violations in its prison. Ghoul has faced harassment for years, and numerous cases were filed against him by Djelfa local officials.
Rabah Lamouchi, <i>Al Nahar</i> newspaper	16.07.2009: A six-month sentence was handed down by a court in Tébessa to the local correspondent of <i>Al Nahar</i> newspaper, an Arabic daily, for alleged defamation and working without accreditation. Lamouchi was arrested on 9 June and remained in custody until the judgment. The journalist had reportedly been investigating the security forces in Tébessa in Eastern Algeria.

BAHRAIN

Since the 2001 reforms that have seen the establishment of several independent newspapers, the country has witnessed increasing levels of freedom of speech and media diversity. However, the continuation of political tensions has had a strong and negative impact on the media. Sectarianism influenced media coverage leading to more tensions and triggering tougher policies from the authorities to monitor the media and the Internet.

The Bahrain authorities have been promising a new progressive media law that ends prison terms for journalists for over five years. The IFJ and a delegation of journalists' unions from across the Middle East and Arab World met with the Bahrain Prime Minister in April 2009 to demand the reform of the 2002 Press and Publications law. Despite the endorsement of calls for abolishing the imprisonment of journalists by Bahrain's King Hamad Bin Eisa Al Khalifa, the long awaited

amendments have not been enacted, blocked by the Parliament's conservative lower chamber. In February 2010, the IFJ renewed its calls to amend a draft law and establish an effective self-regulatory body.

Since the coming into power of the new monarch in 1999, there have been no journalists jailed in Bahrain. The few defamation cases brought against journalists resulted in fines. In addition, the Bahraini Journalists Association (BJA), an IFJ affiliate, has secured an agreement with the Prosecutor's office so that a period of two weeks is observed to try resolving lawsuits filed against journalists through mediation. This resulted in the resolution of a number of cases in 2009 and 2010 away from the courts. The public prosecutor's office also issued a "circular" No.14 – 2007, which aims at ensuring procedural guarantees to journalists facing penal charges.



Opening of the IFJ Office in Bahrain, April 2009. ©Al Ayyam

It is worth noting that cases brought against journalists in 2009, have been submitted by civil parties to the Public Prosecutor, and not by governmental bodies.

In April 2009, the IFJ launched a programme of action in support of ethical and independent journalism in the Middle East and opened a regional office in Bahrain to implement practical programs designed to overturn the legal obstacles to press freedom. The regional office also works at raising awareness about the crucial role of quality and independent press in the process of democratic reform in the region. Media in the country engaged in the initiative by creating a National Committee for Journalism Ethics in Bahrain, which will lead national debates in the country and campaign for greater standards in journalism and develop proposals for effective media accountability systems.

The BJA represents journalists working in the press in Bahrain. Since 2008, the association runs a campaign against sectarianism in the media and lobbies for a protective media law and defends individual journalists from prosecution through legal assistance, mediation and public protests. In March 2010, the BJA and the IFJ office jointly organised the Ethical Journalism National Committee to review the chapter dealing with media responsibility in the draft media law examined by the Parliament, which ended with the Committee's decision to reject the draft and work with the BJA and the IFJ at a counter proposal for an accountability and auto-regulation mechanism, initiated by journalists themselves.

For further information visit BJA website <http://www.bja-bh.org/en>

Cases

NAME / MEDIA	FACTS
Anwar Abdel-Rahman, Editor, <i>Gulf News</i> newspaper	15.3.2010: The Attorney General referred Anwar Abdel-Rahman to the High Criminal Court, accusing him of insulting and defaming the President of the now-dissolved Bahrain Center for Human Rights, Nabil Rajab. <i>Gulf News</i> had published articles suggesting Rajab acted like an "agent for foreign authorities".
Rashed El-ghaeb, Journalist, <i>Al-Belad</i> newspaper	03.03.2010: The High Criminal Court fined the journalist 50 Dinars (approx. €100) on charges of slandering the President of a political association, the lawyer Abdullah el-Hashim. Rashid had written articles critical of a political activist without naming him.
Maryam al-Shrooqi, Journalist, daily <i>Al-Wasat</i>	17.01.2010: The High Criminal Court upheld the Court of Appeal decision, which had given a 50 dinars fine (approx. €100) to al-Shrooqi, and ordered the newspaper to publish a summary of the court's sentence. Maryam was charged with libel and undermining the country's unity in December 2008, for an article exposing the use of discriminatory practices in the country, based on political affiliation.
<i>Gulf News</i> daily	21.06.2009: The Ministry of Information, with no judicial order, decided to ban the Arabic version of the newspaper after it published an article criticising the Iranian leadership for their reaction to massive demonstrations triggered by the disputed re-election of President Mahmoud Ahmadinjad. The ban was lifted two days later.

IRAN

The June 2009 presidential elections in Iran sparked mass-protests and civil unrest on a scale not seen since the revolution that established the Islamic Republic of Iran in 1979. Long-standing patterns of human rights violations, including severe restrictions on the rights to freedom of expression and assembly, intensified during the protests, and have continued.

Since the disputed elections, at least 100 journalists have been jailed, with a peak during the Ashura demonstrations in early January 2010. Journalists have been arrested in the dead of night and whisked off to undisclosed locations, been subjected to baseless trials held with procedural irregularities, mistreated in prison, often subjected to solitary confinement and denied access to lawyers and their families. At least 25 were reportedly in jail mid-April 2010. Scores fled the country before the authorities started preventing journalists travelling abroad.

Iranian and foreign media have been attacked, newsrooms cleared of 'reformist'

elements and at least nine newspapers have been suspended or shut down. Waves were jammed to prevent viewers from watching foreign TV channels including the BBC Persian TV channel. They have also toughened repression towards the Internet, the main channel for free expression, given the banning of independent traditional media.

On August 5, the offices of the Association of Iranian Journalists (AoIJ), an IFJ affiliate, were closed on the order of the government's general prosecutor. The authorities sealed the AoIJ office shortly before the general assembly which had been convened to endorse finance reports and elect observers for the AoIJ's administration. There have been many attempts by the conservative authorities, since they came to power, to control the association; in June 2008, the Labour Ministry conducted a campaign to dissolve the union, for alleged irregularities in its 2006 elections. New elections were organised in August 2008.

MOFIDI BADROSSADAT

Journalist, General secretary of the AoIJ



Mofidi was arrested on 29.12.2009 and incarcerated in ward 209 of Evin prison, where she spent 22 days in solitary confinement. She remains in jail, and strong concerns have been expressed over the deterioration of her health. Repeated demands were made to the prison officials to allow medical treatment be provided to her.

Mofidi worked as a professional journalist since 2001. She worked with a number of reformist newspapers which were banned consecutively, the last being *Kargozaran*, in which she was editor in chief. A founding member of the AoIJ, Mofidi was elected General Secretary at the 2008 elections.

PHOTO ©HANIF MAZR00EI/2009

EMADEDIN BAGHI

Journalist, founder and president of the Society for the Defence of Prisoners' Rights and Founder of the *Jomhuriyat* newspaper (in 2005)



A leading human rights activist, writer and journalist, Baghi has since the 1990's campaigned against the death penalty and addressed human rights issues in Iran. His newspaper *Jomhuriyat* was banned in 2005, and Baghi subjected to continued harassment by the police and the judiciary. Since 1995, Baghi has appeared in court or been summoned by the intelligence ministry 55 times. He served three years in prison between 2000 and 2003 and between July 2007 and October 2008, for a series of articles against death penalty. In December 2009, the BBC Persian broadcasted a 2007 interview Baghi had conducted with Ayatollah Montazeri, a leading cleric, who condemned the way elections had been conducted. Baghi was arrested soon after the rebroadcast,

on 29 December 2009. No charges were brought against him, but he remains in jail, kept in solitary confinement in a deteriorating physical state and without access to a lawyer.

PHOTO ©INSA/MONA HOBBEHFEKHR

The Association said the decision to shut down its offices is illegal. In September 2009, the AoIJ submitted a petition signed by more than 300 Iranian journalists to the General Prosecutor for the reopening of their office. No answer was given by the Judiciary. Three of its board members were jailed in late December 2009 including Mofidi Badrossadat General Secretary, Shamsolvaezin Mashaallah, its deputy president and board member Mohamad Reza Moghise. Mofidi was still held in solitary confinement in late April 2010.

Within the broader trade-union community, hundreds of workers have been arrested for supporting the right to organise or participating in legitimate trade union activities. Free trade unions are not recognised by the authorities and anti-union prison sentences passed by the Revolutionary Courts are common practice.

In response to the authorities' crackdown on media, the IFJ launched the campaign Free Iranian Journalism to support journalists and freedom of the media in Iran:

On 5-7 October, an IFJ regional meeting which brought together 15 unions in the Middle East and the Arab World in Amman, adopted a tough resolution calling for end to the media clampdown in Iran.

In October 2009, the IFJ sent a letter to the Iranian authorities and a call to its member organisations around the world to petition the Iran for the release of all jailed journalists and the reopening of the AoIJ offices.

On 16 November 2009, a global day of action was organised, during the IFJ Executive Committee meeting in London (14/15 November) which sent a letter to the highest authorities in Tehran expressing concern over the violations of press freedom in the country including arbitrary detentions of journalists and closure of the AoIJ office and restrictions to journalists' freedom of movement in and out of Iran. 44 IFJ affiliates actively participated to the day of action.

On the 2 February 2010, the IFJ, the International Trade-Union Confederation (ITUC)

HENGAMEH SHAHIDI

Freelance journalist, women's right activist and editor of the blog *Painveste*



Arrested on 26.06.2009 and held in Tehran's Evin prison, she was charged with propaganda against the State, acting against national security and insulting the president. Sentenced to six years in prison, she was released in November 1, 2009 after payment of 90 million Toman bail (€60,000). Shahidi was rearrested on 25.02.2010, after her appeal was rejected and her six years jail sentence confirmed. Shahidi worked as counselor on women's rights for Mehdi Karroubi, one of the reformist candidates to the presidential elections in 2009. She was reportedly tortured in jail and suffers from a heart disease that requires medication.

and Amnesty International, called on political leaders in Europe and around the world to put new pressure on Iran to respect free expression, Human, Journalists and Trade-union rights. In a meeting at the European Parliament chaired by MEP Barbara Lochbihler, Head of the European Parliament's Iran Delegation, fresh calls were made for Iran to end intimidation of human rights defenders and to release from jail dozens of journalists, writers, trades unionists and dissidents. The AoIJ, which normally marks the 2nd February with annual journalism awards, sent a direct appeal for support to the European Parliament participants.

On 10 February, the European Parliament issued a new resolution on Iran, with a strong call for Iran to stop violations of Human Rights and Freedom of Expression.

For further information, visit:

- IFJ Iran campaign Free Iranian Journalists <http://mena.ifj.org/en/pages/free-iranian-journalists-2>
- Association of Iranian Journalists (AoIJ) <http://aoij.ir/en/>
- Join the Facebook page: **Free Iranian Journalism**
- See European Parliament Resolution on Iran: <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P7-RC-2010-0078&language=EN>

Focus

Journalists arrested or jailed in the period June 2009–April 2010

Most journalists have been arrested during waves of arrests that took place early June 2010, just after the elections and in late December 2010. Many were released in February and March 2010, but at least 25 remain in jail. Numerous journalists were given jail sentences (up to ten years), by revolutionary courts. The ones who were freed on bail are still at risk to be jailed again for any criticism they make.

Additionally, at least nine newspapers were shut down since June 2010.

1. **Abedenei, Abolfazl***: Freelance, he remains in jail.
2. **Abtahe, Mohammadali**: Freelance journalist
3. **Aghaei, Sasan**: *Etemaad*
4. **Alinazare Mazdak**: Editor *Peace Journalists* website
5. **Amooee, Bahman Ahmadi***: Freelance journalist.
6. **Amrabadi, Mahsa**: *Etemaad e Melle*
7. **Arabsorkhe Fezollahe***: Freelance. Arrested on 04.07.2009. He remains in jail.
8. **Atrianfar, Mohammad**: *Shargh*
9. **Azar, Shokufeh**: *Sarmaye*

10. **Baghi, Emadoddin***: *Jomhoriyat*. Arrested on 29.12.2009, he remains in jail.
11. **Bahari, Mazeyar**: *Newsweek*
12. **Bahavar, Emad***: Freelance. Arrested on 15.03.2010, he remains in jail.
13. **Bani Ya'qoub, Zhila**: Iranian Women's Club
14. **Bashou, Behzad**: Cartoonist
15. **Bastani Masoud***: *Jomhoriyat* and *Farhikhtegan*, arrested on 25.06.2009 and sentenced to six years prison by the revolutionary court, he remains in jail.
16. **Beheshtesheraze, Alireza***: *Kalame Sabz*, he remains in jail.
17. **Bordbar, Babak***: Photographer, arrested on 26.12.2009, he remains in jail.
18. **Darakhshan Negin**: Freelance.
19. **Darakhshan Hosain***: Freelance journalist, arrested on 01.11.2008, he remains in jail.
20. **Davare Mohammad***: Editor of *Saham* news website: arrested on 08.09.2009 and sentenced to eight years prison by the revolutionary court, he remains in jail.
21. **Dehgan Mostafa**: Freelance journalist
22. **Dermaneke Khalil**: Freelance.
23. **Ezade, Mostafa**: Freelance journalist.
24. **Farhadpour Leile**: Freelance journalist
25. **Farzin Keivan**: Freelance journalist
26. **Ghoochani, Mohammad**: Editor of *Etemaad e Melle*
27. **Goodarze Kohyar ***: Freelance, arrested on 20.12.2009 he remains in jail.
28. **Hassanpour, Adnan***: banned Asou arrested on 25 January 2007.
29. **Hasanzadeh, Mir Hamed**: ISNA
30. **Hasanzadeh Mehde***: *Tosae*. Arrested on the 20.12.2009 he remains in jail.
31. **Hekmat Ali**: Freelance journalist
32. **Hekmat Mahsa**: *Etemaad e Melle*
33. **Islampour, Ali Mohammad**: Editor of *Navai Vaghat* magazin.
34. **Jaafary, Nooshin**: *Etemaad e Melle*
35. **Jalaleyefarahane Ahmad**: Meher News Agency
36. **Javanmard, Kaveh**: *Karfto*
37. **Jazene Mahsa**: *Etemaad e Melle*
38. **Kabovand, Mohamed Sadegh***: *Payam e Mardom*. Imprisoned on 01.07.2007.
39. **Kakaei Paresa**: blogger

MASSOUD BASTANI

Journalist, *Farhikhtegan* and *Jomhoriyat*



Bastani, along with hundreds of opposition figures and journalists, faced a mass judicial trial in August on charges of acting against the State. He was arrested on 5 July when he went to a Tehran court seeking information about his wife, journalist Mehsa Amrabadi herself arrested on 15 June. He reportedly spent weeks in solitary confinement, and was condemned on 20.10.2009 to six years in prison for "propaganda against the regime", by a revolutionary tribunal in Tehran. He was then transferred from Tehran's Evin prison to Karaj's Kohardasht prison for criminal prisoners. Bastani worked

since 1999 as a professional journalist for various reformist newspapers including *Neda e Eslahat*, *Farhikhtegan* newspaper and *Jomhoriyat* news website.

PHOTO ©HOUSHANG HODI/ILNA

40. **Karami Hamzeh***: *Jomhoriat* news website. Arrested on 16.06.2009 and sentenced to eight years prison by the revolutionary court, he remains in jail.
41. **Karemejjone Nader***: Freelance journalist, arrested on 22.11. 2008 and sentenced for ten years prison by the revolutionary court, he remains in jail.
42. **Kareme Roozbeh**: Freelance journalist
43. **Kazemeyan Morteza**: Freelance journalist
44. **Kazemkhah Zenab**: ISNA news agency
45. **Kohestonei Mojtaba**: Freelance journalist
46. **Lavasane Seyed Masood***: Arrested on 26.09.2009 and sentenced to four and half years prison by the revolutionary court, he remains in jail.
47. **Leilaz Saeed**: Chief editor of *Sarmayeh*. Arrested on 17.06. 2009 and freed on 18.03.2010, he was given a five years jail sentence by the revolutionary court.
48. **Mahdavi, Amir-Hosseini**: *Andisheye No*
49. **Mahzade Javad***: Journalist *Yas e No* and writer. Arrested on 13.10.2009, he remains in jail.
50. **Mahmode Sam**: Freelance journalist
51. **Mahmoodian Mehdi***: *Norooz*, freelance journalist. Arrested on 16.09.2009 and sentenced for three years in prison by the revolutionary court, he remains in jail.
52. **Matinpour, Saeid***: *Yarpagh*. Matinpour was given on 11.09.2008 an eight year prison sentence by a Tehran revolutionary court, for 'links with foreigners' and 'publicity against the Islamic republic' , he remains in jail.
53. **Mereghan Keivan**: *Etemaad*
54. **Mehrabe Ehsan**: *Farhikhteghan*
55. **Mirdamadi Mohsen**: *Norooz* (banned).
56. **Moazzame Ali**: *Shargh*
57. **Mofide Badrossadat***: *Kargozaran* editor and AoJ General Secretary. Arrested on 29.12.2009, she remains in jail.
58. **Moghiseh Mohammad Reza**: Freelance journalist and reserve AoJ board member.
59. **Momene Somayeh**: *Nasim Bidary*
60. **Montajabe Akbar**: *Etemaad e Melle*
61. **Mozaffar Mohammadjavad**: Freelance journalist.
62. **Nazarahare Sheva***: Freelance journalist: detained for 97 days after election, she

AHMAD ZEIDABADI

Freelance journalist, *Roozonline* Columnist



Zeidabadi was arrested on 13.06.2009 along with hundreds of opposition figures and journalists who faced a mass judicial trial in August on charges of acting against the State. In November, he was sentenced to six years in prison and transferred from Tehran's Evin prison to Karaj's Kohardasht prison for notorious criminal prisoners. The journalist began his career with *Hamshahre* newspaper in 1990. AoJ board member between 1999 and 2005, Zeidabadi spent several years in prison over the past decade for his journalistic

work. He is also an active member of the Central Council for Defending Press Freedom.

PHOTO ©ALI RAFIEI/FARS NEWS AGENCY

MASHALLAH SHAMSOVAEZIN

Journalist, political analyst and AoJ Deputy President



Arrested on 29.12.2009 at his home by plainclothes agents, the journalist was released on 28.02.2010 on bail. Shamsolvaezin has been working since early 80's as a journalist then editor, with reformist papers such as Keyhan newspaper, *Jame'eh*, *Toos*, *Neshati*, and *Asr-e Azadegan* – all shut down during the 1990's. In 2000, he was given a two and a half years jail sentence for “insulting Islamic values” over an article critical of death penalty. He was eventually released after spending one year and a half at Evin prison. AoJ deputy president,

Shamsolvaezin is also a leading campaigner for free media in Iran.

PHOTO © HANIF MAZROOEI

was re-arrested on 20.12.2009 and remains in jail.

- 63. Norezad Mohammad*:** Blogger and freelance journalist, Arrested on 20.12.2009, he remains in jail.
- 64. Nooraninejad Hossein*:** *Norooz*, freelance journalist. Arrested on 28.08.2009 and sentenced to one year prison by the revolutionary court, he remains in jail.
- 65. Norooze Kambiz:** Freelance journalist, Chief of the AoJ legal committee
- 66. Nourbakhsh Mohammad Reza:** *Farhikhtegan*, Arrested on 04.08.2009 and sentenced to three year prison by the revolutionary court.
- 67. Nusrati Sumaiya:** *Tehran Emrouz*
- 68. Pajooh Fariba:** Freelance journalist, translator for *El Mundo*.
- 69. Pirhossein Loo Ali:** Freelance journalist.
- 70. Pourostad Vahid:** *Farhikhtegan*
- 71. Qavanloo Qajar, Mostafa:** *Sepideh Danaei* and *Radio Goftogoo*
- 72. Rafieiforoshane, Reza:** Freelance journalist, Arrested on 26.06.2009.
- 73. Raheme Merdad:** Freelance journalist.
- 74. Sadeghehesar Mohammadjavad*:** *Toos* and *Etemaad e melle*, Arrested on 31.12.2009, he remains in jail.
- 75. Sadeghe Amir:** *Farhang e ashte*, photographer
- 76. Sadr, Shadi:** *Women e Iran*
- 77. Saeidi, Majid:** Fars News Agency, freelance journalist
- 78. Saleme, Omid:** Photographer
- 79. Samimi Keivan:** *Nameh* magazine.
- 80. Saharkhiz Isa*:** Freelance journalist with *Roozonline* and *Norooz*. Arrested on 03.07.2009, and sentenced to five years imprisonment by the revolutionary court, he remains in jail.
- 81. Sedaghatkish Arvin:** *Farhang o Ahang* magazine.
- 82. Sadeghe Amir:** *Farhangh Ashti*
- 83. Sadeghe Foad:** *Ayande* news website.
- 84. Shahidi Hengameh*:** Freelance journalist. Arrested on 17.06.2009 and sentenced to six years prison by the revolutionary court, she remains in the jail.

RAJAB ALI MAZROOEI

Journalist, President of the Association of Iranian Journalists (AOIJ)



Mazrooei has worked for reformist newspapers *Salam* and *Sarmayeh*, both banned by the authorities. A founding member of the AOIJ in 1996, elected board member and subsequently president of its board, Mazrooei has been campaigning for journalists social and professional rights and the AOIJ's independence. Labor issues, trade-unions independence and free access to information have been at the heart of his work, including in the period he served as a member of Parliament (2000-2004). After the June 2009 presidential elections he was forced to go underground in

order to keep the AOIJ's network operating despite the shutting down of its offices, and document journalist's arrests and media violations.

PHOTO ©HANIF MAZROOEI

85. **Shamsovaezin, Mashallah:** Political analyst, freelance journalist and AOIJ deputy president.
86. **Shariat Saeed:** *Vaghaye Etefaghie* (banned).
87. **Sheikh-Aghaei, Hassan:** *Payam Mardom Kurdistan*
88. **Shojaei Mansoreh:** Blogger
89. **Shokoohi, Hosein:** *Payaam-e Jonoob*
90. **Soroush Fariborz:** Freelance journalist
91. **Tabatabaie, Shahab e din:** Freelance journalist
92. **Tajik Reza:** *Etemad e Melle*
93. **Tajzade Mostafa:** Political analyst and writer.
94. **Tankabone Behrang:** *farhang o ahang* magazine.
95. **Vazere Nasrin:** Freelance journalist
96. **Yazdani Khoram, Mehdi:** *Etemaad e Melle*
97. **Zaboli, Mehdi:** Photographer, *Hamshahri*
98. **Zeidabadi Ahmad*:** Freelance journalist: arrested on 13.06.2009 and sentenced to five years prison by the revolutionary court, he remains in jail.
99. **Zohde Mohammadreza:** *Arya* (banned)
100. **Zohore Hasan:** *Mirass e Farhanghi* news agency.

National Newspapers shut down since the 2009 June elections:

Ashti Meli, banned on October 6.
Arman, banned on October 6.
Tahlil Rooz Shiraz, banned on October 6.
Etemaad e Melle, banned on August 17.
Seday e Edalat, banned on July 27.
Kalame Sabz, banned on June 14.
Sarmayeh, banned on November 2
Andisheyeno, banned on December 21
Iran Dokht, banned on March 1st.

IRAQ

Although Iraq has become home to a large number of media outlets in recent years, Iraqi journalism continue to suffer from political interference and journalists from physical threats. More than 300 journalists and media staff have been killed since the start of the conflict. The situation has considerably progressed for the media, but at least five journalists were killed in 2009. Tens of media workers have been attacked by armed groups or the country's security forces.

On 23–24 May 2009, the IFJ and the Iraqi Journalists Syndicate (IJS) jointly organised the Iraqi Journalism Summit 2009, the first international meeting of any kind in Baghdad since the war began. Leaders of journalists' unions and media advocacy groups from more than 50 countries travelled to Baghdad in a show of global solidarity with the Iraqi media community and the journalists' syndicate. The meeting included a special session with 100 Iraqi editors and media executives, and the signature of formal agreements between the IFJ and the Iraqi Commission on Integrity and the Independent High Electoral Commission (IHEC), in which groups pledged to defend

press rights and to organise seminars and training for journalists on the role of media in exposing corruption in public life and improving elections reporting.

The meeting also launched a three-year national campaign based upon the IFJ Global Ethical Journalism Initiative, involving a programme of seminars, debates and professional actions to raise media standards, work toward reforming the media legal environment, build a unified journalists' movement and improve safety of journalists. In January 2010, more than 50 men and women journalists working in Iraq completed safety training courses as part of this programme organised by the IJS and the IFJ with the support the International News Safety Institute (INSI). The training lasted for five days in Basra and gathered journalists from the three southern Iraqi provinces of Basra, Amarah and Nasriya.

Journalists continued to face charges from politicians who did not understand the role of media in a democracy and physical attacks from police forces and security escorts. This led to angry demonstrations by Iraqi journalists organised on



IFJ-IJS Iraqi Journalism Summit, Baghdad 23-24 May 2009. © Sarah De Jong

14 August in Baghdad, protesting against media freedom violations and plans to increase taxes on imported books and cultural products.

On 14-16 September 2009, the IFJ and ARTICLE 19 organized, in cooperation with the IJS and the Kurdistan Journalists' Syndicate (KJS), a legal workshop with the lawyers of both unions in Baghdad. The workshop discussed the legal environment regulating media in Iraq and reviewed existing law proposals, in the light of international media freedom standards.

As the country moved towards crucial national elections in March 2010, the IFJ has called on the Iraqi government to respond to the growing threats facing journalists and independent media in this context. The IFJ wrote to Prime Minister Nouri al Maliki mid-February protesting over political pressure on the Iraqi Journalists' Syndicate.

In Iraqi Kurdistan, dozens of journalists were attacked by police officers and security forces during their coverage of the Parliamentary elections on 4–7 March 2010. Journalists were prevented from entering voting stations, filming or taking photos of them. Tens of them have been assaulted by the police and most attacks were carried out in Erbil and Sulaymaniya provinces.

The Kurdistan Journalists Syndicate (KJS), an IFJ affiliate, has closely followed the situation on the ground, and issued a complete report on these violations. A commission was subsequently formed in the Ministry of Interior to look into the complaints the report listed.

Across the country, tens of defamation cases have been filed against local Iraqi newspapers, including Al Mashriq, an independent newspaper which won seven cases filed against it, and British daily *The Guardian*.

In Baghdad, a second assassination attempt was carried out against Moaid Al-Lami, IJS President on 21 March 2010. Gunmen opened fire on his convoy on Sunday evening. Al-Lami escaped injury, but his driver, Emad Hamdy,

was seriously hurt in the attack. Al-Lami was first attacked in a bomb blast almost exactly 18 months previously, on 20 September 2008 that left him with a shattered arm that took several months to recover. That attack came only two months after his election following the assassination of his predecessor Shibab Al-Tamimi in February 2008.

Most journalists' killers remain free. The authorities did not carry out systemic inquiries into the killing of journalists, with a few exceptions: Three men were arrested early August 2009 for the 2006 murders of Atwar Bahjat, a reporter for the satellite TV station *Al-Arabiya*, her cameraman, Khaled Mahmoud Al-Falahi, and her soundman, Adnan Khairallah. Bahjat and her crew were kidnapped and killed on 22 February 2006 while travelling to the city of Samarra to cover the bombing of a Shiite shrine.

Concerns remain over the lack of proper investigation into cases of media deaths at the hands of United States soldiers. At least 20 journalists and media staff have been killed by US troops since March 2003. On 5 April 2010, classified US military video was released depicting a 2007 indiscriminate slaying of over a dozen people including two Reuters' news staff in the Iraqi suburb of New Baghdad. The IFJ renewed its call for an independent process of investigation of US killings and attacks against the media.

For further information see:

Iraqi Journalists Syndicate (IJS)
<http://www.iraqijs.org>; iraqiju@yahoo.com

Kurdistan Journalists Syndicate (KJS)
<http://www.kurdistanjournalists.com>

Iraqi Media Safety Group (IMSG):
<http://www.iraqmsg.org/indexen.php>

IFJ killed List 2009: <http://www.ifj.org/assets/banners/153/146/f4f9999-9912f92.pdf>

WikiLeaks: <http://www.collateralmurder.com/>

Cases

NAME / MEDIA	FACTS
Reporters with <i>Behyam, Civil, KNN Yekgirtu</i>	04–07.03.2010: The KJS received complaints during the elections of media violations in Erbil and Sulaymaniya and in the towns of Kalar and Khormal. The police and security agents prevented journalists from taking photos and in numerous occasions, assaulted them. Among the victims are journalists Rouya Hossein Barzan Hassan, Nawzad Rahman, Bakhtyar Hossein, Omar Nejm Taleb, Oumid Othman, Anouar Sabah, Ribouar Youcef, Ribouar Hamed, Shwan Sidiq and Akar Fars.
Dohnok, Radio station	04.03.2010: Security forces attacked the radio station, took its broadcasting equipment and shut it down. The radio was accused of working without licence. The stolen equipment was later returned, but the radio station introduced a formal complaint.
Mohammed Ibrahim Jassam, Freelance Photographer	10.02.2010: The photographer, who also worked for Reuters News and some Iraqi media was freed after more than 17 months detention by the American forces at Camp Cropper prison near Baghdad. With no evidence against him, the Iraqi Central Criminal Court ordered his release, on 30.11.2008 but the US authorities in Iraq refused to comply on the grounds of “security risks”.
Iyad Al-Tamimi, Chief editor, <i>Al-Sada</i> weekly newspaper	20.12.2009: Waset Court issued an order to arrest the chief editor of the weekly newspaper <i>Al-Sada</i> , Iyad Al-Tamimi, for publishing an article titled “A cleaning lady becomes a governorate council member”. The council member, Makaseb Hamid accused the paper of defamation and filed a lawsuit. The editor was released on bail accounting to 5 million dinars (approx. €2500).
Al-Baghdadeya Satellite Channel	07.12.2009: A Baghdad security unit prevented the TV crew from recording interviews with citizens on the street about the next parliamentary elections, even though they had obtained permission. The journalists were told the area was under security monitoring.
Imad Abadi, Journalist, Al-Diyar satellite TV.	23.11.09: The leading journalist of Al Diyar satellite TV news station was shot in Baghdad by unidentified gunmen as he was driving. Seriously injured in the head, the journalist was flown to the Germany for brain surgery. He went back to work a few months later.
Ahmed Al-Robeiiy, Reporter, Al-Iraqiyat Satellite Channel	05.11.2009: The daughter of the reporter Ahmed Al-Robeiiy was abducted in the area of Gasr Dially in south Baghdad. Al-Robeiiy had a failed assassination attempt two years earlier which left him with a permanently disabled left shoulder.
Ghaith Abdul-Ahad, journalist, <i>The Guardian</i>	November 2009: An Iraqi court ordered the Guardian to pay a 100m dinar (approx. €50,000) fine over a story published in April 2008 under the title “Six years after Saddam Hussein, Nouri al-Maliki tightens his grip on Iraq.” The article quoted three anonymous members of the Iraqi Intelligence Services who alleged that the Prime Minister was running Iraqi affairs with a totalitarian hand, that the Iraqi government was close to the United States and that officials attached to the Iraqi national intelligence service were monitoring intelligence and military activities within the government itself. The journalist was prosecuted under the 1968 Publications Law for defaming the Prime Minister and the Iraqi Intelligence Services. The IFJ, ARTICLE 19, and the IJS on 25 January 2010 called on the Iraqi authorities to drop charges of defamation against the British newspaper <i>The Guardian</i> and its journalist Ghaith Abdul-Ahad. The three organisations filed a joint amicus brief to the Iraqi Appeal Court in advance of its hearing on 27 January. The case was still pending in late April.
<i>Al-Jazeera</i> Newspaper	02.11.2009: The governor of Al-Anbar, Mr. Qassem Mohamed Al-Daleemy, filed a lawsuit against the newspaper on accusations of moral damages amounting to 100 million dinar for the governorate, over an article criticising the governor’s record and unfulfilled promises.
Group journalists and Camera crew	11.10.2009: Al-Anbar police agents attacked journalists and camera crew who were covering the three explosions that hit the city that same day. The police broke the cameras and detained some of the journalists in the governorate building.

NAME / MEDIA	FACTS
<i>Levin Magazine</i>	04.10.2009: The presidency of the Kurdistan region filed a lawsuit against the well-known Kurdish magazine published in Suleimaniya, over an article claiming president Masoud Barzani's monthly salary amounted 400 thousand dollars.
Group of journalists	14.8.2009: A group of journalists were stopped by a Baghdad Force from joining the protests organized in Al-Motanabi street against the violence of the security forces towards journalists and demanding that the press is not dragged into the political unrest.
Al-Sharqiya TV station	AUGUST 2009: The Dubai-based Arabic-language satellite TV station <i>Al-Sharqiya</i> was fined 100 million dinars following defamation charges introduced by Iraqi General Qassem Ata al-Moussawi, over a report quoting him as saying that Iraqis who had just been released by the US forces would be re-arrested and held in prisons under the control of the Iraqi authorities.
Mohamed Al-Husseiny, Marwa Mosadeq, Abdel Qader Al-Qeissy, <i>Al-Dustor</i> Newspaper	08.08.2009: The journalists were beaten up and insulted by Baghdadi troops forces while they were trying to cover the story of concrete-fences removal in Al-Tahrir square.
Ahmed Emad, reporter, Belady Channel and Kareem Al-Qassemy, reporter <i>Al-Fayhaa</i> newspaper	08.07.2009: Police agents of Babel governorate assaulted the journalists at El-Diwanyeia checkpoint. They were detained for five hours on their way back from a journalistic mission in Al-Diwanyeia city.
<i>Levin Magazine</i>	27.06.2009: Security agents belonging to the Kurdistan Democratic Party broke into the magazines office in Zakho, Dehouk governorate, warning media staff of dire consequences, if they distribute the magazine. Issue nr. 94 was seized and burned.

JORDAN

The media landscape in Jordan is increasingly diverse, pluralistic and free. Numerous media outlets emerged in recent years both in the print and broadcasting sector. A Law on Access to Information was passed in June 2007, requiring Jordanian public institutions to disclose information to journalists and citizens.

The 2007 Press and Publications Law abolished imprisonment for press offences, but journalists can still be jailed under the Penal Code and the Emergency law. Media coverage of security issues and corruption in the country remain highly sensitive.

On 30 June 2009, the government closed the Amman offices of the Arabic-language *Al-Alam* and the English-language *Press TV* satellite stations, both funded by the Iranian government. The stations *were* accused of working without authorisation. According to reports *Al-Alam* submitted several applications to renew its license, and *Press TV*'s licenses had been renewed automatically each year up until 2009.

In late 2009, the press echoed assertions of bribery involving the Jordan Petroleum Refinery Company (JPRC) and chief national figures. The government opened a criminal investigation, but in March 2010, the Jordanian State Security Court forbade the media reporting on the case without its authorisation.



IFJ regional meeting, Amman, October 2009.

The Jordanian Press Association (JPA), an IFJ affiliate, actively campaigns for the adoption in the media of professional standards to foster quality journalism. In October 2009, the Association hosted the IFJ Arab World and Middle East regional meeting in Amman, attended by unions from 15 countries. In December, the JPA also co-organised with the IFJ a trade-union training which focused on negotiation techniques, and gathered 15 union activists.

For more information visit JPA website:
<http://www.jpa.jo>

Case

NAME / MEDIA	FACTS
Mouwaffaq Mahadin, Columnist, <i>Al-Arab Al-Yawm</i> newspaper	10.02.2010: A state security court condemned the columnist to 15 days imprisonment for criticising in an Al Jazeera TV programme, the Jordan-US cooperation in the fight against terrorism. Mahadin was charged with inciting racism, acting against the government and compromising relations with a foreign country.

KUWAIT

In recent years, the Kuwaiti media scene has gained greater diversity and independence. The 2006 Press and Publications law eased the process of licensing new newspapers, encouraging the development of an independent media sector.

The law put an end to imprisonment for journalists but defamation can still be punished under the criminal code with jail sentences and heavy fines. If criticism of the ruling family, foreign heads of State or religious affairs is harshly repressed, other matters of public life can be freely covered and commented, including the record of top government officials.

In December 2009, Kuwaiti media tycoon Muhammad Al-Juwaihel appeared on *Al-Sour* TV, a channel he owns, attacking a member of Parliament and raising the issue of dual citizenship, a highly sensitive topic in Kuwait. Following this controversial program, the authorities closed down the channel, and arrested Al-Juwaihel

who was prosecuted and detained for one week, before being freed on bail. The incident prompted accusations from Kuwaiti officials that media were fuelling political and social tensions and calls for tougher penalties to curtail media offenses.

Proposals were made in January 2010 to amend the press and publications law and the audio-visual law for tougher punishment of press offences. According to the Kuwaiti Journalists Association (KJA), an IFJ affiliate, the Ministry of Information, Sheikh Abdallah Ahmad Al-Sabah proposed to amend the Constitution in order to provide for journalists imprisonment in press offences cases.

The KJA urged the Parliament to reject these amendments and instead reduce financial penalties provided for press offences in the current law. KJA and Kuwaiti editors in chief together addressed their remarks on the text, to the Ministry of Information and the Parliament.

The KJA has established both a platform of dialogue with the authorities and a strong solidarity network of Kuwaiti editors of print and broadcasting media, to defend media freedom and editorial independence. It issued unequivocal statements and letters addressed to the government, fully rejecting any attempts to impose restrictions on the media. The KJA also provides legal support to journalists through a voluntary team of lawyers.

For more information visit KJA website:
<http://www.kja-kw.com>



KJA editors' meeting. ©2010 KJA

Cases

NAME / MEDIA	FACTS
<i>Al-Ruia</i> newspaper <i>An-Nahar</i> newspaper	07.03.2010: The newspapers were each fined 3,000 dinars (approx. €7,500) for articles deemed offensive to the royal family.
Mohammed Abdel Qader Al-Jassem, Journalist Abdelhamid Da'ass, Editor, <i>Al-Alam Al-Yaoum</i> daily	22.11.2009: The journalist was arrested after the Kuwaiti prime minister charged him and the newspaper's editor with defamation for an article published in August suggesting the prime minister fuelled sectarianism in the country. Al Jassem paid a bail of 1,000 dinars (approx. €3,000) and was freed on 3 December. On 07.03.2010 he was fined 3,000 dinars. On 1 April 2010, Al-Jassem was given a six months jail sentence in a separate case, for calling publically the prime minister to resign.

LIBYA

Although positive signs of change have been sent in recent years by the Libyan government, major progress must be made for the media to reach decent level of press freedom. Media content, particularly the state-owned press, remains under the ruling regime's control.

The state owned all print and broadcast media until 2006, when Saif al-Islam Qaddafi, the Libyan President's son, launched *Al-Ghad*, a private media group that owns *Allibiya* satellite TV and radio stations, *Oea* and *Cyrene* newspapers and the *Al-Ghad* printing house. These provided a freer and more critical tone to its news coverage and breached old taboo topics such as corruption. However, in a clear setback, the government announced in June 2009 its decision to nationalise these media outlets. In January 2010, the papers stopped publishing when the Press Authority refused to continue printing due to unpaid bills.

As a result of censorship, the internet and online news publications boomed in recent years. Independent coverage has been

provided by Libyan news websites, foreign-based for most of them. A number of these publications have been made inaccessible in Libya in January 2010, including *Al-Manara*, *Akhbar Libya*, *Jeel Libya*, *Libya Al-Mustakbal*, *Libya Watanna* and *Libya Al-Youm*.

On 16 and 17 of December, the IFJ and the Federation of African Journalists were invited to a two-day seminar in Tripoli attended by scores of Libyan journalists, academics and media leaders. A strong call was made by the participants, echoed by the Libyan Journalists and Media Workers' Association (LJA), an IFJ affiliate, to improve the status of journalists and increase transparency in the country.

The meeting's final recommendations called on the Libyan authorities to enact legislation guaranteeing citizens' rights to government information. The LJA, who works at reforming the 1972 Publications law, called for the adoption of collective Codes of Practice in the media, and asked the authorities to guarantee the protection of sources, free flow of information and improve the working conditions of journalists.

Cases

NAME / MEDIA	FACTS
Souleyman al-Kabaili, Miftah Al-qabaili, Ahmad Muqsabi, Khaled Ali, <i>Radio Benghazi</i>	16.02.2010: The four journalists were arrested in Benghazi, on the Ministry of Interior's order and released the following day. The journalists worked on "Massaa Al-Kheir Benghazi" (Good Evening, Benghazi), a talk radio programme. The programme was suspended and the journalists removed from their positions.
Mohamed al-Sareet, Journalist, <i>Jeel Libya</i>	26.10.2009: The journalist was charged by the General Prosecutor with defamation, for an October report about a demonstration by women in Benghazi calling for an end to sexual harassment they claimed they had faced in a state-run centre.

MAURITANIA

The Publications Law adopted in 2006 removed the obligation for newspapers to seek official pre-publication authorisation and abolished pre-censorship. As a result, Mauritania counts today numerous privately-owned publications.

The political battle for change and democracy the country witnessed in recent years, had a positive impact on Press freedom. Elected in August 2009, Mauritanian president Mohamed Ould Abdel Aziz pledged that media freedom would constitute one of his priorities.

However, self-censorship is rampant and independent newspapers can face closure for material considered harmful to the public order, the State stability or insulting Islam. In addition, numerous journalists faced physical and verbal attacks from security forces and various politicians and their supporters during the last presidential elections. Access to information and news sources is considered among the biggest challenges for journalists, who also

face difficulties covering some official events, in particular visits of foreign heads of State and foreign delegations, and joining the presidential palace, because of security obstacles and the absence of a procedure allowing media coverage in certain zones.

The state currently funds 80% of printing of the privately owned press through the national printing-house, the only source of financial support, in the absence of an Advertising Law. The broadcasting sector is strictly state-run, making its liberalisation, one of the country's priorities. The Mauritanian Journalists Syndicate (SJM) petitioned the authorities for the adoption of a State subsidy to the independent press. The government made a law proposal, which is expected to be discussed and adopted in June 2010.

The Mauritanian Journalists' Syndicate was created in April 2008 and organised its first congress on 18 and 19 December 2009. A



Demonstration in support of journalists at the Mauritanian TV and Radio, 14 April 2010. ©SJM

board to the new union was elected that counts two women in a team of 17. The union represents journalists in the public and private sector as well as foreign media correspondents.

A meeting preceded the congress, gathering various media professionals and representatives of the Mauritanian media community, around the issue of ethics in the media. A code of Ethics was adopted. A national committee – Committee for Respect of Ethics and Deontology (CRED) – oversees the use of the ethical guidelines in the media.

The SJM first established a media data-base with a petition encompassing its members demands and organised numerous actions of protest condemning harassment of journalists. It organised a campaign of protest in support of journalists working at the state-owned radio and TV Corporation, asking for their salaries to be paid, after a two years delay (2008 and 2008). A demonstration was organised on 14 April 2010.

Finally, SJM is preparing collective negotiations to improve the conditions of its members.

After demands made by the SJM to create a journalism school in the country, a Media Studies department was created within the National School for Administration, Journalism and Law, and started operating in March 2010. The union also engaged in partnership with local media which resulted in a training programme on investigative journalism, online media and radio and TV hosting, which will benefit up to 100 journalists.

The Mauritanian Journalists Syndicate joined the IFJ in March 2010, as a full member. Shortly after, a series of workshops were organised with the SJM in Nouakchott. The workshops which covered Ethics, trade-union rights and gender equality gathered 50 participants.

For more information please visit SJM website: <http://www.sjm.mr/fr/>

Cases

NAME / MEDIA	FACTS
<i>Akhbar Nouakshot</i> newspaper	April 2010: The Ministry of Health suddenly cancelled its subscription with the newspaper after <i>Akhbar Nouakshot</i> had published information about medical workers strikes and conflict with the Ministry of Health.
Fatima Bent Mohamed Fal, Mauritanian Radio	April 2010: The journalist was removed as a presenter of the radio's interview programme <i>Face-to-Face</i> after a conflict aroused during a meeting with the Health Minister. She kept her position as editor but no longer presents the programme.
Hanevy Ould Dehah, Director, Taqadoumy news website	18.06.2009: The director was arrested in Nouakchott, following a defamation case filed by Ibrahima Sarr, president of the opposition party Alliance for Justice and Democracy/Movement for Renovation (AJD/MR) and candidate to the presidential elections. The prosecutor also charged the director with morals offense, violence and publishing protected judicial documents. Ould Dehah had published in May an article suggesting Carr had received sums of money to run for elections. On August 1 st , the charges were dropped but the journalist was given a six month jail sentence in a separate case, for "offending public decency", when an anonymous piece discussing sex was published on his site. On February 14, he was given an incoherent new sentence of two-year imprisonment, but was released on February 26, under a presidential amnesty, after eight months imprisonment.

MOROCCO

The year witnessed a series of attacks against independent newspapers and their journalists including *Al Massa*, *Akhbar El You*, *Al Michael*, *TelQuel*, *Nichane*, *Al Jarida El Oula* and *Al Ahdath Al Maghribia*.

The targeting of publications and media professionals who write about the royal family, security affairs, religion, or social taboos has gradually increased over the last three years. Moroccan courts have handed jail sentences to journalists and publishers and imposed exorbitant fines on media outlets, jeopardising their existence. These decisions have been taken on the basis of the 2002 Press Law.

In August 2009, the Ministry of Interior ordered the seizure and destruction of over 100,000 copies of *Nichane* and *TelQuel* weeklies which published results of an opinion poll on King Mohammed VI's decade on

the throne. According to the Syndicat National de la Presse Marocaine (SNPM), an IFJ affiliate, the decision was doubly illegal as no law permits the destruction of newspapers without a judicial order or bans the publication of opinion polls.

In October, the SNPM vigorously condemned the jailing by a Rabat tribunal of Driss Chahtane, director of *Al Michael* newspaper and sentences against his reporters, Rachid Mahamid and Mustapha Hayrane.

The same month, the offices of the daily *Akhbar al Youm*, were cordoned off by the police who prevented staff from entering. Meanwhile, director Tawfiq Bouachrine and cartoonist Khaled Kadar were interrogated for 48 hours. These actions followed the publication of a cartoon depicting the wedding of a member of the royal family, Prince Moulay Ismail.



SNPM demonstration on 2 October 2009, at the headquarters of *Akhbar El Youm* newspaper in Casablanca. ©SNPM 2009

The SNPM organised on 2 October a demonstration outside *Akhbar al-Youm* newspaper, in an attempt to break the police cordon around it. In 30 October, the union called a national day of protest against media violations, during which journalists carried slogans and demanded the end of the siege of *Akhbar al-Youm*. The SNPM described the chain a “flagrant violation of the current Press Law” and said the Prime Minister “has no legal authority to order such a closure.”

The SNPM called on the media to respect the principles of ethical journalism and the authorities to act responsibly. In December 2009, it created, with the Moroccan Newspapers Publishers (FMEJ) a joint committee to:

- Continue demand the amendment of the press law;
- Evaluate the work done in drafting charts of ethics and mechanisms for self-regulation;
- Work at the implementation of these texts and guidelines.
- Review the Collective Agreement and salary scale, and consider introducing new

clauses to recognise the code of ethics and editorial independence.

- Discuss proposals to improve the performance of media organisation and modernisation.

On 28 January 2010, the SNPM launched its Initiative for a National Dialogue between different key media actors, official bodies and civil society organisations to discuss a large number of issues, including ethics, self-regulation, press freedom and attacks against the media, new technologies’ challenges, laws governing the media, financing the media and media transparency.

Following the initiative, a round of dialogue was open in the Moroccan Parliament, involving seven groups representing the main political parties in Morocco, in addition to the SNPM, the FMEJ and the Ministry of Communication.

For more information visit SNMP website:
<http://www.snpm.ma>

Cases

NAME / MEDIA	FACTS
Mustapha al Abbasi, Head of the SNPM Tetouan branch <i>Al Ahdath al Maghribia</i> , Journalist	MARCH 2010: The journalist was charged with publishing false news over a story about a shooting between drug dealers. The representative of the King in Tataouine opened an inquiry into the sources of the newspapers sources. Despite the fact that the story was also carried by other newspapers, only <i>al-Ahdath al Maghribia</i> was inquired.
Taoufik Bouachrine, Editor Khaled Kadar, Cartoonist <i>Akhbar al-Youm</i> Newspaper	29.12.2009: A Casablanca court upheld the 30 October sentence handed to the journalists who were each fined approx. €4,000 and given suspended jail sentences of four years, in addition to damages of €270,000. The case stem from a cartoon published in September picturing Prince Moulay Ismael. The prince later dropped the charges, according to reports, but the newspaper was definitely closed.
Mustapha Hajri, Journalist, <i>Al-Massa</i>	24.11.2009: The journalist was beaten by police officers while covering a demonstration organised in Rabat against the high cost of living in the country. Other journalists covering the event were insulted. The SNPM sent letters of protest to the ministers of Interior and Justice and Communication, demanding an inquiry and the condemnation of the attackers and damages for the victims.

NAME / MEDIA	FACTS
Taoufik Bouachrine, Editor and Khaled Kadar, Cartoonist, <i>Akhbar al-Youm</i> Newspaper	29.12.2009: A Casablanca court upheld the 30 October sentence handed to the journalists who were each fined approx. €4,000 and given suspended jail sentences of four years, in addition to damages of €270,000. The case stem from a cartoon published in September picturing Prince Moulay Ismael. The prince later dropped the charges, according to reports, but the newspaper was definitely closed.
Mustapha Hajri, Journalist, <i>Al-Massa</i>	24.11.2009: The journalist was beaten by police officers while covering a demonstration organised in Rabat against the high cost of living in the country. Other journalists covering the event were insulted. The SNPM sent letters of protest to the ministers of Interior and Justice and Communication, demanding an inquiry and the condemnation of the attackers and damages for the victims.
Ali Anzoula, Editor Bochra Daou, Journalist, <i>Al-Jarida al-Oula</i> daily	26.10.2009: The editor was given a one-year suspended sentence for “Intentional publication of false information” in an article on the health of King Mohammed VI, while Daou received a three-month suspended sentence, for an August article that reported the king was ill.
Driss Chatane*, Director, Mustapha Hayrane and Rashid Mahamid, Journalists, <i>Al-Michaal</i> weekly	15.10.2009: The Rabat tribunal sentenced Driss Chahtane to one year in jail while Hayrane and Mahamid were given a three months jail sentence and a 5,000 dirham (€500) fine each for “intentionally publishing false information” in a number of articles about King Mohamed VI’s health. Chahtane was arrested by the police in his office and taken to prison immediately after the sentence. The two journalists have been provisionally freed pending their appeal. The case stem from the publication of a September article on the health of the Moroccan monarch. On 13 November a court in Casablanca banned the newspaper. Chahtane remains in jail.
Nour-eddine Meftah, Managing Editor of <i>Al-Ayyam</i> newspaper	September 2009: The editor was summoned by telephone to appear before the police and an inquiry was opened regarding the newspaper’s publications on the king’s health.
<i>TelQuel</i> and <i>Nichane</i> weeklies	02.08.2009: The Ministry of Interior ordered the seizure and destruction of over 100,000 copies of <i>the two</i> weeklies which carried results of an opinion poll on King Mohammed VI’s decade on the throne.
Ali Anzoula, Editor, <i>Al-Jarida al-Oula</i> Mohammed Brini, Editor Mokhtar Al-Ghizawy, Journalist, <i>Al-Ahdath Al-Magreb</i> Rachid Niny, Editor Younis Meskini, Reporter <i>Al-Massa</i>	29.06.2009: A Casablanca judge convicted three independent dailies for defaming Libyan leader Muammar Qaddafi. The three papers were imposed a fine of 100,000 dirhams (approx. €9,000) and damages of one million dirhams (approx. €90,000) to Qaddafi. The case stems from critical articles published in 2008 and early 2009 which criticised the Libyan leader.
Driss Chahtane, Director, <i>Al-Michaal</i>	15.06.2009: A Casablanca court summoned the editor following defamation charges filed against him by the “Association of the Amahzoun Mouha Ou Hammou Family”, an association formed to represent relatives of King Mohamed VI. The charges stem from a 2008 article entitled “The Scandals of the King’s Aunts.” The group asked for 1 million Moroccan dirhams (approx. €90,000) in damages and a 10-year professional ban against Chahtane. The court gave Chahtane a three-month suspended jailed sentence, decision that was overturned on 6 April 2010 by the Appeal court which also cleared the editor.

* the journalist was detained according to the IFJ information at the time the report went to press.

OMAN

In 1996 the sultan Qaboos Bin Sa'id Al Sa'id, who acceded to the throne in 1970, promulgated Oman's first written Constitution. The Omani Basic Law provides for freedom of speech. Most of the broadcasting sector is under the State's control, but the country has several independent radio stations. There are tens of publications, including nine dailies, periodicals and online news sites, in Arabic and English languages.

Media freedom margins tend to widen. Self-censorship however is a strongly rooted tradition in the sector and the press does not cross red lines which are mainly religion, the sultan and his policies. Privately owned press can be influenced through public advertising revenue that cover a significant part of the operating costs of numerous media outlets, although the share of private advertisement is growing in Omani media.

The Ministry of Information is the media licensing authority; it set the minimum capital for launching a newspaper at €1,000,000. This cap floor is a guarantee of the media institution's viability and solidity but many see it as an impediment to the creation of new titles and media development in the country.

Launched in 2004, the Omani Journalists' Association represents Omani and foreign journalists working in the country. It works at defending journalists rights in the



OJA seminar, Muscat June 2009.

administrative and journalistic issues they face, and resolving conflicts through mediation with the authorities or the employers.

The OJA organised in June 2009 a workshop with *Al Shabiba* newspaper, under the title "new journalism practices". Held in Muscat, the workshop lasted two days and gathered 40 participants from various media.

The Association joined the IFJ in November 2008 as associate member. In early 2010, it became full member.

PALESTINE

Political divisions and Israeli attacks have further challenged media professionals in Palestine over the past year. In a worrying trend, attacks against the media including the shutting down of media outlets and individual arrests and assaults against journalists have multiplied.

The Palestinian Authority and Hamas governments have both used retaliation against journalists working in the area under their control, suspected of favouring the other authority in their reports.

The Israeli massive bombings of the Gaza Strip that started in December 2008 and lasted three weeks, led to the killing of five media workers. At least 15 journalists were injured. The IFJ-FAJ mission organised shortly after the war, reported that the Israeli military have voluntarily targeted media houses, in clear violation of international law protecting journalists in armed conflicts, including the Geneva Conventions and the provisions of UN Security Council Resolution 1738. The Mission concluded that a full investigation into these violations of international law was required. In late April 2010, no progress had been made in bringing to justice, military officials responsible for the targeting and the killing of journalists in Gaza.

On 25 August Israeli soldiers raided Radio Bethlehem 2000, seized the station's equipment and shut it down. Following the attack, the Palestinian Journalists Syndicate (PJS), an IFJ affiliate, participated in the protests organised by the staff of *Radio Bethlehem* and journalists in the West Bank demanding the return of the confiscated material. The IFJ supported the protest.

The continuation of attacks against journalists by Israeli forces, illustrates a clear policy to prevent independent reporting of the situation in Palestine. Israeli journalists have been denied access to Gaza since October 2006. Palestinian journalists working for Palestinian foreign media and foreign journalists at times have also been unable to travel between the

Gaza strip and the West Bank or between these territories and Jerusalem where many of the Palestinian and foreign media offices are based. In addition, Israeli forces banned all foreign media from entering Gaza during the offensive in late 2008-early 2009.

In November 2009, the IFJ launched in Ramallah its programme to support ethical journalism in Palestine with a series of proposals to strengthen independent media even in the face of political pressures, including the publication of a series of short manuals on ethics and the launch of a *Palestinian Journalism Review* to monitor independently the state of the media and journalism.

The IFJ also pledged support to the demands of a group of Palestinian journalists that had been prevented by Israeli police from filming the holy shrines in Jerusalem in October and asked them to commit in signing not to film the area in the future. The IFJ supported the complaint they filed before the Israeli court, demanding this procedure to be declared illegal.

In December, the IFJ welcomed the decision by the PJS to organise its elections and its determination to work at rebuilding the unity and solidarity of Palestinian journalists across all the occupied territories. The congress was finally held on 5 – 6 February 2010, in Ramallah. However, the call made by the IFJ to the organisers to postpone for a short period the event was not heard; the call was made to allow a better preparation, clarity in the proceedings and the participation of all journalists in the process, in particular journalists based in Gaza which had not had the chance to participate.

For more information, visit the PJS website:
<http://pjs-pal.com/ar>

Read the full report: Justice in the News: A response to Targeting of Media in Gaza
<http://www.ifj.org/assets/docs/204/255/b7598cc-0b3b6ff.pdf>



A young girl walks past journalists covering clashes between Israeli forces and Palestinian demonstrators in the Shufat refugee camp in Jerusalem on March 16, 2010. © AHMAD GHARABLI/AFP/Belga.

Cases

NAME / MEDIA	FACTS
<p>Mahfoud Abu Turk, AP Photographer</p> <p>Mahmoud Alian, Photographer, <i>Al-Quds</i></p> <p>Abdel-Hafiz Hashlamoun, Photog EPA</p> <p>Mohamed Hmeidat, Cameraman, Palestinian Public TV</p> <p>Akram Natshe Al-Quds, TV Corresp.</p> <p>Abdul Ghani Natshe Cameraman, Palmedia</p>	<p>05.03.2010: The six journalists were attacked while covering clashes between Israeli forces and Palestinian demonstrators in Jerusalem and Hebron. Abu Turk and Alian were covering clashes in the courtyard of the Al-Aqsa Mosque when they were shot at with rubber bullets.</p> <p>Hashlamoun, Hmeidat, Akram and Abdul Ghani Natshe were covering clashes near the Ibrahimi Mosque in Hebron, when soldiers assaulted them.</p>
<p>Diala Jweihan Qudsnet, Photographer.</p> <p>Sinan Abu Mizer and Amar Awad, <i>Falestin</i> cameramen</p> <p>Karim Khadr, CNN cameraman</p> <p>Ata Awisat and Mahmoud Alyan, photographers <i>Al-Quds</i> newspaper</p> <p>Ahmed Al-Gharably, AFP photographer</p>	<p>08–09.02.2010: The journalists were wounded by Israeli soldiers firing rubber bullets and tear-gas grenades, during their coverage of an Israeli military operation in the Shufat refugee camp, in East Jerusalem. Photographers and cameramen said soldiers deliberately targeted them and tried to take their equipment.</p>
<p>Rami Swidan, Ma'an photographer</p> <p>Ashraf Abu Shawish, Palmedia Camer.</p> <p>Abdelrahim alQusini, Reuters photographer</p> <p>Hassan Titi, Reuters cameraman</p>	<p>28.01.2010: The journalists were assaulted by Israeli soldiers in the village of Burin south of Nablus when they went to cover clashes between settlers and olive growers. The reporters were hit and thrown stun and teargas grenades at.</p>
<p>Mohammed Eshtawi, Journalist, Al-Aqsa's TV station – West Bank</p>	<p>14.12.2009: the journalist was arrested by the Palestinian Authority's security forces in Ramallah, during the festivities marking Hamas's 22nd anniversary. The journalist had previously been detained in August and November.</p>
<p>Ziyad Ismail Awad, Editor – Wissal TV station (Kuwaiti)</p>	<p>13.12.2009: The journalist was arrested and detained a few hours in Gaza by Hamas security forces during which he was interrogated about his work.</p>
<p>Al-Aqsa's TV station reporters: Oussid Amarena, Alaa Al-Titi, Tariq Abu Zayd, Bilal Al-Tahrir, Farid Al-Sid, Moussa Sadiqi</p>	<p>Tens of journalists working for Al-Aqsa, mainly cameramen and photographers have been arrested on orders of Palestinian Authority in the West Bank. Between 21 October and 13 November arrests and interrogations have taken place in Hebron, Jenin, Nablus and Tulkarem.</p>
<p><i>Al Jazeera</i> satellite channel</p>	<p>15.07.2009: The Palestinian Authority ordered the closure of Al-Jazeera's office in the West Bank after comments were made on the channel about an alleged involvement of President Mahmoud Abbas in a plot against Yasser Arafat, former leader of the Palestinian Authority. On 18 July another decision was issued to allow Aljazeera's office in Palestine to resume its work.</p>
<p>Qays Abu Samrah, Sarie Samour, Mostapha Sabri, Mourad Abuelbaha, Younes Hasasnah, Basam Alsayeh, Iyad Sorour, Sari Qudwah, editor <i>Alsabah</i> newspaper's website</p>	<p>JUNE 2009: Was marked by a wave of arrests and arbitrary detentions in the West Bank and the Gaza strip. In late June, seven journalists were detained by the Palestinian Authority. Qudwah was arrested on 23 June at his home by Hamas security forces.</p>

SOMALIA

In a country long ravaged by war, journalists continue to be victims of various attacks that go with total impunity. Attacks against journalists including kidnappings, assaults, arbitrary detentions and killings carried on in Somalia this year. Nine journalists and media workers were killed in 2009, making Somalia the deadliest country for journalists in the Arab world.

Fundamentalists, regional authorities and the government have all accused the media of taking sides and spreading lies. Publishing or broadcasting news reports is extremely dangerous and there are no signs of the situation ameliorating.

The National Union for Somali journalists (NUSOJ), an IFJ affiliate, works at defending media rights, and reports on the situation in the country, and journalists attacks. In 2009, it has organised a number of safety training workshops, in cooperation with the International Federation of Journalists and the International News Safety Institute (INSI). The workshops have benefited more than 70 journalists.

For further information visit NUSOJ website:
<http://www.nusoj.org>

NUSOJ Annual Press Freedom Report
<http://www.nusoj.org/2009%20ANNUAL%20REPORT-NUSOJ%2031.12.09.pdf>



Journalist takes cover behind a wall as fierce fighting captures him in the crossfire. ©2009/NUSOJ

Cases

NAME / MEDIA	FACTS
Ali Yusuf Adan, Radio Somaliweyn, Correspondent	21.02.2010: The journalist was arrested in Wanlaweyn, a southern town in a territory controlled by the Islamist militia Al-Shabaab. The arrest was triggered by a report the journalist had made about a murder committed by an Al-Shabaab member.
Amanda Lindhout and Nigel Brennan, Canadian and Australian freelance reporters	25.11.2009: The reporters were released in Mogadishu after 15 months detention. They had been kidnapped in August 2008 by gunmen on a road to Mogadishu.
Ali Adan Dahir, <i>Ogaal</i> Newspaper	17.08.2009: The journalist was physically assaulted in Erigabo (approx 200 km east Hargeisa, Somaliland capital). His attackers were released within hours, and no explanation was given on the attack.
Yasin Jama Ali, News website editor, Berberanews.com	13.08.2009: The journalist was arrested in Berbera, a coastal city in Somaliland over comments posted on Berberanews website, about Somaliland's scheduled elections. He was freed on 17 August 2009.
Fowski Suleyman Awbindi, Journalist, Radio Horyaal/Horn TV	30.07.2009: Awbindi was arrested in the town of Buro (east of Hargeisa) by police agents for allegedly spreading false information about the government of Somaliland. He was released on 17 August.
Ahmed Saleyman Dhuhul, Sayid Osman Mire, Journalists, Horyaal Radio	13.07.2009: The two journalists were arrested during a police raid at Horyaal Radio, a privately-owned station based in the Somaliland capital of Hargeisa. They were accused by Somaliland President Dahir Riyate of stirring up a tribal dispute that led to the death of four people. A local television station, Horn Cable TV was closed on the orders of the Somaliland attorney general for broadcasting a report about the same dispute. The journalists were released on 9 August on payment of a €250 fine.
Aweys Sheikh Nur, Journalist, Horseed Media Radio	14.07.2009: In Puntland Sheikh Nur was attacked and beaten by police while attending the trial of a number of Somali pirates in the port city of Bosaso. The journalist was attacked after he took photos of the prosecutor.
Ibrahim Mohamed Ali Director, Universal TV	02.06.2009: The journalist was kidnapped, by unknown gunmen while driving near Mogadishu, but was released five days later.

SUDAN

The 2005 Sudanese Constitution and the Peace Agreement that ended the civil war between North and South Sudan both provide for press freedom. The media landscape has greatly changed in recent years; however, despite a greater diversity, many topics remain strictly taboo in the media, such as criticism of religion and security issues.

The system of pre-publication censorship was initially suspended in April 2008 following a meeting that gathered 27 newspaper editors, representatives of the Sudanese Union of Journalists (SUJ), members of Parliament and Security services. But it is only in September 2009, after a new agreement between the SUJ, the Press Council, newspaper editors and the Security Services that pre-publication censorship was finally lifted, by presidential decree. The meeting also adopted a National code of conduct for the media.

In preparation for the Presidential and parliamentary elections, held on 11–13 April 2010, the IFJ organised, with the SUJ on 20 February 2010 an EJI conference on Role of Media in covering elections. Organised in

Khartoum, the meeting gathered more than 50 media professionals and representatives of the national Press Council and the Election Commission and adopted a code of ethics for elections media coverage, which was widely distributed in Sudan prior to the elections. The meeting was followed by a professional training on election coverage.

The IFJ backed the SUJ's demands to remove repressive articles from the draft proposed by the government to replace the 2004 Press and Publications law. In early 2009, the SUJ had presented a first draft to which the government responded with its own version, triggering demonstrations by journalists in May over clauses they considered to be punitive. The SUJ warned that the government draft, if adopted, would give wide ranging powers to authorities over media including powers to impose crippling fines, suspension and closure of publications through withdrawal of licences.

The new press law was eventually passed in June 2009. Although the new bill provides for better protection of media rights than the preceding law, it still allows the authorities to take



SUJ elections, Khartoum October 2009. ©SUJ

action on the grounds of public order or national security and security agents to ban critical pieces or seizing their issues. The new law also preserved the national Press Council's power to suspend the newspapers for a period of three days, without a court decision (in the old law, the period for this suspension was 30 days).

In the South, journalists have not benefited from the new law, which has not been implemented. Journalists in the South are often tried before military tribunals. On 7 April, a United Nations delegation to Sudan organised a seminar with the SUJ, which adopted a series of recommendations, including the implementation of the new media law in South Sudan.

Established in 1946 and counting over 2500 members, the Sudanese Union of Journalists joined the IFJ in 2007, as a full member.

The union, which campaigns against the imprisonment of journalists in the country, has been instrumental in raising awareness on the need to respect ethical journalism standards and media independence in Sudan. The new law gives mandate to the SUJ to organise the profession, through curriculum training and examination, prior to accreditation, a task previously supervised by the National Press Council.

In October 2009, the SUJ organised its congress to elect a new leadership and adopted a 25% minimum quota for women journalists in its board that now counts five women in a team of 20.

For further information, visit SJU website and blog: www.sju-sd.org and Khartoumspot.blogspot.com

Cases

NAME / MEDIA	FACTS
Gordon Obat, Journalist, <i>The Democrat</i>	23.03.2010: The journalist was arrested and assaulted at Wau airport in southern Sudan. His equipment – phone, camera were taken from him, according to the SUJ. The union also asked the South Sudan authorities to open an investigation.
Mazdalfa Othman, Journalist, <i>Al-Ahdath al Arabya</i>	09.03.2010: The journalist was summoned by a court in Khartoum and asked to reveal her sources for an article she had written about an official in the Judiciary that promoted severe sanctions towards beggars. She was detained for three hours at the police station.
Ishak Ahmad fadl Allah, Editor in chief, <i>Al Wafak</i>	11.11.2009: The National Press Council decided to cancel his licence as editor in chief and the suspension of the Arabic-language newspaper. The SUJ and other papers strongly condemned the decision. The court subsequently cancelled the sentence.
Amal Habani, Columnist "Tiny Issues", <i>Ajrass Al Horreya</i> newspaper	August 2009: The Sudanese authorities brought charges against Amal Habani for having denounced the prosecution of Sudanese women who wear trousers. Habani had published an article on 12 July 2009, entitled "Lubna, a case of subduing a woman's body". Amal was questioned by the press and publication prosecution authorities on the basis of Article 159 of the criminal law regarding defamation. The general discipline police authority requested a fine of 10 million Sudanese pounds (approx. €3 million) to be paid by Habani.
James Wani Iga, Journalist, <i>Juba Post</i>	25.07.2009: The journalist was arrested inside South Sudan Parliament in Juba after writing pieces on the collapse of Nile Commercial Bank. Wani was detained five days without being charged.
Lubna Al Hussein, Journalist, <i>Al Sahafa</i> newspaper	03.07.2009: Lubna Al Hussein was arrested in a restaurant in Khartoum along with 13 other taken to the police station. They were accused of "sensational dressing up" for wearing trousers and condemned to be whipped. Al-Hussein was condemned to be lashed 40 times in public, as per article 152 of the Sudanese criminal law of 1991. The case drew international attention and a worldwide campaign supporting her. On 7 September, the court found al Hussein guilty and imposed on her a fine of 500 Sudanese pounds (approx. €150) which she refused to pay on principle. She was then taken to Omdurman Women's prison to begin a one month sentence. On 8 September, after one day detention, the journalist was freed, after the SUJ decided to pay the fine. The Sudanese police arrested several reporters who covered the trial and confiscated notebooks and recorders.

TUNISIA

The Tunisian press has witnessed between May 2009 and May 2010 one of its worst years since the country's independence. Independent and opposition media and their journalists faced unprecedented levels of harassment from the authorities, which escalated dramatically during the October presidential elections that resulted in President Ben Ali's re-election for a fifth term.

The National Syndicate of Tunisian Journalists (SNJT), an IFJ affiliate, has been the first target of the government and ruling party, after the union leaders expressed their impartiality and did not pledge support to any candidate for the presidential elections.

The trigger to the campaign the authorities orchestrated against the SNJT was the annual press freedom report it had released on May 3rd, 2009. Internal disagreements within the syndicate's board led to the split of the union, and on 15 August, a group, many of them pro-government in their affiliations, organised controversial elections, which were regarded as divisive within the independent media community in Tunisia and abroad. In September, the board members of the SNJT legitimately elected in January 2008, were ousted by the police from the union's headquarters. They faced, in addition, a defamation campaign relayed by state-owned and pro-government

newspapers. On 30 December 2009, plain clothed police officers tried to prevent SNJT President Neji B'ghouri from entering the building of Assahafa newspaper where he works. Zied El Heni, SNJT International Affairs officer was assaulted on several occasions. Nejiba Hamrouni, Press Freedom officer was subject to harassment at her work-place.

Since the split of the union, the IFJ has been calling Tunisian on journalists to unify and organise new elections in transparent conditions. A process of dialogue was initiated by the IFJ with the aim to reach a solution before the end of 2010.

Meanwhile, intimidation against independent media and their journalists continued to escalate. They peaked during the October 2009 legislative and presidential elections. On October 22, police entered the offices of independent Internet radio station Radio 6, seized the radio's equipment and shut down the station. The station was to broadcast interviews with opposition figures about the elections. Newspapers such as *Al-Tariq Al Jadid*, *Al-Mawqif* and *Muwatinoun* were all seized and their distribution was hindered.

On October 25, journalist Taoufik Ben Brik was arrested and later sentenced to six months in prison on charges of assault, and violating public morality. His lawyers underscored the fact that Taoufik Ben Brik was sentenced on trumped-up charges that were only implemented because of his criticism to the regime.

Just after the elections, on October 28, Slim Boukhdhir, a freelance journalist and correspondent of *Al Arabiya Net* in Tunisia, was abducted by four men, believed to be state security agents. The journalist, who was later dumped near a park stripped of his clothes by his attackers, sustained injuries. The abduction came shortly after his interview on the BBC World Service in which he was critical of President Zine al-Abidine Ben Ali's victory in last presidential elections.



Slim Boukhdhir correspondent of *Al Arabiya Net* in Tunisia, assaulted on 28 October. ©Slim Boukhdhir – medical report.



Néji Bghouri (Left), On 30 December 2009 Bghouri, SNJT President, was molested and prevented from entering the building of Assahafa newspaper where he works. Zied El Héni (Right), SNJT International Affairs officer, was assaulted on several occasions by plain-clothes police officers.

arrested and sentenced to four years imprisonment, accused of spreading materials “likely to harm public order”. Boukadous had covered the January-June 2008 unemployment protests in southwestern Tunisia. Representatives of the IFJ and the African Union of Journalists were present to monitor the trial on 23 March 2010 in Gafsa. The case is still pending.

Many other journalists were subject to the police’s various forms of intimidation, including physical assault, arrests and confiscation of personal belongings, denial of access to work places or events for media coverage, personal threats and insults, prosecution and imprisonment based on fabricated allegations.

Fahem Boukadous, correspondent of the satellite television station *Al-Hiwar El Tounsi* was

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Cases

NAME / MEDIA	FACTS
Mouldi Zouabi, Journalist, Radio Kalima	01.04.2010: The journalist was assaulted by an unnamed attacker outside the police station in the northern town of Jendouba. Zouabi was left on the ground, with bruises and broken glasses, and his wallet with personal papers and IFJ press card, were stolen.
Aymen Rezgui, Journalist, Al-Hiwar Ettounousi TV channel	19.03.2010: The journalist was arrested after he had aired his interview with Taoufik Ben Brik’s brother, about the journalist’ appalling conditions of detention. Rezgui’s was also briefly detained on the 26th and police agents confiscated his camera; this came after the journalist had produced a reportage on the local elections in Om Al-Arayis, a city south of Tunisia.
Fahem Boukadous, Political activist, Correspondent for Al-Hiwar Ettounousi	13.01.2010: Boukadous was arrested and given a four years jail sentence for of “forming a criminal association and spreading materials “likely to harm public order”. The case stem from Boukadous’ media coverage of the June 2008 workers protests in the southern city of Gafsa, which led to his first condemnation in absentia (in February 2009) to six years imprisonment. In October 2009, a presidential amnesty was given to all the individuals arrested during the demonstration. The general amnesty however did not apply to Boukadous. The IFJ and the African Union of Journalists monitored the trial and attended the hearing of the Appeal court held on 23.03.10. Boukadous is free pending another hearing in Gafsa on 27 April.
Slim Boukhdhir, correspondent <i>Al-Arabiya Net</i>	28.10.2009: The journalist was abducted, severely beaten up, stripped of his clothes and left with serious bruises. The attack came after the journalist had made critical comments of the presidential elections in a BBC programme.
Taoufik Ben Brik, Freelance Journalist and Contributor to French weekly <i>Le Nouvel Observateur</i>	25.11.2009: The journalist and fierce critic of the regime was arrested and later sentenced to six months in prison on charges of “assault, property damage, defamation, and violating public morality”. According to numerous reports, the accusations had been fabricated and the case stem from a critical article Ben Brik had written on the presidential candidate. The journalist was freed on 27 April.
Lotfi Hajji Tunis, Correspondent, Al-Jazeera – net	29.10.2009: Hajji was arrested, searched and insulted at Tunis airport, upon return from Doha, where he had participated to a TV program at Al-Jazeera that probed the legislative and presidential elections in Tunisia. In March 2010, Hajji was prevented in several occasions to leave his home, or drive to meetings for media coverage.

NAME / MEDIA	FACTS
Salah Fourti, Journalist, Radio 6	23.10.2009: The journalist was arrested for having aired reports and interviews with a number of presidential candidates from opposition parties. The case is still pending.
Zuhair Makhoulf, Journalist, Assabil Online	21.10.2009: The journalist was arrested and charged with “causing harm to a third party “. Condemned to 4 months imprisonment and given a €3000 fine, he was only released on 12 February 2010. The charges stem from an interview he had published about pollution in the industrial area of Nabeul in northeast Tunisia.
Hanan Belifa, Journalist, <i>Tunisian Radio</i>	13.06. 2009: The journalist, who worked for nine years at the Public Radio, was sacked and denied the right to a permanent contract for her activism within the SNJT and her key role in the protests organised late 2008 by hundreds of journalists at the radio demanding the end of precarious working status.
Rachid Khachana, <i>Al-Mawkif</i> , Moez Jmaai, <i>Al-Mawkif</i> , Mouldi Zouabi, <i>Radio kalima</i> , Faten Hamdi, <i>Radio kalima</i> , Lotfi Hidouri, <i>Radio kalima</i> , Neji Bghouri, <i>Assahafa</i> , Hichem Skik, <i>Al-Tariq al Jadid</i> , Sofien Chwerbi, <i>Al-Tariq al Jadid</i> , and Mohamed Mazam, <i>Radio 6</i>	Throughout the year, the journalists have faced constant intimidation, security surveillance in addition to denial of access to their work places or to the headquarters of civil society organizations. Some were not given a professional work permit whereas others were denied the Professional Journalist ID.

UNITED ARAB EMIRATES

With Dubai as a media hub, the United Arab Emirates have in recent years made great progress, not only towards liberalisation of the media sector and the booming of broadcasting, but also in widening press freedom boundaries.

The main issue has been its national media law, which has not yet been reformed. A draft had been approved on January 2009 by the Federal National Council, which contained a series of articles restricting press freedom. Journalists' professional organisations and press freedom groups then called on the authorities not to sign off the text. The UAE Journalists' Association, an IFJ affiliate, who strongly opposed the proposal, established a working group with the National Media Council in the country to reform the Press and Publication law. Its main demands being:

1. A more accurate description of journalism, role, and legal obligations.
2. A clear provision banning imprisonment of journalists on issues related to the performance of their work.
3. The removal of all articles that stipulate the temporary suspension of newspapers or withdrawal of their licenses.
4. Provision for journalists' right to access information.
5. The removal of any ambiguous and unclear wording which could lead to vague or contradictory interpretation.



UAE-JA Congress 11 March 2010. ©UAE-JA

According to the UAE-JA, these delays in adopting the controversial draft gives the impression that the UAE government is carefully reviewing the situation and open to dialogue with the media community and other stakeholders in order to formulate a law that meets journalists' needs and international standards of media freedom.

The IFJ backed the UAE-JA's campaign to reform of the press law in the country.

UAE Journalists' Association website:
<http://www.uaejournal.org.ae>

Case

NAME / MEDIA	FACTS
<p>Sami al-Ryami, editor in chief Abd Ellatif Essayegh, executive director of the Arab Media Group <i>Emarat Al Youm</i> newspaper</p>	<p>06.06.2009: The Federal High Court in Abu Dhabi upheld a decision to suspend the newspaper for a period of 20 days (06/06–26/06/2009) and fine the editor and director Dh 20.000 (€4.400) each. The case stem from an article published by <i>Al Emarat Al Yaoum</i> in October 2006 that reported doping of race horses at the Emirati Warsan Stables.</p>

YEMEN

Independent media have been under siege for most of the past twelve months. Optimism of improvements following pledges by President Saleh to end the attacks on journalists at the congress of the Yemeni Journalists' Syndicate (YJS) in March 2009 rapidly dissolved as the media was subject to an *'annus horribilis'* of abductions, torture, assaults, military sieges, newspaper and website closures, banning journalists from the profession, and a series of gross abuses of the judicial system have become the norm for the Yemeni journalists community.

The targeting of journalists and media has taken place at a time of increasing national instability where the government is anxious to limit critical coverage of the ongoing Sa'ada War in the North, to control dissent from secessionist movements in the South and to minimise the threat of instability posed by the

alleged presence of Al Quaida supported elements in the East of the country.

In dozens of instances, plain clothed military operatives have snatched journalists off the streets who have then "disappeared" and in several cases subjected to horrific of torture. There have been numerous reports of severe beatings, threats to family members, whippings and other forms of violence used against prisoners and kidnap victims.

On 4 and 5 May 2009, Yemeni authorities carried out raids on independent media in the country seizing thousands copies of *Al Diyar*, *Al Share*, *Al Masdar*, *Al Nidah*, *Al Mustaqilla*, *Al Ayyam*, *Al Ahali* and *Al Watani* newspapers. They also closed down tens of websites. In Aden, the authorities laid siege to Al Ayyam's offices for its reporting of the conflicts and



Demonstration in front of the YJS headquarters against raids on the offices of Al Jazeera and Al Arabiya satellite channels and confiscation of their broadcasting equipment, Sanaa 13 March 2010. ©Women Journalists Without Chains

protests in eastern and southern Yemen, reporting the government said was “harmful to national unity”.

On 13 May 2009 journalists and media staff were caught in the crossfire of a battle between security forces and armed guards inside the offices of the newspaper *Alayyam*. A civilian was killed and a number of others injured inside and outside the media house. The newspaper editor and publisher, Hisham Bashraheel, a fierce critic of the authorities,

faced arrest in a police investigation over a killing which took place in 2008.

Bashraheel was arrested in early January 2010 after security forces had laid siege to the newspaper’s offices where a demonstration in solidarity with newspaper was taking place.

Hani Bashraheel, managing director of *Al Ayyam* newspaper was also detained by the authorities. Hisham Bashraheel was released late on 24 March. Based in Aden, *Al-Ayyam*, is

MOHAMMED AL MAQALEH



On 18 September al Maqaleh, editor for the opposition Socialist Party’s website, *Al Eshteraki* was abducted in apparent retribution for reporting on the Sa’ada War. He had reported on Yemeni military air strikes targeting civilians in an incident that killed 87 people and injured more than a hundred. The victims were internal war refugees, mostly women and children, sheltering in an open field having escaped the fighting in Sa’ada City. The military launched a second air strike as the survivors fled to a nearby bridge. According to witness reports, five gun-wielding masked men in a minibus intercepted Al Maqaleh’s car on Taiz Street in Sana’a and bundled him into another vehicle. In 2007, Al Maqaleh had been imprisoned for several months for “disrespecting the judiciary” after he laughed at one moment during the trial of award winning journalist, Abdulkarim al Khaiwani, who was charged with subversion for writing about an earlier round of the Sa’ada war.

On September 24, 2009 Yemeni journalists staged a sit-in at the presidential palace to demand news of the whereabouts and the release of al Maqaleh. For months security agencies as well as the Attorney General repeatedly had denied knowledge of his fate, until official agencies revealed his abduction and transferred him to prison 30 January, 2010 to await charges. The YJS said that during his disappearance he has been subjected to systematic psychological and physical abuse. He suffered three simulated executions, his captors fired guns close to him, he has been beaten, denied food and drink for days, and finally left blindfolded in a dark, secluded area outside the capital Sana. During all this torture and abuse he was systematically denied access to basic medical treatment to cope with his deteriorating health.

Brought before the prosecutor of a special criminal court in Sanaa on 3 February, he said at the hearing that he had been tortured and deprived of food for several days.

The YJS led protests over the case and wrote to the country’s President Ali Abdullah Saleh, calling for an investigation into how the authorities had handled this case and demanding for those responsible for al Maqaleh’s maltreatment to be brought to justice.

On 24 March 2010 al-Maqaleh was released on medical grounds. But court officials have recently charged him with defaming the Yemeni President in a 2005 article.

PHOTO ©YEMEN TRIBUNE

one of Yemen's most vocal independent newspapers, echoing concerns of Yemen's southern region and reporting on the internal conflicts in a manner that has angered the authorities.

In January, two journalists, Abdul Rahman Almohamadi and Mohammed Mohsin, were shot in the legs in the southern Yemeni city of Ad Dali. Soon after, on 9 February, Mohammed Al Rubouei, a Yemeni journalist from the northern city of Hajah, died after he was shot by a criminal gang following his reports on their involvement in corrupt practices.

On 11 March raids were carried out by security and police agents at *Al Arabiya* and *Al Jazeera* offices in Sanaa. The stations' equipment was seized, including mobile broadcasting units. The attacks triggered protests from the journalists' community who staged protests in front of the headquarters of the Yemeni Journalists Syndicate (YJS) on 13 March 2010.

The YJS, an IFJ affiliate, has led strong campaigns and sit-ins against the mounting attacks and abuses of journalists' rights. It has criticised the Yemeni Ministry of Information for lodging tens of law suits against journalists and the judiciary for applying excessive and disproportionate penalties including banning journalists from the profession and suspending licences of newspapers for long periods. It also lobbied against law proposals made to stifle the media such as the new draft for the Broadcasting and Internet law, the amendments to the Press and Publications law and to the Penal code.

A series of IFJ missions have been organised in solidarity including two visits of the IFJ President, one in March and another in September, during which he met with the families of kidnapped and disappeared journalists.

For further information visit YJS website:
<http://www.yejs.org>

Cases

NAME / MEDIA	FACTS
Hisham Bashraheel, Editor, <i>Al Ayyamm</i> newspaper	24.03.2010: The editor, who had been arrested on 6 January following a three day siege by Yemeni security forces at his newspaper's offices, was released without charges.
Awad Kachmim, Editor, <i>Hadramout News</i> website	21.03.2010: Political police operatives arrested the editor in Wadi Hadramout area, south-east Yemen and detained him at Makla political prison more than two weeks. He was freed, after the YJS petitioned the authorities, but awaits now the opening of his trial before the State prosecutor who charged him with defamation.
Anisa Mohammed Ali Othman, Journalist, <i>Al-Wasat</i> newspaper	16.01.2010: A three month jail sentence and one year ban from journalism was handed down to Ali Othman by a court which convicted her of insulting the Head of State. The journalist had published two articles in 2008 denouncing corruption, injustice and violations of human rights in Yemen. The journalist, who was also fined 10.000 riyals (approx. €50) denied ever naming President Ali Abdullah Saleh in her articles and dismissed accusations levelled at her as being politically motivated. The YJS protested at the decision and organised on 19 January a sit-in at the Presidential palace calling for the decision to be reversed.
Sameer Jubran, chief editor of weekly <i>Al-Masdar</i> and Muneer Al-Maweeri, a Washington based journalist	31.10.2009: The journalists were convicted of insulting the Yemeni President in an article published in 2008 in <i>Al-Masdar</i> . Jubran was handed a one year suspended jail term during which he is also banned from practicing journalism. Al-Maweeri, was sentenced in absentia to two years in jail and a permanent ban on journalism work.
Murad Hashem, Al-Jazeera's bureau chief in Yemen	25.07.2009: The editor received death threats. A telephone call was made to the Al-Jazeera office in Sana'a, during which the caller warned that the bureau chief would soon be killed in an attack on his home. The YJS strongly opposed the public campaign demonising Al-Jazeera television network in Yemen.
Anis Ahmed Mansur* and Hamida, Journalist, <i>Al Ayyam</i>	15.07.2009: The reporter was given a 14 months jail sentence for "attacking national unity".
Salah Al Saqladi*, editor of Gulf of Aden news agency	18.06.2009: The journalist was arrested by political security operatives. On 22 March 2010, he was reportedly brought before the Special Penal Court and charged with "disturbing public order". Al Saqladi has been held incommunicado since his arrest. The journalist has been known for his criticism of Yemeni authorities' human rights record in southern Yemen.
Fuad Rashid*, editor of Al Makla press website	04.05.2009: The journalist was arrested by security forces in Makla, and on 23 June transferred to Sanaa prison for political prisoners. On 22 March 2010, he was brought before the Special Penal Court and charged with "disturbing public order". He remains imprisoned.

* the journalist was detained according to the IFJ information at the time the report went to press.



STOP JAILING JOURNALISTS

Algeria: Syndicat National des Journalistes Bahrain: Bahrain Journalists' Association Iran: Association of Iranian Journalists
Iraq: Iraqi Union of Journalists Iraq: Kurdistan Journalists' Union Jordan: Jordan Press Association Kuwait: Kuwait Journalists'
Association Morocco: Syndicat National de la Presse Marocaine Palestine: Palestinian Journalists Syndicate Somalia: National
Union of Somali Journalists Sudan: Sudanese Journalists' Union Tunisia: Syndicat National des Journalistes Tunisiens United
Arab Emirates: Journalists Association – United Arab Emirates Yemen: Yemen Journalists Syndicate



The International Federation of Journalists (IFJ) is a non-governmental, non-profit organisation that promotes coordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. The IFJ mandate covers both professional and industrial interests of journalists.