Freedom of Expression and the Internet in the Middle East and North Africa

Internet use, including social media and online activism, played a prominent role in the 2011 Arab uprisings, allowing individual citizens – who long suffered from severe restrictions on their freedoms of expression and assembly – to communicate on an unprecedented scale and ultimately to collectively challenge the autocratic regimes that corrupted their lives for decades. However, 2011 also saw autocratic regimes develop new countermeasures to block online exchange of information and news and to harness the Internet to their own advantage, placing Internet freedoms at severe risk.

Strategies employed by governments in the Middle East and North Africa to limit the possibilities of Internet use include broad censorship and arbitrary blocking of websites critical of government policies and state brutality in order to silence opposition and prevent critical information from reaching both domestic populations and international audiences; infiltration of opposition pages to gain information about members, sow dissent, and spread official narratives; harassment, arrest, prosecution, torture and even killing of online activists and bloggers; and abuse of states of emergency and repressive laws to facilitate the targeting of those who exercise their right to freedom of expression online.

In Bahrain, where strict policies block Internet content of a certain religious or political nature and bloggers and online activists can be prosecuted with counterterrorism laws, authorities intensified filtering following the pro-democracy demonstrations and blocked websites, including social media pages and the websites of the Bahrain Center for Human Rights (BCHR), the Bahrain Online Forum, the Justice and Development Movement, the Jaafari Awqaf Directorate, and "al-Wasat," Bahrain's only independent newspaper. The website of "al-Quds al-Arabi" was shut down after its editor-in-chief Abd al-Bari Atwan published an article criticizing the deployment of Saudi troops to Bahrain.

Bahraini authorities also attacked, arrested, interrogated, threatened, and even classified several bloggers and online activists as traitors. Ali Hussein Ali Makki was arrested on June 9; he managed the Facebook and Twitter accounts of Rasd News Network, an important source of information about human rights violations in Bahrain. Subsequently, the security apparatus took over the pages and published content justifying the authorities' crackdown. The home of blogger Yousif al-Mahafdah was raided by police and his family threatened, and recognized bloggers Ali Abdulemam and Abduljalil Singace faced military trial, receiving 15 years in prison (in absentia) and life imprisonment, respectively. Ominously, online activist Zakaria al-Aushayri died in custody on April 9, after his blog "Al-Dair" was blocked for criticizing the government. Photos of his body evidenced torture. President of BCHR, Nabil Rajab, was threatened with prosecution for posting a picture on his Twitter account of another detainee who also died under torture. Moreover, human rights activists in Bahrain constantly receive death threats through unidentified Twitter users affiliated with the security apparatus; no investigation has been carried out to limit this incitement to violence.

Although Syria amended its repressive media law in an ineffectual attempt at containing the uprising, the law continues to demand that citizens exercise their supposed right to freedom of expression "with awareness and responsibility," vague terms easily construed against government

critics. Moreover, the ostensible lifting of emergency laws was merely replaced with additional powers for the security apparatus under Law 55, allowing dissidents, including online activists, to be detained for vaguely defined crimes. In reality, Syrians enjoy virtually no Internet freedoms, as well over 200 websites had been blocked even before the uprising, including social media sites such as Facebook, Twitter, and YouTube. Although these sites were briefly allowed in early 2011 as part of the regime's attempt to appease protestors, authorities used them to identify and pursue activists. Later, authorities once again blocked access to social media sites and indeed cut off all Internet service.

Syrian bloggers and online activists continue to be abducted and detained. Activist Loay Hussein was arrested after launching an online petition in support of peaceful demonstrators in Daraa earlier this year, and authorities arbitrarily arrested Syrian blogger Anas al-Maarawi in July, refusing to disclose his whereabouts or the reason for his detention. Bloggers Jihad Jamal and Qais Abazly were only recently released, both having been detained three times in 2011. Many online activists remain in detention, including blogger Mohammad Ghazi Kannass, who was reportedly kidnapped in front of his home in Damascus on January 3, 2012, and blogger Tal al-Mallouhi, who was arrested in 2009 and sentenced to 5 years in prison by the Supreme State Security Court. Syrian authorities also requested Lebanese government cooperation to track down Syrian bloggers who fled.

Meanwhile, in Egypt the Supreme Council of the Armed Forces (SCAF) continued to impose a news blackout on their repressive tactics to control revolutionary forces, backed by a continuation of the decades-old state of emergency. As part of an all-out intimidation campaign, many bloggers and online activists were targeted for interrogations and were among the more than 12,000 civilians brought before military courts lacking basic guarantees of fair trials. Maikel Nabil was targeted as an example to other bloggers of the consequences of criticizing the military after writing a blog post stating that "the army and the people were never one hand." In April, Nabil was sentenced by a military court to three years in prison on charges of "insulting the military" and "publishing false news," and it was only on the anniversary of the January 25th revolution that he was finally released after a general amnesty by the head of SCAF following increased pressure on the military. Online activist Alaa Abdul Fattah was also targeted due to his biting criticism of the ruling military junta's handling of the transition period. Abdul Fattah was arrested on October 30th and held until December 25th pending trial on fabricated charges of inciting sectarian violence related to the Maspero incident of mid-October; he remains under a conditional release. Ironically, while activists are being prosecuted, the government does nothing to confront the blatant incitement displayed on other websites.

Cyber police in the UAE have been monitoring Internet use for over three years, employing sophisticated filtering systems to block websites carrying dissenting political opinions, critical views of official Islam, or negative discussions of the society, economy, or royal family. Social media sites are partially censored by topic; it is thought that over 500 key words are blocked. The penal code broadly restricts speech, criminalizing public criticism of government officials (Art. 176) and allowing authorities to prosecute Internet activists. One affected blogger is Ahmed Mansoori, a member of Human Rights Watch's Middle East advisory committee, who was imprisoned from April 8-November 28 and who administered the online pro-democracy forum "Al-Hewar," which was banned by authorities. Mansoor received six death threats and was targeted by an online smear campaign prior to arrest. While in detention, he was reportedly mistreated and his family threatened. He and four other activists who were also detained, including online activists Fahad Salim Dalk, Hassan Ali al-Khamis, and Ahmed Abdul Khaleq, along with lecturer Nasser bin Ghaith, are popularly known as the "UAE 5."

Saudi Arabia remained a bastion of Internet repression, adding further restrictions to its already oppressive laws governing online expression. New regulations require all blogs and websites to register with the Information Ministry and all persons who publish online – including comments on electronic forums – to be licensed. All electronic newspapers must appoint an editor-in-chief approved by the Ministry, which is authorized to block any website or online newspaper in violation. Restrictions also shield religious figures and government officials from criticism and outlaw broad areas of public debate; penalties include fines and publishing bans. Accomplice to these press laws is the counterterrorism law, which defines terrorist crimes broadly to include "endangering national unity," "defaming the country's reputation," and "insulting the King or Crown Prince" – charges easily leveled against dissidents, including online activists and bloggers, to harass, prosecute, and punish them for exercising free expression.

Under this legal framework, websites are frequently monitored and blocked, including the website of Amnesty International, which was shut down after the organization criticized the proposed counterterrorism law mentioned above. The blog of Saudi activist Omaima al-Najjar was also blocked after al-Najjar expressed solidarity with activist Manal al-Sharif, who was arrested for driving as part of a women's rights campaign. Similarly, online activists are continually targeted, as on July 7, when Saudi authorities arrested Dr. Yousef al-Ahmed, a religious scholar, after he criticized the government's arbitrary arrests and unlawful detentions via YouTube. Similarly, Firas Baqna, Hussam al-Nasser, and Khaled al-Rashid were arrested after the first episode of their YouTube channel addressed poverty in the Kingdom. Muhammad al-Abd al-Karim, a professor of Islamic jurisprudence, was held incommunicado for three months after discussing the ruling family in an online article.

As Internet freedoms come under acute attack in the wake of the Arab uprisings, the international community must act swiftly and decisively to preserve these freedoms to prevent autocratic regimes around the world from implementing a full arsenal of measures to restrict online communications.