



The Arab Network for Digital Media and Human rights



The annual report on the state of digital media and freedom of opinion and expression in the Arab Spring countries

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Introduction

When the Arab Spring demonstrations called for the downfall of dictatorial regimes, the people interacted with them and searched for a change of reality and for reaching a democratic state which cares for human rights and supports the freedoms and rights of its citizens. Digital media and social media platforms presented a part of the events that took place in the Arab Spring countries, Tunisia, Egypt, Syria, Yemen and Libya. These countries news was transmitted to the world through direct broadcasting and live transmission technologies on thousands of news sites.

The events of the Arab Spring contributed to changing the old regimes and bringing about legislative revolution to keep pace with asking for freedom, but this is also accompanied by violent social divisions. This helped to transform the Arab Spring states into fragile states that are vulnerable to religious extremism and militant groups. These groups were trying to establish a state in on the Islamic caliphate, taking advantage of the state of demand for democracy and the aspiration of peoples to have freedom of choice and participate in decision-making. They transformed the state from institutions that maintain security and stability leading the economy into countries burdened by their debts and consuming all of its resources.

The emergence of political Islam organizations, armed militias, and international interventions has caused the collapse of the country's strength. The demonstration grounds have turned into battlefields which led the journalists and people working in media to face dangers while covering the fights. As a result of the nature of their job, they found themselves facing dangers of military operations. These dangers include murder, death threats and kidnappings by the extremists and armed militias. They are also threatened by long-term pretrial detention and many freedom restricting laws by governments.

And because the truth is the first victims of conflict and war, it is expected that media content presented will be considered as being biased towards one party against another, which affected the credibility and questioned many reports and news published on news sites. It also gave preference for the digital content and new platforms, but it was accompanied by the rumors spread, inaccurate information, digital bullying, and the spreading of the phenomenon of electronic

committees, which uses digital media tools and the freedom space on the web to achieve the interests of its political parties. This robbed the citizen of his right to get the right information among a huge amount of fake information.

Away from the disagreement about the success or failure of the Arab Spring revolutions, the bigger question remained, did the Arab media gain their freedom? Did someone emerge to save journalists or to stop obstructing the journalist during performing their reporting duties at any time in the armed struggle? Or did the obstacles expand for them to face controlling, harassment, arbitrary detention or accusing them? This means, when move a step forward we go two steps back.

In Egypt, positive signs have recently started after a dialogue between Syndicate of Journalists and the authorities resulted in a positive development in the journalist's imprisonment file with the successive release of a number of journalists. This indicates that political and economic stability and the success of the war on terrorism in Egypt has had a positive and effective impact on creating the environment for solving the outstanding problems in Egypt between the government and the press, especially concerning the issues related to freedoms. Meanwhile the freedom of press has set back is in Tunisia because of the Ennahda movement's trials to control, monopolize and suppress dissenting voices of the media which are against it and the use of military force to impose choices in the governmental media. All of this was rejected by the Tunisian journalists whose struggle for freedom should be highly respected.

So, the next report tried to systematically show the freedom of opinion and speech in the Arab Spring countries after about ten years of having the revolutions for main goals like:

- Monitoring and describing the nature of practicing the right of opinion and speech considering Arab Spring countries, Tunisia, Egypt, Yemen, Syria and Libya
- Disclosure of the most important restrictions and obstacles which make it hard to achieve real freedom of opinion and speech.
- Characterizing the ability of states to provide the necessary information infrastructure for media practice digital media.

- Recognize the significant laws were issued during the period of the related report in the field of exercising media freedom in those countries.
- Presenting recommendations that would support the exercise of freedom of opinion and speech, and the achievement of positive steps towards more democratic practices and to support the digital media and freedom of opinion and speech.

Egypt

Egypt faces many challenges facing the successive developments of the digital media, especially with regard to the issue related to providing the infrastructure for internet radiators, as well as the legislative amendments required to keep pace with the developments in this field, with the emergence of media programs and tools. The Public Prosecution office moved to prosecute a number of content creators on programs such as Tick Tock over accusations of submitting content against public morals.

Egypt faced international criticism related to the freedom of opinion and speech over having prisoned journalists, held in pretrial detention or being sentenced, and blocking some Arab and international websites while Press Institutions having economic crises caused by Covid-19 pandemic and its effects on Press institutions and the advertising market, which endangers the workers' professions.

However, there were many positive developments in the past period of time; while the journalists are being released and many independent Egyptian, Arab and international news websites are being licensed. This resulted from the great efforts by the Egyptian Journalist Syndicate and the Media Council for Media Regulation finished coding and reviewing licenses for publications and websites. This was in conjunction with the Egypt's fruitful efforts to siege the phenomenon of terrorism and the decrease in the severity of the conflict in media among Egypt, Qatar and Turkey, as a result of the outputs of the Al-Ula summit by Egypt and Qatar and the announcement of the Turkish authorities to watch over any channels affiliated with the Brotherhood terrorist group which broadcasts from Istanbul according to the professional standards.

Information infrastructure

The Egyptian Minister of Communications announced a plan to parliament to raise the efficiency of the internet network at a total cost of 30 billion pounds. Egypt's rank considering the internet speed was improved on the level of the African continent with an average frequency of 6.5 Mbps in January 2019 to fourth place with an average frequency of 34.9 Mbps, in December 2020.

The Egyptian government also expanded in establishing smart cities which depend on technology as a stable lifestyle for its residents, as well as the application of what it called the Egyptian code of Construction to include the inclusion of fiber-optic cables within the building regulations, as the Egyptian government announced about the expanding in high-speed internet services and transferring to digital society.

Egypt has advanced in the comprehensive Internet Index 2021, issued by a research unit, The Economist; its ranking on the index is 5 levels ahead; to become in the 73rd position in 2021 among 120 countries all over the world. It ranked 78 in 2020, and ranked he fourth in Africa, after South Africa, Morocco and Kenya. Egypt has also recorded progress in the category of quality of local content appropriate for all segments of society, in which it made a progress by jumping 12 levels.

The legislative development in the freedom of opinion and speech in the cyberspace

Egyptian parliament focused on combating cyber-crimes and passed a law to combat information technology crimes. This law is concerned with electronic crime and has set a number of penalties for protecting personal accounts on social media sites and article (18) stipulates that the any crime of assault on e-mails, websites or private accounts will be punished by imprisonment for a period of no less than a month and a fine of not less than 50.000 but not exceeding 100.000 one of them. This is applied on anyone who damaged, malfunctioned, made slow, or hacked into an e-mails, websites or private account.

If the crime occurs on the e-mail, website, or account of a private legal person, the penalty shall be imprisonment for a period of no less than 6 months and a fine of not less than 100.000 pounds and not exceeding 200.000 pounds or one of the penalties.

With regard to crimes related to the creation of websites, private accounts and e-mails, and according to the article (24), this is punished by imprisonment for a period of no less than 3 months and a fine of no less than 10.000 Egyptian pounds and does not exceed 30.000 Egyptian pounds, or one of the

penalties, anyone who fabricates an e-mail, website, or private account and falsely attributed to a natural or legal person.

If the offender used the e-mail, website or private account to offend whoever is attributed to him; the penalty shall be imprisonment for a period of no less than one year and fined by no less than 50.000 pounds and does not exceed 200.000 pounds or one of the penalties. If the crime is committed on a legal person, the punishment shall be imprisonment and a fine of no less than 100.000 pounds and not more than 300.000 pounds.

As for the crimes related to the assault on the inviolability of private life and banned informational content, according to article 25, is punished by imprisonment for a period of no less than 6 months and a fine not less than 50.000 pounds and not more than 100.000 pounds, or one of these penalties. This goes for anyone who offended Egyptian society, violated the sanctity of any of the family principles or values of private life, send a lot of e-mails to a person with no approval, promote goods or services without approval or publishing data to a system or website through the information network or by any means of information technology. This goes for information, news, pictures, etc., that violate the privacy of any person without his consent, whether the information published is correct or not.

According to article (26), a penalty of imprisonment for a period of no less than two years and not exceeding 5 years and a fine of not less than 100.000 pounds and not more than 300.000 pounds or one of the penalties, for anyone who intends to use an informational program or information technology to process personal clips of the temptation to link it to content which is against public morals or to show it in a way that would affect someone's honor.

The law dealt clearly with contradictory content on some social media applications, as well as materials of incitement to violence or even debauchery, and the law passed a penalty after having no punishments in the Egyptian legislative system for such crimes.

Article (25) decides a penalty of imprisonment for a period of no less than 6 months, and a fine of no less than 50.000 pounds and not more than 100.000 pounds, for offenses related to assault on the inviolability of private life and banned informational content. This goes for whoever assaulted any of the

family principles or values of private life, send a lot of e-mails to a person with no approval, promote goods or services without approval or publishing data to a system or website through the information network or by any means of information technology. This goes for information, news, pictures, etc., that violate the privacy of any person without his consent, whether the information published is correct or not.

The law has faced many criticisms because of the broad concept of family values, which could constitute a restriction on the freedom of creativity, and because of the multiplicity of imprisonment penalties, the big financial value of fines and the expansion of blocking websites.

Pre-trial detention for journalist

The Egyptian constitution bans in article (91) imprisonment in cases of publishment, it was also prohibited newspapers, to be closed, confiscated or suspended, even with a court order, and this was turned into laws of the organization of Media. However, the Egyptian investigation authorities have issued imprisonment decisions for some of the journalists (pre-trial detention). In August 2020 that these journalists were estimated by Diaa Rashwan, head of the Egyptian Journalist Syndicate as ten journalists who have a membership of the Syndicate of Journalists.

Egypt took a different approach with the case of the imprisoned journalist in September 2019 by the release of the journalist and researcher Hisham Jaafar, Chairman of the Board of Trustees of the “Mada” Foundation for media development through precautionary measures. The positive developments in this subject were numerous once 8 years ago. Diaa Rashwan, the head of the Journalist Syndicate, said that his efforts communication with security and judicial institutions resulted in a number of journalists detained in pretrial detention, and that these efforts resulted in the release of a number of journalists, they are: Adel Sabry, Awany Nafe', Sameh Hanin, Hossam Al-Swefy, Ahmed Abd Al-Aziz, Naser Abd Al-Hafiz and Ibrahim Al-Drawy.

In February 2021, Mahmoud Hussein, a correspondent for Al-Jazeera, was released, and was followed in a month. In the following March, it was the release of the journalists Islam Al-Kalhi, Hassan Al-Qabbany, and Mustafa Sakr the writer, publisher and the editor-in-chief of “Al-Borsa” newspaper.

In April of the same year, a decision was issued to release the journalist Magdy Ahmed Hussein, the journalist Khaled Dawood, Solafa Magdy, and Hossam Al-Sayyad.

Rashwan indicated that he expects the issuance of similar decisions considering journalists in pre-trial detention, which could be considered a step forward by the Egyptian government to solve the crisis of the imprisoned journalists. This is also an evidence of the success of the negotiation process led by the Syndicate of Journalists with the Egyptian authorities to release the journalist held in cases related to their relation to the Brotherhood, which is classified as a terrorist group in Egypt.

On 15 December 2020, The Committee for the Protection of Journalists had placed Egypt in third place internationally regarding the imprisonment of journalists after China and Turkey, monitoring the presence of 27 journalists detained. Meanwhile, Egypt ranked 166th in the general press freedom internationally regarding the freedom of press in 2020, according to “Reporters Without Borders” organization.

Blocking websites in Egypt

The issue of blocking websites continues to trouble journalists and the media workers, especially the ones working in news websites. There are those who estimate these sites in dozens and others who value them to be in the hundreds. This means that there is no accurate figure for the number of blocked websites, and several initiatives have been launched stop blocking some websites in Egypt and protect freedom of the press, publishing, and access to news.

During a debate in the House of Representatives to discuss the blocking of pornographic websites, the representative of the Communications Regulatory Authority revealed that the agency has nothing to do with blocking them, and added that there are legal matters that govern us in the blocking process, which is that the blocking decision is based on a court order.

He explained that the role of the Telecommunications Regulatory Authority is to provide internet services to citizens, and for the service to be available to the consumer well, indicating that the agency is offering awareness of the

seriousness of some of the matters concerning safety and not being blackmailed.

On the possibility of tracking websites, he stressed that the organization is not concerned at all with tracking pornographic sites, but in the event of a court order, the company concerned is informed about the internet service, which controls the internet to block the site, which requires that the website address be clear and specific in order to ensure the enforcement of the court order by the companies, not the Telecommunications Regulatory Authority.

The speech of the official in charge of the communications system indicates that the blocking that takes place through the issuance of a court order, which is not present in many cases of blocking witnessed by Egypt, puts question marks about the source of the blocking decision.

Preventing access to information

The Council of the Journalists Syndicate refused to prevent Dr. Khaled Mujahid, the official spokesman for the Ministry of Health for journalists from practicing their work to cover the visit of the Minister of Health to Qena and prohibiting them from filming the minister's movements. This is a complaint that the Syndicate said it was repeated in previous contexts and occasions, in which the Syndicate tried to solve it and did not reach positive results.

She emphasized that what the ministry's spokesperson did violates what is guaranteed by the constitution in articles (68) and (71), including law no.180 for 2018 regarding the regulation of the press and the media. The Supreme Council for Media Regulation in Articles (10), (11) and (12) which gives journalists the right to access information and called on the Syndicate to investigate the incident as a crime against journalists' right to obtain information.

Tik Tok girls

The Cairo Economic Court acquitted Hanin Hossam, Mawaddah Al-Adham and 3 others of the charge of infringing on family values and principles, and annulled the judgment of the Cairo Economic Misdemeanor Court, by punishing them with two years' imprisonment and a fine of 300.000 pounds, while the fine was upheld for the affection of Al-Adham only in what was known in the case of the Tik Tok application girls.

The content providers on the Chinese Tik Tok app are facing many societal accusations in Egypt, while the reasons for the Economic Court ruling have affirmed the establishment of a new legal basis that allows citizens to exercise freedom of expression on social media in implementation of international rules and conventions of what Egypt has signed, including the articles of the International Covenant on Civil and Political Rights. It guarantees freedom of opinion, expression and creativity of art, especially since the accusations of outraging public decency carry a loose meaning that does not carry a clear or specific definition. Even if it is related to custom and behavior, it represents, according to international conventions, a charge restricting freedom of expression and opinion, and contrary to the general principles fulfilled by the Egyptian constitution, which guarantees freedom of opinion and expression for citizens.

Tunisia

The legislative development of freedom of opinion and speech

Tunisian media legislation was able to bring about many changes that would have transitioned and expanded freedom of opinion and expression before the Arab Spring revolution, and several legislations were introduced that would regulate the exercise of the rights of opinion, expression and demonstration.

Peaceful and despite the existence of some penal chapters and restrictions in these legislations, especially the decree and the penal code 115 and 116, which contained many exaggerated penalties that limit the actual practice and stand in the way of this right, it is now observed according to the monitoring of the Arabic Network for Digital Media and Human Rights to put freedom of opinion. And expression in Tunisia, the Tunisian parliament sought, during the years 2020 and 2021, to present several projects that would impose restrictions and greater restrictions on the exercise of this right instead of dealing with these articles, including:

1 – The Law on the Protection of Security Forces, or what is known in the media as the “Punishment Law”, which has sparked a state of discord within the Tunisian street, where the voices of demanding to prevent its passage have risen and many demonstrations to drop it, as this project provides legal ground for the police to suppress freedoms and gives special protection to the security forces by not holding them accountable for their excesses in the use of force. Tunisian jurists considered it a modified version of a draft law that was proposed six years ago in 2013 under the pretext of protecting the security forces from terrorist attacks and its formulation was not specific to dealing with the terrorist at the time, while its supporters see that it is a condition for improving the quality of security work, which was rejected by the organizations. Tunisian human rights organizations rejected that in a statement signed by twenty non-governmental organizations and associations. They considered it a reversal in the Tunisian freedom of opinion and speech and contrary to the principles of the Tunisian Constitution and the principles of international rights such as the values of equality and justice and calls for a blatant distinction between Tunisians. They also considered it a means of impunity for security, whereby criminal responsibility for the security individual is waived, and it rejected the bill that

includes harsh penalties for unspecified crimes such as compromising the dignity of armed forces, and criminalizing the right to demonstrate and peaceful assembly.

2. Regarding the most important legislation governing the field of Tunisian media work in force after the Tunisian revolution; Decree No. 115 regulating freedom of the press, printing and publishing. Also, Decree 116 regulating the audiovisual sector, which provides for the establishment of an independent organization supervising the sector. The two decrees are in conformity with the charters and international standards on freedom of opinion and speech that allow the exercise of this right without setting restrictions that limit their achievement, except for the controls agreed upon. However, the practices on the ground were not in accordance with those constitutional, international and legal principles, as the Decree 115 was presented immediately after the commencement of its provisions, it led to coordinated media campaigns, claiming that its provisions include many deficiencies and contradictions. This has affected the work of the judiciary as it is fortified a number of judges and ruling circuits, using various legal pretexts to exclude its application, such as saying that it didn't have Parliament's approval, or because the procedures of the direct lawsuit contradict the principle of exclusivity of Public Prosecution office to refer people to the judiciary. Decree 115 continues to face difficulties in the field of its application by the courts, and many of them have been given priority to the application to the penal code and the magazine of military penalties and others. This opens the way for the application of penal provisions that include freedom-depriving penalties that limit freedom of speech and the press and establish self-censorship.

3. The penal code included some excessive chapters in maternalism, as in Chapter 57, which would restrict freedom of opinion and speech and violate international charters and standards that prohibit insulting symbols, institutions, and public officials, which is a punishment that is not internationally recognized. Also, the use of loose definitions without clarifying, as in the penal code, which allows financial penalties and a penalty of up to five years in prison. It which is used to expand the scope of restricting freedoms in Tunisia, as in articles 121 and 226 which provide for the criminalization of crimes against public morals. Article 54 of the decree criminalizes publishing false news that may harm the peace of public order.

4. Despite all these restricting articles included in the penal code, on March 12, 2020, a group of People's Assembly representatives submitted a bill No. 29-2020 regarding amending articles 245 and 247 of the penal code with a request to refer them urgently to the competent committee in accordance with the provisions of the internal system, which allows criminal prosecutions for using freedom of opinion and expression on the internet and social media sites under the pretext of protecting democracy emerging from false news on social media. The submitted project used some broad, unspecified phrases such as (news of doubtful authenticity), which is what the media professionals feared and considered a new way to control people's speech and keep having one source of news and information.

5. The Tunisian parliament submitted another draft to amend Decree 116 related to the regulation of audiovisual media, which is related to allowing parliament to elect the nine members of the High Commission for Audiovisual Communication "Haika" in exchange for the current decree authorizing the selection of only two members of the Commission, which was opposed by human rights organizations, the Syndicate of Journalists and the public Tunisian Union and considered it as a sore point for the independence of the media, an initiative that violates the constitution and a threat to media freedom.

1. Violations of freedom of opinion and speech in Tunisia

1. An increase in the number of prosecutions, including:

- The imprisonment of the blogger, Amna Al-Sharqi, who was sentenced by the first instance court in Tunisia to 6 months in prison after being convicted of posting offensive comments on a picture on Facebook.
- The arrest of the blogger, Hajar Awadi, for posting a video on the Facebook page criticizing the government's distribution of food commodities in light of the Corona pandemic, justifying this on suspicion of corruption.
- The arrest of the blogger Anas Mabrouky, who was arrested immediately after the video clip was published on his Facebook page, which included filming a

crowd of people gathered in front of the mayor's closed office in Tiberias, demanding financial aid that the government had promised them during the closure due to the outbreak of the Coronavirus.

- On October 7, 2020, anti-impunity activist Maryam Bribery was received summons from the judicial police in Sfax after publishing a critical opinion of the police on Facebook. The next day, she went to interrogation about a complaint filed by the Secretary General of the Syndicate of Security Agents in Sfax, accusing her of "insulting the police". International human rights law does not recognize "insulting" as a legitimate crime, and considers it words that protect freedom of speech.

-Likewise, Imad Bin Khoud, a civil society activist from Kairouan, on October 6, posted a caricature made by an anonymous cartoonist on Facebook depicting police officers as "dogs" and the Ministry of Interior building as "a dog house." On October 12, he was arrested and interrogated by the National Guards on the same charges under the Telecommunications code. He was released without any charges later that day, but the investigation is still open.

-The systematic targeting of peaceful demonstrators since the outbreak of social justice demonstrations on January 15, 2021, which has led to hundreds of arbitrary arrests and the death of people while they are under custody. Although some have been released. However, individuals are still in detention on various charges, including insulting the police and assaulting good morals.

- On January 14, 2021, the Tunisian authorities arrested nearly 1,500 demonstrators in a violent manner during a campaign to suppress protests for a group of young people to denounce their economic and political marginalization. Most of them were deprived of enjoying their legal rights. They were interrogated without the presence of a lawyer.

-Around 1,600 people were arrested following protests and clashes in Tunisia on Tuesday, February 6, 2021, in Tataouine, in the south of the country, to demand the dismissal of the governor and to denounce the government's failure to undertake development projects and provide job opportunities.

- Several human rights activists were arrested in the capital following a demonstration in the Tunisian capital on Saturday 6 March 2021, including

Marwan Bin Diafi, a member of the Tunisian League for Human Rights, who was assaulted and then released, as well as Mahdi Barhoumi, a member of the International Art Organization, Munther Soudi, a member of the Association for Citizenship Maps and Sami Hamid is an independent activist on charges of insulting the security unions

- The preliminary verdict was also issued in the District Court in Monfleury on the actress and activist Rania Amoudi to 6 months in prison and a financial penalty of 18 dinars for offending a public official. She was subjected to many security harassment and upon submitting a complaint to the police station, eight security officers received her, insulted her and refused to register her complaint. When she complained, she was arrested.

- Ahmed Azzam, a member of the Tunisian League for the Defense of Human Rights and a blogger, received his arrest and detention on January 17, 2021 on charges of inciting civil disobedience after posts on Facebook in support of arbitrarily detained people.

- In April 2021, a Tunisian News Agency journalist protested and called for a general strike to denounce the police storming of their workplace with the aim of empowering a new director of the institution affiliated with the Ennahda movement that controls the parliament and the government in Tunisia, which was rejected by the foundation's journalists and considered it politicization of the media and an intrusion into the security. They emphasized on their independence and freedom.

2. Attacks and incitement against media professionals

The period of work of the past electoral elections recorded nearly 86 attacks, according to the report of the Tunisian Journalists Syndicate, which represented the highest rates of attacks on journalists ever, as 86 attacks were recorded. The Tunisian administration was more closed by setting up illegal barriers to obtaining information, despite the efforts of the Independent High Electoral Commission to set accurate action plan.

Targeting journalists, interfering in the work and attempting to confiscate the freedom to work by inciting violence, killing, blasphemy, conducting smear

campaigns, unethical accusations to female journalists, and directing threatening speeches and incitement to the media. This speech has been found, including:

- The attack on the journalist and photographer of the Tunisian of Mosaïque FM website, on Saturday 27 January 2021, who was prevented from working while performing their duties by the committee organizing the march of the Ennahda Movement.

- The Occupational Safety Center of the National Syndicate of Journalists also recorded 28 attacks within March 2021, including photographer Ahmed Al-Zarrouqi. He was banned from filming a protest at a hand of security man. Naima Khulisa, a journalist for Al-Hiwar Al-Tunisi, was banned, despite showing her ID and the cameraman for the channel to cover an event to inaugurate the launch of the natural gas supply. Moez Al-Samrani the photojournalist for the new agency tr news was prevented from entering the People's Representatives Council by the Presidential Security. The photojournalist on the Mosaic FM radio was subjected to physical assault for his coverage of the security forces ending the sit-in of the Free Constitutional Party.

Charges of betrayal and direct incitement were brought against Noon journalists accusing them of normalization with Israel on March 4, 2021

3. Closure of media institutions in Tunisia

Tunisian media institutions faced huge economic crises facing Corona crisis, which caused the closure of some of them, especially private institutions, and the abandonment of hundreds of journalists and workers. Many radio and television stations abandoned dozens of journalists and workers, in an attempt to reduce their expense without interference by the government to contribute, as their number reached close to 190 cases of journalist dismissal.

4. Obstacles to obtaining information:

The policy of prior authorization by the central administration before the release of information remained a major obstacle to the free flow of information. Also, the administration continued to ignore the need to publish administrative documents in accordance with the requirements of the Law on Access to information, which perpetuates the information gap in obtaining data in the Tunisian administration and what remains an obstacle to the right of the

journalist to obtain access to data, information and statistics from their original sources in light of the administration not adopting the principle of automatic publication. Journalists continued to suffer in obtaining information from threats, prevention, and reached arbitrary detention during the search for information, and illegal demands for work permissions in the public space continued.

Syria

The right of speech and opinion in light of the laws after the 2011 revolution

The outbreak of the revolutions in southern Syria, March 2011, was the first sign of challenging the Syrian authorities at the time. One week after the outbreak of the demonstrations, the political and media advisor in the Presidency, Dr. Buthaina Shaaban, made a statement in which the authorities responded to the demands of the demonstrators and affirmed the abolition of the emergency law and the issuance of a new media law that allows more freedom and transparency. They also promised to strengthen the judiciary and prevent arbitrary arrest. They also confirmed that an evaluation of government work will be conducted and action on negligence will be taken urgently. The decisions included setting up "new and effective mechanisms to combat corruption." In the economic file, Shaaban confirmed that the salaries of workers in the state would be increased.

Perhaps the beginning of her statement, which she began with the order issued by Syrian President Bashar Al-Assad, which ordered the release of all persons who were arrested during the recent unrest in the country. It constituted a pivotal change in the behavior of the country that was official recognized as the arrival of the Arab Spring wave in the country.

The authorities took the initiative to terminate the emergency law, according to Decree No. 161 of the year 2011 and the abolition of the notorious Supreme State Security Court, according to Decree No. 54 of the year 2011, which also included referring the cases before it to its regular competent authority.

It also issued the Law of Peaceful Demonstration No. 54 of 4/21/2011, in which it tried to show that it does not prevent demonstrations and the expression of opinion, taking into account the methods and reasons that allow the status of demonstrations. Based on its provisions, as it imposed the existence of a committee to submit the request to the Ministry of Interior, including the objectives of the demonstration, its slogans, its place and movements. The committee will be responsible for the damages that result from the demonstration, but the reality of the situation on the street has exceeded this law and then popular demonstrations spread across the country and it becomes clear after that that the goal of what is happening is not reform as the slogans raised. It is to serve other agendas, represented by the visit of US Ambassador Robert Ford

to the demonstrators of “Homah” without informing the Syrian authorities of his move, which violates the laws and national diplomatic norms stipulated in the Vienna Convention to regulate the work of diplomats.

The authorities issued Law No. 22 of 2012 containing the creation of the Anti-Terrorism Court, which came after the attacks on Damascus and the bombings that targeted civilians, as its establishment law gave it the right not to adhere to the procedures stipulated in the laws in force, such as the Criminal Procedure Law, which includes procedures and the rules that courts must abide by during investigation and trial.

The court has jurisdiction over the crimes mentioned in the Anti-Terrorism Law No. 19 of the year 2012, in addition to the crimes referred to it by the Public Prosecution of this court, which are of course crimes that were within the jurisdiction of the Supreme State Security Court

In February 2012, a popular referendum was held on a new constitution for the country according to the desire of opposition parties, which demanded the authorities to change the constitution and cancel two basic articles in it, namely the emergency law and Article 8 which states that the Arab Socialist Ba’ath Party is the leader of the state and society. The new constitution removed the Ba’ath Party’s monopoly on political life and prohibited the formation of parties on an ethnic or religious basis, as the term of the head of state is defined by seven Gregorian years.

The text in its articles affirms that every citizen has the right to express his opinion freely and publicly, by word or writing, or by all means of expression; the state guarantees freedom of the press, printing and the media and its independence; that the citizen has the right to assemble, demonstrate peacefully, and strike from work; and that every assault on public rights and freedoms is a punishable offense.

As for Media Law No. 108 issued in 2012 in its second article that the media - by all its means- is independent and carries out its message freely and cannot be restricted, and that freedom of expression and basic freedoms are guaranteed by the constitution, the Universal Declaration of Human Rights and the relevant international agreements ratified by the Syrian government, as the law stipulates the maintenance of freedom of the journalist. Also, it is not permissible for the

opinion published by the journalist to be a reason for prejudice to this freedom except within the limits of the law.

War journalism

The work of the media professionals during the war years focused on the reality of the country's development and the journalists' work during the years of crisis transformed into war journalism. The priority was to report what was going on after the start of the army's military operations after the emergence of armed organizations and other terroristic groups - according to the classification of the Security Council - and they are ISIS and the Al-Nusra group, with which the media simple work turns into a full of dangers field. By the end of 2017, media would shed light on the reality of the Syrian interior and criticize the policies of the government and the economic team, especially with the collapse of the Syrian currency and the loss of basic materials due to the short one-sided sanctions which everyone who follows up confirms that the policy of the government and the authorities in Syria tends to make the media the largest platform for opening the largest corruption files, especially those related to men close to the ruling authority.

It is true that the stated media law did not include in its body the penalties of arrest and imprisonment, and limited its penalties to fines. However, Article 79 referred media professionals who violated the prohibitions contained to the laws in force, including the Penal Code and the Revolution Security Law, for example, where the General Penal Code No.148 of 1949 states a punishment of imprisonment for at least 3 years. Anyone who, in time of war or when it is expected to break out, calls for a purpose aimed at weakening national sentiment, deserves the same punishment for whoever relays in Syria exaggerated news that weakens the nation's psyche, and is punished with imprisonment for at least six months for the Syrian who broadcasts exaggerated news abroad that harms the state's prestige or financial standing. The penalty of imprisonment affects those who demean public authority. As for insulting the president of the state, faces the punishment of imprisonment for at least six months.

The stated media law included the establishment of the “National Media Council”, which regulates the media sector and works to protect its freedom, freedom of expression and plurality of opinion, is linked to the Council of Ministers, and is composed of nine persons named by the President of the Republic by decree.

However, it was soon abolished according to Decree No. 23 of 2016. The Ministry of Information assumed its functions and competencies stipulated in the Media Law. On 8/2/2012, the Law on Regulating Communication on the Network and Combating Information Crime No. 17 was issued, followed in 2018 by the issuance of Decree No. 9 on 3/25/ 2018, which includes the creation of a public prosecution, investigation departments, and courts of first instance and appeal in the governorates, specialized in information crimes and communications crimes. The aim of these two laws is to prosecute activists on social media, especially after the large spread of these sites, which are not limited to media professionals only, but include all citizens.

These courts have jurisdiction to prosecute people for crimes contained in the Law on Communication on the internet, in addition to misdemeanors mentioned in the general laws and especially the Penal Code, if they are committed on the network, including, for example, broadcasting news that undermines the prestige of the state or its financial position, and belittles the head of state and employees of the public authority

As for information crimes related to fuel, financial, terrorist or state security crimes, they remain within the jurisdiction of the courts examining them according to what is stated in Paragraph (b) of Article 5 of the Law on Creating Information Courts.

This network of laws and courts aims to capture all the media activities of journalists and media workers, or citizens' activities on social media that include criticism or opposition to the practices of the authority by criminalizing these activities.

Targeting and violating the rights of journalists

The years of war were not without crimes against Syrian or foreign journalists present on its territory. Damascus lost its correspondents and journalists through

kidnappings, harassment, killing and targeting. This matter made the country classified among the most dangerous countries for journalistic work because of their presence in areas controlled by terrorist organizations such as Raqqa, which was the ISIS stronghold or areas considered a stronghold of the Al-Nusra group, and other areas distributed by the armed organizations.

The number of journalists around the world in 2020 reached 387, 60% of whom are in only 5 countries, including (Syria), which includes 27 journalists, and 4 journalists have been assassinated there this year, according to the report that placed “Syria” in the 174th place in the world classification of press freedom.

Journalists in Syria have been subjected to violations and harassment because of their profession and found themselves once again the first to pay the price for the war that is entering its tenth year; while journalists, like all Syrians, hope that the country will recover and its journalists gain their freedom to media work and fulfill their mission.

Yemen

The Yemeni digital press is experiencing its worst conditions in light of the Yemeni conflict raging since the violent social tensions associated with the process of political transformation in Yemen and the violence that erupted in 2011 and reached the stage of civil conflict and the subsequent deterioration in state facilities and the escalation of the humanitarian crisis with the increasing violent internal strife between the components of Yemeni society with the help of regional forces has turned Yemen into an open war zone, and the bleeding of the human being does not stop

The state of digital infrastructure in Yemen

The Internet service in Yemen is the worst and the most expensive since it began operating in the country in the late 1990s. The Yemen Net Company of the Public Telecommunications Corporation, which is under the control of the Houthis in Sana'a, has monopolized the internet service in the country since its inception in 2001, despite the establishment of The Yemeni government for "Aden Net" company to break the monopoly, but its services have not gone beyond the temporary capital, Aden.

The Houthi militia, backed by Iran, deliberately reduced the speed of the internet in the capital, Sanaa, and the rest of the cities under its control. According to press reports, workers in the Ministry of Communications in Sana'a revealed that Houthi leaders instructed their loyalists in the "Telemen" Communications Company (the only service provider in Yemen) to reduce internet speed to the minimum possible.

These practices have deprived many segments of society from the communication service and the Internet. This will stop most of the economic and banking activities that depend mainly on communication services in the conduct of their business.

The Houthi militia is trying to weaken internet and communications services to keep Yemeni society away from the violations that have happened in their country that followed the American decision to classify the militia as a terrorist group.

While local and international reports revealed that the telecommunications sector in Yemen represents one of the most prominent sources of financing the group after the trade in oil derivatives; while the Sana'a Center for Strategic Studies spoke about the loss of the telecommunications sector in Yemen of more than four billion dollars since the start of the war that was sparked by the Houthi group.

The report indicated that the war caused by the Houthis has cost the telecommunications sector a number of lost opportunities, the most important of which is the completion of negotiations and the signing of agreements to obtain a fourth-generation technology license, as a result, investors in the communication field to stop investing in the Yemeni market.

Website blocking operations

The #KeepItOn report for the year 2019 stated that Yemen had the largest share in terms of the number of internet blocking operations in the Middle East region, and it did not specify the party that blocks or the number of blocked websites, pointing out that all parties to the Yemeni conflict have practiced the process of blocking the Yemeni people.

In January 2020, the Yemeni internet was exposed to a huge crisis due to the damage caused to one of the underwater fiber optic cables, which resulted in a decrease in the capacity of the Internet by 80 percent and the disruption of service in 6 governorates: "Al-Mahra, Hadramout, Shabwah, Abyan, Ma'rib and Al-Jawf." Many sources attribute this damage is due to the acts of sabotage carried out by the Houthi militia.

The conditions of journalists

According to the International Federation of Journalists, 44 journalists were killed in Yemen from 2010 until the end of September 2020, and many of them were killed as a result of the ongoing fighting

between Al-Houthi and government forces supported by the Saudi-led international coalition.

According to the Yemeni Journalists Syndicate, none of the perpetrators has been brought to justice. There are many factors that impede the having judicial measures against the killers of journalists, including the ongoing war in Yemen, the state of instability, the multiplicity of authorities in the absence of unified state institutions, and the spread of hostility towards the press and journalists.

Yemeni media workers suffer daily injuries and arbitrary arrests, threats, restrictions, and suspension of salaries. They are also face constant attacks on the headquarters of their media institutions, all of which has led to a scarcity of news coverage of the Yemeni crisis and the flight of many journalists out of Yemen.

In the year 2020, the Yemeni Journalists Syndicate monitored about 88 cases of violations of press and media freedoms in Yemen, which varied between arrest, threats, assault, murder, and prevention of coverage, in addition to attacks on the headquarters of media institutions that led to their cessation of work.

Since the beginning of 2020, the International Federation of Journalists has recorded the killing of two photojournalists, Badil Al-Barhoumi, on January 18, by the bombing of the Houthi group and Nabil Al-Qatai, a France-Press photographer, by unknown persons in front of his home, due to his journalistic activities.

In 2019, two journalists were killed, the journalist Zayyad Al-Shar'abi, who was killed on January 29, 2019 in a motorcycle explosion targeting him and a journalist while they were carrying out a journalistic mission. Houthi group was said to be responsible. Also, the journalist Ghaleb Balhash was killed in May after being targeted by Houthi gunmen.

The United Nations High Commissioner for Human Rights, Michelle Bachelet, said that unparalleled violations and abuses against journalists are being carried out by all parties to the armed conflict in Yemen.

The United Nations Human Rights Office documented one assassination, one kidnapping, three cases of arbitrary arrest and detention, sentencing four journalists to death (in violation of international human rights law), imprisonment of six others and three physical attacks and threats of physical violence.

Bachelet said that the situation in Yemen is slipping from "bad to worse," adding that after years of fighting between pro-government forces and the Houthis for control of the state, Yemen is still considered the biggest humanitarian crisis in the world.

Since the outbreak of the conflict in 2015, the Human Rights Office has documented 357 human rights violations against journalists, including 28 murders, two enforced disappearances, one kidnapping, 45 physical assaults and 184 cases of arbitrary arrest and detention.

The commission documented 16 cases of death threats or physical violence against journalists, 24 arrests of media organizations, and 26 attempts to close television channels and newspaper companies. In addition to 27 attacks on media organizations and journalists' homes and four journalists were sentenced to death, in violation of international human rights law.

Disabling WhatsApp services

Once the Houthi militia controlled Sana'a, they carried out widespread and systematic repression of media organizations in the capital, then expanded their influence to include all areas under their control and imposed electronic censorship, including prohibiting the use of WhatsApp and other popular mobile texting applications.

Kidnapping and arrest of journalists

Independent activists monitored 1,787 cases of violations committed by the Houthi militia, including killings, kidnappings, arrests, violations against media institutions, and forced dismissal of journalists from their

work. 1,046 other violations were divided into threats, attacks, suspension from work and prosecutions, until the end of last year. So far, 10 journalists are still hidden in prisons, and their places are unknown. Nine of them are journalists in the prisons of the Houthi militia, and one journalist in the prisons of terrorist organizations.

Many live testimonies by Yemeni journalists confirm that they are subjected to harassment, surveillance and death threats by the Houthi militia, which is a violation of international human rights law, including life and the right to freedom of expression.

Libya

Since the outbreak of the revolution, Libya has suffered from internal divisions and rifts between the government representative side and the armed groups, which was reflected in the legislative, judicial and human rights aspects. Libya remained in a state of institutional instability that imposed severe disturbances on it as a result of the armed fighting between the Libyan factions, which greatly affected the nature of the practices of human rights in Libya in general and the right to freedom of opinion and speech in particular.

Libya fell in the world rankings, according to what Reporters Without Borders announced on April 20, 2021, to make the country 165 out of 180 countries in the World Press Freedom Ranking 2021, after it was ranked 164 in 2020. The organization said in its statement that the press is paying a heavy price for the deteriorating situation in Libya several years ago, where many violations were recorded in this regard, including censorship, violence and intimidation, in addition to the exploitation of the parties to the conflict of the media in order to serve their own interests.

Terrorist groups took advantage of the collapse of security and military institutions in a number of Libyan regions and carried out numerous assassinations and large-scale attacks that affected hundreds of civilians, media professionals, judges and activists by many of these groups, including Al Qaeda and Shiite supporters. It was approved by the Libyan House of Representatives on September 14, 2014, which includes 30 articles, including: "A person shall be punished for terrorist acts for harming people; terrorizing them; endangering their lives, freedoms, public rights, security; or harming the environment, natural materials, antiquities, or money, buildings, public or private property; or their exploitation or appropriation." The law provides for penalties that reach life imprisonment.

The National Presidency Council tried to put in place some legislations regulating media work, as it issued verdict No. 597 of 2020,

establishing the Libyan Media Foundation, which was rejected by a number of Libyan human rights organizations and considered it lacking legitimacy for not consulting with deputies of the Presidency Council and considered it a clear interference by the political authority to employ the media to become a tool to confront opposition political groups and civil society organizations.

The most prominent violations of freedom of opinion and expression in Libya

1. The right to peaceful assembly and participation in demonstrations

Violations of the right to protest are among the most prominent violations that took place during the year 2020 to 2021 after the peaceful social protests that took place in several Libyan cities, the source of which was armed groups according to the National Syndicate of Libyan Journalists, outlawed in the absence of the authorities to secure these demonstrations.

2. Arrests and enforced disappearances

According to the Red Cross report that Libya tops the global blacklist of cases of enforced disappearance, as the committee stated in a report on the occasion of the International Day of Forced Disappearance, that “conflict and migration are two main factors behind the number of disappearances in Libya, and that the number of disappeared persons in Libya has reached more than 1600 people.”

3. Attacks on Journalists

A number of Libyan journalists and media professionals have been subjected to violations, physical attacks, assassinations and prosecutions by armed terrorist groups as a result of their political positions and opinions on social media.

Journalist Moftah Abu Zeid, editor-in-chief of the Burneq newspaper, who was killed in Benghazi on May 26, 2014, because of his opposition to the armed militia's control over the city and his refusal to control the part of the country and their assassination of Libyan army soldiers and

officers before the Dignity operation launched by Mishri Khalifa Haftar in 2014. Abdul Salam Al-Mesmari was also killed, who was killed by the terrorist organization "Ansar al-Sharia", in the city of Benghazi.

According to the Libyan Center for Freedom of the Press, journalists have been assassinated during the militias' control of the country, including: Journalist Naseeb Karnafa, who works for the local radio in the city of Sabha in southern Libya. Karnafa was found in a cemetery in the outskirts of the city with the body of her driver, with signs of brutal torture, according to the forensic report.

In August 2013, the broadcaster on the "Free Libya" channel, Ezz El-Din Qassad, was shot dead while leaving a mosque in Benghazi.

Journalist, Abdullah bin Nazha, was also shot on January 19, 2014 in Sebha, during the period of armed groups' control of the city.

Also, the journalist Moftah Al-Qatrani / Director of Al-Anwar Company for Media Production in the city of Benghazi, who was killed in April 2015 in his office after receiving a fatal bullet in the head by gunmen. There is also the assassination of the lawyer and human rights activist, Hanan Muhammad Al-Barasi, by masked gunmen on 20th Street in the center of Benghazi.

The kidnapping of the journalist and director of the audio-visual Qurabulli radio station, "Muhammad Al-Said Al-Ghwail", 53 years old, after his car was intercepted by gunmen on the coastal road of Tripoli. According to local and international human rights and media organizations, the years 2013 and 2014 were the worst in the history of Libya for media workers after leaving their jobs due to the attacks and threats that affected them in all cities, especially the cities of Tripoli, Benghazi and Derna.

In 2014, Benghazi witnessed the largest violations of the right of media workers to kill and kidnap, which made it the most dangerous city in the world for practitioners of the profession of journalism.

Information infrastructure in Libya

As a result of the years of division and insecurity that affected Libya and the consequent great damage to the state's infrastructure in the field of communications, weak programs, maintenance and development, and as a result of a lack in this field; Libya suffered from providing efficient Internet access service to all its regions in a good way, especially with the increasing annual demands in this matter. Libya relied on providing Internet lines through the public telecommunications sector in Libya in the absence of the private sector.

Although the Internet penetration rate in Libya was 85% in January 2020, internet speed is still a barrier for users to access the Internet. According to the Global Internet Speed Index, Libya ranks 152 out of 258 countries in terms of broadband internet speed. However, the fastest internet in Libya reaches 88.11 megabits

Internet companies face many difficulties in developing their services, as they are exposed to robberies, looting and vandalism on a regular basis. This led to a complete blackout of the Internet in some southern regions. It was a result of the outage and destruction of power stations, theft of cables of the Internet, or the sabotage of devices and cables to obstruct communications. These sabotage operations continued to exist in all regions of Libya. The last one was in June 2020, when it caused The accumulation of garbage and burning it in sabotaging the cables in the region, which is what led to the suspension of the Internet from the Lmlouda area east of the city of Al-Bayda in Al-Jabal Al-Akhdar in the west to the Emsaed area in the east.

Recommendations

- Calling on the governments of the Arab Spring countries to be open to freedom of opinion and expression and to create the infrastructure for new digital media applications while creating points of contact and communication between traditional and digital media and preserving press institutions in light of the economic difficulties directed by the media in light of the Covid-19 pandemic.
- To stop internet cuts and to withdraw decisions of blocking websites except with a court ruling.
- The United Nations agencies should criminalize the killing, kidnapping, intimidation and terror carried out by armed militias and extremist organizations for journalists who are performing their role in armed conflict zones in Syria and Yemen.
- Providers of digital media application services must prevent the use of their applications for the purposes of spreading religious extremism or social bullying due to its dangerous impact on societies in the Arab Spring countries.
- Intensifying penalties for crimes affecting the safety of journalists and providing them with maximum protection in conflict areas.
- Considering applying alternatives to imprisonment penalties in publishing cases and amending laws to allow the periods of preventive detention for journalists not to be prolonged.
- Finding mechanisms for negotiation between the authorities, trade union and human rights entities to solve the problems of journalists imprisoned in publishing issues and speed their release.
- Activating the social role of the media and activating its ability to act as a mediator between citizens and state institutions, with the

commitment of the media to be transparent in announcing their financing, as it is a right of the forum to know the sources of funding for the news service provider.

- Emphasizing the absolute commitment to professional standards in press publishing and providing digital content and preventing political interference to direct the content in respect of the reader's right to know. The media bears its responsibility to provide accurate news content without drifting into negative methods to attract the audience on social networking sites.

- Opening channels of communication with young influential people on social media and bloggers, moving away from criminalizing their artistic and creative activities on social media and discussing the content they provide instead of taking criminal measures against them, with an interest in providing a better environment for the citizen in the Arab Spring countries to practice freedom of opinion and expression.

- The expansion of media education programs within the curricula of education for young people, which contributes to strengthening the concept of freedom of the press and obtaining information in society and learning the methods of journalistic work and how it can differentiate between true and fabricated news, which is what immunizes them after that and protects society from manipulation of false news and rumors.

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