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Middle East/North Africa - Libya

Final hearing

Court urged to dismiss charges against ailing newspaper editor

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Reporters Without Borders urges a Tripoli court to dismiss the charges against **Amara Hassan Abdallah Al-Khitabi**, the editor of the newspaper *Al-Umma*, when the final hearing in his trial is held tomorrow. The court must also return his passport and rescind an order banning him from leaving the country.

Khitabi is being tried because last November he published a list that included the names of 87 judges and prosecutors allegedly involved in corruption and embezzlement. Following his arrest in December, he was charged with defaming and insulting the judicial system and was held for four months.

Under article 195 of the criminal code, which dates back to the Gaddafi era, the charge carries a possible [15-year jail sentence](#). The trial began on 18 February.

Khitabi was finally [released](#) on 21 April but, although now in very poor health, he was unable to travel abroad to seek appropriate treatment because his passport was not returned and he remained subject to a ban on international travel.

His lawyer, Ramadan Farag Salem, has meanwhile filed a complaint with the supreme court asking it to declare article 195 unconstitutional in the light of the changes resulting from the February 2011 revolution that brought down Col. Gaddafi's government.

The article says: "Anyone who makes what could be regarded as an attack on [Col. Gaddafi's] Revolution or its leader will be punished with imprisonment. The same sentence must be passed on any person who insults the popular authority or a judicial, defence or security institution."

Reporters Without Borders reminds the Libyan authorities of the national and international undertakings to respect freedom of information, expression and opinion that Libya gave immediately after the fall of the Gaddafi regime.

The transitional government must display a determination to establish a democratic state in which these freedoms are enshrined instead of being suppressed, as they were in the past.
