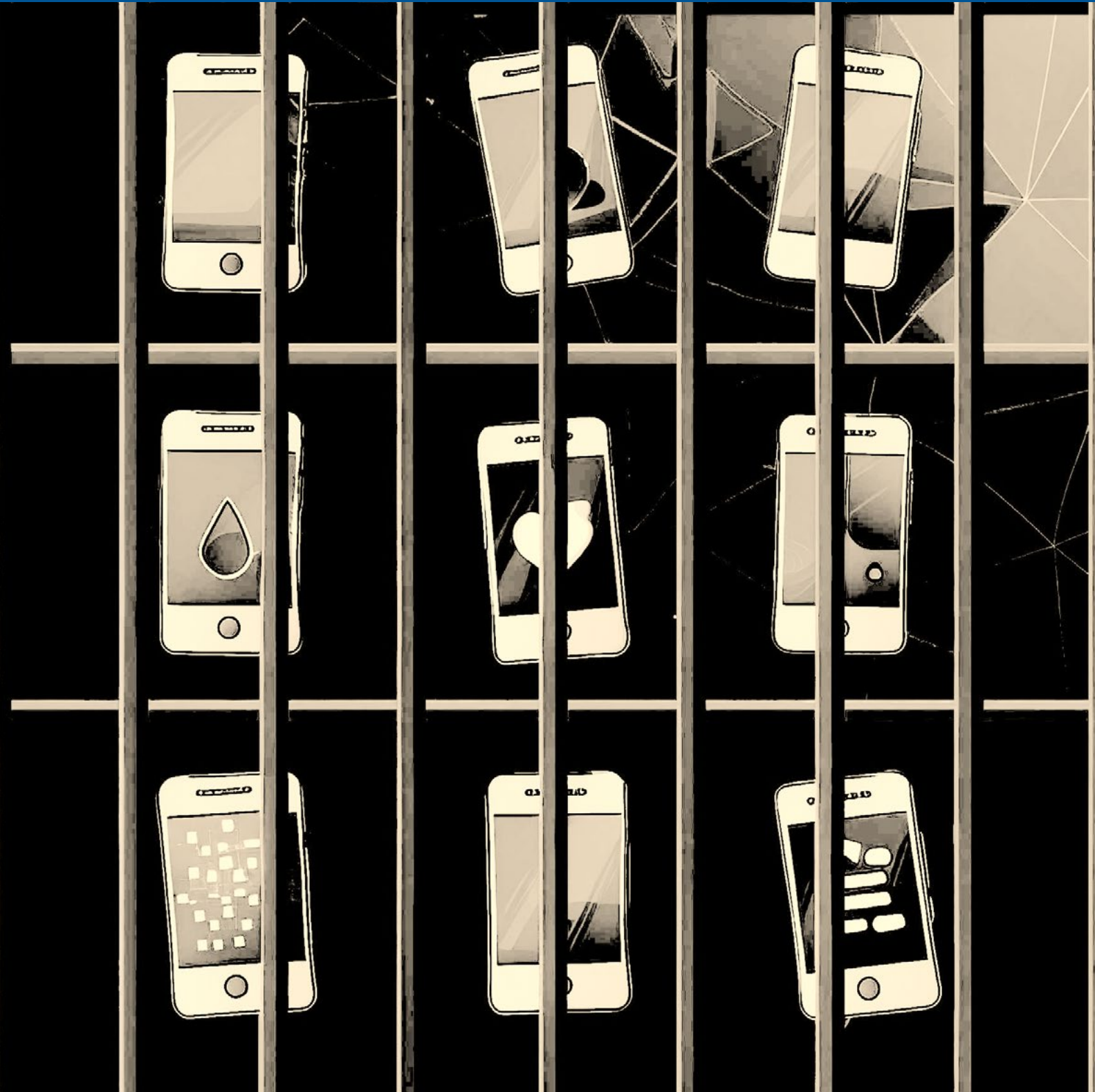


INTENTIONALLY VAGUE:

HOW SAUDI ARABIA AND EGYPT ABUSE LEGAL SYSTEMS TO SUPPRESS ONLINE SPEECH





Atlantic Council



DFRLab

The mission of the **Digital Forensic Research Lab (DFRLab)** is to identify, expose, and explain disinformation where and when it occurs using open-source research; to promote objective truth as a foundation of government for and by people; to protect democratic institutions and norms from those who would seek to undermine them in the digital engagement space; to create a new model of expertise adapted for impact and real-world results; and to forge digital resilience at a time when humans are more interconnected than at any point in history, by building the world's leading hub of digital forensic analysts tracking events in governance, technology, and security.

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Introduction

Egypt and Saudi Arabia are weaponizing vaguely written domestic media, cybercrime, and counterterrorism laws to target and suppress dissent, opposition, and vulnerable groups. Political leaders in Egypt and Saudi Arabia often claim that their countries' judicial systems enjoy independence and a lack of interference, a narrative intended to distance the states from the real and overzealous targeting and prosecution of critics.¹ Such claims can be debunked and dismissed, as the Egyptian and Saudi governments have had direct involvement in establishing and implementing laws that are utilized to target journalists and human rights defenders.

Egypt and Saudi Arabia were selected as case studies for this report because of their status as among the most frequently documented offenders in the region when it comes to exploiting ambiguously written laws to target and prosecute journalists, critics, activists, human rights defenders, and even apolitical citizens. The two countries have consolidated power domestically, permitting them to utilize and bend their domestic legal systems to exert control over the online information space. Punishments for those targeted can involve draconian prison sentences, travel bans, and fines, which result in a chilling effect that consequently stifles online speech and activities, preventing citizens from discussing political, social, and economic issues.

Both Egypt and Saudi Arabia enacted media, cybercrime, and counterterrorism laws with ambiguous language and unclear definitions of legal terms, allowing for flexible interpretations of phrases such as “false information,” “morality,” or “family values and principles.” The laws in both countries also loosely define critical terms like “terrorism,” thereby facilitating expansive interpretations of what constitutes a terrorist crime. Further, anti-terror laws now include articles that connect the “dissemination of false information” with terrorist acts. This vague and elastic legal language has enabled the Egyptian and Saudi regimes to prosecute peaceful citizens on arbitrary

grounds, sometimes handing out long prison sentences or even death sentences, undermining respect for the rule of law in the two countries.

This report explores the development of media, cybercrime, and counterterrorism laws in both countries, and demonstrates through case studies how Saudi Arabia and Egypt weaponize the laws to prosecute opposition figures and control narratives online. This report examines the relationship between criminal charges tied to one's professional activities or online speech and how those charges can trigger online smear campaigns and harassment. In cases that involve women, gender-based violence is often used to harm a woman's reputation. Though a direct correlation between judicial charges and online harassment cannot be ascertained, these case studies suggest that dissidents are likely to face online harm following legal persecution, even after they are released.

The case studies included in this report are a sampling of publicly discussed cases, which are used to analyze Egypt and Saudi Arabia's approach to legislating social media activity, but there are more possible examples that have not been raised publicly. The scale of enforcement is unknowable given the opaque nature of both countries' legislative systems.

Egypt and Saudi Arabia have long maintained strategic relationships with the United States. The United States is Saudi Arabia's top defense supplier in security and military assistance, and Egypt is one of the top recipients of US military aid.² However, the relationships between the repressive regimes of Saudi Arabia and Egypt, with their poor records of upholding human rights, and their Western allies, including the United States, have shown signs of fraying. As examined in this report, the weaponization of laws to control, censor, and criminalize online freedom of expression in Saudi Arabia and Egypt contradicts efforts by democratic allies to safeguard digital rights and freedom of speech.

1 “Egyptian State Keen on Maintaining Judicial Independence: President Sisi on Judiciary Day,” *Ahram Online*, October 2022 ,1, <https://english.ahram.org.eg/NewsContent/477046/1233/1/Egypt/Courts--Law/Egyptian-state-keen-on-maintaining-judicial-indepe.aspx>; Joey Shea, “Saudi Crown Prince Confirms Death Sentence for Tweets,” *Human Rights Watch*, September 2023 ,22, <https://www.hrw.org/news/22/09/2023/saudi-crown-prince-confirms-death-sentence-tweets>.

2 “United States-Saudi Arabia Relationship: Eight Decades of Partnership,” *US Department of State*, June 2023 ,6, <https://www.state.gov/united-states-saudi-arabia-relationship-eight-decades-of-partnership>; Elizabeth Hagedorn, “US to Send More Military Aid to Egypt Despite Rights Concerns,” *Al-Monitor*, September 2023 ,14, <https://www.al-monitor.com/originals/09/2023/us-send-more-military-aid-egypt-despite-rights-concerns>.

Background

Improved internet penetration and access to social media platforms enabled citizens across the Middle East and North Africa (MENA) to communicate to the world developments in their countries during the 2011 Arab Spring revolutions, which led to the ouster of several authoritarian leaders.³ A decade later, digital tools and social media platforms continue to play a significant role in allowing citizens to express criticisms of their governments and expose human rights violations.

Despite repressive legislation and online restrictions, Egypt and Saudi Arabia have high internet penetration and social media usership rates. By January 2023, internet penetration in Egypt stood at 72 percent, with 80 million internet users and 46 million social media users among its 111 million population.⁴ Internet penetration in Saudi Arabia stood at 99 percent, with 36.3 million internet users and 29 million social media users among its population of 36.6 million.⁵

The historically repressive governments of Egypt and Saudi Arabia have evolved their crackdown tactics to align with their digital transformations. Understanding the crucial role of digital tools and platforms in the lives of their citizens, Egypt and Saudi Arabia are increasingly enacting restrictions to limit access to news and information, and to censor speech from critics viewed as threats to these regimes' survival.

Since the 2013 coup d'état in Egypt and President Abdel Fattah el-Sisi's rise to power in 2014, Egyptian authorities have developed a reputation for imprisoning journalists and activists for their online speech. In 2017, Egyptian authorities blocked access to twenty-one news websites, including Al Jazeera and Mada Masr, claiming the websites spread false news or supported terrorism.⁶ By 2023, of the 562 blocked links and websites in the country, 132 were news websites.⁷ While virtual private networks (VPNs) may allow users to bypass the government's online restrictions, they are not commonly used in the country, according to earlier surveys, and the government has blocked many VPNs and other proxy providers.⁸ In 2024, the US Department of Commerce blacklisted Canada-based company Sandvine, which supplied its technology to the Egyptian government to enable web monitoring, censorship, and targeting of political actors and human rights defenders.⁹

Website blocking is a tactic long used by Saudi Arabian authorities, who cite violations of the country's regulations when enacting website bans.¹⁰ Unlike usage in Egypt, VPN use to bypass online restrictions is prevalent in Saudi Arabia.¹¹ Saudi Arabia not only attempts to control the online space, but also uses it to surveil dissidents. In 2019, the United States charged Ahmad Abouammo, a US-Lebanese citizen and former

3 Heather Brown, Emily Guskin, and Amy Mitchell, "The Role of Social Media in the Arab Uprisings," Pew Research Center, November 2012 ,28, <https://www.pewresearch.org/journalism/28/11/2012/role-social-media-arab-uprisings/>.

4 Simon Kemp, "Digital 2023: Egypt," DataReportal, February 2023 ,12, <https://datareportal.com/reports/digital-2023-egypt>.

5 Simon Kemp, "Digital 2023: Saudi Arabia," DataReportal, February 2023 ,12, <https://datareportal.com/reports/digital-2023-saudi-arabia>.

6 Mohamed Hamama, "24 Hours Later: What We Know about the Blocking of Mada Masr's Website," Mada Masr, May 2017 ,26, <https://www.madamasr.com/en/26/05/2017/feature/politics/24-hours-later-what-we-know-about-the-blocking-of-mada-masrs-website/>.

7 "Egypt: Rights Groups Condemn Latest Blocking of News Websites," Access Now, press release, June 2023 ,22, <https://www.accessnow.org/press-release/egypt-rights-groups-condemn-latest-blocking-of-news-websites/>.

8 "Egypt: Freedom on the Net 2023," Freedom House, 2023, <https://freedomhouse.org/country/egypt/freedom-net/2023#A>.

9 "More Accountability: U.S. Blocklists Sandvine for Enabling Digital Repression in Egypt," Access Now, press release, February 2024 ,27, <https://www.accessnow.org/press-release/us-blocklists-sandvine-for-digital-repression-in-egypt/>.

10 "Saudi Arabia: Freedom on the Net 2023," Freedom House, 2023, <https://freedomhouse.org/country/saudi-arabia/freedom-net/2023>; "Regulations," Saudi Arabia Ministry of Media, last visited October 2023 ,5, <https://media.gov.sa/en/document-library>.

11 "Saudi Arabia: Freedom on the Net 2022," Freedom House, 2022, https://freedomhouse.org/country/saudi-arabia/freedom-net/2022#footnote9_zyr934q.

Twitter (now known as X) employee, of spying for Saudi Arabia, acting as an agent of a foreign government, and unlawfully sharing Twitter user information in 2015.¹² In 2022, the United States found him guilty, sentencing him to forty-two months in federal prison.¹³ Two Saudi citizens—Ali Alzabarah, also a former Twitter employee, and Ahmed Almutairi, who facilitated communications between the Saudi government and the two Twitter employees—were also involved in the scheme.¹⁴ Alzabarah and Almutairi, however, fled the country, reportedly to Saudi Arabia. They are currently on the US Federal Bureau of Investigation's wanted list.

Crackdowns on rights activists and government critics have escalated since Saudi Crown Prince Mohammed bin Salman (MBS) rose to power. Authorities regularly target Saudi activists and dissidents for their online speech, often doling out lengthy prison sentences and travel bans, which can have a chilling effect that limits even the most benign activism and expression.¹⁵ In the most extreme example, a man received a death sentence for his social media usage.¹⁶

12 Ellen Nakashima and Greg Bensinger, "Former Twitter Employees Charged with Spying for Saudi Arabia by Digging into the Accounts of Kingdom Critics," *Washington Post*, November 2019 ,12, https://www.washingtonpost.com/national-security/former-twitter-employees-charged-with-spying-for-saudi-arabia-by-digging-into-the-accounts-of-kingdom-critics/2019/11/2019e9593da-00a11-0ea-8bab-0fc209e065a8_story.html.

13 "Former Twitter Employee Found Guilty of Acting as an Agent of a Foreign Government and Unlawfully Sharing Twitter User Information," US Department of Justice, press release, August 2022 ,10, <https://www.justice.gov/opa/pr/former-twitter-employee-found-guilty-acting-agent-foreign-government-and-unlawfully-sharing>; "Former Twitter Employee Sentenced to 42 Months in Federal Prison for Acting as a Foreign Agent," US Department of Justice, December 2022 ,15, press release, <https://www.justice.gov/opa/pr/former-twitter-employee-sentenced-42-months-federal-prison-acting-foreign-agent>.

14 "FBI Releases Wanted Posters For Saudi Suspects In Twitter Spying Case," *CBS News*, November 2019 ,7, <https://www.cbsnews.com/sanfrancisco/news/fbi-releases-wanted-posters-for-saudi-suspects-in-twitter-spying-case/>.

15 "Saudi Arabia: Alarming Crackdown on Online Expression," *Amnesty International*, February 2023 ,14, <https://www.amnesty.org/en/latest/news/02/2023/saudi-arabia-alarming-crackdown-on-online-expression/>.

16 "Saudi Arabia: 100 People Executed as Authorities Continue Relentless 'Killing Spree,'" *Amnesty International*, September 2023 ,8, <https://www.amnesty.org/en/latest/news/09/2023/saudi-arabia-100-people-executed-as-authorities-continue-relentless-killing-spree/>.

Egypt: political and legal context

Spreading false information has been considered a crime under different versions of the Egyptian Penal Code. A study by criminology academic Amr Marzouk demonstrated how false information was criminalized in Egypt as early as 1883, highlighting the consistency with which vague definitions have been manipulated to target dissidents.¹⁷ Yet, current Egyptian authorities have developed and honed the use of vague laws, ostensibly enacted to counter false information, to tightly control narratives in digital spaces and to ensure the government's position is maintained in online conversations.

Egyptians are now experiencing what has been described by rights groups as an extended "human rights crisis."¹⁸ Before the 2011 revolution, Egyptians lived for almost thirty years under the repressive regime of former President Hosni Mubarak. The Mubarak regime was responsible for widespread human rights violations in the country. The current regime led by Sisi has maintained full authoritarian control of the country through repressive measures unmatched in severity by past Egyptian dictatorships.¹⁹ Systemic state domination of political and social life by the Sisi regime has eliminated nearly all forms of nonviolent dissent, pluralism, and opposition.

The Sisi government justified mass arrests as a necessary measure to restore security after the 2011 revolution and the 2013 military coup that ousted Egypt's first democratically elected president, Mohamed Morsi.²⁰ The draconian measures resulted in a fundamentally oppressive system that imprisoned an estimated sixty thousand political prisoners.²¹ Egyptian jails house politicians, civil-society groups, journalists, and even apolitical citizens targeted for their online speech.²² Political prisoners have suffered from systemic enforced disappearances, unfair trials, inhumane conditions of detention, and regular torture.²³ Reporters Without Borders labeled Egypt "one of the world's biggest jailers of journalists."²⁴ According to the World Justice Project, the Egyptian justice system ranked 135th out of 140 countries in the Rule of Law Index.²⁵

Egypt also ranks poorly on indicators of civil liberties due to severe restrictions limiting freedom of association, assembly, and speech.²⁶ Taken with the muzzle placed on media, the strict controls over the online space, the politicized judicial system, and even limitations placed on the entertainment industry, Egypt has enacted a system of control that effectively criminalizes and suppresses all non-state narratives.²⁷

17 Amr Marzouk, "Fake News and Cultural Biases: Egypt as an Example," *Fake News and Cultural Biases* 67–47, (2022) 3, 12, <https://doi.org/10.5553/tcc/221195072022012003003>.

18 "Egypt: Human Rights Crisis Deepens One Year after National Human Rights Strategy Launched," Amnesty International, September 2021, 21, <https://www.amnesty.org/en/latest/news/09/2022/egypt-human-rights-crisis-deepens-one-year-after-national-human-rights-strategy-launched/>.

19 "Egypt President Abdul Fattah Al-Sisi: Ruler with an Iron Grip," BBC News, December 2020, 1, <https://www.bbc.com/news/world-middle-east-19256730>; Janine di Giovanni, "Why Egyptians Say Things Are Worse Than under Mubarak," *Newsweek*, June 2016, 10, <https://www.newsweek.com/13/05/2016/egypt-cairo-mubarak-sisi-455753.html>.

20 Vivian Yee, "Egyptian Graduate Student and Rights Advocate Is Jailed by Egypt," *New York Times*, July 2023, 18, <https://www.nytimes.com/18/07/2023/world/middleeast/egypt-patrick-zaki-jailed.html?smtyp=cur&smid=tw-nytimesworld>.

21 Vivian Yee, "A Slow Death": Egypt's Political Prisoners Recount Horrific Conditions," *New York Times*, August 2022, 8, <https://www.nytimes.com/08/08/2022/world/middleeast/egypts-prisons-conditions.html>.

22 Ibid., "Egypt: Quash Sentences against Opposition Politicians," Amnesty International, November 2021, 17, <https://www.amnesty.org/en/latest/news/11/2021/quash-sentences-against-opposition-politicians/>.

23 "Enforced Disappearances in Egypt," International Commission on Missing Persons, last visited October 2023, 2, <https://www.icmp.int/news/enforced-disappearances-in-egypt/>; "Joint Statement on the Situation in Egypt on International Fair Trial Day," Project on Middle East Democracy, August 2022, 25, <https://pomed.org/publication/joint-statement-on-the-situation-in-egypt-on-international-fair-trial-day/>; "Egypt: Abused and Denied Health Care, Prisoners' Lives at Risk," Amnesty International, August 2022, 8, <https://www.amnesty.org/en/latest/press-release/01/2021/egypt-abused-and-denied-health-care-prisoners-lives-at-risk/>; Chao Deng, "Egypt Released Hundreds of Political Prisoners This Year; Some Say They Were Tortured," *Wall Street Journal*, October 2022, 6, <https://www.wsj.com/articles/egypt-released-hundreds-of-political-prisoners-this-year-some-say-they-were-tortured-11665048602>.

24 "Egypt," Reporters Without Borders, September 2023, 20, <https://rsf.org/en/country/egypt>.

25 "Egypt Ranks 135 out of 140 in Rule of Law Index," World Justice Project, October 2022, 26, <https://worldjusticeproject.org/sites/default/files/documents/Egypt.pdf>.

26 "Egypt: Freedom in the World 2021," Freedom House, 2021, <https://freedomhouse.org/country/egypt/freedom-world/2021>; "Freedom of Association in Egypt," Tahrir Institute for Middle East Policy, December 2018, 11, <https://timep.org/wp-content/uploads/06/2018/TIMEP-FreedomofAssociation.pdf>; "Egypt: Respect Right to Peaceful Protest," Human Rights Watch, September 2022, 28, <https://www.hrw.org/news/21/09/2019/egypt-respect-right-peaceful-protest>; Eric De Lavarène, et al., "Focus—Egypt's Worsening Crackdown on Freedom of Speech," *France 24*, January 2019, 28, <https://www.france24.com/en/20190128-focus-egypt-freedom-speech-press-under-threat-worsening-conditions-human-rights>.

27 Jennifer Holleis, "Egypt: Crackdown Endangers the Last Bastion of Free Press," *Deutsche Welle*, September 2022, 15, <https://www.dw.com/en/egypt-renewed-crackdown-threatens-work-of-last-independent-news-site/a-63105966>; Ragheb Malli, "Heightened Digital Oppression in Egypt," *SMEX*, February 2023, 1, <https://smex.org/heightened-digital-oppression-in-egypt/>; Joseph Fahim, "The Banality of Censorship: A Decade of War against the Arts in Sisi's Egypt," *Middle East Eye*, July 2023, 28, <https://www.middleeasteye.net/features/egypt-sisi-decade-war-against-arts>.

Egypt's human rights abuses have resulted in tensions with its Western allies, including the United States.²⁸ Various US administrations, including the Donald Trump administration in 2017 and the Joe Biden administration in 2022, leveraged the delivery of US aid to pressure the government into improving its human rights record.²⁹ The US State Department in 2022 described human rights issues in Egypt as "significant" and the country's prison conditions as "life threatening."³⁰ The European Parliament also passed a resolution in 2022 that was critical of Egypt's human rights situation, calling for stronger measures to address violations.³¹

Despite state measures and initiatives to improve the political crisis, such as lifting the state of emergency in 2021, an improved National Council for Human Rights, and the first-ever human rights strategy, among other initiatives, Egyptian rights groups believe such efforts are "misleading" and used to "whitewash" the country's dire record, especially as arrests outpaced releases.³² Egypt is also facing the repercussions of a significant economic crisis that has resulted in soaring inflation, austerity measures, and international pressure

calling for economic reforms.³³ At the time of writing, the war in neighboring Gaza had magnified Egypt's existing economic challenges and raised additional fears regarding the forced displacement of Palestinians into the Sinai Peninsula.³⁴

Sisi's interest in developing legal frameworks to stifle opposition and control the political sphere began during his first year as president, which was marked by a constitutional vacuum after the country's high court dissolved parliament in June 2012 and the senate, known as the Shura Council, in 2013.³⁵ With temporary legislative power to issue laws by decree in 2014, Sisi ratified more than 175 extra-parliamentary laws and decrees in the period between his inauguration on June 8, 2014, and the election of a new parliament, controlled by members loyal to the president, in December 2015.³⁶

Sisi pushed forward the 2015 counterterrorism laws that granted authorities more leniency in utilizing extreme measures usually reserved for states of emergency.³⁷ Carnegie's Middle East Center noted how, before 2011, Egyptian governments relied mainly on a continuous state of emergency to

- 28 Borzou Daragahi, "Egypt Receives Rare International Rebuke for Human Rights Violations," *Independent*, March 2021, 12, <https://www.independent.co.uk/news/world/middle-east/egypt-sisi-human-rights-international-b1816494.html>.
- 29 Missy Ryan, "U.S. Blocks \$130 Million in Aid to Egypt over Human Rights," *Washington Post*, September 2022, 14, <https://www.washingtonpost.com/national-security/14/09/2022/us-blocks-130-million-aid-egypt-over-human-rights/>; "Trump Administration Cuts, Delays \$300m in Aid to Egypt," *CBS News*, August, 22 2017, <https://www.cbsnews.com/news/egypt-united-states-delays-military-economic-aid/>; Lara Jakes and Mona El-Naggar, "U.S. Blocks \$130 Million in Aid for Egypt Over Rights Abuses," *New York Times*, January 2022, 28, <https://www.nytimes.com/28/01/2022/us/politics/egypt-us-human-rights.html>.
- 30 "Egypt," US Department of State, 2022, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/egypt/>.
- 31 "Joint Motion for a Resolution on the Human Rights Situation in Egypt," *European Parliament*, November 2022, 23, https://www.europarl.europa.eu/doceo/document/RC-0505-2022-9_EN.html; "New European Parliament Resolution Calls for Strong Measures to Address Human Rights Crisis in Egypt," *World Organisation Against Torture*, November 2022, 24, <https://www.omct.org/en/resources/statements/new-european-parliament-resolution-calls-for-strong-measures-to-address-human-rights-crisis-in-egypt>.
- 32 Habiba Hamdy, "The Release of Prisoners of Conscience to Top Egypt's 'National Dialogue' Agenda," *Ahram Online*, April 2023, 30, <https://english.ahram.org.eg/News/498704.aspx>; "Egypt's President Sisi Ends State of Emergency for the First Time in Years," *Reuters*, October 2021, 26, <https://www.reuters.com/world/middle-east/egypts-president-sisi-ends-state-emergency-first-time-years-25-10-2021/>; "The Government Presents Its Comments on the 14th Annual Report," *Supreme Standing Committee for Human Rights*, last visited October 2023, 1, <https://sschr.gov.eg/en/dialogue-and-partnerships/international-cooperation/مجلس-قومي-2/>; Siobhan O'Grady, "Under Fire for Abuses, Egypt Releases Human Rights Strategy to Mixed Reviews," *Washington Post*, October 2021, 5, https://www.washingtonpost.com/world/middle-east/egypt-sisi-human-rights/98/04/10/2021d214-73674e-11ec-a8d0827-9a2a4b915_story.html; "NCHR Hails Reactivation of Presidential Pardon Committee," *Ahram Online*, April 2022, 27, <https://english.ahram.org.eg/News/465379.aspx>; "Egypt: Crisis by Design, a Human Rights Report by Independent Egyptian Organizations to the UN," *Egyptian Initiative for Personal Rights*, January 2023, 27, <https://eipr.org/en/publications/egypt-crisis-design-human-rights-report-independent-egyptian-organizations-un>; "Egypt: A Year of Whitewashing Despite Dire Crisis," *Human Rights Watch*, January 2023, 12, <https://www.hrw.org/news/12/01/2023/egypt-year-whitewashing-despite-dire-crisis>; Elizabeth Hagedorn, "US Calls for Egypt to Immediately Release Researcher Patrick Zaki," *Al-Monitor*, July 2023, 19, <https://www.al-monitor.com/originals/07/2023/us-calls-egypt-immediately-release-researcher-patrick-zaki>.
- 33 Vivian Yee, "Inflation Is so High in Egypt That Eggs Are a Luxury," *New York Times*, January 2023, 23, <https://www.nytimes.com/23/01/2023/world/middleeast/egypt-economy.html>; "Egypt Inflation Soars to 2/1-5-Year High, Core Inflation at Record," *Reuters*, March 2023, 9, <https://www.reuters.com/world/middle-east/egypts-annual-urban-consumer-inflation-increases-319-february-capmas-09-03-2023/>; "Egypt: IMF Bailout Highlights Risks of Austerity, Corruption," *Human Rights Watch*, January 2023, 31, <https://www.hrw.org/news/31/01/2023/egypt-imf-bailout-highlights-risks-austerity-corruption>.
- 34 "Helping Egypt Weather the Gaza War's Impact," *International Crisis Group*, January 2024, 30, <https://www.crisisgroup.org/middle-east-north-africa/north-africa/egypt/helping-egypt-weather-gaza-wars-impact>.
- 35 David Hearst and Abdel-Rahman Hussein, "Egypt's Supreme Court Dissolves Parliament and Outrages Islamists," *Guardian*, June 2012, 14, <https://www.theguardian.com/world/2012/jun/14/egypt-parliament-dissolved-supreme-court>; "Shura Council Dissolved | Egypt Suspended from AU," *Tahrir Institute for Middle East Policy*, July 2013, 5, <https://timep.org/05/07/2013/jul13-5/>.
- 36 Mai El-Sadany, "Tracking Egypt's Extraparliamentary Laws," *Tahrir Institute for Middle East Policy*, August 2015, 12, <https://timep.org/12/08/2015/tracking-egypts-extraparliamentary-laws/>; "Egypt's First Parliament in Three Years Opens," *Deutsche Welle*, January 2016, 10, <https://www.dw.com/en/egypt-opens-first-parliament-in-three-years/a-18969759>.
- 37 "Egypt's al-Sisi Imposes Strict Anti-Terrorism Laws," *BBC*, August 2015, 17, <https://www.bbc.com/news/world-middle-east-33955894>; "Egypt: Memorandum: Egypt's Draft Law on Counter Terrorism," *Amnesty International*, August 2015, 13, <https://www.amnesty.org/en/documents/mde2015/2269/12/en/>.

operate outside state institutions.³⁸ However, the current regime's legislative agenda appears focused on consolidating power to legally authorize and institutionalize extraordinary legal measures that were once considered exceptional and reserved for emergency use.

CYBERCRIME LAW

Law No. 175 of the 2018 Law on Anti-Cyber and Information Technology Crimes, known as the cybercrime law, consists of forty-five articles and was created to punish the use of the internet to conduct acts of terrorism.³⁹ Before passing the law, Egypt relied on civil and criminal laws to govern cybercrimes.⁴⁰ Drafting of the law began in 2015, with the final version submitted by the Sisi administration and approved by parliament before the 2018 presidential election. According to Masaar, a legal organization focused on the intersection of technology and law in Egypt, the cybercrime law became the primary piece of legislation governing devices and networks, and now acts as “a legal regulation parallel, in one way or another, to the penal codes and criminal procedure, with minor modifications of a digital character, but with less clear wording.”⁴¹

Rights groups have heavily criticized the law and described it as unconstitutional on the basis of several articles limiting

online content and effectively legalizing censorship.⁴² Masaar explains that, instead of introducing new crimes, the law addresses the use of communication technologies, like social media, to commit traditional crimes already codified in different penal codes. The law enables prosecutors to hold accountable social media users, social media page administrators, media outlets, and technology companies, with penalties that include hefty fines and imprisonment. Mohamed Hegazy, a senior official in the Ministry of Communications and Information Technology, said he believes the law to be “among the best laws worldwide,” and said it would not be used to limit freedom of expression.⁴³ Despite this claim and similar ones from Egyptian officials, the government has demonstrated that it consistently uses exploitable legal articles to repress Egyptian speech and restrict digital rights.⁴⁴

Prior to the law's implementation, the Egyptian government had blocked around fifty websites, most of which belonged to independent and international news websites critical of the government, or to VPN providers.⁴⁵ Egypt also blocked the encrypted messaging app Signal for a short period in December 2016.⁴⁶ The government justified blocking some of the websites by claiming that these websites support terrorism, comparing its measures to those of other countries adopting or considering similar measures to protect their countries, such as the United States, France, China, Syria, Iran, Saudi Arabia, and others.⁴⁷

38 Nathan J Brown and Katie Bentivoglio, “Egypt's Resurgent Authoritarianism: It's a Way of Life,” Carnegie Endowment, October 2014 ,9, <https://carnegieendowment.org/09/10/2014/egypt-s-resurgent-authoritarianism-it-s-way-of-life-pub-56877>.

39 “2018 لسنة 175 رقم قانون,” International Labour Organization, 2018, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/134088/108464/F2018-175/1331903941.pdf>; Marina Barsoum, “Egypt's Sisi Ratifies New Cyber-Crime Law,” Ahram Online, August 2018 ,18, <https://english.ahram.org.eg/NewsContent/309885/64/1/Egypt/Politics/-/Egypt-s-Sisi-ratifies-new-cybercrime-law-.aspx>.

40 Mira Adly, “Anti-Cyber and Information Technology Crimes Law in Egypt,” HG.org, 2018, <https://www.hg.org/legal-articles/anti-cyber-and-information-technology-crimes-law-in-egypt-48872>.

41 “Legislative Contexts for the Passage of Internet Laws,” Masaar, April 2022 ,18, <https://masaar.net/en/legislative-contexts-for-the-passage-of-internet-laws/#Lew3>.

42 “Human Rights Organizations Call on Egypt's Government to End Internet Censorship and Website Blocking,” SMEX, November 2020 ,4, <https://ifex.org/human-rights-organizations-call-on-egypts-government-to-end-internet-censorship-and-website-blocking/>; “Statement Opposing Egypt's Legalization of Website Blocking and Communications Surveillance,” Cairo Institute for Human Rights Studies, September 2018 ,6, <https://cihrs.org/statement-opposing-egypts-legalization-of-website-blocking-and-communications-surveillance/?lang=en>.

43 Zeinab el-Gundy, “Q&A: Egypt's New Cybercrime Law ‘Not About Putting Barriers on the Internet’—Ministry Official,” Ahram Online, August 2018 ,20, <https://english.ahram.org.eg/NewsContent/309944/64/1/Egypt/Politics/-/QA-Egypt-s-new-cybercrime-law-not-about-putting-bar.aspx>.

44 Ibid.; Wafa Ben-Hassine, Emna Sayadi, and Dima Samaro, “When ‘Cybercrime’ Laws Gag Free Expression: Stopping the Dangerous Trend across Mena,” Access Now, January 2023 ,13, <https://www.accessnow.org/when-cybercrime-laws-gag-free-expression-stopping-the-dangerous-trend-across-mena/>.

45 Tinuola Dada and Emna Sayadi, “Egypt Is Blocking More Websites: Why It Matters, and What You Can Do,” Access Now, January 2023 ,13, <https://www.accessnow.org/egypt-blocking-websites-matters-can/>.

46 Farid Farid, “No Signal: Egypt Blocks the Encrypted Messaging App as It Continues Its Cyber Crackdown,” TechCrunch, December 2016 ,27, <https://techcrunch.com/1431709/26/12/2016/?guccounter=1>.

47 “تقرير رسمي يدافع عن قرار حجب مواقع إلكترونية بصر لدعائها الإرهاب (نص كامل),” Al Masry Al Youm, May 2017 ,25, <https://www.almasryalyoum.com/news/details/1139015>.

Under Article 7 of the law, investigative authorities have the legal power to submit blocking orders to the court if a website's content is deemed criminal or a threat to national security or the economy. Internet service providers are obliged to block any website after receiving a court order to do so. At the time of writing, Egypt had blocked at least seven hundred websites, including media and human rights organizations, VPN and proxy service providers, and political and cultural websites.⁴⁸

FAMILY VALUES LAW

Article 25 of the cybercrime law, known as the “family values law,” criminalizes the use of technology “that infringes on any family principles or values in Egyptian society.” Article 26 criminalizes content that undermines “public morals.” Authorities have repeatedly invoked the two vaguely described articles to press morality-related charges, sometimes following complaints from private citizens, particularly against female social media influencers on TikTok, bloggers, and members of the LGBTQ+ community.⁴⁹ Through these articles, the state can dictate, oversee, and interpret how public morals are conveyed online. Egypt's public prosecution justified this law in a statement following a crackdown on social media influencers by claiming that the internet needs protection from “forces of evil” using cyber warfare to “destroy our society, demolish its values and principles and steal its innocence and purity.”⁵⁰ Masaar noted—in a legal warrant following the repeated use of Article 25 to prosecute social media users—that the law violates articles in the Egyptian constitution that require definitions within laws to be detailed and clear.⁵¹

Another vague and broad article in the cybercrime law is Article 27, which Masaar describes as “one of the most used articles by the General Prosecution to charge social media users.”⁵² This article allows government prosecutors to consider anyone who commits a crime using a website, an online account, an email, or a messaging app “an administrator of a website or account.” Such administrators can then receive hefty fines and jail sentences of no fewer than two years.

ARTICLE 7

If there are evidences that a website broadcast, inside or outside the State, is displaying words, numbers, images, films, any publicity materials or other, that would be an offence of those stipulated in the present Law, jeopardize the national security or economy; the concerned investigation body may order to block the website(s), subject matter of broadcasting, where applicable from the technical point of view

Unofficial translation of Article 7 of the cybercrime Law, as translated by Mohamed Chawki.

Source: Mohamed Chawki, “Anti-Cyber and Information Technology Crimes Law, ‘Egypt’ Law No. 175 of 2018: ‘Unofficial Translation,’” International Association of Cybercrime Protection, 2020, <https://cybercrime-fr.org/wp-content/uploads/2020/04/Egyptian-cybercrime-law-.pdf>

ARTICLE 25

Anyone who infringes a family principle or value of the Egyptian society, encroaches on privacy, sends many emails to a certain person without obtaining his/her consent, provides personal data to an e-system or website for promoting commodities or services without getting the approval thereof, or publishes, via the information network or by any means of information technology, information, news, images or the like, which infringes the privacy of any person involuntarily, whether the published information is true or false, shall be punishable by imprisonment for no less than six months and a fine

Unofficial translation of Article 25 of the cybercrime Law, as translated by Chawki.

Source: Chawki, “Anti-Cyber and Information Technology Crimes Law, ‘Egypt’ Law No. 175 of 2018.”

ARTICLE 27

Anyone who creates, manages, uses a website or a private account on the information network for the purpose of committing or facilitating a punishable crime shall be punishable by imprisonment for no less than two years and a fine of no less than one hundred thousand Egyptian Pounds and no more than three hundred thousand Egyptian Pounds, or by one of these two penalties.

Unofficial translation of Article 27 of the cybercrime Law, as translated by Chawki.

Source: Chawki, “Anti-Cyber and Information Technology Crimes Law, ‘Egypt’ Law No. 175 of 2018.”

48 Ruth Michaelson, “COP27 WIFI in Egypt Blocks Human Rights and Key News Websites,” Guardian, November 2022 ,7, <https://www.theguardian.com/environment/2022/nov/07/cop27-wifi-egypt-blocks-human-rights-key-news-websites>.

49 Emna Sayadi, Leanna Garfield, and Marwa Fatafta, “These Women Were Jailed for TikTok; You Can Help Them,” Access Now, February 2023 ,23, <https://www.accessnow.org/egypt-women-jailed-for-tiktok/>; “Economic Misdemeanour Appeals Court Upholds Verdict against Blogger, with 3 Years Imprisonment and a 300,000 EGP Fine for Managing the ‘Egyptian Atheists’ Facebook Page,” Egyptian Initiative for Personal Rights, June 2020 ,23, <https://eipr.org/en/press/06/2020/economic-misdemeanour-appeals-court-upholds-verdict-against-blogger-3-years>; Afsaneh Rigot, “Egypt’s Dangerous New Strategy for Criminalizing Queerness,” Slate, December 2020 ,30, <https://slate.com/technology/12/2020/egypt-lgbtq-crime-economic-courts.html>.

50 Egyptian Public Prosecution النيابة العامة المصرية, Facebook page, May 2020 ,2, <https://www.facebook.com/photo/?fbid=2949414071833142&set=a.2000327433408482>.

51 “امسار-تدفع-بعدم-دستورية-جريمة-الاعتداء على قيم الأسرة المصرية,” Masaar, August 2020 ,17, <https://masaar.net/ar/>.

52 “Legislative Effect of the Crime of ‘Administering an Account to Commit a Crime,’” Masaar, September 2022 ,26, <https://masaar.net/en/legislative-effect-of-the-crime-of-administering-an-account-to-commit-a-crime/>.

MEDIA LAW

Law No. 180 of 2018 Regulating the Press, Media, and the Supreme Council for Media Regulation, known as the media law, entered into force following several attempts to pass the legislation dating back to 2014.⁵³ In parallel, Egypt formed three media bodies in 2017 to supervise and regulate public media, which were incorporated into the law.⁵⁴ These entities are the Supreme Council for Media Regulation (SCMR), the National Press Authority (NPA), and the National Media Authority (NMA), with the SCMR granted the most authority under the media law. According to Masaar, the SCMR began its work before the law was passed by imposing penalties, such as “preventing the appearance of media professionals and individuals [in all visual, audio, print and electronic media], deleting content, and preventing writing on some topics.”⁵⁵ It is in this context that the law, which rights groups have described as “extremely problematic,” was approved, providing the SCMR with sweeping legal power to monitor, restrict, and censor internet content.⁵⁶

The media law also increased administrative requirements for media entities, which made it more difficult for independent outlets to gain legal status. While the SCMR is technically independent, digital-rights organization Article 19 noted that it is strongly associated with the government given that the head of the SCMR and several of its members are appointed by the country’s president and “picked without parliamentary oversight.”⁵⁷ The government’s overarching power is further highlighted by the significant control and ownership of media outlets in the country by businesspeople linked to the government and Egypt’s intelligence services.⁵⁸ An analysis by

ARTICLE 19

A newspaper, media outlet, or website is prohibited from publishing or broadcasting false news, or what calls or incites to the violation of the law, violence or hatred, or involves discrimination among citizens, or calls for racism or includes insults to the individuals' reputations, or slander or defaming them, or insulting the divine religions or religious beliefs. Every personal website, personal electronic blog, or more, shall commit to the provisions of the preceding paragraph. Without prejudice to the legal responsibility arising from the violation of the provisions of this article, the Supreme Council shall take the appropriate action in respect of the violation, and for this purpose it may suspend or block the website, blog or account referred to by a decision from it.

Unofficial translation of Article 19 of the media law, as translated by Chawki.

Source: Chawki, “Anti-Cyber and Information Technology Crimes Law, ‘Egypt’ Law No. 175 of 2018.”

the Media Ownership Monitor, a media-mapping tool by the nonprofit Global Media Registry, reviewed forty-one popular Egyptian national media outlets and concluded that almost “half of the media landscape [in Egypt] is now concentrated in the hands of the state” in what the organization called the “Sisification of the media.”⁵⁹

Under Article 19 of the media law, the SCMR has the power to block websites, blogs, or the personal social media account of anyone with five thousand or more followers—as they are deemed media entities—for various reasons, including publishing false news.

The SCMR’s powers are not limited to content restrictions, as it can also take unspecified “appropriate action” against violators

53 “2018 لسنة 180 رقم,” International Labour Organization, 2018, <https://ilo.org/dyn/natlex/docs/MONOGRAPH/141068/111247/F-1682361510/EGY111247.pdf>.

54 “Regulators without Regulations,” Reporters Without Borders, 2018, <https://egypt.mom-rsf.org/en/context/law/regulatory-authorities/>.

55 “Legislative Contexts for the Passage of Internet Laws,” Masaar, April 2022 ,18, <https://masaar.net/en/legislative-contexts-for-the-passage-of-internet-laws/#Lew3>.

56 “Egypt: 2018 Law on the Organisation of Press, Media and the Supreme Council of Media,” Article 19, March 2019 ,18, <https://www.article19.org/resources/egypt-2018-law-on-the-organisation-of-press-media-and-the-supreme-council-of-media/>; “The Supreme Council for Media Regulation: A Reading into the Competencies and Practices,” Association of Freedom of Thought and Expression, April 2019 ,22, <https://afteegypt.org/en/legislations-en/legislative-analysis-en/17432/22/04/2019-afteegypt.html>; “Human Rights Organizations Call on Egypt’s Government to End Internet Censorship and Website Blocking,” Access Now, press release, last updated January 2023 ,26, <https://www.accessnow.org/press-release/human-rights-organizations-call-on-egypts-government-to-end-internet-censorship-and-website-blocking/>.

57 “Egypt: 2018 Law on the Organisation of Press, Media and the Supreme Council of Media.”

58 “Egyptian Intelligence Services Extend Control over Media,” Reporters Without Borders, September 2017 ,5, <https://rsf.org/en/egyptian-intelligence-services-extend-control-over-media>; Hossam Bahgat, “Looking into the Latest Acquisition of Egyptian Media Companies by General Intelligence,” Mada Masr, December 2017 ,21, <https://www.madamasr.com/en/21/12/2017/feature/politics/looking-into-the-latest-acquisition-of-egyptian-media-companies-by-general-intelligence/>.

59 “Egyptian Intelligence Services Extend Control over Media.”

by filing lawsuits. Given the presence of vague and undefined terms in the law, such as the term “false news,” the media law can be used to limit freedom of expression by citizens, journalists, and media outlets. The SCMR has actively pursued this strategy.

For example, in 2022, the SCMR announced that it closed and blocked twelve websites, social media pages, and YouTube channels for various reasons, including publishing false news, without naming the websites and pages or highlighting the alleged false news disseminated.⁶⁰

ANTI-TERRORISM LAW

Law No. 94 of 2015 on anti-terrorism comprises fifty-four articles and was issued by presidential decree during the absence of parliament to restore stability after terrorist attacks in the Sinai Peninsula and the assassination of a state prosecutor in a car bombing.⁶¹ The law provided a broad and politicized definition of terrorism, and also expanded what constitutes an act of terrorism, allowing Egypt to exploit legitimate security threats to prosecute peaceful dissidents, journalists, and human rights defenders and treat them as terrorists.⁶²

According to the law, terrorism is loosely defined as any act that “undermines national unity, social peace, and national security.”⁶³ Those tried under the law can receive heavy sentences, including the death penalty.⁶⁴ Articles in the law also allow prosecutors to hold suspects without judicial review, which enables forced disappearances.⁶⁵ One article also clears law-enforcement agents from criminal responsibility. United Nations experts described this vague and overreaching law as a “grave threat to the legitimacy of international counterterrorism framework and laws” and said its provisions “severely limit civic space and the exercise of fundamental freedoms in Egypt.”⁶⁶

Article 29

Whoever establishes or uses a communications site, website, or other media for the purpose of promoting ideas or beliefs calling for the perpetration of terrorist acts or broadcasting material intended to mislead security authorities, influence the course of justice in any terrorist crime, exchange messages, issue assignments among terrorist groups or their members, or exchange information relating to the actions or movement of terrorists or terrorist groups domestically and abroad shall be punished by imprisonment with hard labor for no less than five years.

ARTICLE 35

Whoever intentionally, by any means, publishes, broadcasts, displays, or promotes false news or statements on terrorist acts inside the country or anti-terrorism operations contrary to the official statements released by the Ministry of Defense shall be punishable by a fine of no less than 200,000 Egyptian pounds and no more than 500,000 Egyptian pounds, without prejudice to the disciplinary penalties prescribed

Unofficial translation of Articles 29 and 35 of the anti-terrorism law, as translated by Chawki.

Source: Chawki, “Anti-Cyber and Information Technology Crimes Law, ‘Egypt’ Law No. 175 of 2018.”

Articles 29 and 35 of the law can be used to restrict freedom of expression online, as they allow prison terms and heavy fines for promoting and inciting terrorism through social media or publishing “false news” about terrorist and counterterrorism operations. In this case, “false news” is defined as news that contradicts the defense ministry’s official statements. The state has used this law many times to levy terrorism charges against dissidents, sometimes resulting in harsh prison sentences and fines.

DISSENT UNDER ATTACK

Under the Sisi administration, the Egyptian government uses vague laws created under the pretext of countering false information to control online narratives.

60 Abdelrahman Badr, “الأعلى للإعلام-حجب: حجب وغلق 12 موقعًا وصفحات على «مواقع التواصل» وقنوات على «يوتيوب» لأسباب متعددة» *الأعلى للإعلام-حجب*, Daaarb, April 2022, 19, <https://daaarb.com/-الأعلى-لإعلام-حجب>.
/وغلقت-12-موقعًا-وصف

61 Patrick Kingsley, “Egypt’s Chief Prosecutor Hisham Barakat Killed by Cairo Bomb,” *Guardian*, June 2015, 29, <https://www.theguardian.com/world/2015/jun/29/cairo-bomb-attack-injures-state-prosecutor>.

62 “Egypt: Counterterrorism Law Erodes Basic Rights,” Human Rights Watch, August 2015, 19, <https://www.hrw.org/news/2015/08/2015/egypt-counterterrorism-law-erodes-basic-rights>; Bárbara Azaola Piazza, “A Decade of Al-Sisi in Power: Between Economic Crisis, Repression and the Search for International Recognition,” *European Institute of the Mediterranean*, 2023, <https://www.iemed.org/publication/a-decade-of-al-sisi-in-power-between-economic-crisis-repression-and-the-search-for-international-recognition/>; “Annex A—Prosecutions of Activists and Journalists under Egypt’s Terrorism Law,” Human Rights Watch, July 2018, 15, <https://www.hrw.org/news/2018/07/2018/annex-prosecutions-activists-and-journalists-under-egypts-terrorism-law>.

63 “Egypt Anti-Terrorism Law,” *Atlantic Council*, 2015, https://www.atlanticcouncil.org/wp-content/uploads/09/2015/Egypt_Anti-Terror_Law_Translation.pdf.

64 “Egypt: Counterterrorism Law Erodes Basic Rights.”

65 “Latest Counterterrorism Law Encourages Extrajudicial Killing and Cements Impunity,” *Cairo Institute for Human Rights Studies*, August 2015, 26, <https://cihrs.org/latest-counterterrorism-law-encourages-extrajudicial-killing-and-cements-impunity/?lang=en>.

66 “UN Experts Urge Release of Rights Defenders in Egypt, Condemn Misuse of Counter-Terrorism Measures,” *Office of the United Nations High Commissioner for Human Rights*, press release, December 2021, 1, <https://www.ohchr.org/en/press-releases/2021/12/un-experts-urge-release-rights-defenders-egypt-condemn-misuse-counter>.

In 2018, the Egyptian president stated that, in a three-month period, his government had identified twenty-one thousand false rumors aimed at spreading instability.⁶⁷ Sisi, who has said that he follows “social media properly” and reads “people’s comments,” emphasized the dangers of false rumors on several occasions, and encouraged Egyptian youth to work with the government to fight against rumors.⁶⁸ A government official claimed in 2019 that 4–6 million social media pages were publishing fake news about Egypt.⁶⁹ In 2023, while assuring that the war against terrorism had successfully ended, Sisi mentioned that the “war of rumors” remains a threat.⁷⁰

The government’s legal battle against false information heightened in February 2018, when the prosecutor general issued a decree allowing prosecutors to monitor and identify false information on social media and take action against those spreading it.⁷¹ Following this decision, the government instituted hotlines for citizens to report false news and rumors.⁷² There do not appear to be any efforts to curb the government’s overzealous reach; in fact, authorities can now prosecute journalists and social media users spreading false information about the weather due to a separate draft law concerning the Egyptian Meteorological Authority, which parliament approved in 2023.⁷³

OUTLAWED MEDIA OUTLETS: MADA MASR

The SCMR, acting as an official regulator following the implementation of the media law, began using its powers to grant licenses needed to operate legally in Egypt—or to deprive media outlets of them. One case exhibiting how SCMR abuses its power involves independent online news outlet Mada Masr, which has been blocked in Egypt since 2017.

Mada Masr is one of several outlets targeted by the government. In 2019, the media outlet had an encounter with law enforcement when security forces arrested and later released three journalists and a senior editor following a report about Sisi’s son.⁷⁴ In June 2022, the SCMR announced the issuance of one hundred licenses for different newspapers, websites, and television channels. Mada Masr’s several requests for a license, the first made in 2018, went unanswered.⁷⁵ In September 2022, Mada Masr learned its license request was rejected by the SCMR when Editor-in-Chief Lina Attalah was charged with operating a website without a license.⁷⁶ Egyptian prosecutors summoned Attalah and three Mada Masr journalists and charged them with spreading false news and defamation of members of the pro-Sisi party Nation’s Future, among other charges.⁷⁷

67 “Egypt’s Sisi Says False Rumours Main Threat to Arab Countries,” Reuters, July 2018 ,22, <https://www.reuters.com/article/uk-egypt-politics-idUKKBN1KCON9>.

68 “الرئيس السيسي: أتابع السوشيال ميديا جيدا... ويرد على منتقدي تطوير الشوارع” YouTube video, January 2023 ,5, <https://www.youtube.com/watch?v=eh2NeTcqcy4>; “Sisi Denies Social Media Claims in Youth Conference,” Egypt Today, September 2019 ,14, <https://www.egypttoday.com/Article/74772/1/Sisi-denies-social-media-claims-in-Youth-Conference>; “الآن الرئيس السيسي لـ«شباب مصر»: تصدوا معنا بنشر المزيد من الوعي عن هذه القضايا” YouTube video, August 2020 ,29, <https://www.youtube.com/watch?v=eA9aowEDIYI>.

69 “Egypt Reported to Have 6-4m Fake News Pages,” Arab News, June 2019 ,16, <https://www.arabnews.com/node/1511301/media>.

70 “President Sisi: We Are Still Facing War of Rumors,” Sada Elbalad, February 2023 ,26, <https://see.news/president-sisi-we-are-still-facing-war-of-rumors>.

71 Mai el-Sadany, “In the Era of ‘Fake News,’ Egypt Monitors and Silences,” Tahrir Institute for Middle East Policy, March 2018 ,16, <https://timep.org/16/03/2018/in-the-era-of-fake-news-egypt-monitors-and-silences/>; “الأخبار الكاذبة» في مصر” Sky News Arabia, February 2018 ,28, <https://www.skynewsarabia.com/middle-east/1025970-أمر-باتخاذ-إجراءات-جنائية-لمنع-بث-الأخبار-الكاذبة-مصر>.

72 “Egyptian Authorities Urge Citizens to Report on ‘Fake News and Rumors’ Through a Hotline,” Egyptian Streets, March 2018 ,14, <https://egyptianstreets.com/14/03/2018/egyptian-authorities-urge-citizens-to-report-on-fake-news-and-rumors-through-a-hotline/>.

73 “Egypt to Fine Creators of Weather Misinformation,” Egypt Independent, April 2023 ,1, <https://egyptindependent.com/egypt-to-fine-creators-of-weather-misinformation/>.

74 David D. Kirkpatrick, “Egypt Arrests Senior Editor of Independent News Outlet,” New York Times, November 2019 ,23, <https://www.nytimes.com/2019/11/23/world/middleeast/egypt-arrests-senior-editor-of-independent-news-outlet.html>.

75 “Egypt’s Supreme Council for Media Regulations Issues 100 Licenses for Newspapers, Websites, and TV Channels,” Ahram Online, June 2022 ,17, <https://english.ahram.org.eg/NewsContent/468136/2/1/Egypt/Society/Egypt%E99%80%2s-Supreme-Council-for-Media-Regulations-issu.aspx>.

76 “Egypt: Rights Groups Condemn the Referral of Mada Masr Journalists to Trial,” World Organisation Against Torture, March 2023 ,16, <https://www.omct.org/en/resources/statements/egypt-rights-groups-condemn-the-referral-of-mada-masr-journalists-to-trial>.

77 “Mada Journalists Charged with Spreading False News, Insulting Nation’s Future Party, Chief Editor Faces Charge of Operating Unlicensed News Site,” Mada Masr, September 2022 ,7, <https://www.madamasr.com/en/07/09/2022/feature/u/mada-journalists-charged-with-spreading-false-news-insulting-nations-future-party-chief-editor-faces-charge-of-operating-unlicensed-news-site/#:~:text=In%20Wednesday’s%20session%2C%20Attalah%2C%20Mamdouh,damage%20to%20the%20public%20interest>.

The SCMR's harassment of Mada Masr continued in October 2023, when it announced a six-month ban on Mada Masr's website—even though it had already been blocked for years—for operating “without a license” and for “publishing false news.”⁷⁸ In March 2024, security services detained for ten hours and then released on bail Rana Mamdouh, one of the three journalists previously charged with spreading false news, as she was on her way to report on a recent deal between Egypt and the United Arab Emirates at the coastal city of Ras Al Hekma.⁷⁹

Mada Masr and Attalah were subject to a smear campaign by pro-government and state media. As per Reporters Without Borders, an article by state-owned newspaper Rosa El-Youssef portrayed Attalah and human rights defender Hossam Bahgat, who previously worked at the newspaper, as “suspicious” agents working with the European Union.⁸⁰ Current SCMR member Nashat el-Deehy used his television show to disparage Attalah and the news outlet.⁸¹ Pro-government media outlet Sada El Balad also published an article accusing Mada Masr of producing fake news that benefits the outlawed Muslim Brotherhood.⁸²

MUZZLING A JOURNALIST: BASMA MOSTAFA

Egypt actively targets and jails journalists for their reporting. According to the Committee to Protect Journalists (CPJ), Egypt jailed more journalists on charges of publishing “fake news” than any country in the world in 2017 and was rated in 2021 as the third-worst jailer of journalists.⁸³ According to CPJ's data, since 2020, at least fourteen journalists have been charged with spreading false information in Egypt, among other charges.⁸⁴

This was the case for freelance journalist Basma Mostafa, who was arrested in 2020 while reporting on the murder of a citizen by a police officer in Luxor.⁸⁵ She was accused of spreading false information and joining a terrorist organization, though it was unclear as to under which law.⁸⁶ However, authorities quickly released her following swift international condemnation.⁸⁷ According to Reporters Without Borders, Mostafa was the target of smear campaigns in 2016 because of her reporting.⁸⁸

The Atlantic Council's Digital Forensic Research Lab (DFRLab) identified a possible coordinated campaign on Twitter attacking Mostafa in October 2022. The campaign became particularly active after she spoke out about how her time in prison affected her. The attacks originated from a suspicious, and possibly inauthentic, network previously identified by the DFRLab for launching similar attacks on Egyptian human rights defenders Gamal Eid and George Ishak.⁸⁹ Accounts in this network are characterized by their anonymity, high posting rates for hashtags, and attacks on dissidents via replies. The journalist, who was pregnant at the time of her arrest, spoke about the psychological and physical impact of detention, especially on pregnant women. Mostafa expressed that she was unable to continue with multiple pregnancies following her arrest and had to seek abortions. She received at least thirty-three replies to her tweets about prison and abortions that directly attacked her. Most replies contained identical or similar text, and were sometimes posted minutes apart. The accounts were hyper-focused on her abortions, seeking to shame her by reinforcing cultural stigmas around the topic.

Additionally, accounts used gender-based violence and misogynistic content to denigrate the journalist. For example,

78 “Lina Attalah Summoned for Questioning by Appeals Prosecution,” Mada Masr, November 2023 ,28, <https://www.madamasr.com/en/28/11/2023/news/u/lina-attalah-summoned-for-questioning-by-appeals-court/>.

79 “Egypt: Mada Masr Journalist Released on Bail after Arrest During Reporting Trip,” Middle East Eye, March 2024 ,11, <https://www.middleeasteye.net/news/detained-egyptian-journalist-released-bail>.

80 “رشيدي أباطة يكتب: مدى مصر محطة الاتحاد الأوروبي,” Sada El Balad, December 2019 ,3, <https://www.elbalad.news/4081338>.

81 Nashaat Eldeehy, “الدبيهي يكشف من هي لنا عطلالة صاحبة موقع مدى مصر والتقارير المفبركة ضد مصر؟,” YouTube video, 2:51, July 2020 ,1, https://www.youtube.com/watch?v=Dy0yBj_q2oA.

82 “أحمد عطية يكتب: مدى مصر ورشة لصناعة الأكاذيب,” Sada El Balad, December 2019 ,4, <https://www.elbalad.news/4082767>.

83 “Hundreds of Journalists Jailed Globally Becomes the New Normal,” Committee to Protect Journalists, December 2018 ,13, <https://cpj.org/reports/12/2018/journalists-jailed-imprisoned-turkey-china-egypt-saudi-arabia/>.

84 “Journalists Attacked in Egypt,” Committee to Protect Journalists, last visited March 2024 ,17, https://cpj.org/data/location/?cc_fips=EG&start_year=2018&end_year=2023&report-builder-type=year&motiveConfirmed%5B%5D=Confirmed&status%5B%5D=Missing&status%5B%5D=Imprisoned.

85 “Journalist Basma Mostafa Disappears in Luxor, the Brought before State Security Prosecution,” Mada Masr, October 2020 ,4, <https://www.madamasr.com/en/04/10/2020/news/u/journalist-basma-mostafa-disappears-on-assignment-in-luxor-then-brought-before-state-security-prosecution/>.

86 Hasan Hassenin, “محامية: حبس الزميله بسمة مصطفى 15 يوما على ذمة القضية ٩٥٩ لسنة ٢٠٢٠ بتهم الانضمام لجماعة إرهابية ونشر أخبار كاذبة,” last visited April 2024 ,19, <https://daaarb.com/-/محامية-حبس-الزميلة-بسمة-مصطفى-15-يوما-على-ذمة-القضية-959-لسنة-2020-بتهم-الانضمام-لجماعة-إرهابية-ونشر-أخبار-كاذبة/>.

87 “Journalist Basma Mostafa Released Pending Investigations over Publishing False News,” Egypt Today, October 2020 ,6, <https://www.egypttoday.com/Article/92766/1/Journalist-Basma-Mostafa-released-pending-investigations-over-publishing-false-news>.

88 “Egyptian TV Presenters Who Smear Journalists at the Government's Behest,” Reporters Without Borders, June 2022 ,30, <https://rsf.org/en/egyptian-tv-presenters-who-smear-journalists-government-s-behest>.

89 “Egyptian Human Rights Defender Repeatedly Targeted by Suspicious Twitter Network,” Digital Forensic Research Lab, July 2023 ,6, <https://dfrlab.org/06/07/2023/egyptian-human-rights-defender-repeatedly-targeted-by-suspicious-twitter-network/>; “Suspicious Twitter Accounts Promote Hashtag Attacking Egyptian Human Rights Defender,” Digital Forensic Research Lab, March 2023 ,23, <https://dfrlab.org/23/03/2023/suspicious-twitter-accounts-promote-hashtag-attacking-egyptian-human-rights-defender/>.



Screenshots of five identical replies to Mostafa by different accounts.

Source: Ahmed Sameh (@ahmad_sameh20), “هو إنتي كنتي عارفه مين أبو العيال دي يا بسمّة,” Twitter, October 28, 2022, 3:27 p.m., https://twitter.com/ahmad_sameh20/status/1585986610294030339; Ahmed Khaled (@kh36054957), “هو إنتي كنتي عارفه مين أبو العيال دي يا بسمّة,” Twitter, October 28, 2022, 3:38 p.m., <https://twitter.com/kh36054957/status/1585989442849873921>; maged mohamed (@magedmo82594093), “هو إنتي كنتي عارفه مين أبو العيال دي يا بسمّة,” Twitter, October 28, 2022, 3:44 p.m., <https://twitter.com/magedmo82594093/status/1585990977855946752>; Mayousha Ahmed (@ahm07349085), “هو إنتي كنتي عارفه مين أبو العيال دي يا بسمّة,” Twitter, October 28, 2022, 3:58 p.m., <https://twitter.com/ahm07349085/status/1585994392946761728>; Ramy Adel (@RamyAde70028215), “هو إنتي كنتي عارفه مين أبو العيال دي يا بسمّة,” Twitter, October 28, 2022, 3:50 p.m., <https://twitter.com/RamyAde70028215/status/1585992442683092992>

within approximately thirty minutes, five accounts used the same text to reply to Mostafa’s tweets, insinuating promiscuousness by misogynistically asking, “Did you even know who the husband of these children was, Basma?” Similarly, two other accounts used identical text twenty minutes apart to question if Mostafa was married and accuse her of defending the rights of sex workers and LGBTQ+ people. These replies exhibit the use of gender-based harassment to shame Mostafa by implying that she engaged in sexual activities outside of marriage and associating her with persecuted groups.

INDICTING SOCIAL MEDIA POSTS: HOSSAM BAHGAT AND BAHEY EL-DIN HASSAN

One glaring example of the use of the cybercrime law to prosecute human rights defenders is the 2020 sentencing of renowned and exiled human rights defender Bahey el-Din Hassan. Hassan, who is the director and co-founder of the Cairo Institute for Human Rights Studies, was sentenced to fifteen years in prison over tweets critical of the Egyptian public prosecutors; he was charged with “disseminating false news”

and “insulting the judiciary.”⁹⁰ Hassan’s sentence was rooted in several laws, including Article 27 of the cybercrime law.⁹¹

In a similar case in 2021, leading human rights defender and investigative journalist Hossam Bahgat, who is the founder and executive director of the Egyptian Initiative for Personal Rights and Freedoms (EIPR), was accused of using social media to spread false news in a tweet alleging electoral fraud and supposedly insulting Egypt's election authority.⁹² Bahgat's tweet concerned parliamentary elections in 2020, which Freedom House described as "neither free nor fair."⁹³ Bahgat's sentence was also based on several laws, including Article 27 of the cybercrime law.⁹⁴

The DFRLab observed numerous attacks against Bahgat on Twitter that predated his legal case, often sent by anonymous accounts or public figures. A review of replies to Bahgat's tweets revealed targeted and consistent online attacks over the years that included insults and, at times, death threats. In one example, Bahgat tweeted sarcastically in 2018 that Islamist extremist Hesham Ashmawy was lucky to have been arrested in Libya and not Egypt, as he was more likely to receive a trial and not be "eliminated" in "an exchange of fire"; this was likely a reference to Egypt's apparent use of extrajudicial executions.⁹⁵ Among the many replies to the post were death threats, with one user saying they hoped Bahgat would be "eliminated as well."⁹⁶ The pro-government YouTuber Sherif Elsirfy replied to the activist, saying, "You just wait, you're next the Egyptian security will make you join the others. Don't rush it you're next."⁹⁷

Pro-government media outlets like Youm7 and Sada El Balad, and TV presenters such as Deehy on Ten TV and Ahmed Moussa on Sada El Balad TV, also targeted Bahgat on their websites and television channels over the course of several years.⁹⁸ Between 2017 and 2023, the YouTube channels of Ten TV and Deehy posted a total of thirteen videos attacking Bahgat. Pro-government media and personalities often portrayed Bahgat and the EIPR as traitors who receive foreign funding to destabilize Egypt, in addition to accusing the EIPR of supporting terrorist organizations like the outlawed Muslim Brotherhood and persecuted groups like the LGBTQ+ community. State-owned newspaper Rosa El-Youssef made similar accusations against Bahgat in 2019, claiming that he used to work for an Israeli newspaper and focused on “LGBTQ relationships” and sexually “freeing bodies.”⁹⁹

The EIPR and Bahgat were targeted again, with three members arrested, in a government crackdown on the organization after members held a meeting with Western diplomats. The arrests resulted in international condemnation and the EIPR members were released after one month, but the charges remained.¹⁰⁰ Coinciding with the November 17, 2020, arrests, pro-government outlet Youm7 published a total of thirteen articles on its website between November 18–20 attacking Bahgat and his organization. The articles furthered the “traitors receiving foreign funding to destabilize Egypt” narrative. In parallel, TV presenters Deehy and Moussa attacked the organization using their television shows on November 23.

90 Ehab El Mohandes, "إبداع حيثيات حكم المشدد 15 سنة لبهى الدين حسن لإهانة القضاء ونشر أخبار، كاذبة"، Youm7, September 2020, 14, <https://www.youm7.com/story/إبداع-حيثيات-14/9/2020-4975451/لهانة-الدين-حسن-المشدد-15-سنة-لبهى-الدين-حسن-4975451>.

91 "Egypt: Veteran Human Rights Defender Bahey El-Din Hassan Sentenced to 15-Years in Prison," Human Rights Watch, August 2022 ,28, <https://www.hrw.org/news/2022/08/20/egypt-veteran-human-rights-defender-bahey-el-din-hassan-sentenced-15-years-prison>; Ehab El Mohandes, "إيداع حيثيات حكم المشدد 15 سنة لجهي الدين," Youm7, September 2020 ,14, <https://www.youm7.com/story/4975451/إيداع-حيثيات-حكم-المشدد-15-سنة-لجهي-الدين-حسن-لاهانة/14/9/2020>. "حسن لاهانة القضاء ونشر أخبار كاذبة

رئيس هيئة الانتخابات «المستشار» لاشين إبراهيم إدار وتولى مسؤولية أسوأ الانتخابات التشريعية في مصر وأكثرها تزويرا وتلاعبا منذ ٢٠١٠ وربما منذ ١٩٩٥. أعلن النتائج النهائية في منتصف،” Hossam Bahgat, 25 p.m., 2020, December 2:58, Twitter, <https://twitter.com/hossambahgat/status/1342575348937084933>.

93 “Egypt: Freedom in the World 2021.”

94 Hussein Hassenin, "أحمد راغب يكشف تفاصيل الحكم بتغريم حسام بهجت 10 آلاف جنيه في دعوى "هيئة الانتخابات": إدانة في تهمةين وبراءة في الثالثة", Daarb, November 2021, 29, <https://daarb.com/> /أحمد-راغب-يكشف-تفاصيل-الحكم-بتغريم-حسام-بهجت-10-آلاف-الجنيه-في-دعوى-هيئة-الانتخابات-إدانة-في-تهمةين-وبراءة-في-الثالثة-.

95 Twitter, "تجدد رينا ان هشام العسماوي اتقبض عليه خارج مصر فهتيم استجوابه ومحاكمته على جرائمه، والا كنا الموضوع خالص وقرينا خبر «تصفينته» في «تبادل لإطلاق النار»," October 2018, 8, <https://twitter.com/hossambahgat/status/1049280942655897601>; "Egypt 'Shootouts' Disguise Apparent Extrajudicial Executions," Human Rights Watch, September 2021, 7, <https://www.hrw.org/news/07/09/2021/egypt-shootouts-disguise-apparent-extrajudicial-executions>.

96 Nora Attia hasham (@HashamNora), “عقبال تصفيحك يا ذن الله,” Twitter, October 2023 ,8, [@esambhit](https://web.archive.org/web/2/https://twitter.com/HashamNora/status/1049290657284677633)), Twitter, October 2018 ,9, <https://web.archive.org/web/20230802171111/https://twitter.com/esambhit/status/1049565030377840640>.

97 Sherif El Srfy (@ShElSrfy), "انتقل انت بس . الدور جاي عليك الامن المصري هو اللي هيخليك تحصل الدورك جاي جاي", Twitter, October 2018 ,9, <https://web.archive.org/web/20230802170215/https://twitter.com/ShElSrfy/status/1049304943579090945>.

98 Ten TV, "حسام نهج يعترف بمبادرة الحقوق الشخصية.. والدبي يرد بقو: أنت بتدعم المثلية وهي ضد الأديان السماوية", November 2020, 23, YouTube video, <https://www.youtube.com/watch?v=AXJgS1F9qvQ>; Sada El Balad, "أحمد موسى: المبادرة المصرية للحقوق الشخصية تريد تغيير الهوية المصرية بدعم المثليين", November 2020, 23, YouTube video, <https://www.youtube.com/watch?v=GV56QGv-ue0>.

99 “شدي أباطة كتب: مدي مصر محطة الاتحاد الأوروبي,” Sada El Balad, December 2019, 3, <https://www.elbalad.news/4081338>.

100 “UN Rights Experts Condemn Retaliatory Arrests of Activists in Egypt,” United Nations, November 2020 ,27, <https://news.un.org/en/story/1078652/11/2020;>
 “Egypt Releases Rights Activists after Global Pressure,” Al Jazeera, December 2020 ,3, <https://www.aljazeera.com/news/3/12/2020/egypt-orders-release-of-rights-activists-after-global-pressure>; “A Year since the Ongoing Security Attack on the Egyptian Initiative for Personal Rights,” Egyptian Initiative for Personal Rights, November 2021 ,29, <https://eipr.org/en/press/11/2021/year-ongoing-security-attack-egyptian-initiative-personal-rights-fabricated-charges>.



Screenshots of four different reports by Youm7 published between November 18–20, 2020, attacking Bahgat and the EIPR.

Source: Abdelatif Sabah, “الخيانة باسم حقوق الإنسان.. هكذا تورطت المبادرة المصرية في لعبة الإخوان ضد الوطن.. فيديو,” Youm7, November 18, 2020, <https://www.youm7.com/story/2020/11/18/5074236/لعبة-في-لعبة-الخيانة-باسم-حقوق-الإنسان-هكذا-تورطت-المبادرة-المصرية-في-لعبة-الإخوان-ضد-الوطن-فيديو>; Abdelatif Sabah, “التاريخ الأسود لـ «المبادرة المصرية للحقوق الشخصية».. اشتركت مع مؤسسة قطرية يرأسها «إرهابي مطلوب من الإنتربول» لتشويه الدولة.. وتحالفت مع تنظيم الإخوان لدعم موقفهم بالخارج.. وحملت راية الدفاع عن الإرهابيين,” Youm7, November 19, 2020, <https://www.youm7.com/story/2020/11/19/5074144/التاريخ-الأسود-ل-المبادرة-المصرية-للحقوق-الشخصية-اشتركت-مع-مؤسسة-مصرية-للتحريض-ضد-مصر-مقابل-تمويل-طائلة>; Eman Ali, “المبادرة المصرية للحقوق الشخصية تدير حملة تحريضية ضد مصر مقابل تمويل طائلة,” Youm7, November 19, 2020, <https://www.youm7.com/story/2020/11/19/5075153/المبادرة-المصرية-للحقوق-الشخصية-تدير-حملة-تحريضية-ضد-مصر-مقابل-تمويل-طائلة>; Hesham Abdelgelil, “المبادرة المصرية.. للتحقيق الشخصية سجل مشبوه في المجتمع المدني.. التموليات الخارجية والخيانة الجرائم الأبرز.. وشبهات حول إدارتها حملات ممنهجة ضد مصر من الخارج وتورطها مع مخابرات أجنبية لهر استقار,” Youm7, November 19, 2020, <https://www.youm7.com/story/2020/11/20/5076184/المبادرة-المصرية-للحقوق-الشخصية-سجل-مشبوه-في-المجتمع-المدني-التمويلات-الخارجية-والخيانة-الجرائم-الأبرز-وشبهات-حول-إدارتها-حملات-ممنهجة-ضد-مصر-من-الخارج-وتورطها-مع-مخابرات-أجنبية-لهر-استقرار>

EXPLOITING COUNTERTERRORISM LAWS: EGYPTIAN COORDINATION FOR RIGHTS AND FREEDOMS

In March 2023, an emergency court issued sentences, ranging from five years to life, for lawyers and activists belonging to the now-disbanded independent human rights organization Egyptian Coordination for Rights and Freedoms (ECRF). The detainees said they were subjected to torture and forced disappearances for their peaceful activism.¹⁰¹ The group was

charged with “using websites to promote ideas inciting the commission of terror acts, by using Facebook, Twitter, and YouTube under the name of the Egyptian Coordination for Human Rights to spread” news critical of the government.¹⁰² The ECRF came under government scrutiny after it legally assisted an Egyptian mother who had accused the police of torturing her daughter. Among the articles invoked by the prosecution against the organization’s members was Article 29 of the counterterrorism law.¹⁰³

101 “Egypt Sentences Human Rights Activists to Prison on Terrorism Charge,” NPR, March 2023, 5, <https://www.npr.org/1161221076/05/03/2023/egypt-human-rights-activists-prison-terrorism-charges>.

102 “بعد إحالتهم لمحكمة طوارئ: ١٠ منظمات تعلن تضامنها مع نشطاء ‘التنسيقية المصرية للحقوق والحريات’,” Egyptian Initiative for Personal Rights, September 2021, 9, <https://eipr.org/press//09/2021>.

103 Ibid.

'PROTECTING' FAMILY VALUES: THE TIKTOK GIRLS CASE

In what appears to be the first use of the open-to-interpretation morality charges stated in Articles 25 and 26 of the cybercrime law, in April 2020, Egypt targeted female social media influencers in what later became known as the “TikTok girls case.”¹⁰⁴ The prosecutor general behind the case proclaimed himself to be “a guardian of social norms” who is not focused only on prosecuting criminals.¹⁰⁵ The case, spurred on by complaints from other social media users, set a new precedent in Egypt’s criminalization of social media activity.¹⁰⁶

Overall, nine women were arrested and charged with “violating family principles of Egyptian society.” They included social media stars Haneen Hossam and Mawadda al-Adham, who were sentenced to two years in prison for publishing “indecent” content that violates “family values and principles.”¹⁰⁷ Prosecutors also claimed that Hossam had encouraged young women to engage in sex work via the app Likee, which compensates video creators based on the number of views their content gathers.¹⁰⁸ The allegation is based on a video in which Hossam merely encourages women to join Likee to become influencers and make money, but, crucially, in the video she did not promote or encourage any sexual activities.¹⁰⁹ In January 2021, the court acquitted Hossam and Adham of the “family values” charges and canceled their prison sentences, but each woman’s fine of 300,000 EGP (\$18,750 at the time) was upheld. Not long after, prosecutors pursued human-trafficking offenses against the women.¹¹⁰

Hossam and Adham were again convicted in June 2021 and sentenced to prison on human-trafficking charges, receiving a ten- and six-year sentence, respectively; Hossam’s sentence was later reduced to three years.¹¹¹ After overturning the initial cybercrime charges, the court relied on a 2010 human-trafficking law to accuse Hossam and Adham of using social media to recruit underage girls.¹¹² According to Human Rights Watch, prosecutors initially announced broad accusations on the Egyptian Public Prosecution’s Facebook page that “could be interpreted as related to sex work” to justify the arrests.¹¹³

The DFRLab identified a targeted campaign on Facebook amplifying the government’s accusation that Hossam used apps to promote sex work. Days after the rulings on Hossam and Adham’s cases, identical social media posts on several Facebook pages with large numbers of followers began spreading claims that echoed the state prosecution’s accusation of sex trafficking.

The identical posts detailed how apps like the one Hossam promoted enabled sex work for underage children, and accused Hossam of intentionally promoting such activities. According to data gathered from the Facebook monitoring tool CrowdTangle, the first post to share this narrative was made on June 20, 2021, on a Facebook page with more than 120,000 followers called *جريدة حقيقة الاخبار* (“The Real News Newspaper”) as it shared a live Youm7 video from outside the courthouse when Hossam and Adham’s sentences were announced.¹¹⁴ Two days after the first post was published, several Facebook pages duplicated the text and published the same post in close

104 “The Case of the Egyptian Tiktok Influencers,” Global Freedom of Expression, 2021, <https://globalfreedomofexpression.columbia.edu/cases/the-tiktok-girls-case/>.

105 Ahmed Shalaby, “النابية العامة: نحن حارسون للقيم الاجتماعية ولنا متعقبون للجناة في الجرائم الجنائية فقط,” Al Masry Al Youm, July 2020, 29, <https://www.almasryalyoum.com/news/details/2004319>.

106 Egyptian Public Prosecution, “بيان من النيابة العامة,” April 2021, 23, Facebook, <https://www.facebook.com/ppo.gov.eg/posts/2928785787229304>.

107 Declan Walsh, “Egypt Sentences Women to 2 Years in Prison for TikTok Videos,” New York Times, July 2020, 28, <https://www.nytimes.com/2020/07/2020/world/middleeast/egypt-women-tiktok-prison.html>.

108 Vivian Yee, “Egypt Overturns Jail Sentences for 2 Women Who Gained Fame on TikTok,” New York Times, January 2021, 13, <https://www.nytimes.com/2021/01/2021/world/middleeast/egypt-women-tiktok.html>.

109 Ibid.

110 “Updates on Debauchery Incitement Lawsuits: Influencer Cleared, Prison Sentence Cancelled for Another,” Egypt Today, January 2021, 12, <https://www.egypttoday.com/Article/96351/1/Updates-on-debauchery-incitement-lawsuits-influencer-cleared-prison-sentence-cancelled>.

111 Rana Mamdouh, “Content Creator Mawada al-Adham, 3 Others Sentenced to 6 Yrs on Human Trafficking Charges,” Mada Masr, February 2023, 12, <https://www.madamasr.com/en/12/02/2023/news/politics/content-creator-mawada-al-adham-3-others-sentenced-to-6-yrs-on-human-trafficking-charges/>.

112 El-Sayed Gamal el-Din, “Egyptian Tiktokers Haneen Hossam Sentenced to Three Years in Prison for Human Trafficking,” Ahram Online, April 2022, 18, <https://english.ahram.org.eg/News/464836.aspx>.

113 “Egypt: Spate of ‘Morality’ Prosecutions of Women,” Human Rights Watch, August 2020, 17, <https://www.hrw.org/news/2020/08/20/egypt-spate-morality-prosecutions-women>; Egypt Public Prosecution, “بيان من النيابة العامة في القضية رقم ٩١٧ لسنة ٢٠٢٠ جنح الساحل,” Facebook, April 2020, 23, <https://www.facebook.com/ppo.gov.eg/photos/a.2928781557229727/2579366742171212/?type=3>.

114 “جريدة حقيقة الاخبار,” June 2021, 20, Facebook, <https://www.facebook.com/100064646231239/posts/4640468282634344/>; <https://www.facebook.com/hakekt>.



Screenshots of two Facebook pages posting identical posts about Hossam's case at the same minute.

Source: Facebook, June 23, 2021, <https://www.facebook.com/100063743816058/posts/320848499673003/>; Hossam's case, June 23, 2021, <https://www.facebook.com/100063754173674/posts/199186262096773/>.

succession, some only seconds apart. Political scientist and presenter Moataz Abdel-Fattah, a verified user with almost five hundred thousand followers, also published the post.¹¹⁵ Abdel-Fattah's page added one sentence at the beginning of the post describing it as "widely circulated information" before posting the same text on June 22.

The crackdown on dissent in Egypt has led to the strategic creation and weaponization of laws and other legal infrastructure, such as presidential decrees, to target those

who oppose or criticize the government. The presented case studies demonstrate how ambiguous legal definitions and vague language, in particular, have provided Egyptian authorities additional power to police "morals," censor alternative narratives by labeling them as "false information," and equate dissidents with "terrorists." These powers, enabled by Sisi's regime, have effectively legislated suppression and equipped the government with the legal tools needed to target and punish media organizations, journalists, activists, human rights defenders, and apolitical content creators.

¹¹⁵ Moataz Abdel-Fattah, "معلومات متداولة علي نطاق واسع," June 22, 2021, Facebook, <https://www.facebook.com/Moataz.A.Fattah/posts/pfbid0inxMTUwou1YbmkaNKVWhK6msGwvxeeYo88nBmZHZtnETW9jc5mKYq5gbbpUjVZvl>.

Saudi Arabia: political and legal context

Saudi Arabia's well-documented targeting of dissidents inside and outside the kingdom has taken on new proportions under Crown Prince Mohammed bin Salman (MBS), who has overseen the implementation of draconian punishments for unfavorable social media posts, among other things. The immense pressure MBS and his regime faced following their reported involvement in the killing of journalist Jamal Khashoggi has not deterred the kingdom.¹¹⁶ Rather, Saudi Arabia extended its crackdown on civil society by targeting peaceful citizens expressing their views online. Saudi efforts to pursue recourse against dissidents online have even included the infiltration of Twitter to uncover the identities of anonymous critics.¹¹⁷ Saudi repression has also crossed borders multiple times by directly targeting dissidents residing abroad, using online attacks and threats of arrest against family members living in the kingdom.¹¹⁸

The European Saudi Organization for Human Rights (ESOHR) blamed an uptick in human rights violations in 2022 upon MBS's rise to power.¹¹⁹ US President Joe Biden previously vowed to make Saudi Arabia a "pariah" following Khashoggi's assassination, but MBS has remained defiant when commenting on accusations related to Khashoggi's murder, including in a March 2022 interview in which he said, "If that's the way we did things, Khashoggi would not even be among the top 1,000 people on the list."¹²⁰

Saudi King Salman bin Abdulaziz al-Saud and MBS have taken measures to assert control over Saudi Arabia's legal system. In 2017, they consolidated the domestic intelligence and counterterrorism

agencies into the Presidency of State Security (SSP), which falls directly under the king's control.¹²¹ The same year, King Salman issued a royal decree renaming the Bureau of Investigation and Prosecution to the Public Prosecution Office (PPO) and linking it directly to the king.¹²²

Since their establishment, the SSP and PPO have actively brought arbitrary charges against Saudi citizens under vague and broad provisions governing cybercrimes and counterterrorism. These arbitrary charges are then brought before the Specialized Criminal Court (SCC).¹²³ The SSP, PPO, and SCC play a central role in weaponizing the kingdom's laws to limit freedom of speech and target journalists, human rights defenders, and critics of the government and monarchy.¹²⁴

Saudi Arabia operates under an opaque cloak that makes it challenging to comprehensively survey the legal landscape and abuses of the judicial system. Saudi rights groups monitoring and documenting human rights violations risk reprisal for their work.¹²⁵ Such groups rely on extensive networks in Saudi Arabia and abroad to collect information about arrests, trials, and convictions not publicly available, to utilize them in targeted advocacy and awareness campaigns.¹²⁶ Publicly available information indicates that there is an effort to use the legal system as a means of control over critics in the online information space. As discussed, one of the primary ways to do so is through leveraging the deliberately vague language of laws to enforce strict provisions about what can, and what cannot, be stated publicly.

116 Kevin Breuninger, Natasha Turak, and Spencer Kimball, "US Says Saudi Crown Prince Approved Khashoggi Killing, Imposes Visa Restrictions on 76 Saudis," CNBC, February 2021, 26, <https://www.cnbc.com/2021/02/26/us-intelligence-concludes-saudi-crown-prince-mohammed-bin-salman-approved-killing-of-journalist-jamal-khashoggi.html>.

117 Stephanie Kirchgaessner, "Twitter Accused of Helping Saudi Arabia Commit Human Rights Abuses," Guardian, September 2023, 4, <https://www.theguardian.com/world/2023/sep/04/twitter-saudi-arabia-human-rights-abuses>.

118 Isabel DeBre, "FBI Arrests Saudi Man for Using Fake Accounts to Harass and Threaten Nation's Critics," Associated Press, July 2023, 19, <https://www.pbs.org/newshour/politics/fbi-arrests-saudi-man-for-using-fake-accounts-to-harass-and-threaten-nations-critics>.

119 "حقوق الإنسان في السعودية 2022: حصانة مستبد - المنظمة الأوروبية لحقوق الإنسان," European Saudi Organization for Human Rights, December 2022, 27, <https://www.esohr.org/en/حقوق-الإنسان-في-السعودية-2022-حصانة-دكتات/>.

120 Jonathan Guyer, "Biden Promised a Harder Line on Saudi Arabia. Why Can't He Deliver?" VOX, January 2022, 23, <https://www.vox.com/22881937/biden-saudi-arabia-mbs-khashoggi-yemen-human-rights>; Julian E. Barnes and David E. Sanger, "Saudi Crown Prince Is Held Responsible for Khashoggi Killing in U.S. Report," New York Times, February 2023, 26, <https://www.nytimes.com/2021/02/26/us/politics/jamal-khashoggi-killing-cia-report.html>; Graeme Wood, "Absolute Power," Atlantic, March 2022, 3, <https://www.theatlantic.com/magazine/archive/04/2022/mohammed-bin-salman-saudi-arabia-palace-interview/622822/>.

121 Hadeel Al Sayegh, "Saudi King Overhauls Security Services Following Royal Shakeup," Reuters, July 2017, 20, <https://www.reuters.com/article/us-saudi-decrees/saudi-king-overhauls-security-services-following-royal-shakeup-idUSKBN1A52N9/>.

122 "جريدة الرياض | أمر ملكي: تعديل اسم هيئة التحقيق والادعاء لـ 'ليكون النيابة العامة'," last visited September 2023, 28, <https://www.alriyadh.com/1603476>.

123 "Specialized Criminal Court in Saudi Arabia Is a Political Tool to Muzzle Critical Voices," Amnesty International, February 2020, 6, <https://www.amnesty.org/en/latest/news/02/2020/saudi-arabia-specialized-criminal-court-a-political-tool-to-muzzle-critical-voices/>.

124 "The Saudi Presidency of State Security: An Arm of Repression in the Crown Prince's Kingdom," MENA Rights Group, June 2022, 21, <https://menarights.org/en/documents/saudi-presidency-state-security-arm-repression-crown-princes-kingdom>.

125 "Who We Are," ALQST, last visited March 2024, 17, <https://alqst.org/en/who-are-we>.

126 "2022 Country Reports on Human Rights Practices: Saudi Arabia," US Department of State, 2022, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/saudi-arabia/>.

Article 44

Any person who, by any means, broadcasts or publishes news, statements, false or malicious rumors, or the like for committing a terrorist crime shall be subject to imprisonment for a term not exceeding 5 years and not less than 1 year.

Screenshot of Article 44 of the official translation of Saudi Arabia's Law of Combating Crimes of Terrorism and Its Financing.

Source: "Law of Combating Crimes of Terrorism and its Financing," Official Translation Department, Bureau of Experts at the Council of Ministers, November 2017 ,1, <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/3-57694209eed-46c7-a5d8-a9ed012761d1/4>.

The 2017 Law of Combating Crimes of Terrorism and its Financing is one of the most weaponized laws in the kingdom to crack down on free speech.¹²⁷ The law replaced its predecessor from 2014, which also included a vague definition of terrorism that criminalized speech critical of the government and was described at the time as the country's "latest tool to crush peaceful expression."¹²⁸ The newest iteration of the law includes a lengthy and broad definition of what constitutes a crime of terrorism, allowing Saudi authorities to prosecute individuals for criticizing the monarchy or the government and dole out harsh and lengthy prison sentences. Saudi authorities have charged many Saudi human rights defenders for their online speech,

3. Terrorist Crime: Any act committed, individually or collectively, directly or indirectly, by a perpetrator to disturb public order, destabilize national security or State stability, threaten national unity, suspend the Basic Law of Governance or some of its provisions, cause damage to State facilities or natural or economic resources, attempt to coerce any of its authorities into a particular action or inaction, cause harm or death to any person, when the intention of such act, by its nature or context, is to terrorize people, force a government or an international organization to commit or refrain from committing a certain act, or threaten to carry out acts that would lead to or instigate any of the aforementioned intentions.

It shall also refer to any act that constitutes a crime under international conventions or protocols on terrorism or terrorism financing, to which the Kingdom is party, or any of the acts listed in the Annex to the International Convention for the Suppression of the Financing of Terrorism.

4. Terrorism Financing Crime: Providing funds for committing a terrorist crime or for supporting a terrorist entity or a terrorist individual in any form stipulated in this Law, including financing the travel and training of a terrorist individual.

5. Terrorist Individual: Any natural person, within the Kingdom or abroad, who directly or indirectly, commits or attempts to commit, conspires, plans, or contributes to any of the crimes stipulated in this Law.

6. Terrorist Entity: Any group of two or more persons, within the Kingdom or abroad, that aims to commit any of the crimes stipulated in this Law.

Screenshot of Article 1 of the official translation of Saudi Arabia's Law of Combating Crimes of Terrorism and Its Financing.

Source: "Law of Combating Crimes of Terrorism and its Financing," Official Translation Department, Bureau of Experts at the Council of Ministers, November 2017 ,1, <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/3-57694209eed-46c7-a5d8-a9ed012761d1/4>.

accusing them of publishing false news with the intention of executing a terrorist crime under Article 44 of this law.

The counterterrorism law also allows public prosecution under Article 5, permitting the issuance of "a summons or an arrest warrant against any person suspected of committing any of the crimes stipulated in this law," and, under Article 7, permitting the issuance of "a warrant to enter and search residences, offices, or premises at any time during the period specified in the search warrant; arrest persons; and locate and seize funds, properties, documents, evidence or information in any of the crimes stipulated in this Law."

The 2007 Anti-Cyber Crime Law includes punishments of lengthy prison sentences and hefty fines for a variety of offenses, including "defamation and infliction of damage upon others through the use of various information technology devices."¹²⁹ The law criminalizes the "production, preparation,

Article 3

Any person who commits any of the following cybercrimes shall be subject to imprisonment for a period not exceeding one year and a fine not exceeding 500,000 riyals, or either penalty:

1. Spying on, or interception or reception of data transmitted through an information network or a computer without legitimate authorization.
2. Unauthorized access with the intention of threatening or blackmailing any person to compel him to take or refrain from taking an action, be it lawful or unlawful.
3. Unauthorized access to a web site, or hacking a web site to change its design, destroy or modify it, or occupy its URL.
4. Invasion of privacy through the misuse of camera-equipped mobile phones and the like.
5. Defamation and infliction of damage upon others through the use of various information technology devices.

Article 7

Any person who commits any of the following cybercrimes shall be subject to imprisonment for a period not exceeding 10 years and a fine not exceeding 5,000,000 riyals, or either penalty:

1. Establishing or publicizing a web site on an information network or computer for terrorist organizations to facilitate communication with the leaders or members of such organizations, finance them, promote their ideologies, publicize methods of making incendiary devices or explosives, or any other means used in terrorist activities.
2. Unauthorized access to a web site or information system directly, or through an information network or computer to obtain data that threatens the internal or external security of the State or its national economy.

Screenshots from the official translation of Articles 3 and 7 from Saudi Arabia's Anti-Cyber Crime Law.

"Anti-Cyber Crime Law," Official Translation Department, Bureau of Experts at the Council of Ministers, March 2007 ,27, <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/25df73d0-6f4-49dc5-b010-a9a700f2ec1d/2>

¹²⁷ "Law of Combating Crimes of Terrorism and its Financing," Bureau of Experts at the Council of Ministers, last visited October 2023 ,1, <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/3-57694209eed-46c7-a5d8-a9ed012761d1/4>.

¹²⁸ "Saudi Arabia: New Terrorism Law Is Latest Tool to Crush Peaceful Expression," Amnesty International, February 2014 ,3, <https://www.amnesty.org/en/latest/news/02/2014/saudi-arabia-new-terrorism-law-one-more-tool-crush-peaceful-protest/>; "Saudi Arabia: New Terrorism Regulations Assault Rights," Human Rights Watch, March 2014 ,20, <https://www.hrw.org/news/20/03/2014/saudi-arabia-new-terrorism-regulations-assault-rights>.

¹²⁹ "Anti-Cyber Crime Law," Bureau of Experts at the Council of Ministers, last visited October 2023 ,1, <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/25df73d0-6f4-49dc5-b010-a9a700f2ec1d/2>.

transmission, or storage of material impinging on public order, religious values, public morals, or privacy, through an information network or computer.” These broad clauses provide the basis for Saudi authorities to arbitrarily target individuals and accuse them of publishing false or damaging information under the law’s calculatedly vague criteria.

Saudi authorities increasingly use these laws to silence critics. The kingdom targets peaceful activism and online speech on social media platforms by charging users with crimes involving terrorism, defamation, and spreading false information. The legal system is opaque and plagued with accusations of unfair trials, confessions extracted under duress, and arbitrary applications of lengthy prison sentences, travel bans, and even the death penalty.¹³⁰ The conditions to which detainees in Saudi Arabia are subjected involve mistreatment, torture, and being held incommunicado.¹³¹ After serving sentences, Saudi authorities impose lengthy travel bans on individuals and their families to further exact control over them once they are released and to keep them living in fear of the consequences of speaking up.

In a September 2023 televised interview with Fox News, MBS claimed he was unable to interfere in the judicial system and the rule of law, and blamed “bad laws” for retired Saudi teacher Muhammed al-Ghamdi receiving the death penalty in 2023 for his online activity, a case discussed at length below.¹³² However, as pointed out by rights and advocacy groups, the laws, investigation and prosecution bodies, and the SCC under which Ghamdi and many other human rights defenders in Saudi Arabia have been sentenced are directly under the leadership of King Salman and MBS.¹³³

TARGETED FOR ONLINE SPEECH

Saudi authorities’ efforts to censor and limit free speech on certain issues in the kingdom are reflected in the use of the abovementioned legislation, and its vague and broad

provisions, to arbitrarily harass and prosecute journalists and rights activists. Saudi authorities consistently exploit cybercrime and counterterrorism laws to crack down on free speech, limit human rights, and curtail the spread of narratives critical of the government or the monarchy.

The DFRLab analyzed documented cases of individuals targeted by Saudi authorities for offenses related to their online speech and tried under one or more of the laws referenced in this report. These cases also demonstrate how public prosecution triggers online hate speech and disinformation against the accused and the entities advocating for their release. Together, these cases highlight a range of consequences associated with being targeted by the government for expressing oneself online.

LONGEST PRISON SENTENCE FOR ONLINE SPEECH: SALMA AL-SHEHAB

Despite social reforms adopted under MBS, like the lifting of the ban on women driving and expanding of entertainment offerings in the country, Saudi Arabia’s crackdown on women’s rights activists has continued. In particular, Saudi authorities have targeted women who speak out online against the male guardianship system, but women can also be targeted for advocating for basic human rights.

In January 2021, student Salma al-Shehab was arrested in Saudi Arabia while on holiday from the United Kingdom, where she was pursuing her PhD at Leeds University. She was sentenced in August 2022 to thirty-four years in prison, the longest sentence given to a peaceful activist in Saudi Arabia. She was charged for her activity on Twitter under the pretext of the Anti-Cyber Crime and Counterterrorism Laws.¹³⁴ Shehab’s Twitter account included various posts and retweets about women’s and human rights issues.¹³⁵ The charges against her included using Twitter to spread rumors and “to disrupt public order, undermine the security of society and stability of the

130 “Human Rights in Saudi Arabia,” Amnesty International, last visited October 2023 ,3, <https://www.amnesty.org/en/location/middle-east-and-north-africa/saudi-arabia/report-saudi-arabia/>; “You Can’t Leave and We Won’t Tell You Why: Travel Bans in Saudi Arabia,” Amnesty International, May 2022 ,1, <https://www.amnesty.org/en/latest/campaigns/05/2022/you-cant-leave-and-we-wont-tell-you-why-travel-bans-in-saudi-arabia/>; “The Politics of Death: The Use of the Death Penalty in Saudi Arabia,” European Centre for Democracy and Human Rights, April 2023 ,17, <https://www.ecdhr.org/?p=1657>.

131 “2022 Country Reports on Human Rights Practices: Saudi Arabia,” US Department of State, 2022, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/saudi-arabia/>.

132 Dania Akkad, “MBS Said ‘Bad Laws’ Led to a Death Sentence for Tweets. They’re Ones He Brought In,” Middle East Eye, September 2023 ,21, <https://www.middleeasteye.net/news/saudi-arabia-mbs-twitter-death-sentences-bad-laws-fact-check>.

133 “Saudi Crown Prince Confirms Death Sentence for Tweets,” Human Rights Watch, September 2023 ,22, <https://www.hrw.org/news/22/09/2023/saudi-crown-prince-confirms-death-sentence-tweets>.

134 “34 Years Jail for Women’s Rights Activist Salma al-Shehab, Who Used Twitter to Call for Reforms,” ALQST, August 2022 ,15, <https://alqst.org/post/34-years-jail-for-womens-rights-activist-salma-al-shehab>.

135 Salma (@I_Salma1988), “عاشة المانع، حصة آل شيخ، عزيزة اليوسف، ٩٠ من نوفمبر : غرائب السادس من نوفمبر ٩٠.....,” Twitter, December 2020 ,28, https://twitter.com/I_Salma1988/status/1343717831435825156.



Screencaps of Salma al-Shehab's 2019 tweet and replies from 2022 and 2023 accusing her of being an agent of the West and supporting her prison sentence.

يا رب ان كنت ظلمت شخص في حياتي فهو عن جهلي ولا وعيي وعن سوء تقديري وغروري. يا رب تجاوز عني واغفر لي. واجعلني صالحاً في أمّتي. أرض الظلم، و" Source: Salma (@l_Salma1988), Twitter, August 9:26, 2019, 30 p.m., https://twitter.com/l_Salma1988/status/1167503900783579136; Radi Loufi (@radi473), "خلي العمالة للغرب تفيدك الان", Twitter, August 10:16, 2023, 14 p.m., <https://twitter.com/radi473/status/1691167004617515010>; Gentleman., (@wy_4h), Twitter, August 6:55, 2022, 19 p.m., https://twitter.com/wy_4h/status/1560656752932458497; "هيا اقعدي بها ٣٤ سنة عشان مره ثانيه تاكين زق وتنتهين وياليت الحكم مزيّد لك ولكن مل يحضر على هذا البلد ولكن مل يشك في قضائنا", (@_r9a9a), Twitter, August 8:03, 2022, 18 a.m., https://twitter.com/_r9a9a/status/1560130155791753217

state, and support those who had committed criminal actions according to the counterterrorism law and its financing.”¹³⁶

Shehab was tried before the SCC and was initially sentenced to a six-year sentence, which was later increased to thirty-four years on appeal.¹³⁷ During her detainment, Shehab reportedly faced physical and verbal harassment, was held in solitary confinement, and had confessions extracted under duress, according to court documents reviewed by the Freedom Initiative.¹³⁸ Eventually, prosecutors dropped the cyber-crime charges but upheld the counterterrorism charges, prompting

Shehab's prison sentence to be reduced to twenty-seven years, followed by a travel ban of the same length.

The charges brought against Shehab encouraged online hate speech against her, which proliferated following her sentencing. In addition, her case exemplifies how female activists are prone to gender-based attacks that seek to dehumanize and defame them.¹³⁹

An August 30, 2019, post pinned to Shehab's Twitter account called for freedom for "prisoners of conscience and for all

136 Sarah Dadouch and Annabelle Timsit, "Female Saudi Activist Gets Record 34 Years in Prison for Critical Tweets," Washington Post, August 2022 ,17, <https://www.washingtonpost.com/world/17/08/2022/saudi-salma-shehab-activist/>.

137 “Salma al-Shehab,” ALQST, last visited October 2023, 2, <https://alqst.org/en/politicalprisoners/salma-al-shehab>.

138 “New Court Documents Show Saudi Rights Activist Sentenced to 34 Years in Jail Faced Abuse, Threats and Sectarian Harassment in Detention,” Freedom Initiative, press release, August 2022, 18, <https://thefreedomi.org/statements/press-release-new-court-documents-show-saudi-rights-activist-sentenced-to-34-years-in-jail-faced-abuse-threats-and-sectarian-harassment-in-detention/>.

139 "Words Matter Online Debate—First Regional Report," Democracy Reporting International, June 2022, 10, <https://democracy-reporting.org/en/office/global/events/online-public-djcourse-in-the-mena-region-2022-lebanese-and-jordanian-elections-as-a-case-study>.

oppressed people in the world.”¹⁴⁰ In response, some replies called Shehab an agent of the West, and others supported her prison sentence.

Twitter account @Awareness2030, which frequently posted pro-Saudi and pro-MBS content on Twitter (and now on X), posted a thread in Arabic critical of Shehab on August 21, 2022, in which it referred to her as an “evil in society” who needs to be dealt with.¹⁴¹ The thread, which is pinned to the @Awareness2030’s account, included claims that Shehab

spread rumors about the Saudi government and showed support for terrorists, Iran, and Hezbollah. In response to a tweet from the British Society for Middle Eastern Studies expressing solidarity with Shehab, @Awareness2030 replied with one of its own threads criticizing her.¹⁴²

The thread posted by @Awareness2030 received more than 250 replies, many of which included insults and attacks against Shehab. One of the replies said she should be executed for treason.



Screenshot of a thread from @Awareness2030 attacking Salma al-Shehab (left) and a tweet sent in reply to @OfficialBrismes expressing support for Shehab (right).

Source: Awareness الوعي (@Awareness2030), “#سلمى_الشهاب طبيبة اسنان ابْتُعِثَت الى بريطانيا لأكمال دراستها، للأسف انشطتها لاتتعلق بالطب وأنا اشوقها سوسة في المجتمع وتم التعامل معها والله الحمد” Twitter, August 11:21, 2022, 21 p.m., <https://twitter.com/Awareness2030/status/1561448421957013509>; Awareness الوعي (@Awareness2030), “You have to know that Salam big support of Hezbollah you call it #freeSalma and we call it thank you to my government to keep us save” Twitter, July ,2023 ,6 12:23 a.m., <https://twitter.com/Awareness2030/status/1676703383678332929>.

140 Salma (@I_Salma1988), “.....يا رب إن كنت ظلمت شخص في حياتي فهو عن جهلي ولا وعيي وعن سوء تقديري وغروري. يا رب تجاوز عني واغفر لي. واجعلني صالحاً في أمّتي” Twitter, August 2019 ,30, https://twitter.com/I_Salma1988/status/1167503900783579136.

141 Awareness الوعي (@Awareness2030), Twitter profile, last visited October 2023 ,12, <https://twitter.com/Awareness2030>.

142 Awareness الوعي (@Awareness2030), “You have to know that Salam big support of Hezbollah you call it #freeSalma and we call it thank you to my government to keep us save,” Twitter, July 2023 ,5, <https://twitter.com/Awareness2030/status/1676703383678332929>.



Screenshots of some of the replies posted to the @Awareness2030 thread attacking Salma al-Shehab.

Source: Awareness الوعي (@Awareness2030), "ثريد #سلمى_الشهاب طبيبة اسنان ابعتت الى بريطانيا لاكمال دراستها، للاف انشطتها لاتعلق بالطب وانا اشوفها سوسة في المجتمع وتم التعامل معها والله"، Twitter, August 11:21, 2022, 21 p.m., <https://twitter.com/Awareness2030/status/1561448421957013509>; AhmEd (@A32ad1), "مفروض تعدم للخيانة"، Twitter, August 3:42, 2022, 22 p.m., <https://twitter.com/A32ad1/status/1561695358270558209> (@aasadeb), "ماذا يريدون هولا، الخونه والخانات لعنهم الله انا يؤفكون .. كل انواع"، Twitter, August 10:22, 2022, 23 p.m., <https://twitter.com/aasadeb/status/1562158271368237057>; SaLeH (@aL3aNDLeB), "هذي حكو عليها 34 سنة بصراحه حكم مخفف المفروض 100 سنه و100,000 جلده الله لا يوقها هي والي مثلها"، Twitter, August 9:10, 2022, 22 p.m., <https://twitter.com/aL3aNDLeB/status/1561512453493645313> (@911ss_x), "ما قد شفت شيوعي وطني، كلهم خونه ويبيع دولته بالرخيص"، Twitter, August 6:32, 2022, 22 a.m., https://twitter.com/911ss_x/status/1561556951145893888; Nasser (@alex112888), "ليست الا حشرات تقاد بنفس طائفي عنف للاساءة لا و انها"، Twitter, August 12:29, 2022, 22 a.m., <https://twitter.com/alex112888/status/1561465437233242113>; Saeed (@Saeed487400701), "مازلت اقول اي واحد يحب ايران وسياستها رحلوه تلي ايران واسحبوا منه الهوية خلوه ينبط"، Twitter, August 3:21, 2022, 22 a.m., <https://twitter.com/Saeed487400701/status/1561871092968456192> (@Bahar1407), "في ايران الى ان يهتري من الجوع والمتعه اي احد"، Twitter, August 1:07, 2022, 22 p.m., <https://twitter.com/Bahar1407/status/1561656190802792448>.

TERRORISM CHARGES FOR SOCIAL MEDIA POSTS: AL-OTAIBI SISTERS

Similar to the targeting of Shehab, Saudi fitness instructor Manahel al-Otaibi was arrested on November 16, 2022, for using her social media accounts to challenge the country's male-guardianship laws.¹⁴³ Saudi laws mandate that women must obtain permission from a male guardian—typically a father, husband, brother, or son—to travel, marry, work, and even access some services in the kingdom.¹⁴⁴ Despite criticism from Saudi human rights defenders and rights groups, Saudi

Arabia formalized the male guardianship system in the Personal Status Law in 2022.¹⁴⁵

Otaibi was referred to the SCC following accusations of not wearing “decent” clothes and inciting “Saudi girls to denounce religious principles and rebel against the customs and traditions of Saudi society.”¹⁴⁶ In April 2024, it was announced that Otaibi had been sentenced to eleven years in prison in a January 2024 hearing after she was found guilty of “terrorism offences” under articles 43 and 44 of the counterterrorism law.¹⁴⁷ Saudi rights groups reported that she had suffered physical abuse

143 Stephanie Kirchgaessner, “Saudi Arabian Woman Arrested over Twitter and Snapchat Posts Promoting Reform,” Guardian, May 2023, 30, <https://www.theguardian.com/world/2023/may/30/saudi-arabian-woman-detained-over-twitter-and-snapchat-posts-promoting-reform>.

144 “Boxed in, Women and Saudi Arabia’s Male Guardianship System,” Human Rights Watch, July 2016, 16, <https://www.hrw.org/report/17/07/2016/boxed-women-and-saudi-arabias-male-guardianship-system>.

145 “Saudi Arabia: End Male Guardianship,” Human Rights Watch, March 2023, 8, <https://www.hrw.org/news/08/03/2023/saudi-arabia-end-male-guardianship>.

146 Ibid.; “Detained Saudi activist ‘cut off’ from family contact: Amnesty,” France24, February 2024, 2, <https://www.france24.com/en/live-news/20240221-detained-saudi-activist-cut-off-from-family-contact-amnesty>.

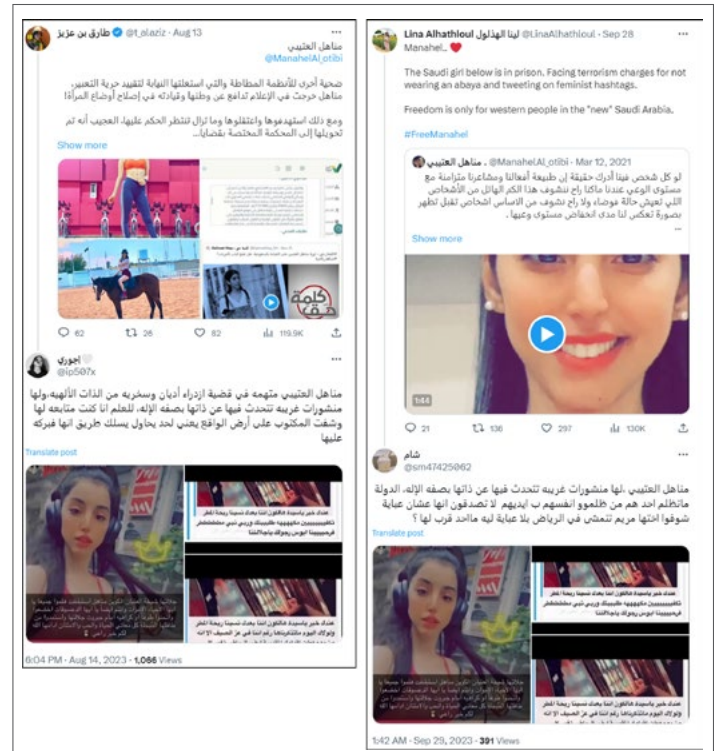
147 “Manahel al-Otaibi: Saudi women’s rights activist jailed for 11 years,” BBC, May 2024, 1, <https://www.bbc.com/news/world-middle-east-68934913>.

while in detention.¹⁴⁸ One of Otaibi's sisters, Fouz, a social media influencer, faced similar criminal charges but managed to flee the country and escape arrest.¹⁴⁹ Another sister, Maryam, was previously detained in 2017 for campaigning against male guardianship; she was later released but remains under an unofficial travel ban.¹⁵⁰

Before her arrest, Otaibi received different negative replies to her tweets. In one example, she tweeted about revolting against patriarchal ideas and shared a video of herself dancing. The account @RM7Ksa replied on September 20, 2021, claiming that Otaibi's tweet was inciteful and that the video was "against public taste."¹⁵¹ The account @RM7Ksa tagged the official Twitter account of the Saudi Ministry of Interior and an account that used to serve as the official Saudi Public Prosecution's account, according to an archived version of the account as it is now unavailable on the platform itself.¹⁵²

After her arrest, in addition to accounts continuing to reply negatively to her old tweets, Otaibi was targeted in replies to tweets posted by her sister, Fouz, and others.¹⁵³ Some accounts shared identical screenshots to claim that Otaibi's Snapchat account was the reason for her arrest. They cited a video of her and accused her of speaking in a "godly manner" and referring to herself as a deity. In one example, the accounts @ip507x and @sm47425062 used the same three screenshots in the same order as evidence that Otaibi was imprisoned for contempt of religion. In the footage, she appears to share an inspirational morning message with her followers framed in satirically religious terms, the tenor of which might be considered blasphemous in certain Arab countries, including Saudi Arabia.

Fouz has also received many online attacks through replies to her tweets and snaps, which have included death threats, insults, and hateful content.¹⁵⁴ Furthermore, many accounts used the words "مافيه مونتوق" ("There is no verification") in replies to her tweets, referencing older videos of Fouz questioning why Snapchat had not verified her. Accounts such as



Screenshots of two replies to tweets about Manahel's case in which accounts used the same screenshots from her Snapchat account, accusing her of contempt of religion.

Source: @ip507x (جوري), "مناهل العتيبي متهمه في قضية ازدراء آديان وسخرية من الذات", Twitter, August 14, 2023, 6:04 p.m., <https://twitter.com/ip507x/status/1691103439852322816>; 501 حرت (@sm47425062), "مناهل العتيبي، لها منشورات غريبة تتحدث فيها عن ذاتها بصفه الإله، الدولة ما نظلم، لا تصدقون انها عشان عباية اختها مريم تتمشي في الرياض بلا عباية", Twitter, September 29, 2023, 1:42 a.m., <https://twitter.com/sm47425062/status/1707526214607405390>.

148 "Feminist Detainee Exposed to Vicious Abuse in Saudi Jail," ALQST, September 2023, 29, <https://alqst.org/en/post/feminist-detainee-exposed-to-vicious-abuse-in-saudi-jail>.

149 Ibid.

150 "Maryam Al-Otaibi: Saudi Anti-Guardianship Campaigner Freed from Detention," BBC, July 2017, 30, <https://www.bbc.com/news/world-middle-east-40770776>. "Sisters' Indictment for Feminist Views and Choice of Clothing Shows Limits of Saudi Women's Rights Reforms," ALQST, August 2023, 10, <https://alqst.org/en/post/sisters-indictment-for-feminist-views-and-choice-of-clothing-shows-limits-of-saudi-womens-rights-reforms>.

151 @RM7Ksa, "مع التحية", Twitter, September 2021, 20, <https://web.archive.org/web/2021/09/20/https://twitter.com/RM7Ksa/status/1439988739053428748>.

152 @security_gov, Twitter profile: الحساب الرسمي للأمن العام السعودي, Twitter, last visited December 2023, 12, https://twitter.com/security_gov; @bip_ksa, Twitter profile, Twitter, last visited December 2023, 12, https://twitter.com/bip_ksa.

153 @Vo5oo, Twitter profile: فخوره بنفسي وديني ومليكي وملكتي سعودي وكفى, Twitter, last visited December 2023, 12, <https://twitter.com/Vo5oo/status/1690438570945748992>.

154 لم تتوقف تهديدات القتل منذ ان تحدثت عن ما يحدث لي ولشقيقتي لا اعلم لماذا هم عنيفين واغيبا - يصرون على علاج اخطائهم بجرائم عالية اشنع منها تكلفهم الكثير والكثير بدلاً من البحث عن الحلول, (@zoozt020) فوز العتيبي, July 2023, 22, <https://twitter.com/zoozt020/status/1682932906438565889>.



Screenshots showing three accounts replying to Fouz using the same graphic with the words **ما فيه موثوق** (“There is no verification”).

Source: **عمر شافي السبيعي** (@omar1393omar), “على أرض الواقع يعني لحد يحاول يسلك طريق انها فيركه عليها” Twitter, September 10, 2023, 6:34 p.m., <https://twitter.com/omar1393omar/status/1700895499413299233>; **Sule9080** (@Sule9080), “لو تحييت كوكع مع صكك انتي واخلك” Twitter, September 10, 2023, 7:51 p.m., <https://twitter.com/Sule9080/status/1700915027950141838>; **محمد بن سعد بن داي** (@Mohamed_Aldayel), “” Twitter, September 11, 2023, 5:19 a.m., https://twitter.com/Mohamed_Aldayel/status/1701057751651131661.

@omar1393omar, @Sule9080, and @Mohamed_Aldayel used the same graphic, which included these words in red. Some accounts claimed that the reason behind Fouz’s opposition to the government was her bitterness about not receiving Snapchat verification.

Moreover, other accounts published multiple replies to Fouz using the same graphics. For example, the account @xxzz44858 sent nine replies to Fouz, eight of which used the same graphic of a short video with only the words **ما فيه موثوق** (“There is no verification”) in red.¹⁵⁵ Similarly, the account @madeny20300 sent more than thirty replies to Fouz, with many also using the graphics.¹⁵⁶

DEATH SENTENCE FOR SOCIAL MEDIA USE: MOHAMMED AL-GHAMDI

Criticizing the monarchy and the government remains a redline in Saudi Arabia. Mohammed al-Ghamdi represents another clear case of Saudi authorities utilizing the counterterrorism law as a pretext to target critics. The SCC tried Ghamdi for his social media use and imposed a death sentence. The charges against him included “describing the King or the Crown Prince in a way that undermines religion or justice,” “supporting a terrorist ideology,” “communication with a terrorist entity,” and “publishing false news with the intention of executing a terrorist crime.”¹⁵⁷

¹⁵⁵ @xxzz44858, X, September 2023, 22, <https://twitter.com/xxzz44858/status/1705265303289016463>.

¹⁵⁶ Madeny20300 (@madeny20300), “بالسحليه يارب التوله من عقوبت الله عليكي ان الذكر اللي معاك زوجي” Twitter, November 2023, 26, <https://twitter.com/madeny20300/status/1728881580398326030>.

¹⁵⁷ “Mohammed al-Ghamdi,” ALQST, last visited October 2023, 3, <https://www.alqst.org/en/politicalprisoners/mohammed-al-ghamidi>.



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Screenshots of replies to a tweet from Human Rights Watch about Ghamdi's sentencing and negative replies criticizing him and the organization.

Source: عبدالله الغضيب (@abdulla74967366), "#هيومن رايتس ووتش معروفة بمواقفها العدائية ضد المملكة العربية السعودية ويكفي أن نعرف من يصيغ مواضيعها ويقف خلفها لذلك كل ما تكتبه هذه الملاية يثبت عدم صحتها لأنها صادرة من منظمة تبحث عن الاساءة للمملكة العربية السعودية" Twitter, September 6, 2023, 10:17 p.m., <https://twitter.com/abdulla74967366/status/1699501982946295821>; هَذَا قَاعَدِي مَجْرَم حُرْض ابْنَاء النَّاسِ الْبَسِيطَةِ وَوَجْهَهُمْ لِلْمَحَارِقِ فِي أَرْضِي الْفَتَنِ وَهُوَ مُتَنَعِمٌ .. كَانْ عَمِيلٌ وَخَائِنٌ لِنَقْصِمْ الْبِلَادِ وَنَشْرُ الْفَتْنَةَ .. كَانْ عَدُوٌّ لِلْمَرْأَةِ وَمَحَارِبٌ لِلْحَيَاةِ .. وَهُوَ وَعَائِلَتُهُ مُتَنَعِمِينَ بِالْأَدْرَاسَةِ وَالْعِلْمِ" Twitter, September 6, 2023, 8:55 p.m., <https://twitter.com/ksamakkeh123/status/1699481566227886088>; سلمان (@slmn33285155980), "دفاعكم عن المحرضين والمتطرفين غير مستغرب وفضحوا انفسكم لما كتبوا شقيق سعيد الغامدي وانتوا بالنهاية واحد وهمكم الوحيد التحريض والفتنة والحمد لله انكم مكشوفين ومفضوحين" Twitter, September 7, 2023, 11:51 a.m., <https://twitter.com/husseinsatr5/status/1699706834448175307>.

Several verified X accounts with large followings attacked Ghamdi by claiming he supported and associated with terrorist groups like the Islamic State of Iraq and al-Sham (ISIS) and al-Qaeda. The posts also expressed support for Saudi Arabia providing safety and stability to citizens and combating crimes.

Ghamdi's death sentence, which is open to appeal, is worrisome and raises fears that citizens can be executed in Saudi Arabia for their speech online. Saudi Arabia holds one of the worst rates of

death sentences and executions in the region, with more than one thousand death sentences issued since King Salman came to power in 2015.¹⁶⁰ In 2022 alone, Saudi Arabia executed 196 people, eighty-one of whom were executed in a single day.¹⁶¹

Charges under the cybercrime and counterterrorism laws associated with attempts to destabilize the state and publish false information directed at Shehab, Otaibi, Ghamdi, and many others demonstrate Saudi authorities' ongoing efforts

¹⁶⁰ Guy Davies, "Saudi Death Penalty Use Has Almost Doubled under Rule of Mohammed bin Salman: Report," ABC News, January 2023, 31, <https://abcnews.go.com/International/report-saudi-death-penalty-doubled-rule-mohammed-bin/story?id=96785686>.

¹⁶¹ "Amnesty International Global Death Penalty Report: Death Sentences and Executions 2022," Amnesty International Australia, May 2023, 16, <https://www.amnesty.org.au/amnesty-international-global-death-penalty-report-death-sentences-and-executions-2022/>.



Screenshots of three threads using similar or identical text from verified accounts with large followings attacking Ghamdi.

Source: "زيد عن الخارجي محمد الغامدي؟ 🇸🇵🇵🇵 (@Dr_mfh_1972)", Twitter, September 3, 2023, 11:23 p.m., https://twitter.com/Dr_mfh_1972/status/1698431664026784057; "محمد الغامدي؟ 🇸🇵🇵🇵 (@r_almulihi)", Twitter, September 4, 2023, 10:49 a.m., https://twitter.com/r_almulihi/status/1698604119097737223

to weaponize legislation to curtail dissent and limit speech critical of the kingdom and its government. Moreover, targeting citizens for using social media to voice their opinions and criticism of the Saudi government and its actions reflects the ongoing systematic effort to silence criticism.

ACCOUNTABILITY FOR DIGITAL RIGHTS ABUSES

Cybercrime, media, and counterterrorism laws are systematically weaponized by repressive regimes in Egypt and Saudi Arabia to arbitrarily harass, target, and prosecute activists and human rights defenders. This, in turn, creates a chilling effect that curtails freedom of speech online and has drastic consequences on human rights and freedom of expression for citizens in the two countries. Additionally, weaponizing such laws to serve the interests of authoritarian regimes can undermine their intended purpose and steadily erode public trust in the justice system. The case studies highlighted above demonstrate how even seemingly apolitical speech online can trigger not just legal action by these repressive regimes, but also malicious online attacks and smear campaigns.

By prosecuting individuals and sentencing them to harsh and lengthy prison sentences—or even executions, as is the case in Saudi Arabia—these authoritarian regimes attempt to make an example of prosecuted individuals to deter others from criticizing the government and political leaders. Online attacks and smear campaigns documented in this report against individuals targeted with weaponized legislation reflect that malicious online attacks can be motivated and emboldened by the governments' actions.

Crackdowns against media and human rights defenders in Egypt and Saudi Arabia have regularly drawn condemnation from international rights groups and Western allies.¹⁶² Yet, despite diplomatic efforts from Western allies to hold these regimes accountable for their human rights violations, there has been no significant improvement in either country.¹⁶³ Nevertheless, as both countries continue to use oppressive laws to control online expression, and even propose new laws focused on digital communication that can be similarly weaponized, it is

¹⁶² "Human Rights Experts Alarmed over 'Imminent Executions' in Saudi Arabia," UN News, May 2023, 3, <https://news.un.org/en/story/1136322/05/2023>; Alex Berry "UN Experts Condemn Egypt's Rights Record Ahead of COP27," Deutsche Welle, October 2022, 7, <https://www.dw.com/en/un-experts-condemn-egypts-human-rights-record-ahead-of-cop27/a-63375245>.

¹⁶³ Patricia Zengerle, "US Senators Adopt New Strategy to Push Saudi Arabia on Human Rights," Reuters, March 2023, 15, <https://www.reuters.com/world/middle-east/us-senators-adopt-new-strategy-push-saudi-arabia-human-rights-15-03-2023/>; "S.Res.109: A Resolution Requesting Information on Saudi Arabia's Human Rights Practices Pursuant to Section 502B(c) of the Foreign Assistance Act of 1961," US Congress, last visited December 2023, 12, <https://www.congress.gov/bill/118th-congress/senate-resolution/109D>.

critical that Egypt and Saudi Arabia's international partners continue to pressure the two governments.¹⁶⁴ Partners should insist on protecting the flow of information online, and echo calls by rights groups to review and reform such repressive laws and respect freedom of expression.¹⁶⁵ This is particularly important as Saudi Arabia prepares to host the 2024 Internet Governance forum in December 2024, despite objections from rights groups.¹⁶⁶

Moreover, as Egypt and Saudi Arabia continue to invest in new technologies and digital tools that allow them to monitor online activity and surveil dissidents, the risks facing journalists and human rights defenders and threats to freedom of expression will continue to increase. Such tools have been instrumental in both governments' efforts to target and harass citizens—in Egypt, Saudi Arabia, and abroad—over their peaceful speech.¹⁶⁷ The use of vaguely written laws meant to protect citizens from new threats in the digital era, but instead applied

to restrict their freedoms, reflects authoritarian governments' approaches to utilize technological advances to their benefit. In February 2024, the US Department of Commerce took a step forward by imposing restrictions on Canada-based computer networking company Sandvine for its role in providing tools to the Egyptian government to block websites, including Mada Masr's, and to target human rights defenders.¹⁶⁸

The governments of Egypt and Saudi Arabia represent some of the worst offenders in the region when it comes to the systematic abuse of legislation. Both countries lack accountability measures to hold the leaders of these repressive governments responsible for the abuses of power. The lack of accountability and gross and deliberate misuse of these laws also signals an escalating pattern in the region that is not limited to these two countries, with other governments in nearby countries replicating and adopting similar laws to oppress their citizens and limit their freedom of speech online.¹⁶⁹

164 Aymen Zaghouli, "In Saudi Arabia, No Safe Harbor for Free Speech," Access Now, February 2024 ,29, <https://www.accessnow.org/saudiarabiasafeharbor/>

165 "Statement Opposing Egypt's Legalization of Website Blocking and Communications Surveillance," Access Now, January 2023 ,26, <https://www.accessnow.org/press-release/statement-opposing-egypts-legalization-of-website-blocking-and-communications-surveillance-2/>.

166 Jillian C. York, "EFF and 45 Organizations Tell Un: Reverse Decision to Host IGF in Saudi Arabia," Electronic Frontier Foundation, October 2023 ,16, <https://www.eff.org/deeplinks/10/2023/eff-and-45-organizations-tell-un-reverse-decision-host-igf-saudi-arabia>.

167 "Exile or Prison: Egypt's Offer to Critics Abroad," Human Rights Watch, May 2023 ,28, <https://www.hrw.org/news/28/03/2023/exile-or-prison-egypts-offer-critics-abroad>; "Egypt Withholding Identity Papers from Dissidents Abroad—Rights Group," Reuters, May 2023 ,13, <https://www.reuters.com/world/africa/egypt-withholding-identity-papers-dissidents-abroad-rights-group-13-03-2023/>; Ellen Knickmeyer, "Saudis in US Targeted as Kingdom Cracks Down on Dissent," Associated Press, November 2022 ,22, <https://apnews.com/article/middle-east-saudi-arabia-jamal-khashoggi-only-on-ap-government-and-politics-eb734410bd38e5ce6ab8f91a3b62d1b0>.

168 Farah Fangary, "Sandvine Added to US Trade Restriction List for Supplying Technology Used for Censorship in Egypt," Mada Masr, February 2024 ,27, <https://www.madamasr.com/en/27/02/2024/news/u/sandvine-added-to-us-trade-restriction-list-for-supplying-technology-used-for-censorship-in-egypt/>.

169 Emna Sayadi, Wafa Ben-Hassine, and Dima Samaro, "When 'Cybercrime' Laws Gag Free Expression: Stopping the Dangerous Trend across Mena," Access Now, January 2023 ,13, <https://www.accessnow.org/when-cybercrime-laws-gag-free-expression-stopping-the-dangerous-trend-across-mena/>.



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