APC ISSUE PAPERS

DIGITAL RIGHTS ADVOCACY IN THE ARAB WORLD AND THE UNIVERSAL PERIODIC REVIEW

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EXECUTIVE SUMMARY

The Arab world is undergoing tremendous change. From the uprisings in Egypt and Tunisia in 2011 to the war and migration crisis in Syria and the fight against fundamentalists in Iraq, the region is overburdened with change. The strengths and weaknesses of digital rights, as well as the mere ability to use the internet securely, are not immune to these geopolitical shifts.

Parallel to these shifts is the increasingly pervasive role of internet services in dictating the way people live. Taking these two realities into consideration, the role of civil society organisations in advocating for human rights online is crucial. Because this report aims to closely evaluate the way Arab civil society is managing to do this, the analysis it provides could not be timelier.

This report explores how local groups in the Maghreb and Machrek regions are engaged in internet-related rights advocacy at the national and regional levels, and how that reflects upon the inclusion of these issues in the Universal Periodic Review (UPR) process.

The first part of the report presents a thorough overview of internet-related advocacy work in the Arab world, assessing each country separately. The second part focuses on organised civil society efforts to work within the UPR framework and contribute to it. The report then discusses the obstacles facing Arab civil society in the path of effective participation in the UPR process, and concludes by making three key recommendations: (1) enhanced support for UPR-related education, (2) greater support for civil society engagement, and (3) greater inter-organisational coordination and more constructive competition.

The case studies featured in this report reflect the diversity of efforts across the Arab world in securing human rights in a digital environment.

APC

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INTRODUCTION

This policy paper aims to look at how local groups in the Maghreb and Machrek regions are engaged in internet-related rights advocacy at the national and regional levels, and how that reflects upon the inclusion of these issues in the Universal Periodic Review (UPR) process.

The paper highlights country-specific issues and discusses how they shape – and are shaped by – the activities of human rights advocates acting within a global network of actors working for the protection and promotion of human rights on the internet through the United Nations Human Rights Council, the Universal Periodic Review (UPR) process and other global policy spaces.

In particular, the paper examines how the combination of (1) direct action within the context of national democracy movements and (2) action for advocacy in global spaces might strengthen various forms of accountability for violation of internet freedoms.

UPR process

The Universal Periodic Review (UPR) was established when the Human Rights Council was created on 15 March 2006 by the UN General Assembly in resolution 60/251.[1] This mandated the Council to "undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States."[2] The process itself was further clarified a year later, after the inaugural cycle took place, in resolution 16/21 and decision 17/119. These two documents provided the necessary mechanisms for the review in the second and subsequent cycles.

The UPR is a unique, state-driven process that involves a periodic review of the human rights situations of each of the 193 UN member states. Under the UPR mechanism, the human rights record of each state is reviewed every four and a half years. States take turns as 42 of them are

reviewed a year, during three Working Group sessions dedicated to 14 states each.[3]

The UPR process provides an opportunity for states to declare what actions they have taken to improve the human rights situation in their countries and to overcome impediments to the enjoyment of human rights by their citizens. The UPR also facilitates the sharing of best human rights practices around the globe through the interactions of NGOs with diverse state delegations.

The review itself is based on three main documents: (1) a national report from the state undergoing review on the human rights situation in the country, (2) a compiled report prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR), based on information from UN Special Procedures,[4] human rights treaty bodies,[5] and other UN entities, and (3) a summary report of compiled information from other stakeholders including national human rights institutions and non-governmental organisations (NGOs).

NGOs and national human rights institutions can submit information that can be added to the "Summary of other stakeholders" report that is considered during the country's review. The information that these civil society entities provide can be referred to by any of the states taking part in the review at the Working Group meeting.

Finally, NGOs are permitted to attend the UPR Working Group sessions, held in Geneva, and can make statements at the regular session of the Human Rights Council when the outcome of the state reviews are considered, approximately three months after the UPR Working Group session. This is the sole opportunity for civil society organisations to speak directly to the Council.

Whereas Arab non-profits have often participated in the UPR process by submitting reports on a variety of human rights concerns – on everything from children's rights to the right to housing and clean water – digital rights have

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1   United Nations General Assembly Resolution No. A/RES/60/251, 3 April 2006. daccess-dds-ny.un.org/doc/UN-DOC/GEN/N05/502/66/PDF/N0550266.pdf

2   Ibid.

3   UPR Info. "What is the UPR?" www.upr-info.org/en/upr-process/what-is-it

4   Special Procedures of the Human Rights Council: www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx

5   Human rights treaty bodies: www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx

largely remained outside the remit. Advocating for digital protections and general human rights on the internet is a relatively novel practice worldwide, and especially so in the Arab world.

Common non-profits submitting reports to the UPR for Arab world countries under review include Human Rights Watch, Amnesty International, Article 19, the International Federation for Human Rights (FIDH), the

Cairo Institute for Human Rights, and the World Association of Newspapers and News Publishers (WAN-IFRA). None of these is a grassroots organisation based in the Arab world proper.

The second part of this report will provide an overview of non-profits that are both locally based and involved in the UPR process to advocate for digital rights.

PART I:
OVERVIEW OF DIGITAL RIGHTS ADVOCACY GROUPS IN THE ARAB WORLD

Digital rights activism in the Arab world centres heavily on advocating on behalf of human rights defenders who are arrested, detained or fined due to expressing themselves online. Because of this, the conversation in regards to human rights online is typically defined by a strong interest in protecting the right to free speech online. Recently, digital rights advocacy groups have started to focus on the right to privacy more on the global stage, particularly in the United Nations framework and through UPR involvement.

This section will provide a brief overview of digital rights advocacy in the Maghreb and Machrek regions, focusing on movements in Tunisia, Morocco, Lebanon, Jordan, Palestine, Sudan, Egypt and Iraq.

NORTH AFRICA (MAGHREB)

Much of the civil society movement for digital rights in the Maghreb is decentralised across several individual actors and a few organisations.

Tunisia

In Tunisia, the initial euphoria of newly found freedom online, which was first experienced when former dictator Zine el Abidine Ben Ali was ousted in 2011, is fading away. While the new constitution, which came into effect 10 February 2014, protects access to any information and communications technologies (ICTs) – including the internet – as a right, and enshrines the values of

freedom of expression and religion, the reality on the ground tells another story.

For example, opposition blogger Zied El-Heni – who was harassed under the Ben Ali regime for his criticism of the regime – continues to be targeted by local authorities. In September 2013, El-Heni was detained for three weeks after he accused the public prosecutor of fabricating evidence against him.[6] He was later released on bail. Many domestic organisations rallied for his release, including those that are not exclusively focused on digital rights *per se*, such as the National Syndicate of Tunisian Journalists (SNJT).

Also in 2013, rapper Weld El 15 (aka Alaa Eddine Yaakoubi) was arrested and tried for releasing a music video on YouTube called "El Boulicia Kleb" ("The Cops Are Dogs").[7] He was sentenced to a three-year term in prison, which was later reduced to six months – ultimately mirroring the sentence that was handed down to the music video's director and starring actress. Civil society reacted quickly to his sentence. Non-profits in Tunisia organised campaigns for his release, and international organisations – including Freemuse, an organisation advocating and defending freedom of expression for

6   Lambroschini, A. (2013, 14 September). Zied El-Heni: Latest victim of media crackdown in Tunisia. *Middle East Online*. www.middle-east-online.com/english/?id=61347

7   Amnesty International. (2013, 2 July). Freedom of Expression on Trial in Tunisia. https://www.amnesty.org/en/press-releases/2013/07/freedom-expression-trial-tunisia

musicians and composers worldwide – wrote in his defence.[8] El Haqed, a Moroccan rapper who was previously jailed under similar circumstances in his home country, wrote a song condemning the imprisonment of Weld El 15.[9] Most notably, as a response to his arrest, Tunisian rap artists have launched a labour union to defend their interests and promote their art. The "National Rap Union" is now linked to the General Confederation of Tunisian Workers and intends to "raise the level of urgency of files concerning the defence of freedom of expression."[10]

More commonly, however, the government has maintained the tendency to arrest online activists on trumped-up charges under Law 52-1992, otherwise known as the anti-marijuana law. The fabrication of charges founded upon marijuana possession is a practice traditionally used by Tunisian authorities both before and after the uprisings to disguise politically motivated arrests.[11] Ben Ali's regime used this practice often to stifle dissent and political opposition, and each consecutive government since his fall has similarly used the same tactic. On 12 May 2014, activist Azyz Amami and photographer Sabri Ben Mlouka were both arrested on trumped-up charges of cannabis possession.[12] Amami is considered by many to be a face of the Tunisian revolution – he has publicly voiced opposition to the dictatorship and to repressive practices of subsequent governments. Several Tunisian organisations responded to his arrest by raising awareness of it online and organising a protest calling for his release. Other Arab, non-Tunisian organisations such as the Arabic Network for Human Rights Information (ANHRI) also denounced the arrest.[13] Amami was released 11 days after his arrest, on 23 May 2014.

More disturbingly, the government has begun cracking down on digital rights and human rights activists since the latest terrorist attack in 26 June 2015. In November 2015 alone, the Ministry of the Interior arrested 2,000 people, 516 of whom were arrested for consumption of cannabis[14] – many of them rights activists or prominent voices on privacy and security online. According to a new report by Human Rights Watch, as of 15 December 2015, 7,451 people convicted of drug-related offences were in Tunisia's prisons.[15]

Two rights activists, Adnène Meddeb and Amine Mabrouk, were arrested on 28 November 2015 for the alleged unlawful consumption of alcohol (a "drug" as per the definition in Law 52) and staying out past the curfew that was imposed after the terrorist attack in June. They were both taken from their homes to the Bouchoucha prison, which is notorious for holding rights activists. According to Amami, both Meddeb and Mabrouk were tortured there.[16]

Digital rights activists also face persistent police harassment. On 8 December 2015, law enforcement authorities visited the family home of blogger Bullet Skan (aka Skander Ben Hamda). Bullet Skan is a well-known and vocal activist. While the police did not issue any arrest or detention orders at that time, they arbitrarily entered his home and "chatted" with the activist's parents.[17]

Amami emphasises that there are countless other "unknown prisoners" undergoing the same treatment in jail who get little publicity or media coverage.

Furthermore, in early December 2015, Nejib Edhawi, who has long embodied state-sponsored censorship and surveillance,[18] was appointed as Director General of the Police Technical Office in the Ministry of the Interior. Amami calls this office the "Tunisian CIA". As a response, digital rights activists are organising meet-ups to discuss what steps should be taken in fighting the appointment.

8   Freemuse. (2013, 6 December). Tunisia: Freemuse Condemns Imprisonment of Rapper Weld El 15. freemuse.org/archives/6981

9   Mamfakinch. (2013, 26 June). El Haqed Relreases New Song and Video in Solidarity with Tunisian Rapper, Weld El 15. https://www.mamfakinch.com/el-haqed-releases-new-song-and-video-in-solidarity-with-tunisian-rapper-weld-el-15

10   BBC. (2013, 15 October). Tunisia: Rappers 'form trade union'. *BBC*. www.bbc.com/news/blogs-news-from-elsewhere-24539899

11   Ben Hassine, W. (2014, 13 May). Tunisian Activist Azyz Amami Arrested on Drug Charges. *Global Voices*. https://advox.globalvoices.org/2014/05/14/tunisian-activist-azyz-amami-arrested-on-drug-charges

12   Gallagher, E. (2014, 19 May). Azyz Amami, Tunisian Blogger and Human Rights Activist Arrested. *Revolution News*. revolution-news.com/azyz-amami-tunisian-blogger-human-rights-activist-arrested

13   Arabic Network for Human Rights Information. (2014, 22 May). Tunisia: Arrest of Blogger Azyz Amami on Fabricated Charges is a Drastic Blow to Freedom of Expression. anhri.net/?p=106744&lang=en

14   Official figure released by the Ministry of the Interior.

15   Human Rights Watch. (2016, 2 February). "All This for a Joint": Tunisia's Repressive Drug Law and a Roadmap for Its Reform. https://www.hrw.org/report/2016/02/02/all-joint/tunisias-repressive-drug-law-and-roadmap-its-reform

16   Interview with Azyz Amami, 9 December 2015.

17   Ibid.

18   Some activists call Edhawi "Ammar 404 in the flesh" (Ammar 404 is the error message displayed on screen to Tunisians when they attempt to access "illegal" content on the internet). During Ben Ali's regime, he brought criminal charges against many digital rights activists, including Slim Amamou, Azyz Amami and Bullet Skan (aka Skander Ben Hamda).

For years before the toppling of former dictator Ben Ali, Nawaat – a blogging collective turned into a non-profit organisation – has been the most active voice on censorship and freedom of expression online. In March 2014, activists formed a citizen collective called "Al-Sajin 52"[19] to oppose Law 52, which, as described above, is used as a pretext to arrest and harass digital rights activists.[20] Civil society's response to these incidents is reassuring. Since the regime change in 2011, Tunisia's opening up has translated into its becoming a haven for regional organisations to operate and hold events freely. This is especially true in the realm of digital rights. Local non-profits regularly hold events that encourage blogging, creating social media campaigns, and online activism. Still, in a post-uprising context, Amami believes that the real problem is an "acute absence of the [newly drafted] constitution."

"This country should embody the principles we enshrined in our constitution," he says. Unfortunately, the constitution is not being respected. "The revolution," he emphasises, "has yet to become real."

Morocco

In Morocco, like Tunisia, digital rights work is borne on the backs of individual actors, many of whom have been the targets of government harassment, surveillance and attacks. For example, Maria Moukrim, the former president of the Moroccan Association for Investigative Journalism (AMJI), and Rida Ben Othman are two lawyers who are engaged in raising awareness on digital rights domestically.

On 7 April 2015, Privacy International and the Association des Droits Numériques (ADN) released a report highlighting four stories of Moroccan citizens placed under surveillance and the effect it has had on their lives and the lives of their families.[21] The content of the report is based on interviews with Hisham Almiraat, Ali Anouzla, Ahmed Benseddik, Samia Errazzouki, Yassir Kazar and Maria Moukrim.

Consequently, on 15 November 2015 and as a direct result of his additional involvement in drafting the report, blogger Almiraat along with four other civil society advocates – historian Maâti Monjib, free expression advocate Hicham Mansouri, and journalists Samad Iach and Mohamed Elsabr – were detained and charged with "threatening the internal security of the state".

Prior to being charged, Almiraat and his colleague Karima Nadir, vice president of the ADN, were interrogated by Morocco's Judicial Police (BNPJ) in Casablanca in September 2015. Authorities asked them about their work and their relationship with Privacy International. The Ministry of Interior then filed a judicial complaint concerning the organisations' aforementioned joint report on surveillance in Morocco.[22] Almiraat is a co-founder of the ADN. He is also a co-founder of Mamfakinch,[23] along with Errazzouki (who was also interviewed for the Privacy International report). Mamfakinch, which means "not giving in" in Moroccan Arabic, is a citizen media collective launched in February 2011 to bolster coverage of the social uprisings in Morocco at the time. The government targeted the co-founders of the website in 2012 by installing surveillance software that invaded their computer systems.

Digital rights activism in Morocco is alive and well, but the challenges that individual activists face are numerous, and their harassment by judicial and law enforcement authorities is, unfortunately, commonplace.

LEVANT (MACHREK)

Lebanon

For the past few years, Lebanon has had a relatively robust civil society ecosystem in the field of digital rights. Social Media Exchange (SMEX), a media advocacy and development organisation based in Lebanon, is an important actor in the discussion on internet policy and digital rights research. SMEX has been active for the past eight years, planning and implementing advocacy campaigns both in Lebanon and around the region. It is arguably one of the leading local non-profits working on digital rights in the Machrek.

One of the most direct and straightforward campaigns developed by SMEX was the fight against Lebanon's

19 Ben Hamadi, S. (2014, 14 March). Al-Sajin 52: Lettre ouverte a Mehdi Jomaa pour un débat sur la loi 52 relative aux stupéfiants. *Huffington Post*. www.huffpostmaghreb.com/2014/03/14/al-sajin-52_n_4962993.html

20 Al-Sajin 52: alsajin52.tn

21 Privacy International. (2015). *Their Eyes on Me: Stories of Surveillance in Morocco*. https://www.privacyinternational.org/node/554

22 Biddle, E. R. (2015, 15 November). Global Voices' Hishaam Almiraat Faces Trial in Morocco. *Global Voices*. https://advox.globalvoices.org/2015/11/15/global-voices-hisham-almiraat-faces-trial-in-morocco

23 https://www.mamfakinch.com

E-Transaction Law in 2010.[24] It was also, according to co-founder Mohamad Najem, the organisation's most successful campaign.[25] The law, amongst other things, gave the government pre-approval to seize commercial and personal assets and information without cause. In response, SMEX launched a letter writing and social media campaign urging members of parliament to reject the law. SMEX also facilitated an "emergency meeting"[26] on 13 June 2010, bringing together key stakeholders and advocates to determine how to best go about organising against the law. The law was rejected within two weeks after the launch of the campaign.

Other actions initiated by SMEX, such as publicising the telecom companies' subscription of users to their ringback tones without their knowledge,[27] were also successful in getting ministers to comment on and clarify their policies. The organisation also hosts a plethora of events aiming to raise awareness on digital rights, such as holding a screening of Citizenfour[28] in September 2015 – the first time the film was shown in Lebanon. The screening was attended by over 150 people and generated important discussion on surveillance in Lebanon.[29] The organisation has also recently launched their landmark initiative, the Arab Digital Rights Dataset.[30] The dataset is a platform that maps laws and other legal measures that govern digital rights in 20 Arab countries. Users of the dataset can explore the dataset by toggling country, type of law, language, year, as well as other parameters.

SMEX describes their least successful campaigns as those centred on freeing individuals who are jailed for expressing themselves online, such as Bassel Khartabil from

Syria and Alaa Abdelfattah from Egypt. Co-founder Jessica Dheere describes this kind of impasse as indicative of civil society's incapacity to find the best levers to move Arab regimes to act. "It's a difficult challenge because you're working within arbitrary and subjective systems," Dheere says.[31]

Jordan

Jordan has a long and established history of digital rights activism. Most notable is the activism organised by the Jordan Open Source Association (JOSA), which regularly holds trainings and panels on rights online. In 2013, JOSA launched the Jordan Charter of Digital Rights, a charter outlining rights online that is modelled after Brazil's *Marco Civil* (Civil Rights Framework for the Internet). The working group that JOSA organised to write the Charter included lawyers, journalists, human rights activists and technical experts – including those from governmental entities such as the Ministry of Information and Communications Technology, the Telecommunication Regulatory Committee and the National Centre for Human Rights. The Charter was posted online and on a platform that allowed anyone to suggest edits or changes within a democratic and public consultation process.[32]

Another avenue of digital rights activism in Jordan is through the publication of digital rights news. 7iber, a Jordanian non-profit and media-focused blog established in 2007, seeks to "inspire and engage communities to foster a more open society."[33] One of 7iber's stated areas of work is to conduct research on internet governance and digital rights, and to hold trainings on topics related to digital media. The magazine dedicates a weekly column to covering news related to online privacy, surveillance and expression, called Lasilki,[34] Arabic for "Wireless". A recent analytical article, published on 9 December 2015, talks about how telecom and internet companies violate user rights.[35] 7iber also holds regular events, and in August 2015, it hosted a large-scale

24 SMEX E-Transaction Law campaign Facebook page, Stop This Law: https://www.facebook.com/stopthislaw

25 Interview with Mohamad Najem, 4 December 2015.

26 www.smex.org/stop-the-vote

27 SMEX. (2015, 10 June). Why are Touch and Alfa forcing us to pay for a service we didn't request? www.smex.org/why-are-touch-and-alfa-forcing-us-to-pay-for-a-service-we-didnt-request

28 Citizenfour is a film that narrates the journey of Edward Snowden, a high-level analyst in the United States National Security Agency (NSA), when he leaked millions of documents from the NSA to film director Laura Poitras and journalist Glenn Greenwald in June 2013 in Hong Kong. For more information see: https://citizenfourfilm.com

29 SMEX. (2015, 17 September). Lebanon Premiere of Citizenfour Draws More Than 150 Attendees and Generates Discussion on Local Surveillance. www.smex.org/lebanon-premiere-of-citizenfour

30 https://smex.silk.co

31 Interview with Jessica Dheere, 4 December 2015.

32 Jordan Charter on Digital Rights: digitalrightsjo.org

33 7iber.com/about

34 www.7iber.com/tag/wireless

35 Abrougui, A. (2015, 9 December). How the World's Top Telecom and Internet Companies Violate User Rights. *7iber*. www.7iber.com/politics-economics/how-the-worlds-top-telecom-and-Internet-companies-violate-user-rights/#hcq=EAOJvwp

second screening of the film Citizenfour, translated into Arabic.[36]

Palestine

Advocating for digital rights is deeply rooted in the Palestinian cause for greater rights and independence from Israeli occupation. The Palestinian Centre for Human Rights (PCHR), an organisation founded by human rights lawyers and activists in 1995, has advocated for the rights to freedom of expression and association online since the early 2000s. The organisation has explicitly demanded that the Palestinian Authority (PA) respect the right to freedom of expression by halting the practice of online surveillance, in a paper from 2003 on freedom of expression and association in Palestine.[37]

There has also been more specific advocacy that is tailored to digital rights. For example, the Palestinian chapter of Internet Society (ISOC) has been active on issues of website censorship by both governmental and private actors. In July 2011, ISOC Palestine drafted a position paper addressed to the Palestinian government demanding that it stop blocking websites and that it act in accordance with Palestinian laws guaranteeing the freedom of expression.[38] The paper also demanded that the government adhere to its obligations under international law, such as the Universal Declaration of Human Rights.

More recently, the Palestinian Center for Development and Media Freedoms (MADA Center), established in 2006, has engaged in specifically addressing obstacles faced by Palestinian journalists – both online and offline. In September 2015, MADA Center in collaboration with Open Society Foundations drafted a policy paper on citizen journalists reporting from Gaza.[39] The paper presented tens of case studies on how citizen journalists depend on an open internet to gather information and report and disseminate news. Whereas the main focus of the paper was the contribution of citizen journalism in enhancing freedom of expression, the report empha-

sised the importance of having an accessible and free internet for all Palestinian citizens in both the Gaza Strip and the West Bank.[40]

The MADA Center has also focused on digital rights from the peripheral standpoint of intellectual property.[41] In December 2015, MADA launched a study of intellectual property rights in Palestine. The study featured case studies built on the Moroccan and United Arab Emirates (UAE) experiences, and advocated for greater academic and scientific rights and for the expansion of the right to access information online.

Perhaps the greatest amount of digital rights advocacy surfaced as a response to government censorship online. In April 2012, the Palestinian Authority ordered the blocking of websites belonging to eight news outlets critical of President Mahmoud Abbas.[42] Civil society's response to the censoring of the websites ultimately resulted in the resignation of Communications Minister Mashour Abu Daka in protest.[43] From this perspective, civil society activism resulted in a concrete change in leadership.

In May 2012 – one month after the Palestinian Authority issued the blocking order – the Palestine Economic Policy Research Institute (MAS) hosted a round table[44] with representatives of the PA on blocking websites that published articles critical of President Mahmoud Abbas. The round table explicitly focused on the issue of freedom of opinion online and the right of the public to free access to information on the one hand, and compliance with the rule of law on the other. Several stakeholders and concerned parties attended the workshop.

Today, individual actors in Palestine are engaging in digital rights activism on many fronts – and their campaigns have led to some successes. The MADA Center is making great

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36 7iber film screening event for Citizenfour: https://www. facebook.com/events/821751744608581 and www.7iber. com/event/citizenfour-screening-7iber

37 Palestinian Centre for Human Rights Gaza. (2003). *Freedom of Assembly and Expression in the Palestinian Territories*. www.pchrgaza.org/arabic/studies/freedom%20studay%20 31.doc

38 Available (in Arabic only) from: isoc.ps

39 MADA Center. (2015, 23 September). MADA issues a study on Citizen Journalism and Freedom of Expression. www. madacenter.org/news.php?lang=1&id=212

40 Ibid.

41 MADA Center. (2015, 31 December). MADA: No protection of intellectual property in Palestine. english.pnn. ps/2015/12/31/mada-no-protection-of-intellectual-property-in-palestine

42 Hale, G. (2012). Occupied Palestinian Territory: Linking censorship and corruption. In Finlay, A. (Ed.), *Global Information Society Watch 2012: The internet and corruption*. https://www.giswatch.org/en/country-report/internet-and-corruption/occupied-palestine-territory

43 York, J. (2013, 26 May). Standing Their Ground: Internet Activists in Jordan and Palestine. *Electronic Frontier Foundation*. https://www.eff.org/deeplinks/2013/05/effs-director-international-freedom-expression-dispatches-middle-east

44 Palestine Economic Policy Research Institute (MAS). (2012). *Law and the Freedom to Use the Internet*. www.mas.ps/ files/server/20141911185301-1.pdf

strides in raising awareness on digital rights. On 6 August 2015, it launched a "Digital Rights Campaign",[45] with the stated purpose of raising awareness on "the importance of digital rights, and the necessity of stopping violations of freedom of opinion and expression and information online by [both] Palestinian and Israeli sides." The campaign was coupled with information security trainings and workshops on human rights online – specifically the right to access information online. Civil society advocacy in Palestine has influenced policy – or at least the political elite drafting policy – and continues to work on both fronts: training end users to be safer while using the internet, and leveraging influence on policy makers to ensure that governmental practices conform to domestic Palestinian law.

Sudan

Sudan has a history of government repression of rights online. In 2007, Sudan enacted the Information Technologies Crime Act, which criminalises the establishment of websites that criticise the government, and provides no protections for the right to freedom of expression.[46] The Act provides for fines and prison sentences of between two and five years. In 2008, Sudan established its first Attorney General for Cyber Crimes. In response to the Arab uprisings taking place in neighbouring countries, Sudan imposed further restrictions on freedom of expression and the media. Large-scale anti-government protests known as the "Sudan Revolts" erupted in Khartoum in June 2012 and spread throughout the country. These protests led to the government's first crackdown on internet users. Numerous bloggers and online journalists were arrested or harassed for their involvement with the protests.[47]

The government also imported advanced technologies and equipment to censor and filter internet communications. In 2011, the National Intelligence Security Services (NISS) set up a special internet filtering unit called the "Cyber Jihadist Unit" to conduct "online defence operations".[48] A report published in February 2014 by the Citizen Lab documented the Cyber Jihadist Unit's use of advanced equipment, including remote control systems and sophisticated computer spyware often imported from Italian companies, to filter web content, censor internet communication, and spy on the political opposition, human rights defenders, and journalists.[49]

On 25 September 2013, during demonstrations against the government's economic policies, the NISS shut down access to the internet throughout the country for more than 24 hours. In the following days, the internet was slowed down drastically. The government of Sudan has denied responsibility, claiming that the blackout and slowdown resulted from a major network problem. Authorities have sporadically blocked access to YouTube, as well as media sites, such as Sudanese Online, Al Rakoba, Al Tareeg and Hurriyat Sudan online newspapers.[50]

Liemia Eljaili Abubkr, a Sudanese journalist and human rights advocate, explained in the 2014 Global Information Society Watch report: "Despite this hostile environment, the blocking of websites and the imposition of restrictions on different types of media, Sudanese activists and human rights defenders succeeded in organising, mobilising people, cooperating and communicating with the international community, and reporting on most of the violations that occurred during demonstrations." Sudanese activists relied on proxy programmes such as Tor and Hotspot Shield to open blocked websites, and developed their digital skills – both individually and organisationally – to find secure ways to upload their images, videos, news and articles.[51]

Egypt

The future of digital rights advocacy in Egypt looks bleak. According to Ramy Raoof, an Egyptian activist and developer who developed the Arabic version of the secure messaging application Signal, the efficacy of digital rights campaigning in Egypt changes in accordance with the current political ecosystem. The atmosphere has become more polarised since the 2013 coup, when the Supreme Council of the Armed Forces (SCAF) deposed

45 MADA Center. (2015, 27 August). MADA Center launched a digital rights campaign in Palestine. www.madacenter.org/news.php?lang=1&id=209

46 Freedom House. (2013). *Freedom on the Net: Sudan*. https://freedomhouse.org/sites/default/files/resources/FOTN%202013_Sudan.pdf

47 Ibid.

48 Eljaili Abubkr, L. (2014). Sudan: Systemic violations of digital rights. In Finlay, A. (Ed.), *Global Information Society Watch 2014: Communications surveillance in the digital age*. https://giswatch.org/en/country-report/communications-surveillance/sudan

49 Marczak, B., Guarnieri, C., Marquis-Boire, M., & Scott-Railton, J. (2014, 17 February). Mapping Hacking Team's "Untraceable" Spyware. *The Citizen Lab*. https://citizenlab.org/2014/02/mapping-hacking-teams-untraceable-spyware

50 Briefing to the British Embassy in Khartoum by Sudan's Civil Society UPR Group and APC, February 2016.

51 Eljaili Abubkr, L. (2014). Op. cit.

the elected president, Mohamed Morsi. The government banned street demonstrations on 24 November 2013.[52]

Subsequently, the environment has become much more isolating for digital rights advocates. Raoof, who trains advocates to effectively use outreach tools and maintain privacy and security while doing so, mentions that there have been no campaigns on digital rights since the coup – particularly since the protest ban.

Before, when there was a limited margin within the political system to influence and impact policy makers, many human rights campaigns depended in large part on the organisation of protests and demonstrations to create pressure. For example, the second time that blogger Alaa Abdelfattah was jailed, on 30 October 2011, a demonstration called to oppose his detention brought thousands of protestors to a public square – and activists proudly note that the crowd ran from the square all the way to the prison.

Today, the risk of being arrested, arbitrarily detained or heavily fined pushes people away from organising. In June 2014, human rights lawyer Yara Sallam and human rights activist Sanaa Seif were among 22 people charged with taking part in an unauthorised protest aimed at threatening "public peace", among other charges – despite the fact that Yara Sallam did not even participate in the protest.[53] "The government continues to spread intimidation between people, and many human rights activists have stopped organising protests altogether, justly fearing the consequences of going out," Raoof says.[54] This has, in effect, greatly limited the scope of activism and mobilisation of citizens for civic purposes generally. According to Human Rights Watch fellow Omar Shakir, who covered Egypt from 2013 to 2014, the authorities' crackdowns on protests are now the "new normal".[55]

The #FreeAlaa campaign, ongoing for the past four years, has also hit a wall since his five-year prison sentence was announced on 23 February 2015.[56] Activists assert that this is not a failure in the cause itself, but is due to context and optics, along with the mood of politicians. How successful a campaign is depends heavily on timing, due to political reasons, polarisation of politics, and the government stubbornly insisting to "make a lesson" out of Abdelfattah to other civil society organisers. The current political climate in Egypt has dealt a crushing blow to the activist community, especially among youth. According to Raoof, "Since 2013, the number of failed campaigns in Egypt is too great. Our young people are quickly leaving the country too; in one month, I can easily attend six, seven farewell parties."

Despite recent crackdowns, small campaigns continue to be organised to free individuals jailed for expressing themselves online. The most recent campaign was organised for Hossam Bahgat, a journalist with Mada Masr who wrote a report describing criminal convictions against 26 military officers for plotting a coup. Bahgat was detained and interrogated on 8 November 2015,[57] and subsequently charged with publishing false news "harmful to national security" – a crime that can be punished with a jail sentence under the new counterterrorism law passed in July 2015, which many activists, academics, lawyers and civil society organisations publicly opposed.[58] Although the campaign for Bahgat was successful, activists emphasise that there were many factors contributing to his release. "It is the confluence of politics and campaigning that determines how successful we are, not how hard we work," one activist said.[59]

In the future, digital rights advocates see a space to pressure parliament when it starts reviewing relevant laws and proposing new ones, including telecommunication laws. Egypt's parliament convened for the first time under Sisi on 10 January 2016 – nearly four years after the

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52 Kirkpatrick, D. (2013, 25 November). New Law in Egypt Effectively Bans Street Protests. *The New York Times*. www.nytimes.com/2013/11/26/world/middleeast/egypt-law-street-protests.html

53 Amnesty International. (2014, 25 October). Egypt: Release Activists Facing Jail for Defying Repressive Protest Law. https://www.amnesty.org/en/press-releases/2014/10/egypt-release-activists-facing-jail-defying-repressive-protest-law

54 Interview with Ramy Raoof, 7 December 2015.

55 Shakir, O. (2013, 3 December). Dispatches: A Taste of Egypt's New Protest Law. *Human Rights Watch*. https://www.hrw.org/news/2013/12/03/dispatches-taste-egypts-new-protest-law

56 Middle East Eye. (2015, 23 February). Prominent Egyptian activist is sentenced to 5 years in prison. www.middleeasteye.net/news/prominent-egyptian-activist-sentenced-5-years-prison-1182584566

57 Amnesty International. (2015, 8 November). Egypt: Arrest of Prominent Activist Hossam Bahgat Another Blow for Freedom of Expression. https://www.amnesty.org/en/latest/news/2015/11/egypt-arrest-of-prominent-activist-hossam-bahgat-another-blow-for-freedom-of-expression

58 Jadaliyya. (2015, 10 November). Rights Groups Outraged by Hossam Bahgat's Detention, Demand His Immediate Release. www.jadaliyya.com/pages/index/23152/rights-groups-outraged-by-hossam-bahgat%E2%80%99s-detention

59 Interview with Egyptian activist who asked to remain anonymous, 7 December 2015.

parliament was first dissolved.[60] Pressuring and lobbying parliamentarians represents a new avenue for advocacy that was not used as often amongst digital rights activists from 2011 to 2013. Still, all activists interviewed agree that this avenue is challenging due to the Egyptian parliament's heavily militarised bent – only a few civil rights activists see any hope of forming a civilian bloc.

Before the 2013 coup, the open source and legal communities were engaged in proposing new telecom and privacy laws. There was even the opportunity to convert the whole of public administration to using open source software[61] – but due to rapid and consecutive changes in government, many of these initiatives came to a screeching halt. The lack of continuity in government means that digital rights advocates must start from scratch every time.

Another avenue that digital rights activists are coming to explore today is the publication of information through journalistic frameworks. A suitable example of this is Mada Masr, an independent Egyptian online newspaper "born out of crisis and inevitability."[62] Whereas the platform itself was not created in a campaigning framework, it represents a different and more creative approach to organising activists and manoeuvring around the current situation. Even if such publications do not have a large readership, activists emphasise the importance of publishing information that the state wants to hide in order to raise awareness on human rights issues online.

Iraq

The increased activity of the self-proclaimed Islamic State in Iraq and the Levant (ISIL), a fundamentalist group that has taken over swaths of formal Iraqi and Syrian territory, has led to the sharp increase in the number of rights violations occurring in the country.[63] The Iraqi government has begun responding to fundamentalist activity

by clamping down on freedom of expression online. For example, the Iraqi parliament prepared a draft Cyber Crime Law that severely threatened internet freedoms by criminalising certain types of speech and establishing disproportionate punishments, including life imprisonment for "using computers to 'harm the reputation' or affect the 'unity' of the country."[64]

By late 2012 the draft had been denounced by at least 44 international advocacy organisations and was the subject of detailed reports by the Centre for Law and Democracy, Access Now, Human Rights Watch, Article 19, the Committee to Protect Journalists, and Reporters Without Borders. Domestically, individual campaigns were launched by NGOs such as the Iraqi Network for Social Media (INSM) and the Society for Defending Press Freedom. Both organisations raised awareness on the draft law by publishing blogs and reports online and holding educational seminars and meetings offline.

Civil society's efforts eventually came to fruition in early 2013. The draft law was revoked on 22 January 2013 when the Speaker of the House approved a request by the parliamentary Culture and Media Committee to table the bill indefinitely. The approval marked a hard-won victory for civil society actors in the country who had waged a long-running battle against the law.[65]

However, the Iraqi government's attempts to stifle expression continue today. For example, in February 2015, Abdel Sater El Bayrakdar, a spokesperson for the judiciary, announced that libel and "insulting statements" made on Facebook are punishable crimes. The spokesperson also announced that Facebook would be considered as a media platform from then on.[66] The Iraqi judiciary justifies such criminalisation through penal defamation laws.

On 27 June 2015, the government ordered all internet service providers (ISPs) in the country to shut down the use of the internet, allegedly to stop cheating on school examinations. According to NGO Access Now, some sources confirmed additional shutdowns of the internet

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60 Al Jazeera. (2016, 10 January). Egypt parliament convenes for first time under Sisi. www.aljazeera.com/news/2016/01/egypt-parliament-convenes-time-sisi-160110062710013.html

61 The open source community in Egypt is composed of activists and bloggers. They collectively ran a campaign to convert the government to using open source software, both on social media (on Twitter using the hashtag #OpenEgypt) and through organising a silent demonstration on 30 December 2012.

62 Mada Masr, About Us: www.madamasr.com/about-us

63 Reporters without Borders. (2015, 21 July). Timeline of violations against freedom of information in Iraq and Syria. https://rsf.org/en/news/timeline-violations-against-freedom-information-iraq-and-syria

64 Dheere, J. (2013, 6 February). Cyber Crime Law in Iraq Revoked. *SMEX*. www.smex.org/cyber-crime-law-in-iraq-revoked

65 Sutton, J. (2013, 8 February). Iraqi parliament moves toward revoking draconian Cyber Crime Act. *Access Now*. https://www.accessnow.org/iraqi-cybercrime-law-revoked

66 Alsumaria. (2015, 7 February). Insults and libel on social media are crimes punishable by law. bit.ly/1nFPei5

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earlier in July and on 12 June 2015.[67] This was not the first time that the government ordered the shutdown of internet services in Iraq – the Ministry of Communications announced suspended service of online platforms such as YouTube, Twitter and Facebook shortly after ISIL took over the northern city of Mosul in June 2014.[68]

Several global organisations drafted a letter to the Iraqi government requesting that it withdraw its order to tele-communications companies to shut down the internet and refrain from doing so in the future.[69] Signatories included Access Now, the Electronic Frontier Foundation, Article 19, and the Egypt-based Heliopolis Institute.

Within Iraq, the Iraqi Network for Social Media (INSM) continues to be active in resisting repressive practices by the Iraqi government that restrict freedoms online. Most interesting is the collective civil society effort to combat extremism online. INSM explains on its website that to defeat ISIL, researching how it uses social media and the internet more generally is an important first step. To that end, in February 2015, Iraqi Media House – a local media monitoring organisation – released a report on how the fundamentalist group has managed to use the internet to disseminate its messages.[70]

Summary

A common thread amongst the countries studied is the reality of political systems that dictate how effective any launched campaigns can be. The potential impact of advocacy is limited by political constraints that are rarely within the control of concerned citizens. In some countries, the external environments in which campaigns are launched are not conducive to digital rights activism – especially in war-torn countries like Syria, Yemen and Libya.

Arab countries with environments that are more conducive to digital rights activism – such as Jordan and, to some extent, Tunisia – face challenges in coordination of efforts and dedicating resources to educating CSOs on the UPR mechanism. These impediments are discussed in greater detail at the end of this paper, in the section on challenges.

67 Micek, P. (2015, 9 July). International coalition to Iraq: Stop shutting down the internet. *Access Now*. https://www.accessnow.org/international-coalition-to-iraq-stop-shutting-down-the-Internet

68 Miller, J. (2014, 16 June). Iraq blocks Facebook and Twitter in bid to restrict Isis. *BBC*. www.bbc.com/news/technology-27869112

69 Access Now. (2015, 9 July). Letter to the government of Iraq on Internet blocking. https://www.accessnow.org/letter-to-the-government-of-iraq-on-Internet-blocking

70 Iraqi Media House. (2015). *Media Arsenal of ISIS, Part I: Media institutions and forums*. www.imh-org.com/media-arsenal-of-isis-parti-media-institutions-and-forums

PART II:

UPR INVOLVEMENT FROM THE ARAB WORLD

Amongst Machrek and Maghreb countries, few have contributed digital rights submissions to the Universal Periodic Review (UPR) process. Lebanon, Egypt, Iraq, Sudan and Tunisia are, so far, some of the only Arab countries to have recent submissions on the topic.

Lebanon

SMEX, Privacy International and the Association for Progressive Communications (APC) submitted a joint stakeholder report[71] on privacy in March 2015 for Lebanon's periodic review, held during the Human Rights Council's 23rd session.[72] The submission was a successful collaboration between international organisations and local ones – which is a powerful combination when acting on an international stage such as the United Nations.

The joint stakeholder report for Lebanon mainly focused on the constitutional right to privacy, communications surveillance, and the protection of personal data.

In addition to collaborating with APC and Privacy International in submitting a report to the HRC on privacy, SMEX has also held parallel activities in Beirut. The organisation launched UPR awareness campaigns in local communities, and specifically addressed the right to privacy when discussing the submission. SMEX co-founder Mohamad Najem emphasises that the organisation is "still at the beginning" and that while it is able to create some change, the larger goal of educating the region on the UPR process "might take five or ten years – or more."

Egypt

Similar to SMEX, the Egyptian Initiative for Personal Rights (EIPR) and the Association for Freedom of Thought and Expression (AFTE) collaborated with Privacy International and APC in submitting a joint stakeholder report[73] to the Human Rights Council's 20th session, held in March 2014. The report was drafted to specifically address the right to privacy.

In-person efforts

Many Egyptian civil society organisations did not participate in the review, for fear that their participation might result in reprisal or possible persecution by the government.[74]

Based on the joint report with EIPR, AFTE and APC, Privacy International met with the governments of Norway, the Netherlands and Estonia to present their submission and outline recommendations. The submission was also shared by email with the Permanent Mission of Canada in Geneva, which then forwarded it to the Canadian Embassy in Cairo.

Unfortunately, due to some administrative issues in coordination, Privacy International was unable to make an oral statement during the UPR-Info pre-session.[75]

Sudan

Sudan's first UPR review took place in 2011, with civil society submissions from a wide range of Sudanese NGOs covering important human rights issues. Internet-related human rights were not among the issues covered in these submissions.

The dynamism of Sudanese civil society action in the UPR process is remarkable: many non-profits also submitted mid-term reports (follow-up) two years after the 2011 review. These mid-term reports focus on tracking the government's implementation of accepted recommendations and the extent of progress in the human rights situations in the country under review.

71 Privacy International, Social Media Exchange and the Association for Progressive Communications. (2015). *The Right to Privacy in Lebanon*. www.smex.org/wp-content/uploads/2015/09/Lebanon_UPR_23rd_session_Joint_Stakeholder_submission_0.pdf

72 SMEX. (2015, 10 September). Lebanon: It's time to turn your international position on privacy into action at the national level. www.smex.org/lebanon-its-time-to-turn-your-international-position-on-privacy-into-action-at-the-national-level

73 Privacy International et al. (2014). *The Right to Privacy in Egypt*. https://www.privacyinternational.org/node/370

74 Egyptian Initiative for Personal Rights. (2014, 4 November). As a Result of a Direct Threat to their Work: Egyptian Human Rights Organizations Have Decided Not to Participate in Egypt's UPR before the UN. www.eipr.org/en/pressrelease/2014/11/04/2274

75 Interview with Alexandrine Pirlot de Corbion from Privacy International, 14 December 2015.

The second review of Sudan is scheduled to take place in May 2016.

In September 2015, a coalition of 10 Sudanese civil society organisations referred to as the "UPR Group", working in collaboration with APC and Alternatives International, submitted a notable stakeholder report for the review. The report thoroughly discusses state surveillance by the "Cyber Jihadist Unit", as well as internet service interruptions and how they severely limit citizens' access to the internet. The report additionally discusses the Sudanese Ministry of Interior practice of filtering and blocking news, books and opposition websites.[76]

The African Centre for Justice and Peace Studies (ACJPS), the International Federation for Human Rights (FIDH) and the International Refugee Rights Initiative (IRRI) submitted a joint report on human rights developments on the ground since 2011.[77] In the 19-page report, the right to expression online was only very briefly mentioned in relation to the government's blocking of electronic media sites. The report developed little else in the way of digital rights.

In-person efforts

In preparation for the May 2016 review, many non-profits are planning efforts to participate in events both before and during the review. Sudan's UPR Group civil society coalition has developed advocacy briefs for embassies in Khartoum, focusing on follow-up to the recommendations made during Sudan's first cycle review in 2011. This coalition is also working with a wider group of local, regional and international civil society to engage in the UPR-Info pre-session at the end of March 2016. These groups are working together to contact permanent missions in Geneva and, where possible, setting up in-person meetings with delegates.

Local Sudanese civil society actors also plan to hold a side event the day before the review on 4 May 2016 to raise awareness about the review and bring attention to particular issues.

Iraq

The second review of Iraq took place during the Human Rights Council's 20th session on 3 November 2014. The Iraqi Civil Society Solidarity Initiative (ICSSI), in coordination with APC and Un Ponte Per (an Italian human rights organisation), developed a briefing document[78] highlighting the severe, ongoing human rights violations in Iraq from a civil society perspective. The document proposes questions and recommendations that should be brought to the attention of the Iraqi government.

Within the briefing document are some elements that touch on digital rights – for example, it highlights some proposed laws within the Iraqi legislature that could infringe on the right to free expression online, such as a draft "information crimes" bill and a draft "cyber crime" bill. The briefing also emphasises the danger of arbitrarily shutting down internet services and infringing on citizens' right to free flow of information.

In-person efforts

In conjunction with drafting the briefing document, a delegation of Iraqi civil society members attended the review, holding meetings with state representatives during the UPR-Info Geneva pre-sessions and with members of the European Parliament in Brussels.

Tunisia

The last review of Tunisia took place in May 2012. A joint UPR submission on freedom of expression in Tunisia was submitted by the following members of the International Freedom of Expression Exchange Tunisia Monitoring Group (IFEX-TMG) coalition: Article 19, Canadian Journalists for Free Expression (CJFE), Cartoonists Rights Network International, Index on Censorship, International Publishers Association (IPA), Norwegian PEN, World Association of Community Radio Broadcasters (AMARC), World Association of Newspapers and News Publishers (WAN-IFRA), and the Writers in Prison Committee (WiPC) of PEN International.[79]

76 UPR Group, APC, & Alternatives International. (2015). *Coalition submission to the Universal Periodic Review of Sudan.* https://www.apc.org/en/system/files/Coalition-Sudan-UPR-submission-FINAL.pdf

77 African Centre for Justice and Peace Studies. (2015, 22 September). ACJPS, FIDH and IRRI submission to the Universal Periodic Review of Sudan 2016. www.acjps.org/acjps-fidh-and-irri-submission-to-the-universal-periodic-review-of-sudan-2016

78 APC, ICSSI, & Un Ponte Per. (2014). *Civil Society Briefing Document: Iraq UPR Review 2014.* https://www.apc.org/en/system/files/Civil%20Society%20Briefing%20Document%20-%20def.pdf

79 International Freedom of Expression Exchange Tunisia Monitoring Group (IFEX-TMG). (2011). *Contribution to the Universal Periodic Review Mechanism.* lib.ohchr.org/HRBodies/UPR/Documents/session13/TN/IFEX_TMG_UPR_TUN_S13_2012_InternationalFreedomofExpressionExchangeTunisiaMonitoringGroup.pdf

Whereas the submission is broadly centred on freedom of expression, the report does provide a full section on internet data monitoring and surveillance by the government as well as the jailing of prominent activists and censorship of content online.

Notably, there were no Tunisian organisations involved in the submission of this report.

CHALLENGES

Environment

The first section of this paper demonstrated that one of the biggest challenges to digital rights activism in the Arab world is the very environment that it operates within. The circumstances are diverse – from the total lack of responsive institutions in Libya, to civil war in Yemen and Syria, to immensely burdened bureaucratic systems in Tunisia and Egypt.

Non-democratic processes pose significant challenges across the region, encumbering activists who are attempting to lobby policy makers for change. The arbitrary application of law, lack of due process, and lack of transparency in governmental procedures all present structural challenges for advocates. In the words of SMEX co-founder Mohamad Najem, "In countries where an individual's voice in the elections simply does not matter, it is hard to move for change."

Environmental challenges also include the political manipulation of international human rights instruments. For many human rights advocates in the region, the UPR process is a "show" of sorts where governments are expected to accept all recommendations on the international stage but seldom implement promised changes back home. In most Arab countries, laws are consistently moulded to serve law enforcement interests, reinforced by weak and partial judiciaries.

Lack of UPR process education

Lack of awareness is a major challenge within the communities where digital rights activists work. The UPR process is foreign to most activists in the region, in part due to its seeming disconnection from the reality on the ground. The majority of Arab governments are notorious for portraying liberal human rights policy positions internationally while perpetuating grave violations at home. Advocates are well aware of this. This type of double-faced behaviour furthers a sense of disillusion-

ment, which then contributes to the lack of interest in and education on the UPR mechanism.

Scarce resources due to reactive campaigning

When organisations do campaign, they are often reacting to a specific violation, which in turn leaves CSOs with little time and few resources to organise effectively to develop long-term strategies – a crucial requirement of effective UPR advocacy. Whether it is the arrest of an online rights activist or the proposal of a draft bill that violates users' rights online, campaigns have consistently taken on a reactive rather than proactive character. Several activists interviewed for this paper emphasised that they have been unable to engage in deeper advocacy and meaningful community education simply due to current events demanding more urgent attention and resource dedication.

Network fragmentation

Within the field of digital rights, there is little coordination and networking among civil society organisations domestically. This deficiency has led to the failure of such organisations to take advantage of the UPR mechanism. Dr. Abdel Rahim Bilal, former director of the Friedrich-Ebert-Stiftung Office in Sudan, summed up this fragmentation: "I think we lack the experience in building and managing networks, […] and whenever a network is formed the security [apparatus] intervenes to either stop or hack it. Such harsh conditions hinder the development of any experiment, its growth and its role."[80]

Competition

It is notable in Arab countries that whenever governments engage in institutionalised discrimination against civil society activism (such as by hacking into or destroying CSO networks), networking and teamwork are often the first mechanisms that are affected. This presents immense challenges to intra-group coordination, and hampers individual groups' ability to accomplish everyday tasks. With decreased teamwork, resources are also stretched thin. In a race for resources, such barriers sometimes lead organisations to lose vision. For example, the struggle over funding might turn into competi-

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80 Dr. Abdel Rahim Bilal, quoted in Aljaili Abubkr, L., & Fadul, K. (2016). *CSOs and Media Needs Analysis Study: Universal Periodic Review (UPR) Mechanism*.

tion for formulating project pitches that are closest to the vision of global funding institutions.[81]

CONCLUSION AND RECOMMENDATIONS

The UPR mechanism allows civil society actors the potential to successfully develop indicators for measuring a government's promised implementation and enforcement of its obligations under international law. One of the best ways organisations can track this is through carefully coordinated teamwork: each group can be assigned to follow a specific recommendation to monitor. Beyond enhancing teamwork, however, there are many other paths that can help CSOs become better digital rights advocates within the UPR framework. Some recommendations for local and regional Arab non-profits include:

Enhancing support for UPR-related education

Educating local human rights advocates on the importance of the UPR mechanism on the international stage should be a priority for both funders and recipients of funds. By understanding regional and international mechanisms and the requirements needed for dealing with them, Arab CSOs can become better acquainted with the UPR process. Educational workshops should focus on the UPR process timeline (including the importance of mid-term follow-ups), the type of issues to be worked on, and strategy and tactics in preparing and arranging for engaging in the process.

Greater support for civil society engagement

All in all, digital rights and internet freedom advocacy in the Middle East and North Africa is in dire need of greater institutionalised support. Digital rights affect and are affected by a wide range of policy issues, which means they comprise the bedrock of change in the region. As such, working for their protection – against surveillance and censorship, for example – should be a cornerstone element of any strategic human rights advocacy plan.

Greater coordination and more constructive competition

When funding does come through, local non-profits should allocate resources to build networks and encourage collaboration amongst one another. The submission of a shadow report as a cohesive coalition is significantly more impactful than the submission of various, fragmented voices. Presenting a unified front in defending human rights in the online sphere is more promising as a catalyst for change, and ultimately helps better serve the needs of local users and communities.

ACKNOWLEDGMENTS

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81 Ibid.

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