

**THAT WHICH IS NOT OBLIGATORY IS
PROHIBITED: CENSORSHIP AND INCITEMENT
IN THE ARAB WORLD**

HEARING
BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND SOUTH ASIA
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED TENTH CONGRESS
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TUESDAY, JANUARY 22, 2008

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST
AND SOUTH ASIA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 12:10 p.m. in room 2200, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The subcommittee will come to order.

Dysfunctional governance is, unfortunately, all too common in the Arab world. One could say that as a general rule, and I underline general, Arab governments are not only undemocratic, but, worse for their own people, they are inept.

For many Arab citizens the basic services and conditions that we take for granted in the United States, things like minimal sanitation, modern universal education, civil policing and the rule of law, these are things which often simply exceed the grasp of their governments. Not uniformly and not everywhere, but commonly and endemically.

But the one thing almost all Arab governments do well, the one area where incompetence and failure are apparently unacceptable, is in the field of censorship. Stifling public debate, suppressing political discussion, imposing limits on thought and expression. These are tasks for which most Arab governments appear well suited and in some cases even world class.

There is, of course, a range of openness among Arab states, but in 2006 when Freedom House looked at the absence of press freedom in North Africa and the Middle East not one Arab state could be listed under the category of free, and on a scale of 100, with a lower score indicating greater freedom, the highest range Arab states, Kuwait and Lebanon, rated a 56 and 60 respectively. By comparison, Israel scored a 28 and the United States a 16. The remaining Arab states rated between 61 and 96.

Bad governance and its idiot cousin, the government censor, are not phenomena of any particular race, ethnicity or religion. While there is nearly infinite variety in the human experience, when it comes to bad government they all look alike.

Whether in the Arab world or here in the United States, when governments cease to be public servants and instead become devo-

tees of their own interests, censorship, secrecy and misinformation are sure to follow. Bad government cannot tolerate a free press and cannot long survive in conditions where there is true freedom of expression.

It is no accident that the Arab states which are among the least free are also among the least developed. Whether viewed in the overarching terms such as per capita GDP, life expectancy or adult literacy, or in more esoteric ones such as Internet host per thousand population or the number of books translated into Arabic or the number of copyrights sought by Arab inventors, the picture is of a region vastly underperforming compared to its potential.

There is simply no way other than willful ignorance to disconnect the twin deficits in Arab freedom and Arab development. The U.N.'s Arab Human Development Report in 2004 put the question starkly. Of all the impediments to an Arab renaissance, political restrictions on human development are the most stubborn.

The lack of development and the ugliness of censorship are not our only concerns. We have selfish reasons to be troubled by the lack of freedom in the Arab world. Quite simply, the continuous propagation by some Arab governments of the insidious, incendiary and poisonous speech regarding Israel and the Jewish people make our efforts to resolve the Arab-Israeli conflict all the more difficult.

There is in the Arab world an ugly adjunct to censorship and restrictions on freedom of expression, the special space left open for anti-Semitism, for Holocaust denial and for incitement to violence. Not only is space left open, but in some cases these loopholes in censorship for hate are exploited by government proxies or even the Arab governments themselves. In these cases, American interests are affected and, I would argue, badly harmed.

It is not anti-Semitism, Holocaust denial or incitement by themselves which do harm. All of these things are protected forms of speech here in the United States and typically do little more than help us identify idiots, bigots, and crackpots in need of medication.

The problem is that in the Middle East where the press is not free, where there are rules for what you can and cannot say, the fact that these forms of hate speech are not prohibited while observing out loud or in print about, say, the health of a nation's President can land one in jail indicates an obvious, dangerous form of state endorsement.

The problem is that the governments to which we are turning to help stabilize the region, and in particular to help resolve the Israeli-Palestinian conflict, are the very same governments that, with a wink and a nod, are helping to stir the pot of bitterness and discontent.

For example, the same governments that say they can't take small steps toward normalized relations with Israel because of the expected public outcry are some of the very same governments using their government-owned, government-sanctioned or government-controlled press and media to feed their public stories of imaginary Israeli massacres, Jewish blood libels, alleged Israeli medical experiments on Palestinian children and—for the old school bigot—cheap copies of Protocols of the Elders of Zion and Mein Kampf.

You can't continuously throw slabs of bloody, raw meat at the crowd and then complain that there doesn't seem to be any vegetarians anywhere.

Certainly the Israeli-Palestinian conflict has been a violent one, and the news about it inevitably reflects that reality. Likewise, resolving the core issues of the conflict does not depend on a free and honest press in the Arab world, and no state and no government is or should be above correction, criticism, or complaint; not the United States, not Israel, not anyone.

But there is no question that the Arab states have a role to play in seeking peace, an idea the Arabs themselves have endorsed through the Arab League Initiative, and that the positive role they have proposed is made much more difficult and unlikely by virtue of the cumulative weight of unreasoned and incendiary hatred toward Israel and the Jewish people, which they have not only allowed, but in some cases have themselves inserted into their press and media.

My hope is that today we can take an honest look at the freedom of expression in the Arab world, both what can and what cannot be said and who decides these questions and whether there is any way we can both advance our own foreign policy interests and the scope of human freedom in this vital region.

[The prepared statement of Mr. Ackerman follows:]

PREPARED STATEMENT OF THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

Dysfunctional governance is, unfortunately, all too common in the Arab world. One could say that as a general rule—and I underline 'general'—Arab governments are not only un-democratic, but worse for their own people, they are inept. For many Arab citizens, the basic services and conditions that we take for granted in the United States—things like minimal sanitation, modern universal education, civil policing and the rule of law—these are things which often simply exceed the grasp of their governments; not uniformly, and not everywhere, but commonly and endemically.

But one thing almost all Arab governments do well, the one area where incompetence and failure are apparently unacceptable, is in the field of censorship. Stifling public debate, suppressing political discussion, imposing limits on thought and expression, these are tasks for which most Arab governments appear well-suited, and in some cases, even world-class.

There is, of course, a range of openness among Arab states. But in 2006, when Freedom House looked at the absence of press freedom in North Africa and the Middle East, not one Arab state could be listed under the category of "free." On a scale of 1 to 100, with a lower score indicating greater freedom, the highest ranked Arab states, Kuwait and Lebanon, rated a 56 and a 60, respectively. By comparison, Israel scored a 28 and the United States a 16. The remaining Arab states rated between 61 and 96.

Bad governance and its idiot cousin, the government censor, are not phenomenon of any particular race, ethnicity, or religion. While there is nearly infinite variety in the human experience, when it comes to bad government, they all look alike.

Whether in the Arab world, or here in the United States, when governments cease to be public servants, and instead become devotees of their own interests, censorship, secrecy, and misinformation are sure to follow. Bad government can not tolerate a free press and can not long survive in conditions where there is true freedom of expression.

It is no accident that the Arab states, which are among the least free are also among the least developed. Whether viewed in overarching terms, such as per capita GDP, life-expectancy, or adult literacy, or in more esoteric ones, such as internet hosts per thousand population, or the number of books translated into Arabic, or the number of copyrights sought by Arab inventors, the picture is of a region vastly underperforming compared to its potential.

There is simply no way—other than willful ignorance—to disconnect the twin deficits in Arab freedom and Arab development. The UN's Arab Human Development Report in 2004 put the question starkly: "Of all the impediments to an Arab renaissance, political restrictions on human development are the most stubborn."

But the lack of development, and the ugliness of censorship are not our only concerns. We have selfish reasons to be troubled by the lack of freedom in the Arab world. Quite simply, the continuous propagation by some Arab governments of insidious, incendiary and poisonous speech regarding Israel and the Jewish people makes our efforts to resolve the Arab-Israeli conflict all the more difficult.

There is in the Arab world, an ugly adjunct to censorship and restrictions on free expression: the special space left open for anti-Semitism, for Holocaust denial and for incitement to violence. Not only is space left open, but in some cases, these loopholes in censorship for hate are exploited by government proxies, or even, the Arab governments themselves. And in these cases, American interests are effected, and I would argue, badly harmed.

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The problem is that the governments to which we are turning to help stabilize the region, and in particular, to help resolve the Israeli-Palestinian conflict, are the very same governments that, with a wink and a nod, are helping to stir the pot of bitterness and discontent. For example, the same governments that say they can't take small steps toward normalizing relations with Israel because of the expected public outcry are some of the very same governments using their government-owned, government-sanctioned, or government-controlled press and media to feed their public stories of imaginary Israeli massacres, Jewish blood-libels, alleged Israeli medical experiments on Palestinian children—and for the old-school bigot—cheap copies of the Protocols of the Elders of Zion and Mein Kampf. You can't continuously throw slabs of bloody raw meat at the crowd and then complain that there don't seem to be any vegetarians anywhere.

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But there is no question that the Arab states have a role to play in seeking peace—an idea the Arabs themselves have endorsed through the Arab League Initiative—and that the positive role they have proposed is made much more difficult and unlikely by virtue of the cumulative weight of unreasoned and incendiary hatred toward Israel and the Jewish people which they have not only allowed, but in some cases, have themselves inserted into their press and media.

My hope is that today we can take an honest look at freedom of expression in the Arab world, both what can and what can not be said; who decides these questions; and whether there is any way we can both advance our own foreign policy interests, and the scope of human freedom in this vital region.

Mr. ACKERMAN. I am pleased now to turn to our three witnesses. Joel Campagna heads the Committee to Protect Journalists Middle East Program, overseeing the organization's research and advocacy for the Persian Gulf, Mashreq, Maghreb and Turkey. He has led CPJ fact-finding and advocacy missions throughout the Arab world to investigate press freedom conditions.

Prior to his work at CPJ, Mr. Campagna was a consultant to Human Rights Watch from 1993 to 1996. He has lived and studied in Egypt, where he attended the American University in Cairo's Intensive Arabic Language Program.

Richard Eisendorf is the senior program manager for the Middle East and North Africa at Freedom House. A specialist in international media with over 15 years' experience in the Middle East, Mr. Eisendorf was the Washington director of Middle East pro-

grams research for Common Ground after which he founded the firm International Media Development Peace Building Consulting.

He joined Freedom House after returning from Baghdad where he served as chief of party for the International Resource Group, an institutional contractor to USAID, and as a public affairs officer for USAID in Iraq.

Kenneth Jacobson is the deputy national director of the Anti-Defamation League and is responsible for overseeing the coordination of the formulation of policy and its implementation. Mr. Jacobson is the author of numerous publications, reports and press articles focused on the Middle East and the United States.

He has been with ADL since 1972 and has served in that organization in several positions, including director of Middle Eastern affairs, director of International Affairs Division and as assistant national director.

I would ask that each of you summarize your written testimony to about 5 minutes each, and without objection your full statements will be placed in the record.

We will proceed in the order in which you were introduced so, Mr. Campagna, we start with you.

STATEMENT OF JOEL CAMPAGNA, MIDDLE EAST AND NORTH AFRICA COORDINATOR, COMMITTEE TO PROTECT JOURNALISTS

Mr. CAMPAGNA. Thank you very much, Mr. Chairman, for the opportunity to speak before this committee.

As you stated, my name is Joel Campagna, and I head the Middle East program at the Committee to Protect Journalists. The Committee to Protect Journalists is an independent, nonpartisan press freedom organization which defends the rights of journalists throughout the world to practice their profession freely without fear of reprisal. CPJ takes no government money. We receive our funding from individuals, corporations and foundations.

I have been asked to speak today about the state of press freedoms in the Arab world. If we look back over the last 10 to 15 years, press freedoms have improved considerably in the Arab world. Governments have allowed private and independent news outlets to emerge. Satellite television and the Internet have been used to circumvent state censorship on the media, and in a number of countries independent journalists have emerged and have attempted daring reporting about issues such as corruption and other government misdeeds, things that just a few years ago were simply unprintable.

Despite the progress, there remain severe restrictions on the ability of journalists to do their jobs. Governments throughout the region continue to dominate the very influential broadcast media, radio and television. Governments also have at their disposal an arsenal of criminal laws which they use to prosecute and imprison journalists, censor newspapers. These laws are flexible, and they can be applied to just about anything a journalist writes.

Governments have also become adept at using very subtle forms of pressure, behind-the-scenes intimidation by security forces, threats, advertising pressures on independent newspaper, and the net effect of these pressures has been a high degree of self-censor-

ship on the press in many countries in the Arab world, which has effectively limited the ability to discuss some of the most central political and social questions of the day.

Some of the most critical press freedom struggles today are being waged in countries where governments have rolled back some of the gains by independent journalists over the last decade or where governments have tried to eradicate the remaining vestiges of independent journalism. Some of these countries are very close allies of the United States, and I would like to for a few moments spotlight a couple of them.

In Tunisia, which is a very close ally of the United States in North Africa, the press there is among the most restricted anywhere in the Arab world, and over the last 6 years Tunisia has led the Arab world as the leading jailer of journalists. Four journalists have been imprisoned for their work according to the Committee to Protect Journalists' research.

And most recently, just last Friday, an enterprising on-line journalist by the name of Slim Boukhdir was sentenced to a year in prison on trumped up charges of insulting a public official. Mr. Boukhdir has been a very courageous voice in the Tunisian press, having written about President Ben Ali in Tunisia and writing about alleged corruption in his family. Mr. Boukhdir remains in prison in very difficult circumstances today.

Another country which is of particular concern is Egypt. In Egypt today the on-line journalist by the name of Abdel Karim Suleiman is currently serving a 4-year prison term, convicted last year for having the audacity to criticize President Mubarak and to criticize religious education at the Al-Azhar University, which he accused of promoting extremist thought.

Along with Mr. Suleiman, in the last year we have seen a number of independent Egyptian journalists being brought before the Courts on criminal charges because of what they have published on a number of issues, including the state of President Mubarak's health.

Thirdly, Morocco, a country which last year received the largest grant from the Millennium Challenge Fund, I believe over \$500 million, has witnessed an ongoing crackdown on media freedoms in the last year.

Some of the country's most outspoken editors and journalists were brought before the courts charged with defamation, in some cases imprisoned. Two of its leading voices in the press were forced to leave their posts because of exorbitant financial penalties that were handed down by the courts, and Morocco has lost these very powerful voices in support of a free press.

The challenge for promoting press freedom in the Arab world today has become as difficult as ever. Governments today are using increasingly sophisticated methods of control, and we are seeing now governments in order to limit international censure or scrutiny are using more oblique methods of control.

Instead of throwing a journalist in prison because of an editorial he wrote we are seeing journalists being brought up on terrorism charges or charges of tax evasion, at the same time still putting these people in prison. These are some of the most critical voices in the media.

At the same time, governments have been particularly effective at co-opting the media reform process. Governments today from Jordan to Saudi Arabia to Egypt have touted media reforms which in essence are mere cosmetic changes to press laws or very limited changes to some of the legal controls we are seeing on the press.

Journalists today in the Arab world, many of them are at the front lines of the battle for greater freedoms, liberties and democracy, and I think that some things that the U.S. Government can do to help them is to help prioritize press freedoms in discussions or debates about democracy, to speak out when journalists are repressed systematically for their work and also to come up with policies which create effective inducements for governments to engage in real media reform, not cosmetic changes.

With that, I would like to thank you again for this opportunity. [The prepared statement of Mr. Campagna follows:]

PREPARED STATEMENT OF MR. JOEL CAMPAGNA, MIDDLE EAST & NORTH AFRICA
COORDINATOR, COMMITTEE TO PROTECT JOURNALISTS

Mr. Chairman, I would like to thank the committee for inviting me to participate this afternoon. My name is Joel Campagna, and I am the Middle East and North Africa program coordinator for the Committee to Protect Journalists (CPJ). CPJ is an independent, nonprofit organization based in New York City that fights for the rights of journalists worldwide to report the news freely, without fear of reprisal. It documents more than 400 cases every year and takes action on behalf of journalists and their news organizations, without regard to political ideology. CPJ accepts no government funding and depends entirely on the support of foundations, corporations, and individuals. We are grateful for this opportunity to address this committee.

I've been asked to talk about the state of press freedom in the Arab world. There is little question that press conditions have improved in much of the Arab world in the last 10 to 15 years. More governments have permitted private or independent local news outlets to operate; news on satellite television stations and the Internet is more difficult for censors to reach. International pressure has prompted some countries to loosen restrictions that allow for greater expression of dissenting views. Writers in several countries have aggressively seized on political openings to publish daring news and commentary about corruption and government misdeeds that would have been unprintable just a few years ago.

Still, governments from across the region continue to heavily restrict the work of journalists through a variety of controls, and with crippling effect.

Media freedoms vary from the most repressive—countries like Libya, Syria, Tunisia, Saudi Arabia, or Oman, which brook little or no dissent—to countries such as Algeria, Egypt, Morocco, and Yemen, where new independent media have emerged recently but face considerable pressure from the authorities. Governments continue to dominate the influential electronic media while restrictive press laws and broad emergency powers abound in the region, giving authorities the ability to censor newspapers and imprison journalists with little or no due process. Criticism of heads of state or Arab allies is typically a criminal offense and vaguely worded press laws can be used to retaliate against nearly any type of dissident journalism. Behind the scenes controls such as job dismissals and threats from security agents are common and thrive in an environment where the rule of law is largely absent. Meanwhile, state media frequently carry out threatening or defamatory attacks on outspoken journalists and press freedom defenders in the pages of government papers or on government-run television. Collectively, these pressures have fostered widespread self-censorship on some of the central political and social issues in most countries, including the question of the legitimacy of rulers; the policies of those rulers; excesses of security services; high-level corruption; state budgets; and the misuse of finances.

By exploiting new technologies such as the Internet, Arab writers have circumvented rigid state media controls to express views otherwise prohibited. It is still too early to determine the broader impact of the Internet on free expression and democratic reform; however, online journalists have undoubtedly expanded debate and contributed to a new dynamism in Arab media. As a result, online journalists are increasingly censored by governments fearful of their rising profile and in-

fluence. Of the three Arab journalists in prison at the end of 2007 according to CPJ research each was an online writer jailed for his online writings, among them the prominent Saudi blogger Fouad al-Farhan, who remains in detention without charge as of today after he was detained by Saudi authorities in Jeddah on December 10.

Today, some of the most crucial press freedom struggles are taking place in countries where governments have sought to roll back gains made in recent years by independent journalists, or where they have sought to eliminate the remaining vestiges of dissident journalism. Some of the most alarming of these attacks on the independent press are taking place in countries considered by the U.S. to be among its closest regional allies. I would like to spotlight a few of those:

Tunisia

Tunisia, a strong U.S. ally in the Arab world, is a country that often receives little international scrutiny, yet its human rights record is one of the poorest in the Arab world and its press one of the most restricted in the region. Since coming to power 20 years ago, President Zine al-Abidine Ben Ali has virtually eradicated independent journalism from the country. Most newspapers are devoid of any criticism of the government and offer hagiographic coverage of Ben Ali.

Over the last six years, Tunisia owns the dubious distinction of being the leading jailer of journalists in the Arab world—four have been imprisoned for long periods since 2001. The most recent casualty was journalist Slim Boukhdhir, who was sentenced last month to a year in prison in retaliation for his online criticisms of President Ben Ali and his family. Boukhdhir was sentenced on trumped-up charges of verbally assaulting a public employee and violating public decency—the kind of tactic frequently used by the Tunisian authorities. Prior to his arrest, Boukhdhir has been harassed repeatedly by the police. Shortly after writing an online story critical of the first lady's brother, he was assaulted by what he believed were plainclothes police as he left an Internet cafe in Tunis in May. The government also refuses to grant him a passport.

The government actively harasses the few independent journalists like Boukhdhir who attempt to write critically of the Tunisian government—mostly online or for foreign newspapers—through censorship, surveillance, harassment, and violent attacks. The government also heavily censors the Internet for political content, including local online papers and blogs that are critical of the government.

Recently, the government has even singled out international rights groups for harassment. For the past six months, the Tunisian embassy in Washington, D.C., had refused to provide a passport to Kamel Labidi, CPJ's Middle East representative and a Tunisian national. Following pressure from CPJ, the embassy finally agreed to give Labidi his passport last week.

Egypt

In 2007, CPJ designated Egypt, a leading recipient of U.S. foreign assistance, one of the world's worst backsliders on press freedom, citing a dramatic increase in attacks on the press over the past five years. During 2007, authorities waged a steady offensive against critical journalists, bloggers, and foreign media workers and by years' end a full-fledged crackdown was under way, with Egyptian courts aggressively prosecuting several of the country's leading independent editors and writers.

In February, Egyptian authorities convicted and imprisoned a blogger for the first time when a court sentenced 22-year-old Abdel Karim Suleiman to four years in prison for allegedly insulting Islam and President Mubarak in critical online posts that accused Cairo's Al-Azhar University, the preeminent institution of higher education in Sunni Islam, of promoting extremist ideas and for calling President Mubarak a dictator.

In late summer, authorities turned their attention to the country's boisterous independent press, which has been a source of growing concern among top government officials because its vitality and rising popularity that have come at the expense of state-run papers. Authorities charged Ibrahim Eissa, editor of the independent weekly *Al-Dustour*, with publishing reports on President Mubarak's health that were "likely to disturb public security and damage the public interest." His trial is still pending this year and he faces possible prison time if convicted.

Eissa was also among four independent and opposition editors convicted in a separate lawsuit. Wael al-Abrashy of the weekly *Sawt al-Umma*, Adel Hammouda of the weekly *Al-Fajr*, and Abdel Halim Kandil, former editor of the opposition weekly *Al-Karama*, were also convicted. The four men had published articles denouncing President Mubarak's comments about the Lebanese Shiite group Hezbollah and criticizing high-level officials that included the president's son, Gamal.

Egyptian authorities continue to be silent about the mysterious disappearance of *Al-Ahram* editor Reda Helal, who vanished in broad daylight in central Cairo in Au-

gust 2003. Four years after Helal's strange disappearance, officials have yet to make their inquiry public or shed any light on the editor's whereabouts.

Morocco

Morocco was the other Arab country designated last year by CPJ as one of the world's worst backsliders on press freedom. In 2007, press freedom continued its downward slide, belying Morocco's carefully burnished image as a liberalizing country with a free press. Outspoken journalists found themselves in court, in prison, or out of work following a rash of politicized court cases.

In January, a Moroccan court handed down a three-year suspended prison sentence to Driss Ksikes, then director and editor of the magazine *Nichane*, and to reporter Sanaa al-Aji for denigrating Islam, in connection with a magazine article that analyzed popular jokes about religion, sex, and politics. Ksikes later resigned from the magazine, citing, in part, concern that the suspended sentence could be reactivated if he were swept up in another press case. Morocco lost another leading independent journalist when in February Aboubakr Jamaï, of the weekly news-magazine *Le Journal Hebdomadaire*, left the country as judicial authorities prepared to seize his assets in the wake of a record-breaking defamation judgment that was widely seen as political retribution for Jamaï's uncompromising political journalism.

As September parliamentary elections approached, outspoken Moroccan journalists were targeted for government reprisals. On August 4, police seized copies of the beleaguered *Nichane* from newsstands and confiscated copies of its sister weekly, the French-language *TelQuel*, as it came off the press. The seizures came after *Nichane* published an editorial that questioned the point of legislative elections since King Mohammed VI controlled all facets of government. *TelQuel* Publisher Ahmed Benchemsi, who wrote the editorial, was charged on August 6 with failing to show "due respect to the king" under Article 41 of the Moroccan Press and Publication Law. He faced between three and five years in prison and a fine of up to 100,000 dirhams (US\$13,000). One week later, Publisher Abderrahim Ariri and journalist Mustafa Hormatallah of the Moroccan weekly *Al-Watan al-An* were convicted under the Moroccan Penal Code after the paper reproduced a secret government document detailing the security service's monitoring of jihadist Web sites. Hormatallah was sentenced to eight months in jail, while Ariri received a six-month suspended sentence.

Only a week before Ariri and Hormatallah were convicted, the U.S. government-backed Millennium Challenge Corporation (MCC) approved a five-year, \$697.5 million economic aid package to Morocco—the largest grant since the agency was formed in January 2004.

Yemen. In 2007, threats against independent journalists continued at an alarming rate, taking on an almost routine air. Perpetrators, for the most part, went unpunished.

In June, in one of the year's most troubling press freedom incidents, Abdel Karim al-Khaiwani, editor of an opposition news Web site and former editor of the online newspaper *Al-Shoura*, was brought before a State Security Court on vague terrorism charges that carried a possible death penalty. The government made a slew of unsubstantiated accusations, reinforcing the belief among Yemeni journalists and political observers that the editor's arrest was an attempt to punish him for his unrelenting criticism of the government's fight against anti-government rebels in northwestern Yemen, as well as his writing about government nepotism. The preliminary evidence against al-Khaiwani consisted of photographs of the fighting in northwestern Yemen, an interview and contact with a rebel leader, and news articles, including one he wrote that criticized President Ali Abdullah Saleh.

Al-Khaiwaini was previously jailed in 2004 for incitement, insulting the president, publishing false news, and causing tribal and sectarian discrimination for his published criticisms of the government's conduct in its fighting with rebels.

His case took a dangerous twist in July 2007 when, following his release pending trial, several gunmen abducted him as he attempted to hail a taxi. The assailants threatened him, beat him, and tried to break his fingers. The gunmen also threatened to kill the journalist and his family if he wrote another word against the president or the country's national unity.

During the year, there were several other cases of violent attacks and criminal prosecutions of independent journalists.

The Millennium Challenge Corporation suspended Yemen's participation in its programs in November 2005, citing the absence of democratic reform and press freedom. Yet the nation's status was reinstated in 2007, allowing the flow of millions in development aid.

Al-Khaiwani's ordeal and some of the other examples cited above are typical of the oblique tactics Arab governments increasingly use to stifle independent media while minimizing international censure. Instead of persecuting journalists explicitly for their journalism, authorities are turning to subtly coercive tactics that draw less scrutiny. Job dismissals, behind-the-scenes threats, third-party defamation suits, and trumped-up terrorism charges like those brought against al-Khaiwani have replaced the torture, enforced disappearances, and open-ended incarcerations that were the hallmarks of the previous era. Image-conscious governments have also become masters of spin, championing cosmetic media reforms designed mainly for public consumption.

This is why it is essential for those involved in promoting political reform and media freedom to redouble their efforts to unmask stealth attacks on the press and expose empty media reforms. Policymakers must also work to develop effective ways to promote real change and to speak out when journalists, who are often at the frontlines of the struggle for greater liberties, face repression for their work.

The struggle for an effective free press is destined to be long, arduous, and buffeted by wider political forces. In many nations, the continuing absence of independent political institutions, independent judiciaries, and the pervasive presence of state security services hinder the ability of the press to grow and to exert influence. There are encouraging signs, however. Attacks on the press in the Arab world are on the rise in many countries precisely because journalists are becoming more outspoken in their criticism. The wall of fear that once prevented citizens from freely expressing themselves has eroded, even in the most repressive countries. Most dramatically, the state's monopoly on information has been broken in recent years by the growth of satellite television and the Internet. Press freedom activists, human rights groups, and concerned colleagues have multiplied in the last decade, providing a voice for besieged journalists.

Without a strong stand in support of these important gains, however, they will be imperiled.

CPJ is grateful for this opportunity to address this important matter.

Mr. ACKERMAN. Thank you.

Mr. Eisendorf?

**STATEMENT OF RICHARD EISENDORF, SENIOR PROGRAM
MANAGER FOR THE MIDDLE EAST AND NORTH AFRICA,
FREEDOM HOUSE**

Mr. EISENDORF. Chairman Ackerman, members of the subcommittee and staff, thank you for calling this important hearing today and for inviting Freedom House to testify.

Freedom House has been monitoring media freedom around the world for almost three decades. As you noted, our annual surveys evaluate press freedom by answering a series of questions in three areas: The legal environment, the political environment and the economic environment.

Our 2007 report shows that the Middle East and North Africa have the lowest press freedoms ratings of all the regions in the world, and that is not expected to change in 2008. Since 2006, press freedoms in the Middle East have been on a steady decline. Out of 19 countries in the region, only one, Israel, is rated as free; two are partly free, as you noted, Kuwait and Lebanon; and 16 are not free.

As our graph here shows, we see the comparison with the rest of the world. Worldwide, 47 percent of countries have a free press. In the Middle East no one does, and no Arab countries do.

I would like to briefly highlight several ways that the media is restricted in the Middle East. As Joel mentioned, attacks and intimidation on journalists, restrictions on the Internet, legal measures, and government ownership and control.

First on attacks and intimidation, journalists in the region face surveillance, intimidation, sexual assaults, torture, imprisonment

and in some cases even death for doing their jobs. In most cases, the source of these dangers is the government, though in some instances in Iraq, Lebanon, West Bank in Gaza, nonstate actors and outside forces also play a part in restricting journalists.

In Egypt, for example, several years ago the editor in chief of Al-Nasery newspaper, which has been very critical of the President, was abducted late at night, taken in an unmarked van to an isolated desert 50 miles outside of Cairo where he was stripped naked, beaten and abandoned.

Unfortunately, such tactics are still in use today, and in fact last week the head of the Kefaya movement, which was leading a public protest against the government, was picked up by police and left miles from the city. In 2007, in Egypt 14 journalists and editors were arrested and prosecuted.

The second limitation on press freedoms is through restrictions of the Internet. As Internet use in the Middle East continues to grow, the governments in the region have taken a variety of steps to control this media, including arresting bloggers, blocking Web sites, keeping a monopoly over Internet service providers and requiring user registration.

Censorship, as you noted, is a huge problem. There is a joke in Tunisia, which is also true for much of the Arab world, that the most popular Web site in the country is: This page cannot be displayed. Sadly, this is what one sees when trying to access human rights organizations, news sites, as well as those sites considered socially inappropriate.

International Internet sites are also grappling and adapting to this expanding world of Internet use as a tool for political activism. In November this past year, YouTube blocked access to Egyptian blogger Wael Abbas' videos, some of which show images of torture by Egyptian authorities. Amid an outcry by international observers and press freedom organizations, YouTube reinstated his account a few weeks later, recognizing that those images were instrumental in prosecuting those responsible for the torture.

In the Middle East, now bloggers are being targeted for arrest and intimidation. For example, in December 2007 a leading blogger in Saudi Arabia, Fouad al-Farhan, was arrested apparently for criticizing the government and voicing support for political prisoners.

Another problem is the absence of personal freedoms. It is becoming a common tactic to require sites or users to register, removing the anonymity that provides a veil of safety for Internet users and bloggers. According to Human Rights Watch, in Syria the Ministry of Communication and Technology ordered in July 2007 that all Web site owners must display the name and email of the writer of any article or comment appearing on their sites.

The third way that the media is restricted is through legal measures. Most countries have laws that criminalize the publication of information. These laws are often vaguely worded to give authorities a free hand to adjust the red lines as they see fit. These restrictions are found in many countries—Algeria, Iran, the Gulf and Egypt to name a few.

The most common restrictions include criticism of the President, the King or the royal family, criticism of Islam, information that

is perceived as harmful to the country's reputation, information likely to hurt relations with other countries.

As you can see, a wide net is cast and much can fall into that. In many cases these restrictions are not only in the press law, but also in emergency legislation and the penal code. Syria and Egypt have had their emergency laws in place for decades, giving the state broad and unregulated powers vis-à-vis the media and civil society.

The fourth way that media is restricted is through government ownership and control. In most states there are significant restrictions on independent media. Most regimes in the region maintain control over broadcast media like radio and television as these are the main sources of information for the majority of the populations. The exceptions are the satellite stations such as Aljazeera, Al-Arabiya, Abu Dhabi TV, which operate much more freely.

To conclude, I would like to offer three recommendations for expanding press freedoms in the Middle East. First, through congressional and diplomatic actions. We ask that you call for the release of journalists who are in prisons for their legitimate right to free expression and stand in solidarity with them.

Freedom House has in fact formed an International Solidarity Committee which pairs prominent individuals with local reform advocates and journalists. Congressmen Frank Wolf and Gregory Meeks, as well as European parliamentarians and others, are already active members of this committee, and we invite you as well to join.

Second, ensure that U.S. Government continues to fund local and international civil society organizations which are fighting for free expression, advocating for legal reforms and defending the rights of journalists to report the truth.

Third, support overseas broadcasts, web and print media, which provide a space for the open exchange of news and views in Iran and the Arab world and likewise take the opportunity to engage with the Arab satellite stations by appearing as guests and sharing your own views.

Thank you for this opportunity.

[The prepared statement of Mr. Eisendorf follows:]

PREPARED STATEMENT OF MR. RICHARD EISENDORF, SENIOR PROGRAM MANAGER FOR THE MIDDLE EAST AND NORTH AFRICA, FREEDOM HOUSE

PRESS FREEDOM IN THE MIDDLE EAST—TRENDS AND MECHANISMS OF REPRESSION

Chairman Ackerman, members of the subcommittee and staff, thank you for calling this important hearing today and for inviting Freedom House to testify.

Freedom House has been monitoring media freedom around the world for almost three decades. Freedom House's annual press freedom survey evaluates media freedom by answering a series of questions under three areas that historically have been used to restrict the flow of news information as well as the ability of journalists to operate freely: 1) legal environment, 2) political environment, and 3) economic environment.

Freedom House's 2007 report shows that the Middle East and North Africa region continued to show the lowest region-wide ratings with respect to press freedoms. Out of 19 countries, only 1 country was rated Free, 2 were rated Partly Free, and 16 were rated Not Free. While the ratings for 2008 have not yet been finalized, the press freedom situation has not changed substantially in the past calendar year.

During the last several years we had noted improvements in press freedom in the region as a whole, due to the continued spread and influence of pan-Arab satellite television networks and the internet, which serve as alternative sources of news and

information. In some countries, print media have also become more critical as journalists have taken the lead in pushing the boundaries of acceptable coverage, even when faced with violence or, more commonly, legal reprisals. However, this trend reversed in 2006, with several countries that had previously shown improvement moving in a negative direction, and has continued in 2007.

The governments of the Middle East region have used various mechanisms in order to limit press freedoms. These mechanisms include:

1) *Extremely Restrictive Legislation*

Though many constitutions in the Middle East and North Africa provide for some form of freedom of expression and the press, most of the region's governments have passed laws criminalizing the publication of certain types of content. These pieces of legislation often include vaguely worded provisions that leave the authorities and courts room to adjust the "red lines" as they see fit. The most common restrictions are on:

- Writing critical of the president, monarch, or royal family—such provisions exist in almost every Arab country. *Algeria*, for example, has laws criminalizing defamation of the president, the Parliament, the judiciary, and military.
- Writing critical of Islam—these provisions are particularly common in *Iran* and other *Gulf states*.
- Information that is perceived as harmful to the country's reputation—these provisions have been used in *Egypt* and elsewhere to punish those publicizing torture or other human rights abuses.
- "False information" or rumors, especially those deemed to potentially disrupt public order or threaten "the unity of the people." In *Egypt*, for instance, despite much anticipated amendments to the Press Law in 2006, there continue to exist provisions that criminalize the publication of "false news" or criticism of the president and foreign leaders. In 2007, there were multiple cases of journalists facing prosecution or being imprisoned for violating these provisions. An Al-Jazeera journalist was sentenced to six months in prison on a charge of "possessing and giving false pictures about the internal situation in Egypt that could undermine the dignity of the country" in connection with a documentary she was making about police torture in Egypt. In another set of cases, four editors were sentenced to one year in prison for "publishing false information likely to disturb public order."
- Information likely to hurt relations with other countries—in 2007, journalists in *Jordan* and *Syria* were either censored or prosecuted for attempting to publish information deemed detrimental to the state's relationship with Saudi Arabia.

In many cases, the above restrictions are outlined not only in the press law but also in emergency legislation and the penal code. In Syria, the Emergency Law, in place since 1962, broadly mandates the censorship of letters, publications, broadcasts, and other forms of communication. When prosecuted under such alternative legislation, journalists are likely to face prosecution before special State Security Courts that allow fewer due process rights. Examples of this occurred in *Egypt* and *Oman* in 2007.

A related phenomenon is that some states have adopted a milder press law, in part to subdue international pressure, while retaining criminal punishments under other legislation and using those provisions to imprison journalists and hamper their ability to report freely. This occurred in *Jordan* in 2007, where articles allowing imprisonment as punishment for published material were dropped in the Press and Publications Law passed in March. They were replaced, however, with high fines reaching \$40,000. Moreover, imprisonment of writers and journalists remains possible under both security laws and the penal code. It was under the penal code that ex-legislator Ahmad Oweidi Abbadi was sentenced to two years in prison in October for an open letter he posted online, writing to U.S. Senator Harry Reid about government corruption.

In addition to general restrictions on press freedom, in several countries there are also specific issues that are particularly taboo.

In *Syria*, for example, criticism of the government's policy in Lebanon is not tolerated. In May 2007, writer and journalist Michael Kilo was sentenced to three years in prison on charges of "weakening national sentiment" because he had signed the "Beirut-Damascus, Damascus-Beirut" joint statement in May 2006. The statement had been signed by Kilo and 300 other Syrian and Lebanese intellectuals and stresses the need to respect the two countries' sovereignty and independence.

In *Bahrain*, the so-called Bandargate Scandal was particularly sensitive in 2007. The scandal refers to a report published by Dr. Salah Al Bandar, a British consultant to the government, which alleged high level involvement in electoral fraud meant to oppress and disenfranchise the country's Shia majority. Following its publication, the government imposed a ban restricting any media outlet from reporting on the document. As a result of continuing to highlight the report, several journalists have been jailed and are facing long prison sentences.

2) *Dominating Broadcast Media and Controlling Independent Publications*

In many Middle East countries, there are significant restrictions on registering and publishing independent media. Most of the media is state-owned or owned by private individuals with strong ties to the government. The regimes are particularly keen to maintain control over broadcast media like radio or television as these are the main sources of information for the majority of the population, particularly where illiteracy rates are high. The exception is the popular Pan-Arab satellite television stations, especially the Qatar-based Al-Jazeera. In most states, the government has not made an attempt to interfere with these broadcasts or crackdown on satellite installation.

In *Syria*, with the exception of a handful of radio stations that do not broadcast news or report on political issues, radio and television outlets are all state-owned. Satellite dishes are common, and the government makes no attempt to interfere with satellite broadcasts.

In *Tunisia*, the authorities continue to vet and censor newspapers published locally as well as those coming from outside the country. Tunisia's print media comprise several private pro-government and government-owned newspapers. Editors of the private media are close associates of Ben Ali's government and typically heap praise on the leadership and its policies, while the government withholds advertising funds from publications that do not provide sufficiently favorable coverage.

In *Saudi Arabia*, there are 10 daily newspapers, all owned by either the government, members of the royal family, or close associates of the royal family. Broadcast media are also in the grip of the government, which owns and operates all television and radio stations.

In *Egypt*, the government is at least a partial owner of all of the country's three largest newspapers, whose editors are appointed by the president. Privately owned domestic broadcasters are not allowed to air news bulletins and focus instead on music and entertainment.

In some countries, the government allows for a broader array of print publications, including ones owned by the opposition. Nevertheless, the regimes are able to exert influence over these independent publications by pressuring printing houses who serve them or controlling appointments and registration. In the West Bank and Gaza Strip, some media outlets have been forced off the air because of raids on their stations by Israeli forces.

In *Algeria*, the government uses its control over the country's printing presses and a state advertising agency to influence the independent print media. Authorities have on several occasions punished critical newspapers by suddenly demanding payment for debts owed to the state printer.

In *Bahrain*, the print media are privately owned and there are nearly 100 Bahraini newspapers in circulation. Nevertheless, the government retains the right to control publishing policies, appoint the papers' officials and dismiss journalists.

In *Egypt*, opposition parties may form their own newspapers, but the licenses are granted by the Shura Council, one-third of whose members are appointed by the president.

3) *Targeted Assaults, Intimidation and Physical Danger*

In addition to threats of legal sanctions or shuttering publications, journalists in the region continue to be at risk of surveillance, intimidation, assault, imprisonment and in some cases death for carrying out their professional duties. In most states, the primary source of these dangers is the government, though in Iraq, Lebanon and the West Bank and Gaza Strip, non-state actors were also responsible for violence against journalists.

In *Egypt*, there were at least 14 reported cases of journalists and editors being arrested and prosecuted in 2007, including convictions for up to two years. Cases of less formal abuse have also been reported in the past. In 2004, Abdel Halim Kandil, editor-in-chief of Al-Nasery newspaper which has been very critical of the president was abducted late at night by four masked men and taken in an unmarked van to an isolated desert area 50 miles outside Cairo, where he was stripped naked, beaten and abandoned. In May 2005, Chaimaa Abul-Kheir and Abir Al-Askari, reporters from the independent newspaper Al-Dustur, who were covering

demonstrations by the Kefaya movement, were sexually harassed in public by pro-government thugs and police.

In *Iran*, the general trend of arresting and sentencing journalists continued in 2007 and seemed to expand to include new sectors of the profession. There was a harsh crackdown on Kurdish journalists, with two reporters being sentenced to death by a revolutionary tribunal in the northwest. There were also several cases of female activists and journalists being detained for protesting gender inequality, as well as arrests of dual citizens.

In *Tunisia*, journalists who cross the government's red lines have been harassed, beaten, imprisoned under harsh conditions, subjected to smear campaigns, prevented from leaving the country, and threatened.

In *Jordan*, intelligence agencies watch journalists closely, and the government of Prime Minister Ma'ruf al-Bakhit has given free rein to these agencies, the police, and prosecutors to clamp down on legitimate speech. Editors and journalists report that they have received official warnings to refrain from publishing certain articles or to avoid certain topics.

In *Saudi Arabia*, recent years have seen a rise in the number of journalists detained, particularly those who criticized the government and the religious establishment. Through harsh measures, and with the help of heavy self-censorship, the government and allied clerics are able to overcome attempts by journalists to exercise limited freedom of action.

In 2007, *Iraq* continued to be arguably the most dangerous country in the world for journalists. The August 30 killing of a translator for CBS marked the 200th journalist killed since the invasion by coalition forces in March 2003. The situation is especially tenuous for Iraqis employed by foreign media because they are perceived as spies or infidels and therefore targeted by both Shiite and Sunni militants.

In the *Israeli Occupied Territories*, Israel's army and security services continued to commit a range of press abuses in 2007. Journalists were subject to gunfire, physical abuse, arrest and substantial limits on their freedom of movement. According to Reporters Without Borders, as of July, nine journalists had been wounded by Israeli Defense Forces (IDF) fire. This included Imad Ghanem, a cameraman for the Hamas-affiliated satellite channel al-Aqsa, whose legs were amputated after Israeli tanks opened fire on him.

The circumstances for reporting from the areas controlled by the *Palestinian Authority* took a further turn for the worse in 2007, as journalists came under attack from Fatah and Hamas-affiliated militant factions, especially after internecine violence broke out in the Gaza Strip in May. At least three media employees were killed by gunmen in May and a building housing foreign bureaus was caught in crossfire between Hamas and Fatah forces. Continuing a disturbing trend from previous years, several foreign journalists were kidnapped by militants in 2007. The most prominent victim was the BBC's Alan Johnston, who was kidnapped in March and held for 114 days, making it by far the longest-lasting abduction in Gaza to date.

4) Control of Internet Access and Retaliation against Bloggers

As the number of people accessing the internet in the Middle East continues to grow, the governments in the region have taken a variety of steps to restrict discussion of unwelcome topics through this new media and limit its potential to undermine more traditional efforts to control information. The measures taken include arresting bloggers and cyberdissidents, retaining a monopoly over internet service providers, and requiring user registration.

A. Crackdown on Online Dissent

In recent years, governments have increasingly targeted bloggers and others expressing their opinions online for detentions and imprisonment. The year 2007 saw a continuation and even a worsening of this trend, as several prominent online critics who had previously been spared were arrested.

In December 2007, a leading blogger in *Saudi Arabia*, Fouad al-Farhan, was arrested, apparently for criticizing the government and voicing support for political prisoners in his blog posts.

In *Egypt*, blogger Abdel Kareem Nabil Suleiman (better known as Kareem Amer) was sentenced to four years in prison in February 2007 for posting articles critical of Islam and defaming the president on his blog. The verdict was upheld by an appeals court in March. In November, it was reported that he had been tortured and held in solitary confinement after he uncovered an act of corruption in the prison.

In *Iran*, Arash Sigarchi, a blogger who campaigned actively for the promotion of diverse viewpoints through internet journalism, was sentenced to three years in

prison in January 2006 for “insulting the Supreme Guide” and publishing “propaganda against the regime.”

Human Rights Watch reported in October 2007 that in *Syria*, two young men had been held in incommunicado detention since June for posting online views that were critical of the Syrian government. Karim Arbaji, 29, was detained for moderating a popular online forum for Syrian youth and Tarke Bisi, 22, was held because he “went online and insulted security services.”

B. Blocking Websites and Controlling Internet Service Providers

In addition to strong-arm tactics of harassing and arresting cyberdissidents and bloggers, a large number of governments in the region have instituted subtler, more technical mechanisms for limiting users’ access to unwelcome content. While some countries like Israel, Jordan or Iraq allow unrestricted access to the internet, the majority use a variety of techniques to restrict this new media.

In *Syria*, the government blocks websites that span a range of categories and especially filters ones that criticize government policies or support opposition groups. Arabic newspapers outside Syria that carry materials critical of the government are also censored.

Trying to rein in its 100,000 bloggers, *Iran* reportedly adds 1,000 new websites to a blacklist each month. YouTube, *The New York Times* website, and the English version of Wikipedia were all blacklisted in December 2006.

A key technique used by governments to improve their capacity to monitor and limit internet access has been to retain a monopoly over ownership of local internet service providers (ISPs). This has been particularly popular among the Gulf States.

In *Bahrain*, the only ISP is the government-owned Batelco, which prohibits the country’s 135,000 users from accessing anti-government, anti-Islamic and human rights websites. By the end of 2006, almost two dozen sites had been blocked.

In *Oman*, the government-owned ISP Omantel heavily filters and monitors access. The authorities also created an Internet Service Manual, which contains a lengthy list of prohibited online topics, including defamation of the royal family and false data or rumors.

In *Qatar*, the government controls the local ISP which enables it to direct users to a proxy server that blocks materials deemed inconsistent with the “religious, cultural, political, and moral values of the country.” The proxy server maintains a list of banned websites and blocks users from accessing them.

In the *UAE*, the only ISP is owned and operated by a government corporation called the Emirates Telecommunications Corporation (Etisalat). Similar to Qatar, users find themselves directed to a proxy server that blocks materials inconsistent with the “values of the country” and maintains a list of banned websites.

Saudi Arabia’s authorities have taken a slightly more sophisticated approach. Though they approved applications for over 40 privately owned ISPs in 1998, all of them are linked to a main server through a gateway run by a government institution called King Abdul-Aziz City for Science and Technology. This allows the government to tightly block and filter unwanted websites despite the apparent diversity of providers.

C. User Registration Requirements and Internet Café Surveillance

Another common tactic is requiring sites or users to register, removing the anonymity that provides a veil of safety for internet users and bloggers in particular.

According to Human Rights Watch, in *Syria*, the Ministry of Communication and Technology ordered in July 2007 that all website owners must display “the name and e-mail of the writer of any article or comment [appearing on their site] . . . clearly and in detail, under threat of warning the owner of the website, then restricting access to the website temporarily and in case the violation is repeated, permanently banning the website.” There has already been at least one documented application of the directive, when the Ministry of Communications and Technology restricted access to <http://www.damaspost.com>, a popular Syrian news site, for 24 hours after a commentator named “Jamal” criticized the head of the Journalists’ Union and the *al-Ba’ath* newspaper for nepotism.

In *Iran*, a cabinet decision in November 2006 ordered all websites dealing with Iran to register with the authorities. Though implementing the regulation would be difficult, the edict’s existence creates an ominous legal pretest for arbitrarily banning more sites.

The U.S. State Department reported that in *Kuwait*, internet café owners are required to obtain the names and identification of users and must submit the information to the Ministry of Communication if requested.

Syria has also been known to require internet café owners to spy on customers that access “sensitive” sites. According to HRW, in December 2006, security agents

arrested ‘Ahed al-Hindi, 23, and one of his relatives, in an internet cafe in Damascus, because al-Hindi had sent comments to overseas opposition websites. The owner of the internet cafe had filmed al-Hindi posting the comments. They were released on January 15, 2007.

Potential for Positive Developments

Despite the highly restrictive media environment in the Middle East, there were several examples in 2007 that point to some of the areas from which positive development may come.

- *The role of the courts:* Much of the legal harassment and manipulation, both in terms of defamation suits and legislative interpretation, relate closely to the quality and independence of the court system and the general status of rule of law in the country. Improvements in these areas are likely to yield greater press freedom.
 - In Egypt, where the courts are relatively assertive compared to elsewhere in the region, a recent court ruling illustrates the potential protection the legal system can offer free expression. In December 2007, The Administrative Judicial Court rejected the request of a lower judge to have 51 websites related to human rights blocked. An attempt by Judge Abdel Fatahs Murad to block the websites of the Hisham Mubarak Law Center, HRinfo and other human rights and news websites was rejected by the Admin court in a Dec 29 decision whose dicta also emphasized support for freedom of expression.
 - Even in the more restrictive environment of Syria, there has been a legal push-back against internet censorship. In November 2007, the administrator of a website (Al-Nazaha) that Syrian minister of communications Amr Salem had ordered be shut down filed a lawsuit against the minister. The site had been subjected to serious harassment before it was finally banned, including having its office burned, its computers hacked, and its server terminated by the company hosting the site on 2006. Hearings were held in November and December at the Administrative Judiciary Court in Damascus with more scheduled for February 2008.
- *Overseas online initiatives:* In Iran, for example, despite the authorities’ attempts to restrict internet usage, websites continue to express opinions that the country’s print media would never carry. The internet provides a forum for political debate, with both conservatives and reform advocates using it to promote their political agendas. The internet has also provided a key platform for international initiatives—such as Article 19’s *Persianimpediment.org*, Freedom House’s *Gozaar*, and *Rooz Online*—to promote freedom of expression and inform the Iranian public on human rights issues.
- *Top leaders’ ability to influence:* Given the authoritarian political systems in these countries, it is important not to underestimate the power of top leaders to push press freedom in a positive direction when pressured. In 2007, there were several examples of leaders intervening to change the fate of certain pieces of legislation or of imprisoned journalists, illustrating the potential for diplomacy to nonetheless yield some results.
 - In *Jordan*, the lower house of parliament approved the Press and Publications Law that removed provisions allowing for imprisonment. This was after the legislation had been approved by the upper house, known to be loyal to King Abdullah. With the King’s implicit blessing, the lower house approved the bill.
 - In *Iraq*, Kurdish president Barzani opposed a new restrictive bill proposed by the Kurdish parliament that would have fined journalists for vague offenses.
 - In *Syria*, academic and cyber-dissident Ali Sayed al-Shihabi was released in January 2007 after five months in detention for articles posted on a far-left website. He was freed under a presidential amnesty marking the Muslim Eid celebrations.

Israel: A Positive Anomaly in the Region, but with Some Areas of Concern

As the only country in the region rated as Free, press freedom is generally respected in Israel. The country features a vibrant and diverse media landscape, which for the most part is adequately protected by an independent judiciary and active civil society. It is also one of the most IT savvy countries in the world, with over 55 percent of the population having unrestricted internet access. Nevertheless,

the country also has several longstanding trends concerning restrictions on the press, as well as some new issues that arose in 2007.

Discrimination against and harassment of Arab journalists remains an issue. Israeli press freedom organizations have often accused the Government Press Office of unnecessarily restricting credentials to Palestinians on security grounds. In recent years, the authorities have also been known to detain Arab journalists, especially those reporting for media outlets perceived as hostile to Israel. In July 2007, Israel detained Ata Farahat, a correspondent for Syrian Public Television and “Al-Watan” daily newspaper who was living in the Golan Heights. According to Reporters Without Borders, as of the end of October, Farahat was still being held without trial and a judge had issued an order prohibiting his lawyers or the Israeli press from talking about the case.

Attempts to restrict the movement of journalists outside Israel also became an issue in 2007. Three Israeli journalists are currently facing potential prosecution and up to four years in prison for having reported from Syria and Lebanon. Lisa Goldman, Ron Ben-Yishai, and Tzur Shizaf, who had each traveled separately on a foreign passport, were interrogated by the International and Serious Crimes Unit in November for allegedly violating an Israeli law that forbids its citizens from traveling to “enemy states” without permission from the interior ministry. In addition to the questionable legitimacy of the legislation, the attempt to enforce it in these cases appears suspiciously selective as thousands of Israelis, including several dozen journalists, have traveled to “enemy states” in recent years but have not been pursued by the authorities.

To conclude, Freedom House would like to offer three recommendations for expanding press freedom in the Middle East:

First, through congressional and diplomatic actions, call for the release of journalists who are imprisoned for their legitimate right to free expression—and stand in solidarity with them. Freedom House has in fact formed an International Solidarity Committee which pairs prominent individuals with local reform advocates and journalists. Congressmen Frank Wolf and Gregory Meeks as well as European parliamentarians and others are already active members of this committee. We invite all on this panel to join us as well.

Second, ensure that the US Government continues to fund local and international civil society organizations which are fighting for free expression, advocating for legal reforms, and defending the right of journalists to report the truth.

And third, support overseas broadcasts, web and print media which provide the space for the open exchange of news and views—in Iran and the Arab world. And likewise take the opportunity to engage with Arab satellite stations by appearing as guests and sharing your own views.

Mr. ACKERMAN. Thank you very much.
Mr. Jacobson?

**STATEMENT OF KENNETH JACOBSON, DEPUTY NATIONAL
DIRECTOR, ANTI-DEFAMATION LEAGUE**

Mr. JACOBSON. Thank you, Mr. Chairman, for inviting me here today. We are grateful to you and the committee for organizing this important hearing.

A.D.L. has as its mandate to combat anti-Semitism and to fight all forms of hatred, and in that context one of the things we do is we monitor on a daily basis the print media in the Arab world.

I want to allude to a comment that you made in your introductory remarks, which is criticism of Israel is legitimate, and indeed one would be very surprised if the Arab media were not engaged on a regular basis in criticism of Israel, which of course does happen. Far more disturbing, however, is the fact that so much of the criticism turned into classic anti-Semitic stereotyping, either in describing Israel or in describing Jews in general.

I would say it is a strange, two-way track in the Middle East. There are hopes for peace in some sense that some of the Arab states are becoming more pragmatic toward the existence of Israel

on the one hand, and on the other hand I think we see a diminution and a deterioration of the process.

We could look at one example, which is the Holocaust. In the Arab world for some 50 years the way the Arab world viewed the Holocaust was it was a terrible thing that happened, but why should we Arabs, they claimed, pay the price for what the Europeans did to the Jews. In other words, clearly I don't agree with that assessment, but at least it was based on the idea that the Holocaust happened.

Now when one reads the Arab media more and more the new anti-Israel line is that the Holocaust really did not happen at all; that in fact it was exaggerated or didn't happen and that in fact it was a creation of the Jews in order to win support for the legitimacy of the state of Israel. Of course, that is a change from a political national struggle to an ethnic, religious and anti-Semitic struggle and really makes the whole effort to try to move forward much more difficult than it ever was.

The basic themes I am referring to when I say classic anti-Semitic stereotypes that we see throughout the Arab media, there are images—and you will see in some of the materials we distributed today because we do focus on cartoons, as well as written media—of stooped, money-hungry, hook-nosed Jews right out of Der Stürmer during the 1930s and Nazi Germany.

Images of Jews as snakes trying to dominate the world, a comparison of Israelis to Nazis which appear over and over again, as well at the same time, as I mentioned, Holocaust denial, comments of images over and over again about alleged Jewish control of America and American-Middle East policy and, generically speaking, linking the United States and Israel as two parties involved in nefarious plots to dominate the world.

All of this is classic stuff. This doesn't fall in any sense into what one could claim would be legitimate criticism of Israel, but really goes way beyond that into classic anti-Semitic stereotyping, and very dangerous ones at that.

Now, the question is, Where is all this happening? We who deal with issues of extremism and anti-Semitism in general always try to see if things are kept on the margins, are tolerable, but these are happening in the mainstream press of all the countries that we are talking about. This is not in the margins. These are ideas which are conveyed to the public every single day that the public receives them.

They also appear both in official publications and opposition publications. As the other gentlemen have pointed out, the question of press freedom in general is complicated, but it runs through both state-sponsored media, as well as opposition media.

It also runs through those countries that are at peace with Israel, Egypt and Jordan, and those who are not. It doesn't seem to have barriers in terms of where the particular country may be with regard to recognizing the state of Israel.

Indeed, Egypt was mentioned, and I can say that until probably this year Egypt was probably the largest conveyor of these anti-Semitic conspiratorial theories. Indeed, we at ADL have met with President Mubarak on a number of occasions to call attention to

the issue, and he always says but we are a country of freedom of press.

Now, we obviously don't take that so seriously, but even in that context the way we deal with such issues in the United States should there be individuals who make such comments is we call on the leadership to speak out, and he has not done that. He has not rejected the examples. Even if there were freedom of the press, he could use the freedom of his leadership to condemn it, and he has failed to do it, as have others, which really gives a kind of complicity to the hatred that is there.

The consequences of all this are, first of all, I think there is a direct link to the issues before your committee, which is democracy and freedom, human freedom and human rights, and, as you pointed out, this is the one area where they grant freedom to make these kinds of comments. This is not a sign of freedom of the press and indeed is a sign of how the lack of freedom can then be used to incite and to cause problems.

I would say that it has two main implications. One is on a peace process, and one of our recommendations is, and it is part of the road map and it is part of the elements of the peace process, but unfortunately I think too often lip service is paid to the need to make the notion of standing up against this kind of incitement and hate as essential to any opportunity for peace.

Without changing this, young people in many of the Arab countries have been subjected to this kind of incitement and hate repeatedly over many, many years, and it is hard to imagine that such folks, having images of Jews in Israel of the classical conspiratorial type, would be open to making peace.

So, number one, it is an obstacle to peace and must be on the agenda of any peace effort with regard to the Palestinians and the Arab states. Secondly, of course, it also is a great generator of rationalization and even support for the worst kind of terrorism. After all, if Israel and the Jewish people are as evil as portrayed, as powerful, as sinister, it conjures up in this sense what Goebbels achieved in Nazi Germany in the 1930s.

He didn't get the German people merely to dislike the Jew. He made the German people feel that they had to defend themselves from the all-powerful, evil Jew, and it is this concept which then becomes a rationalization for the worst kinds of incitement and the worst kinds of terrorism, and indeed the ultimate would be the use of weapons of mass destruction against the so-called evil people. And then on top of that the scapegoating inevitably links the United States and Israel, and both get thrown into the mix and portrayed as the sources of all evil in the world.

I would just finish by offering a few recommendations that we think would be important to try to combat this kind of hatred that is being espoused and encouraged.

I think, first of all, it is important that leaders such as yourself, Members of Congress, members of the State Department, the administration, in every meeting with Arab leaders make clear that silence by them in the face of this ongoing incitement and classic anti-Semitism makes them complicitous and have them understand that that is the view of the United States.

Secondly, as I alluded to earlier, we think it should be a fixture of any serious peace negotiations. You ultimately will not have true peace unless the people of each country understand that there must be respect and tolerance, and this engagement in these conspiracy theories and anti-Semitism make it so much more difficult to reach peace.

It also would be useful to have our Embassies in the Middle East understand how to identify sometimes subtle forms of anti-Semitism and to make demarches to the proper government official about American concern about that. It also could be useful to train American diplomats in how to deal with such issues. As part of America promoting peace education, I think we ourselves have many programs dealing with respect and tolerance which we would offer to the U.S. Government in assistance.

So I think the issues before us are exactly the way you put it at the beginning, Mr. Chairman. We have repression of freedom of speech except in the one area, which is to demonize Israel and the Jewish people, and that is a tremendous danger, not only an obstacle to peace, but a source of terrorism.

[The prepared statement of Mr. Jacobson follows:]

PREPARED STATEMENT OF MR. KENNETH JACOBSON, DEPUTY NATIONAL DIRECTOR,
ANTI-DEFAMATION LEAGUE

I am Kenneth Jacobson, Deputy National Director of the Anti-Defamation League. We are grateful to you, Mr. Chairman, and to the Subcommittee, for holding this important hearing and for your years of ongoing work against the problem of anti-Semitism and incitement in the Arab media. I am pleased to have the opportunity to share some observations and entertain any questions. I would ask that my full statement be entered into the record and I will highlight just a few key points.

The ADL has worked to expose and counter anti-Semitism and all forms of bigotry since 1913. For decades we have focused on monitoring and exposing the anti-Semitism that has pervaded the Arab and Muslim print media. Our particular monitoring focus has been editorial cartoons, where we have found that the exaggerations intrinsic to these caricatures all too often propagate age-old anti-Jewish stereotypes and myths.

We are gratified that Congress and the Administration has made the battle against incitement against Jews and other targeted groups, a US policy priority. We know that Members of this Subcommittee and the full Committee, time and again have raised concern with Arab leaders about the persistent incitement as an affront to democracy, human rights and as fomenting an environment in which terrorism can breed.

We share these reports on a regular basis with decision makers and influentials—from city council presidents to heads of state to business people to underscore the threat this incitement poses to the security of Jews and to democracy as a whole.

Incitement has dangerous consequences. At a time of renewed peace efforts, it must be underscored that the dissemination of hate, in this case against Jews and Israel, makes the difficult road to peace ever more difficult. Achieving breakthroughs depend not only on political leaders taking bold steps but preparing the public for peace. When those in the Arab world are continually bombarded with messages of hate, public sentiment impedes rather than embraces peace.

Beyond that, we have witnessed, historically and in today's world, the direct connection between charged rhetoric and violent action. When Jews and Israel are demonized, it takes no great leap of the imagination to see why public support for or rationalization of terrorism against Israelis and Jews is so prevalent. Incitement can create an environment conducive to, and accepting of, terrorism. As the U.S. and other nations join in the battle against worldwide terrorism, there must be renewed vigilance against purveyors of anti-Semitism and anti-American hatred abroad—and consequences for inaction, inattention, or state sponsorship of this hatred.

We have also seen that where Jews are scapegoated and demonized, incendiary anti-American rhetoric flourishes as well, inviting extremists to step in with violent action.

Through our daily monitoring of newspapers across the Middle East, we see Jews and Israelis depicted in a derogatory and incendiary manner.

- Jews and Israelis are portrayed as stooped, hook-nosed and money-hungry, as snakes (a particularly nefarious figure in the Arab world) bent on establishing world domination.
- Israeli leaders are regularly depicted as Nazis, at the same time that other articles deny or diminish the Holocaust.
- United States-Israel relations are a regular feature—with stereotypical Jews shown as manipulating the United States government, as the puppeteers behind the President, the Secretary of State and Congress.
- Other caricatures show the U.S. and Israel as partners plotting to dominate the world, the Arabs, Iraq, and the Palestinians.
- Jews are subtly scapegoated, depicted as fomenting and benefiting from internal conflict in the Arab World.

While anti-Semitic caricatures are more prevalent during times of Israeli-Palestinian tensions, they also appear during periods of calm or even times of progress in peace negotiations.

ADL documents and widely disseminates compilations of the most egregious examples we find. In addition to featuring an “anti-Semitic cartoon of the week” on our website, we regularly post and print compilations of anti-Semitic caricatures and analyses of recent trends in the Arab and Muslim media.

Recent Themes in Editorial Cartoons:

The November 26, 2007, Annapolis Conference and President George W. Bush’s January 2008 visit to the region was the subject of scores of editorial cartoons. Most were critical of Israel and the United States and many featured age-old heinous anti-Semitic stereotypes. In them, Israel was depicted as using the conference to manipulate the Arab world and the international community to further its own belligerent agenda. Many used blatantly anti-Semitic images of Jewish control of the United States and the world and of conniving Jews hoodwinking the Palestinian Authority President Mahmoud Abbas, the Arab world and the international community. The caricatures appeared in state-run and opposition newspapers in countries who participated in Annapolis such as Egypt, Saudi Arabia, Syria, the United Arab Emirates, Qatar, Oman and Jordan. They also appeared in newspapers in Iran and those controlled by Hamas—both entities which oppose Arab-Israeli reconciliation.

Arab media Editorial cartoons critiqued President Bush’s visit to the region this month and depicted what they posit were his true motivations and allegiances in the region. A common portrayal was of President Bush deceiving Arab states and working in concert with Israel against the interests of the Palestinians. These cartoons also caricatured Jews using classic stereotypes and painted them as aggressive, untrustworthy, and manipulating the US government.

Where do these cartoons appear?

Our decades-long work has found that anti-Semitic articles and caricatures regularly appear in newspapers in countries and entities across the full spectrum: those with whom Israel is at peace—namely Egypt and Jordan; those who have been negotiating partners—the Palestinian Authority, Syria and Lebanon; and those not formally engaged in negotiations with Israel—the Gulf States, Saudi Arabia, and others.

In many countries, these caricatures are prevalent in newspapers that are considered “government affiliated” (and generally government-funded) or those considered “opposition.” This is true in Egypt and the Gulf States. In others, such as Jordan, such anti-Semitic depictions appear primarily in “opposition” newspapers. It should be noted that in many Arab countries, the government heavily influences even “opposition” newspapers.

For many years, ADL analysts found Egypt to be the leading propagator of these images. That is no longer the case, although anti-Semitic depictions continue to be a feature on Egyptian opinion pages. In the past year or so, it is newspapers in the Gulf States—notably Oman and Qatar—which feature the most heinous images of Jews.

It is interesting to observe how newspapers in different countries tend to stress different anti-Semitic themes. This appears to correlate with different approaches of and levels of contact states have with Israel and with Jews. For example, the Palestinian Authority, Egypt, Jordan and Syria are participants in the peace process and are involved in the Palestinian conflict, and their anti-Semitic manifestations tend to be related to current policy issues. In contrast, the Gulf states are more re-

moved from day-to-day developments and polices, and their depictions of Jews relate more generally to classical anti-Semitic canards and stereo-types.

In *Egypt, Jordan and Syria*—the cartoons and articles focus on three main themes:

- Comparing Jews/Israelis to Nazis. This comparison is used to de-legitimize the Israeli government's policy relating to the Israeli-Palestinian conflict (making use of Nazi symbols such as the swastikas, Nazi uniforms etc.).
- Depicting Jews as animals with negative, predatory characteristics—dogs, foxes, pigs, wolfs, preying sharks, tortuous worms, devious snakes, octopus, blood-sucking insects etc.
- Demonizing Zionism, linking it to the anti-Semitic forgery, the *Protocols of the Elders of Zion*—asserting a Jewish aim to control the world and manipulate the West.

In the *Palestinian Authority*, cartoons frequently use the image of the blood-thirsty Jew, depicting Israel and its leaders as butchers driven to murder. Such depictions are directed at criticizing contemporary Israeli policy in the territories, but invoke the age-old anti-Jewish blood libel.

In *Saudi Arabia* the cartoons mainly focus on Jewish control over international media and finance.

In *Iran*, there are frequent feature articles denying (fully or partially) the Holocaust. These articles reflect government statements (by President Ahmadinejad and others) that, even if the Holocaust did happen, the numbers of the Jews killed are exaggerated.

Cartoons featured in the *Gulf countries* typically deal with three main themes:

- Portrayal of the stereotypical Jew
- Absolute collusion between Israel and the US
- Jews/Israel as chief beneficiaries of Arab and Muslim internal conflict

In *Bahrain*, the papers demonize the Jew, using images of a devil seeking control over the world and creating conflict between nations.

In *Oman and Qatar*, Jews are portrayed as the embodiment of evil in their facial expressions, in traditional Jewish garb (skull cup, long coat), with big noses and marked with the Star of David.

Calls on Arab Leaders to Denounce Cartoons:

On numerous occasions, ADL has called on Arab leaders to denounce the anti-Jewish manifestations featured in their newspapers. As the Members of this Subcommittee have no doubt experienced first hand, Arab leaders have always responded with excuses, equivocations and downright denial of the problem. Instead of responding with disgust and condemnation, they rigorously defend these ugly pictures as legitimate manifestations of political commentary.

Some government leaders, such as Egyptian Prime Minister Hosni Mubarak, have cited freedom of the press as the reason they cannot control anti-Semitic manifestations in their state media. This argument rings hollow given the reality that in Egypt, as in most Middle Eastern countries, the only real freedom the media appears to enjoy is the freedom to scapegoat Jews and Israel. Moreover, the respect for press freedom, which we certainly champion, does not absolve political leaders of the responsibility to exercise moral leadership and to publicly denounce these expressions of gutter-level anti-Jewish hatred.

We have also heard from Arab leaders that these caricatures are not anti-Semitic, but are legitimate expressions of criticism of Israel and Israeli policy. This is clearly not the case. In no way should images such as a contorted, stereo-typical Jewish figure, straight out of *Der-Sturmer* crushing the Arab world, or of Israel as a snake strangling Uncle Sam (images which harkens back to age-old canards of Jews power) be construed as fair criticism of Israeli policy.

There is a growing international recognition that we can no longer abide by the defense of this anti-Jewish incitement as political criticism or commentary. The 27 nation European Union's antiracism monitoring body's *Working Definition of Anti-Semitism* includes instances such as the comparison of Israel or its policy to Nazism. The monitoring in the 56 states of the Organization for Security and Cooperation in Europe uses the same definition. The State Department's 2005 report on Global Anti-Semitism acknowledged the increase of anti-Semitism masked as criticism of Israel: "*The demonization of Israel, or vilification of Israeli leaders, sometimes through comparisons with Nazi leaders, and through the use of Nazi symbols to caricature them, indicates an anti-Semitic bias rather than a valid criticism of policy concerning a controversial issue.*"

On occasion, we have heard some Arab leaders say that the Israeli media is guilty of demonizing Arabs, implying that this somehow balances out the scales. We respectfully reject such equations. When, on occasion, there is a case of an insensitive or even demonizing depiction of Arabs or Muslims in the Israeli media, government leaders, non-governmental organizations and community leaders are quick to condemn it. This is the case outside of Israel as well. In the infamous controversy over the Danish cartoons in 2006, Jewish organizations, including ADL, called on the media to take into account the sensitivities of racial, ethnic and religious groups, while defending the right of newspapers to be free to publish controversial content without fear of censorship or intimidation of their writers and editors. This has also been the case in the United States, when on numerous occasions American Jewish organizations have supported American Muslim complaints about insensitive depictions of Arabs or Muslims in film, television programs and in editorial cartoons.

While there have been notable op-eds and articles by Arab personalities condemning Arab anti-Semitism and Holocaust denial, they have been few and far between compared to the unrelenting stream of anti-Semitism.

Anti-Semitism in the Electronic Media:

Anti-Semitism is also broadcast on television across the Arab world.

Among the most infamous examples are two dramatic, multi-part, mini-series which were broadcast during the Muslim holy month of Ramadan—the major “sweeps” period for Arab television. The Egyptian-produced *Horseman Without a Horse*—aired on Egyptian state television in 2002, and the Syrian-produced *Ash-Shatat*—aired in 2003 on the Hezbollah owned Al-Manar satellite network. (Al-Manar has a long record of incendiary anti-Jewish, anti-Israel and anti-American programming. It appears to be the source of the conspiracy theory that claimed that 4,000 Israelis were absent from their jobs at the World Trade Center on September 11, 2001, thereby implying that Israel was in some way behind the attack. The story was posted on its Web site on September 17, 2001 and picked up by extremists around the world. It has been banned from broadcasting several European countries and the United States.)

Horseman featured base stereotypical depictions of Jews living in nineteenth century Egypt plotting to take over Palestine, the Middle East, and the entire world, guided by the infamous anti-Semitic forgery, *The Protocols of the Elders of Zion*. *Ash Shatat* was saturated with horrifying stereotypes of Jews, references to the *Protocols*, and included a shocking dramatization of the slitting of the throat of a Christian child by a rabbi draining his blood to make matzah. In both dramas, Jews were presented as conspiring, violent, evil, and manipulative, characters who would quickly betray their native country and even their community for their own interest.

In more recent years, Arab dramas produced for Ramadan have focused more on drama and romance, and less on Jews. However, organizations monitoring major Arab satellite and state-run television networks, as well as television stations affiliated with the Palestinian Authority and Hamas, have documented anti-Jewish statements and characterizations permeating news programs, religious broadcasts and documentaries.

- Iranian television regularly broadcast speeches by Iranian leaders, such as President Ahmadinejad, questioning the Holocaust, and talk shows featuring infamous Holocaust deniers.
- MEMRI (The Middle East Media Research Institute) released the transcript of an October 2007 program on Lebanon’s NBN television network (associated with parliamentary speaker Nabih Berri) which examined the *Protocols* and alleged a Jewish/ Israeli/ American plot to “annihilate the nations and peoples of the world, using drugs and causing anxiety, and numbing the mental, psychological, and physical capabilities of non-Jews, as written in the Talmud or *The Protocols of the Elders of Zion*.”
- Palestinian Media Watch exposed a children’s program on Hamas-owned Al Aqsa Television, called Tomorrow’s Pioneers, which aired in April 2007 which featured a Mickey-Mouse-like character, Farfur, who encouraged comments from children such as a call to “annihilate the Jews.” The controversy which erupted over the program led to Farfur’s replacement with the character Nahool the Bee, who serves a similar incendiary purpose.

The Impact of These Images:

The result of decades of these demonizing depictions is that the vast majority of Arabs in the Middle East have only encountered Jews as images of evil, threatening, subhuman figures to be feared, hated and fought against. Compounding this problem, is the instantaneous, global transmission of these images via the internet and

satellite television, from the Middle East to Europe, Africa, and the United States, reaching and potentially radicalizing a much larger audience.

Take, for example, an Egyptian born in 1979 at the time of the signing of the Camp David Accord, the peace treaty between Israel and Egypt. He or she is now approaching the age of 30 and has lived an entire life in the era of peace between Israel and Egypt. Yet, given the images in the media and other influences in society, it is more likely than not that this Egyptian has incorporated the age-old anti-Semitic canards about Jews and Judaism into a world view. He or she has also been educated to believe anti-Semitic conspiracy theories—told that Jews introduced AIDS to Egypt; that Israel developed a special gum sold in Egypt that promotes promiscuity among young Egyptian girls; even a claim in the Egyptian weekly *Al-Usbu'* that Israel was responsible for the Tsunami as a result of an Israeli nuclear underground test that was conducted in the Indian Ocean. Given these ingrained prejudices, this Egyptian, more likely than not, doesn't understand or support Egypt's diplomatic relationship with the Jewish state. Even deeper prejudice, hatred and suspicion of Jews would likely be found on the streets of Saudi Arabia, Syria, the Gulf States and others.

In the most extreme case, such demonization of Jews leads individuals to justify and even carry out violent attacks against Jews and Israelis. Anti-Semitic tenets are deeply rooted in the founding manifestos of al-Qaeda, Hamas, Hezbollah, and other Islamic extremist groups.

These images in the Arab media also obstruct hopes for any kind of Israeli-Arab reconciliation by their impact on Israelis. The demonization of Jews conveys to Israelis that the Arab/Muslim world will never be reconciled to the existence of the Jewish state, and that peace is impossible.

Recommendations:

1. *Tell Arab leaders—silence is complicity.* The United States must make clear to Arab leaders that their silence in the face of anti-Semitism in their media makes them complicit in this perpetuation of incitement. Members of Congress, the Secretary of State, and the President himself, should urge heads of state and ministers to speak out against the use of anti-Semitic images in the media. The difference between a tolerant and an uncivil society does not lie in the biases within the hearts of its people, but in the public reaction of its leaders to manifestations of hate and bigotry. Even where the press is not state run, governments should take leadership in condemning anti-Semitism and incitement against all groups and to set a civil tone for discourse. We urge the Subcommittee to follow up on this hearing with the relevant governments. We welcome your support helping ensure that that this issue is raised by every Member of Congress who travels to the Region and that the Committee raises this with all visiting officials and dignitaries from the Middle East.
2. *The US should follow up on the Annapolis Statement of Principles on confronting incitement and make it a fixture of negotiations. A failure to focus on this issue will be an impediment to lasting Arab-Israeli reconciliation.* The inclusion of the incitement issue in the core document in Annapolis, and priori agreements like the 1998 Wye River Accord reflect an understanding that the ongoing dehumanization of Jews provides a context and rationalization for terror. The work on this issue, for example the efforts of the U.S./Palestinian/Israeli Anti-Incitement Committee, has been sidelined and too often takes a back seat to other political issues. In retrospect, we recognize that the failure to create an environment where peace between peoples could be forged contributed to the failure of successive agreements. Alongside political negotiations, lasting peace will require meaningful efforts by Arab and Muslim leadership to change public perceptions of Jews and the State of Israel.
3. *Embassies must follow up on human rights reporting and demarche governments.* Anti-Semitic incitement is a violation of human and is embodied in international treaties such as the International Covenant on Civil and Political Rights. The Secretary of State should instruct U.S. Embassies and missions to demarche governments as a follow up to U.S. reporting on anti-Semitic incitement in state media. Ministries of Communication and leaders at the highest level of governments should be reminded that US diplomats are serious about monitoring anti-Semitic incitement as a key human rights issue.
4. *Build capacity of U.S. diplomats to recognize and counter anti-Semitic incitement in the media.* The U.S. has made the fight against anti-Semitism a key

priority, most recently with the appointment of the State Department Special Envoy on the issue. US reporting on anti-Semitism as a human rights and religious freedom issue is an indispensable tool in spotlighting the problem as well as a tool for diplomacy. As with any reporting which originates in embassies around the world, it varies from place to place. In order to bolster the consistency of reporting on this sometimes complex phenomenon, the State Department's Foreign Service Institute should include core training on anti-Semitism to help human rights officers and all diplomats to easily recognize and counter the nuanced and mutating forms of anti-Semitism.

5. *The U.S. must promote peace education in the Arab world as part of democracy building efforts.* ADL would be eager to work with this subcommittee to suggest positive programming opportunities. For example, ADL's signature anti-bias training program, A World of Difference(r) Institute, recognized as an important tool against discrimination has been adapted and implemented in Hebrew and Arabic among students and teachers in Israel. We would welcome the opportunity to adapt our Arabic language programs for other school systems to help challenge prejudice teach youth skills necessary to live in a diverse world.
6. *Reach out to participants in the International Visitors Leadership Programs.* The US brings approximately 5,000 visiting leaders in government, politics, the media, education, labor relations, the arts, business and other fields from around the world. Many of them express an interest in meeting with a Jewish organization and the Anti-Defamation League has been happy to introduce them to the American Jewish community and its agenda. Although this is a modest goal, we would welcome the support of this Subcommittee for encouraging the State Department to utilize the visits of the many groups from the Middle East to introduce them to an organization like ours. This could be a modest first step toward breaking the broadly held stereotypes of Jews in the region. Forging contacts between civil society leaders could spark initiatives that might make a contribution down the road.

We urge our government to put a spotlight on the problem of anti-Semitic incitement because it flourishes in precisely those parts of the world where democracy, human rights and free speech are the most limited. Hatred of Jews or Americans is not an expression of freedom, but rather it is too frequently used to cynically divert energy and focus from the lack of internal freedoms which plague those societies.

We are grateful that this subcommittee, the Congress and the Administration view combating incitement as squarely within America's wide-ranging democracy building agenda. We are grateful for your leadership and stand ready to be a resource to you as you move forward.

Mr. ACKERMAN. Thank you very much.

Let me ask as the first question, Who makes the decisions in these various countries in the Arab world about censorship and what gets censored?

Mr. CAMPAGNA. If I could start, Mr. Chairman, I think it varies from country to country. The Ministries of Information, which in many countries handle the media portfolio, if you will. They enforce media laws. They carry out censorship.

In other instances it is the security services who carry significant weight in carrying out censorship, imposing self-censorship, so it is several mechanisms of control which may emanate from many difference sources, whether it be a government ministry, the security services, the courts, which are frequently used and in most, if not all, countries are not independent and under the thumb of authorities.

Mr. EISENDORF. I would agree with that. Just to emphasize the point, in addition to the press laws that exist are emergency laws in some states and other penal codes that all affect their freedom of expression and the freedom that a journalist can exercise, but it is the instances that also set the tone for the rest of the media.

As Joel mentioned, self-censorship becomes the norm in those cases. When one person is prosecuted and faces considerable jail terms or other punishment, that sends a message to the entire press corps.

Mr. ACKERMAN. What role does the head of government or the head of state play in these countries? Do they influence the process? Do they sign off on it?

If you can go to jail for criticizing the leader's health or questioning the leader's health or discussing the leader's health, does the leader make that decision?

Mr. CAMPAGNA. I think sometimes it is very difficult to know what that process is short of being behind closed doors.

I do think that officials do impact how specific press freedom violations occur. In Egypt, for example, we cited the case of editors who had published reports about President Mubarak's health. The court cases against these editors were not launched until a very nasty campaign was played out in the state press. President Mubarak's wife in fact in an interview singled out journalists for spreading rumors about his health and said that there had to be accountability.

It wasn't long after that that Ibrahim Eissa, who is one of the most independent Egyptian journalists today, was brought before a court and charged, a case that is still pending, so where those lines flow is not clear. I think that case shows there is some high level pressure that is exerted in many of these cases.

Mr. ACKERMAN. What is the purpose of these particular laws? Are they all laws, or are they regulations of an agency? What is the purpose?

Mr. CAMPAGNA. Press laws. Rich discussed about penal codes, emergency laws. These are very flexible laws, highly interpretive language which on its face does not conform with international standards. You have penal codes or press codes which outlaw publishing false news.

Who decides what false news is? Often times it is a state prosecutor who has been appointed by the ruling party, and his loyalties I think are well known.

The number of laws that you have, the language that is open to interpretation and the severe penalties. You have defamation.

Mr. ACKERMAN. Let me rephrase my question. Are these laws which are sporadically enforced, I take it, are they there for control, for the sake of control alone? Are they there to keep a regime in power? Are they there to further particular policies? Are they there to protect parts of a culture or a religion?

Mr. CAMPAGNA. I think if you look at media—

Mr. ACKERMAN. Are they there just to get people pissed off?

Mr. CAMPAGNA. I think when you read some of the language in these press laws and in fact when you compare them across the region, the language is very similar. It seems as if they are borrowed.

They appear designed to allow control over the media from licensing to what can and cannot be printed, and it is a mechanism—

Mr. ACKERMAN. To what end?

Mr. CAMPAGNA. To allow the authorities to control or reign in dissenting journalism, to have an ability to control members of the

press when they exceed acceptable boundaries of criticism. The regulations in these laws—

Mr. ACKERMAN. Are these regimes that are worried about being overthrown, or are they just hypersensitive? They don't like having their feelings hurt. Please.

Mr. EISENDORF. I think what you see is these types of laws exist not just for the press, but for the rest of civil society and political activism as well, so I think there is a clear trend in terms of consolidating power and not allowing voices of dissent and voices of opposition.

In many instances opposition parties don't have the freedom to organize freely and independently. Civil society does not have the opportunity to organize freely and independently and so unless it is simply providing a service and welfare and schooling and so on when it enters into the area of political opposition or confrontation to the leadership, and that includes confrontation to the societal norms, Islam and other issues, then there are restrictions.

That is across the board, so I think it has to do with the consolidation of power and not allowing threat to that power.

Mr. JACOBSON. I would also add that what they allow is also an effort to divert attention from some of the potential problems that exist among the population vis-à-vis the particular government, so in effect it is a bit of a safety valve to be able to focus on attacking Jews, which historically has been true.

It is also interesting that in some of the states there are laws protecting not only Islam, but Christianity and Judaism, in terms of libeling those religions, but in practice obviously that is not conducted that way.

Mr. ACKERMAN. Which states have those laws?

Mr. JACOBSON. I don't have them off the top of my head, but there are definitely several, at least a number of them that have such laws, and clearly as we saw in all the conflicts that took place with the Danish cartoons and the like, obviously even in a foreign country if there is some criticism of Islam that generates tremendous hostility.

Clearly within those countries any criticism of Islam would be severely punished, but obviously that doesn't apply to Judaism, and I have some doubts that it applies to Christianity as well.

Mr. ACKERMAN. What is the reaction among journalists, the actual effect it has on journalists? I am sure no real journalist is in favor of these, but does it indeed stifle them? Do they all become more cautious? Do some continue to speak out? How does the public react in these various countries to the laws?

Mr. CAMPAGNA. I think overall the use of these laws has a very inhibiting effect on the press, self-censorship. Especially after a high profile prosecution or jailing of a journalist we have noticed that across the board in countries where these laws are applied.

In Morocco I think is a great example where in the last year we saw two of the leading publishers who were hit with politicized defamation judgments that almost bankrupted them both had to leave the profession of journalism, and the press, from journalists we interviewed after those prosecutions, were expressing deep concern about an imminent crackdown on the press.

So it does impact the ability of the press to be more daring, but again there are journalists in places who continue to push the limits in spite of these pressures, in spite of these prosecutions, and I think these are places, as I mentioned in my statement, where some of the most crucial press freedom struggles are taking place now, places like Egypt and Morocco where journalists are battling that effort by governments to silence them.

Mr. ACKERMAN. I can't help but think of a different area of the world when Noriega was under fire and attack some years ago and he was derided in the press by many journalists.

The derision got personal and commented continuously about his complexion. Evidently he is very pockmarked and they kept referring to him as pineapple face, so they passed a law that you couldn't refer to the nation's leader as pineapple face, and that became the law of the land.

One newspaper took up the challenge and every day of the week until we snatched Noriega they had a different recipe referring not to Noriega, but just describing a pineapple recipe. The whole country caught on.

Not that it is a substantive issue, but certainly it was standing up against what the government was trying to do, and that was to eliminate any kind of criticism against the nation's leader. They found a way around it.

Except for journalists, I don't see any hue and cry. Is there a cultural difference in that part of the world? Are people more compliant? I can't think of too many countries that might have had any semblance of real journalistic experience where the populous was strenuously objecting to the extent that the number of people arrested would just be anecdotal.

Mr. EISENDORF. You know, I think you do see a culture of those, and Joel mentioned there are instances in many instances where journalists are out front and are taking a stand on pushing the edges of what is possible.

Mr. ACKERMAN. In Pakistan the lawyers went to the streets because they knew they were going to be arrested.

Mr. EISENDORF. Yes.

Mr. ACKERMAN. And the picture was hundreds of lawyers being arrested and the world took note.

If you have two journalists get arrested in a country that is not a heavy moment in the history of the world where nobody is going to be looking at that except the people who follow the issue.

There is no civil disobedience or journalistic insistence or whatever you want to call it to any massive extent I take it? You don't see a journalist today getting arrested. You don't see people challenging the system in any of these countries.

I don't know. On the issue that Mr. Jacobson brings to the table, and it is not by accident that I meld these two issues to show the irony of the rigidity of imposing restrictions on the press except for a certain area where it is encouraged to do all of those things; that if you did it to somebody else it would be a crime against a country, the government or its leaders. I don't see any letters to the editor.

Mr. JACOBSON. I think in a non-Arab country is the one that I think of most, which is Iran. In Iran there are quite a few journalists who make efforts.

Mr. ACKERMAN. In?

Mr. JACOBSON. Iran.

Mr. ACKERMAN. In Iran?

Mr. JACOBSON. Yes. Non-Arab Muslim country. As a matter of fact, there have been articles recently indicating that there is actually a greater crackdown on journalists and others who are trying—

Mr. ACKERMAN. In Iran?

Mr. JACOBSON [continuing]. To expand the borders of freedom of speech.

Mr. ACKERMAN. And yet there are more journalists that stand up and challenge the system?

Mr. JACOBSON. Yes. Yes.

Mr. EISENDORF. In the past that was true, and they also had political support to do so so they took a strong stand, and every time a newspaper was shut down a new one would open up and a new set of editors would step forward.

Mr. ACKERMAN. How does the public know that an editor was arrested?

Mr. EISENDORF. Well, today, blogging, I think, is one of the big ways that information flows.

Mr. ACKERMAN. How many people? What percentage of the people in the Arab world read blogs? The same as here or Finland or Poland?

Mr. EISENDORF. No. I think the numbers are going to be smaller. If you take Egypt, for example, use of Internet is not widespread throughout the country, but among an educated class of people it is widespread, and blogging and reading of blogs is very common.

Mr. ACKERMAN. What happens if you report that a journalist was arrested for being a journalist?

Mr. CAMPAGNA. I think to answer that question, Mr. Chairman, I think we are seeing more journalists speaking out about arrests of their colleagues, harassment of their colleagues, and I think that is one of the bright spots in Arab media, the emergence of press freedom organizations, civil society groups.

In Egypt we are seeing members of the Journalist Syndicate and some of the political reformists who are protesting when journalists are—

Mr. ACKERMAN. How do they protest?

Mr. CAMPAGNA. Through demonstrations at the Journalist Syndicate in Egypt has been a place where journalists have congregated to protest the tax on freedom of expression in the press, through the media on satellite news stations, on the Internet, blogs.

I think the debate is still open as to how effective blogging is, but one place where we have seen its effects has been in Egypt where bloggers have helped lead the reform movement. They have helped organize demonstrations, protests and things like that.

Mr. ACKERMAN. Are they massive protests? Are there journalists that show up to write about it?

Mr. CAMPAGNA. I hesitate to quantify the size, but these have been I would say substantial protests that have been reported by Egyptian media and regional media.

Mr. ACKERMAN. What happens to the Egyptian media? These are protests in Egypt?

Mr. CAMPAGNA. In Egypt in the past couple years.

Mr. ACKERMAN. And when people protest the imposition of restrictions of journalism what is the reaction? Does anybody cover it?

Mr. CAMPAGNA. They cover it. Many of these demonstrations have been violently dispersed by the authorities. In fact, I believe there was just one a few days ago, if I am not mistaken, that took place in Cairo in which a journalist was detained, a foreign journalist.

Mr. EISENDORF. Protests are not allowed in Egypt. Because Egypt is under emergency law, any gathering can be dispersed and not allowed.

As I was mentioning in the testimony, the government has a free hand in applying its emergency laws in these cases and so in the instant of the recent protest in fact the leaders of that movement were picked up, driven out into the desert and dropped off in that case.

Mr. ACKERMAN. Mr. Eisendorf, I am going to accept your suggestion or challenge and discuss with Mr. Pence, the ranking member of the subcommittee, who the record should indicate was here earlier, the drafting of a congressional resolution condemning the arrest of members of the journalistic community for practicing their trade.

Being that you are all at the same table, is there a comment that the two of you, Mr. Eisendorf and Mr. Campagna, might have concerning the other issue, and that is the tolerance and the unique circumstance of criticism of Israelis and/or Jews and/or Americans when we marry up the political issues that are involved?

I know nobody is in favor of censoring, and I appreciate Mr. Jacobson's comments that you have a right to legitimate criticism of the issues, but the irony of allowing that special place or place to be critical of a way that is reminiscent of the cartoons that were in Germany.

I mean, some of these are as vigorous—I will use that word—as I saw emanating historically in the buildup of the National Socialist party and the hatred and incitement that that led to.

Mr. CAMPAGNA. If I may, it is not something we monitor at the committee to protect journalists, but I think perhaps a parallel issue is something we notice in state media in countries where independent journalists are under threat, and that is state media launching nasty attacks against independent journalists who criticize the state, defamatory attacks in countries like Egypt and Tunisia, which is another added pressure these individuals face in doing their work.

Mr. EISENDORF. Let me note that the restrictions that governments put on media generally reply to what they report about their own country.

Journalists have a rather free hand to talk about other countries and other situations, particularly those that are considered enemies.

Mr. ACKERMAN. You say particularly those that are considered enemies. What would happen in the case of their commenting on

a country that is considered an enemy, but in a favorable way? Is that not restricted?

Mr. EISENDORF. I think it could get a response in the media and through intellectual engagement, but I am not sure that that would have any impact in terms of a legal effect on them.

People are free to engage on issues. They may not be popular issues. I think you see that in many of the media.

Male VOICE. Yes. I would just like to comment—

Mr. ACKERMAN. I am not talking about contrary. I am talking about issues that might be contrary to government policy. Is there freedom for journalists to do that, to champion the cause of an enemy of the government?

Mr. EISENDORF. I think in many cases in the Arab press you are very free to express your opinions on government policies and relations with other countries, but I think where the line is drawn in some cases, Jordan and—

Mr. ACKERMAN. In Syria can you say that Lebanon deserves to be independent and free?

Mr. EISENDORF. Lebanon is a special case in the Syrian press, and they actually have a restriction on commenting on—

Mr. ACKERMAN. So you really can't comment on something that is contrary to government policy. So it has to further the interest of the government?

Mr. EISENDORF. There are many issues that can be reported on, but there are some that are going to be red lines.

You know, in answer to what you were saying and I think what has been reinforced by every one of us is the importance of reinforcing freedom of expression so that we open up that space and not seek to identify other areas to restrict it.

Mr. JACOBSON. Actually there was one notable occasion in the Egyptian press with regard to these conspiracy attacks and stereotypes about Jews when there were Holocaust denial articles written.

Mohammed El-Baz, who was a close advisor formerly first to Sadat and then to Mubarak—

Mr. ACKERMAN. Osama El-Baz.

Mr. JACOBSON. Osama El-Baz. Excuse me. Yes. Thank you.

Osama El-Baz published actually a very moving three part series in one of the leading Egyptian newspapers basically of course attacking Israel for its policies, but then going on to say that while attacking Israel is completely legitimate we should not engage in this kind of anti-Semitism and Holocaust denial.

It was very interesting. He is a significant figure, and it did appear. It was a unique experience, and I assume that he had the approval of President Mubarak for doing that, but it was one unique time and we were very pleased about that, which indicates at certain points it may be tolerable.

Mr. ACKERMAN. This was several years ago, as a matter of fact.

Mr. JACOBSON. This was several years ago. That is correct. Yes.

Mr. ACKERMAN. I did read it. I had it translated.

Mr. JACOBSON. Right. It must have been about 4 years ago or so.

Mr. ACKERMAN. At least.

Mr. JACOBSON. Yes.

Mr. ACKERMAN. It was rather unusual. It was unfortunate that it was unique.

Mr. JACOBSON. Right.

Mr. ACKERMAN. But I think he did that very courageously, by the way, especially as a political advisor to the President, in response to I forgot what program it was.

Mr. JACOBSON. It may have been an Egyptian television series.

Mr. ACKERMAN. It was a 14 part series on TV.

Mr. JACOBSON. Horseman Without A Horse. Yes. It was called Horseman Without A Horse.

Mr. ACKERMAN. Horseman Without A Horse. That was it.

Mr. JACOBSON. That is correct. Yes.

Mr. ACKERMAN. In which they talked about the blood libels and told this whole story on Jews, that they kill Muslim children to take their blood because that is one of the ingredients in making matzo for Passover.

Mr. JACOBSON. And the basis of the entire 14 whatever part series was that "The Protocols of the Elders of Zion" and the infamous anti-Semitic forgery was in fact a true document, the efforts of the Jews to take over the world.

This appeared during Ramadan, which a point was made that this was a time when most Muslims are spending a lot of time at home watching such TV, so that is what moved El-Baz to publish that repudiation of that kind of—

Mr. ACKERMAN. I was very impressed with it, but it is tragic that we can point to one unique response—

Mr. JACOBSON. Right. Exactly.

Mr. ACKERMAN [continuing]. On the part of anybody having to do with the government.

Mr. EISENDORF. If I can comment? There are other examples, and I think that you have seen that in recent years in relation to Iran's policy and statements against Israel and Holocaust denial.

Let us look at the most popular press in the region, which is the satellite television, Aljazeera, Al-Arabiya and others. They frequently have American guests. They have Israeli guests on their programs. I think this is very important to both recognize and support and encourage.

They have programs where they are engaging on issues and opening debates and giving a forum for different points of view to be heard. These can include call-ins and other elements.

Mr. JACOBSON. Yes. Actually there is an Aljazeera correspondent in Israel, and just this morning there was a dispute between Israel and the Aljazeera correspondent over the question about the lack of electricity—that was the big story yesterday in Gaza—in which the Israelis accused the Aljazeera correspondent of hyping the story in a false way.

The very fact is that there is an Aljazeera correspondent to report on Israel, and it is an interesting phenomenon in the region.

Mr. ACKERMAN. Would you encourage more members of our government, including Members of Congress, to do shows on Arab media?

Mr. EISENDORF. I think that these are opportunities to engage, to share views, to open a dialogue on some of the very same issues that are concerned about here, about American policy and about

the policies and actions in the region and have open exchanges on these issues.

Mr. ACKERMAN. Mr. Chabot?

Mr. CHABOT. Thank you, Mr. Chairman. I apologize for being a little bit late. A number of us just came from the Mall at the March for Life, but I did want to stop by and thank the panel. I apologize for not having heard their testimony, but I will definitely read it.

I was in the Persian Gulf a month or so ago and went to UAE and Oman and Bahrain, and I would be interested—and again not having actually heard your testimony, I apologize if you have already properly covered this in some detail, but I would be interested to know what is the press freedoms particularly in those areas or what direction do they seem to be heading?

Are there any trends that are notable in those three countries in particular? If any of the members of the panel would want to touch on that?

Mr. CAMPAGNA. Sure. Thank you. Oman is by our estimation probably one of the most restricted media in the Arab world. It is one of the few countries in the Gulf actually where we have not seen the emergence of independent or semi-independent news outlets. For the most part—really entirely—the press is state controlled.

You see a different picture in Bahrain where there has been emergent independent newspapers in the last 4 or 5 years, which I think is a positive trend. Many of these news outlets have been very critical of the government and found themselves in Court as a result of their published criticisms.

Also in Bahrain we are seeing the emergence of a lot of Internet writing, on-line journalism, and as a result of that we are seeing increasing government pressure on Internet users. We have seen blogs that have been censored, Web sites that have been censored that have been critical of the government.

I would say similarly with the UAE again a very comparatively liberal media environment. We see a lot of international news organizations setting up shop there. It has a very open environment for the press you have, but when it comes to local newspapers and local press very restricted in their ability to hold government officials to account, criticize high level officials.

Mr. CHABOT. Relative to the UAE in particular, any distinctive differences between say Dubai and Abu Dhabi, for example, or any of the other Emirates?

Mr. CAMPAGNA. I will defer to Rich if he wants to add. In terms of local media coverage, local newspapers and television, I would not say a great deal of difference in how they approach covering the political leads, which is not much at all.

Mr. CHABOT. Go ahead.

Mr. EISENDORF. Yes. What you do see in United Arab Emirates is a very attractive environment for international media and Arab media.

Dubai has the Media City which is a hub for media from all over the region, I believe, and MBC, Middle East Broadcasting, recently located there.

Abu Dhabi has its own satellite station, Abu Dhabi TV, which is very popular throughout the region, in fact maybe the most popular

channel because it is a diverse channel. It has entertainment, news and talk shows, whereas Aljazeera is a news channel. One of the most popular shows, Who Wants to be a Millionaire?, is broadcast on Abu Dhabi, so there is on the satellite side a lot of attraction in those countries.

Mr. JACOBSON. I would just add on the issue which I spoke about, which is anti-Semitism in the Arab media, that actually Oman and Qatar have sort of taken over from Egypt as the leading purveyors of these classical anti-Semitic stereotypes in the last year or 2. Exactly why I can't say, but we have noticed that.

The Gulf States media, they are quite pervasive in these kind of general stereotypes about Jews—demonic, evil Jews, physical characteristics—less connected to the specific issue such as in Egypt or the countries that are bordering Israel where the images, the anti-Semitic images, are directly connected to some of the issues that are going on whereas in the Gulf States they are more generic, but they do abound. It is very troubling.

Mr. CHABOT. Thank you very much.

I yield back the balance of my time.

Mr. ACKERMAN. Mr. Eisendorf, your testimony shows clearly how slender the rationale has to be for some Arab governments to stifle free expression, yet when it comes to Hezbollah's TV station, Al-Manar, which actively promulgates parochial Shia interests, incites against Suni-Arab governments and carries the political water of Iran, Arab governments seem utterly paralyzed.

ArabSat and NileSat are the vital outlets for Al-Manar, yet the Arab governments which are so aggressive elsewhere insist there is nothing they can do, even though they control these two satellite broadcast companies on which Al-Manar depends. What do you make of that situation?

Mr. EISENDORF. Let me try to answer it in this way. Lebanon has one of the freer media in the country. Al-Manar emanates from Lebanon.

One of the reasons for that is the diversity of the media that you find. In television, Al-Manar is a Hezbollah channel. You have other channels affiliated with different political parties and different factions within the country, so they allow diversity within the country and they allow a fair degree of expression compared to other countries. Al-Manar in fact benefits from that by having that opportunity to operate in that environment.

I am not sure of the connection between Al-Manar and NileSat and ArabSat. These are satellite providers which have dozens and dozens of stations.

Mr. JACOBSON. I just wanted to add when I hear of Al-Manar I think of the fact that 6 days after 9/11 it was Al-Manar who sent out this little piece of information, as they called it, that they had just learned that 4,000 Israelis were working at the World Trade Center and, lo and behold, none of them showed up for work that day.

I remember. I am a New Yorker, and I lost a cousin that day. We all knew people, the people who died that tragic day, made up the diversity of New York's population, including foreigners who died that day, and we all thought Al-Manar is just playing with dreams and fantasies.

Unfortunately, around the world, particularly in many parts of the Islamic world, that fantasy has taken hold as the real explanation of what took place on 9/11. That came from Al-Manar.

Mr. ACKERMAN. Also in Mr. Eisendorf's testimony, which very helpfully categorized the types of communication or advocacy that can land somebody in trouble, one of the most interesting of these was the detrimental effect to the country's relationship with Saudi Arabia category.

You mentioned two countries, but if I am not mistaken the heavy-handed Saudi big brother has come down everywhere. Is not that the case, and how does Saudi Arabia enforce its will on others? Are they really as powerful as they seem in this regard, or are we just not paying attention to how the professionals do it, or do they use methods that are inconsistent with our values?

Mr. EISENDORF. I think Saudi Arabia presents a very interesting level of influence in the media. Saudi investors and usually members of the royal family are owners or majority owners of major newspapers, Al-Hayat and Shohood, among other media.

In some cases, these are considered the best print publications in the region, and yet they will restrict what is written about Aljazeera and the tone that it takes on issues that affect Saudi interests. So there is definitely a great deal of influence that can be exercised through media ownership and these media.

I am not sure if that answers your question.

Mr. ACKERMAN. Does anybody else want to comment?

Mr. CAMPAGNA. In addition to what Rich said about Saudi influence over the media, I think we see it in other ways in which officials pressure other Arab governments to crack down on journalists who are critical of the royal family.

We have had prominent cases in Yemen where journalists have been taken to court, criminally prosecuted under statutes that prevent criticizing a friendly Arab nation or insulting a friendly Arab leader for their criticism of the Saudi royal family.

This provision of criticizing friendly Arab states exists in the press laws of many countries in the region, so you see Arab states pressuring other Arab states to bring legal action or other repression against media when they criticize those states, so there is a level of coordination and cooperation among states in the region to suppress criticism.

Mr. EISENDORF. If I can add as well, just last week or over the past few days the Saudi Government had called Qatar to account, called the Government of Qatar to account for coverage in Aljazeera, and is exercising its political weight with Aljazeera, which is owned by the Qatari Government, and so this is an example of what you are talking about, Joel.

It will be interesting to see how that plays out and to the extent to which coverage does change in Aljazeera vis-à-vis Saudi Arabia, but both countries at times when it is to their advantage claim well, this is an independent media. It is not our responsibility. Obviously who pays the bills can exercise a great deal of influence.

Mr. ACKERMAN. Mr. Jacobson, when they run any of these cartoons in the Arab media does anybody ever object or protest or say that wasn't fair?

Mr. JACOBSON. Not only don't they protest, but when we make or others make representation to them—as I noted earlier, we have done that on several occasions personally with President Mubarak. There is always taking refuge in freedom of the press, first of all. We have freedom of the press.

You in America wouldn't want to tell the government to tell people if they can't publish certain things, which of course from all this conversation is absurd, and again the point is that we make that what we do expect from leaders in a democratic society, not acknowledging that these societies are democratic, is of course that in any case leaders can use their own bully pulpit to denounce this kind of hatred, which of course the opposite really happens that gets encouraged.

We see except with that example that I gave you about El-Baz, which you yourself said is a unique example, there really is very little effort. As I said earlier, we believe that in the Annapolis process this issue, which isn't a road map. The issue of incitement coming from state-sponsored and other media in the Arab world should be a primary issue.

If we are ever going to have hope for real peace, I think we need to educate the public and the children in ways that have not happened so far. The answer to your question is we don't see it at all. We don't see criticism. We see the very opposite.

Mr. ACKERMAN. I have had, as has Mr. Lantos and other members of the committee, that very same discussion with President Mubarak.

Mr. JACOBSON. He is very engaging when you talk to him.

Mr. ACKERMAN. Oh, yes.

Mr. JACOBSON. But he doesn't move at all.

Mr. ACKERMAN. Well, he indeed defends the fact, as he puts it, that they have freedom of the press and the press is allowed to comment.

You should see what they say about me in the press he always said.

Mr. JACOBSON. I have heard that one too.

Mr. ACKERMAN. You know, we haven't seen a lot of that, but nonetheless what you described is—

Which leads me to a question. Is there anybody in any of the countries in the Arab world who are public figures, whether they be political figures, wannabe political figures, religious figures, civil, social, military figures, who speak out and defend the concept of a free press?

You are thinking an awful lot to come up with—

Mr. CAMPAGNA. If I may, I think governments obviously pay lip service to press freedom, but when it comes down to it and you see journalists in prison and censorship it tells a different story.

I think it varies from country to country, and you have reformists—

Mr. ACKERMAN. I am not talking about on a particular issue, but I am talking about a concept of jailing journalists. Does anybody speak out against that?

Mr. CAMPAGNA. Officials?

Mr. ACKERMAN. Yes. That is what I am asking.

Mr. CAMPAGNA. In some cases, yes, but often times—more often than not—no. We recently completed a mission to northern Iraq in which a big debate was being held about whether journalists should be imprisoned and whether such provisions should exist in media laws.

We spoke to many government officials who said we agree. Imprisonment of journalists is wrong. But when you go to places like Egypt you hear a different story despite the fact that President Mubarak in 2004 promised that he would work to eliminate prison sentences against journalists. That is a promise that remains unfilled to this day.

Mr. EISENDORF. But there are instances where press freedoms had been expanding, and I think given the right conditions they will continue to expand.

Algeria in fact has a very vibrant press, print publications in particular, and even though the political environment may be challenging at times and there are additional restrictions imposed at different times the press itself is able to exercise a great deal of freedom within that context.

There are consistently I think initiatives where that struggle between press freedoms and control takes place and has its advocates and detractors.

Mr. ACKERMAN. I know in a lot of places it is very popular when people stand up and demand the release of political prisoners or terrorists that somebody else might have arrested, but what would happen to somebody who stood up in public in any of these countries, absent any particular issue at hand, and said the country should not have a policy of doing that? What would happen?

Mr. CAMPAGNA. It depends on the country, Mr. Chairman. In Libya, were that to happen, you can expect that that person protesting might be sent to jail or worse.

In Morocco or Egypt or Yemen we are seeing journalists do just that. Though these protests or expressions of opposition are relatively small they do exist, and journalists, press freedom organizations that have sprouted up, human rights groups, are taking a stand on these issues, and I think these are people who are very important to support because they are the people of civil society who are fighting for press freedoms, and they are raising their voices.

Mr. ACKERMAN. The recent advent of bloggers raises a question. Which journalists in which media are more susceptible to being censored and which have more protection, print media, TV and radio or Internet media?

Is there more protection in one than the other? Do you get to hide out more if you are a blogger or what?

Mr. EISENDORF. You probably could. I think television is largely government controlled, so clearly television has the least amount of freedom to operate.

Print probably next because that is a more visible and popular media. Blogging is a relatively new phenomenon, and I think it is only recently in the past year or so that we are seeing prosecutions of bloggers.

I think what you are seeing, though, is the same pernicious laws being applied across the board, but it is a matter of how well you can track those different media.

Mr. CAMPAGNA. If I could, there has been a rise on the tax on Internet journalists across the region, and this is part of a worldwide trend we have documented at the Committee to Protect Journalists.

For example, last year there were 125 journalists imprisoned. Thirty-nine percent of them were Internet writers. That applies to the Middle East where currently we have three journalists in prison.

Each of them is in prison because of on-line writings, and this is a result of the increasing reliance of independent-minded journalists on the Internet because they can simply publish more freely in that media, and governments have turned their attention to it. They have prosecuted journalists. They have detailed them, threatened them. They are subject to many of the same pressures we are seeing formerly applied to print journalists.

Mr. ACKERMAN. Here is the way I see it. Governments can and do own TV stations, radio networks and newspapers, magazines, and they can readily censor anybody who is a journalist in any of those media.

It seems to me that if you are talking about the Internet the government needs an accomplice in order to be an enforcer. Should the journalistic community on an international basis, various journalistic organizations—I don't know if there is an international. I think there is an international journalist organization. I might be mistaken.

Should not, without an issue on the table, have a statement or policy condemning any Internet provider, host or what have you who acquiesces to any government's demand on censorship to establish some basic principles of good journalism internationally. Would that be something worthy of consideration?

Mr. EISENDORF. Absolutely.

Mr. ACKERMAN. I am doing a resolution. Give me a break here.

Mr. EISENDORF. Absolutely. I think international organizations should stand up on this issue and reinforce freedom of expression and the opportunity for those journalists to—

Mr. ACKERMAN. I think people should be talking to YouTube and eBay and what have you about participating in those kinds of things.

Mr. EISENDORF. I think it is a fantastic idea, and I think it is one that the international community's support of bloggers and other journalists in the Middle East is critical to helping to expand their freedom.

In addition to governments, I think that engaging with fellow journalists, civil society and the international community is invaluable.

Mr. ACKERMAN. Does anybody want to add something before we conclude?

Mr. JACOBSON. The interesting thing, you raised the Internet. For us dealing in issues of anti-Semitism or hatred on the Internet, together with our firm belief in the value of the First Amendment, we have a different kind of problem, which is the Europeans who

have hate speech laws which are unconstitutional under the American system.

They come to us, and they say you guys are crazy in America. We have all these haters, and we get them off the sites because it is illegal under European laws. Then they immediately go the American sites because they are protected by the First Amendment.

We have to explain to them the value of the First Amendment and then figure out other ways to deal with hate on the Internet, such as some of the services, the sites, have their own rules of the road about certain things that they don't allow, and we work that way.

That is the other side of the coin of what you are talking about, how under our own First Amendment can we deal with hate on the Internet without violating the First Amendment, which is a challenge unto itself?

Mr. ACKERMAN. It is a mirror-image kind of approach when it comes to Guantanamo and those other issues between the Europeans and the Americans, interestingly enough.

Mr. JACOBSON. Yes. True.

Mr. ACKERMAN. I mean, it is fascinating because it is all very new.

As an avid stamp collector, I have to tell you that Germany has some rather unique laws concerning Nazis, for example. It is illegal to have swastikas in Germany or to deal in them or to exhibit them and advocate a lot of other things, but even the possession or sale of them, whereas stamp collectors internationally collect stamps of all countries, and a lot of German stamps, as you probably know or might remember if you are old enough, have swastikas on them and all sorts of stuff.

They are collected by stamp collectors, people trying to sell those stamps on eBay or buy those stamps, which are acceptable because they are history in stamps. Germany had outlawed it, and people had to go to bat. It was people, many of whom were in the Jewish community, as a matter of fact, trying to explain the issue of it, that it wasn't an advocacy question that they were questioning.

But the Internet poses solutions, as well as problems, and I think that if there are, as I suggested, some basic, internationally accepted rules to put pressure on those who are making a living on the Internet—I am talking about the organizations, not people who are buying or selling individually—as to succumbing to government pressure or enforcing government policies which are against international concepts or precepts or journalistic suggestions should not be doing those things, and any way you want to phrase that might be helpful.

The panel has been very helpful. I am sure that most of the committee will be reading the testimony, even those members who might not have been able to be here today.

I thank you for your contribution. Your statements will be entered in their entirety, as I said, in the record, and the panel is dismissed.

The committee is adjourned.

[Whereupon, at 1:40 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE MIKE PENCE, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF INDIANA

Mr. Chairman, thank you for calling this important hearing, and I welcome our distinguished witnesses.

All of us in this body and practically every citizen cherish the First Amendment. In fact, I will be departing this hearing early to exercise my First Amendment rights, along with tens of thousands of other Americans, on behalf of the Right to Life this afternoon. (We'd love to have you join us, Mr. Chairman.) Our rights to speak and to publish are hallowed in our constitutional tradition.

But, in the Arab World, free speech and a free press are controversial at best and rarely observed. As our witnesses today will make clear, most of the 22 Arab states have heavily restricted their press and citizens' speech. For example, something as mild as inquiring about the health of the President of Egypt will place an editor on trial, as occurred in Cairo in October 2007. We will hear chapter and verse of far more serious examples and numerous cases demonstrating a severely limited ability for average Arab citizens to learn what their government is doing or what anyone thinks about it.

Mr. Chairman, this is in marked contrast to the robust, even rambunctious, free press that exists in Israel. I had invited my friend, Tom Rose, publisher and CEO of the Jerusalem Post from 1998 to 2004, as a minority witness today. He was unable to attend because of a scheduling conflict. Suffice it to say, Israel's free speech and press rights far surpass anything in the Arab World.

Mr. Chairman, it would be bad enough if censorship were the extent of the problem in the Arab World, but, as your statement makes clear, propaganda directed against Israel, Jews generally, "crusaders," and America is routine fare. And, this is no light-hearted satire or even substantive criticism. It is often the darkest, crudest and most egregious stereotypes and blood libels imaginable.

And, to what audience? Consider the damage done by the mere *rumor* of the erroneous *Newsweek* story about a Koran being flushed down a toilet at Guantanamo Bay. This falsehood resulted in 17 riot-related deaths in May 2005 in Afghanistan.

Then there was the Danish cartoon which depicted Muhammad no worse than how Jews are regularly portrayed and which led to more than 100 deaths worldwide in early 2006.

Apologists for this double standard tell us that the "Arab street" is not ready to recognize Israel, all the while feeding their publics conspiracy and slander. So, in general, the Arab world is forbidden from hearing any criticism of their governments, but indoctrinated that their problems are the Jews or America's fault. Is it any wonder we have countries that are unstable and disillusioned with the West?

This is the unhappy state of the press and free speech in much of the Arab world where freedom of speech, as our witnesses make clear, is actually against the law. I plead with the Arab world and even the newly liberated states of Afghanistan and Iraq to recognize the value of a free (or at least much freer) press. They can certainly find some middle ground between outright censorship and propagandistic incitement. Mr. Chairman, I know you, as a former newspaperman, appreciate this.

Thomas Jefferson famously said, "Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I wouldn't hesitate to choose the latter." This, despite saying to one Philadelphia paper: "Nothing in this paper is true, with the possible exception of the advertising, and I question that." No one in the public eye (or any citizen for that matter) always agrees with what is said by our press. Jefferson also remarked, "Error of opinion may be tolerated where reason is left free to combat it."

Mr. Chairman, we need more reason and less rioting in the Arab World. And, one path to ordered liberty is greater freedom of speech, of press, and, yes, even of religion.

Sadly, this trend is not limited to only the Arab World. Just last Friday, it was reported that Belarus had sentenced an independent newspaper editor to three years in jail for reproducing the controversial Mohammad cartoons. There seems to be a danger in criticizing Islam that is not apparent toward other subjects.

Finally, Mr. Chairman, in keeping with this theme, I would like to note that there have been reports in the news recently about a detention of a blogger in Saudi Arabia. The facts about this detention are not clear at this time, but the detention raises questions that need to be answered, and I hope they will be answered in the very near future.

With that, I look forward to hearing from all our witnesses on how to address this troubling situation.

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF TEXAS

Thank you, Mr. Chairman, for convening today's important and timely hearing. Freedom of the press is one of the most cherished and fundamental of democratic values, but one that is not enjoyed by people throughout the world. I would like to also take this opportunity to thank the Ranking Member of the Subcommittee, and to welcome our witnesses: Joel Campagna, Middle East & North Africa Coordinator, Committee to Protect Journalists; Dr. Karin Deutsch Karlekar, Senior Researcher and Managing Editor, Freedom of the Press Survey, Freedom House; and Kenneth Jacobson, Deputy National Director, Anti-Defamation League. I look forward to your informative testimony.

Mr. Chairman, on December 10, 2007, security agents entered the home of Fouad al-Farhan, "dean" of Saudi Arabia's blogging community and an outspoken voice on political issues. They took his laptop computer, and are believed to have taken him to the headquarters of the interior ministry's security service in Jeddah, where his wife and two children have had no contact with him since. Mr. Farhan is the first blogger to be jailed for his online writings in Saudi Arabia.

The advent of the Internet has opened a world of opportunities for dissenters and activists in closed societies, where it is seen as a way to evade limits of traditional media. However, while to many the Internet appears to be an agent of change, it presents a new range of challenges for governments working to restrict access to information and analysis. In many countries, those who write freely on blogs are intimidated, harassed, and even arrested. A number of countries in the Middle East, including Egypt, Saudi Arabia, Syria, Iran, and Tunisia, are among 13 countries listed by Reporters Without Borders as "internet enemies."

In many countries throughout the world, restrictions are placed on what the media can and cannot say. In many cases, these are official, in the form of laws and regulations, while in other nations media restrictions take the form of intimidation or persecution of independent journalists and media outlets. While no region is free of media censorship or restrictions, the Middle East as a region suffers from particularly harsh politicization of the media. Though there is substantial variation across the region, many governments maintain control over prominent media outlets, including a main daily newspaper, and main TV and radio networks.

Coupled with government control of main media outlets comes the restriction of independent sources. Where independent media outlets are permitted, they often have ties to opposition parties or other clearly political organizations. One notable exception to this general trend is the Qatar-based al-Jazeera TV news station. Throughout the Middle East, access to transnational networks such as Al Jazeera and Al Arabiyah are widely available and extremely influential.

There is little doubt that media freedom in the Middle East has improved over the last decade. Many constitutions throughout the region provide for some form of press freedom, at least in theory, though many nations also have laws criminalizing the publication of some content. Satellite television and the Internet, coupled with international pressure, have brought a great flow of information into the region. However, in many countries, governments continue to place severe restrictions on journalists, and to intimidate or otherwise harass those who take advantage of the possibilities of the new media.

The exponential growth of the Internet has opened a world of potential opportunities, and it has tested the reach of government censors. The Internet provides the forum and capacity for anyone to write and share opinions, via blogs or forums. Ordinary citizens can now participate in activities previously reserved for media ty-

coons or successful journalists. According to media reports, as of December 2007 there were 70 million blogs in existence, with an additional 120,000 new ones being posted every single day. Though most have a limited audience, in the Arab world there are some that have amassed a significant influence, with a few enjoying greater popularity than traditional print or broadcast media.

Though the Internet represents a new world of opportunity in societies typically restrictive of media outlets, in actual practice being government censorship and restrictions have extended to the World Wide Web. Bloggers have had mixed success using new media in ways counter to government wishes. To cite one example, in Egypt, a country with a rich and vibrant media culture dating back nearly a century, video images of police torturing detainees, posted by bloggers, led to the trial and incarceration of the guilty officers. However, at least one blogger has been jailed for posting comments insulting the Islamic faith and defaming President Mubarak, while others live in fear of harassment arrest.

Mr. Chairman, even in open societies with a strong tradition of free media and investigative journalism, people choose to read blogs that have something new and interesting to say. In societies where the government or other political forces control the mainstream media, people will increasingly turn to the Internet for information and analysis. Blogs, websites, chatrooms, and other forms of new media will continue to play an increasingly important role, as they continue to be the communication form of choice for younger generations.

I look forward to today's informative testimony. Thank you, Mr. Chairman. I yield back the balance of my time.

