

Media Face a Palestinian Kick

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In an extraordinary move, a civilian has been sentenced to a year's imprisonment for posting a picture on Facebook of Palestinian Authority President Mahmoud Abbas dressed in a Real Madrid soccer outfit and kicking a ball. The sentencing is among several instances of a targeting of media in Palestinian areas.

Anas Saad Awad, 26, from the northern West Bank village of Awarta near Nablus, was sentenced in the Nablus magistrate's court, that convicted him of "criticising the government." Awad was unable to address the court as the conviction was carried out while he was elsewhere in the court building.

Awad's lawyer Rima Al Sayed said her client has been accused of photo-shopping a picture of Abbas wearing a Real Madrid shirt with the caption: 'A new striker'. According to Sayed, the Palestinian judiciary had applied Article 195 of Jordan's penal code, which criminalises criticism of the Jordanian king.

The use of Jordanian law by Palestine's judiciary is not unusual. In addition to the Basic Law established in 2002, Palestinian law is an amalgam of Egyptian and Jordanian law and the codes left over from the era of the British Mandate. But the application of Jordanian law can frequently be used against Palestinians in labour disputes and "honour" crimes and speech.

"My son only commented on Facebook," said Awad's distressed father. "You know how young people comment. He didn't mean to insult the president. I ask the president to intervene personally to cancel the court's decision."

IPS was unable to speak to the family directly considering the likelihood of Palestinian intelligence agencies monitoring the family's phones, and creating more trouble for them.

Awad had been in trouble with Palestinian intelligence previously for criticising the Palestinian Authority (PA), and he was arrested but then fined and released.

“This is unprecedented. This is the first time this kind of sentence has been imposed on an ordinary citizen merely for commenting on Abbas. The Facebook comment was not even rude or critical,” said Riham Abu Aita from the Palestinian Centre for Development and Media Freedoms (MADA).

“Last year 10 Palestinian journalists from Gaza and the West Bank were arrested and interrogated for criticising both Hamas and the PA. Media freedom in the Palestinian territories has got off to a bad start in 2013 already,” Abu Aita told IPS.

“Hamas has arrested dozens of journalists in Gaza, and the Israeli security forces are increasingly targeting both Palestinian and foreign media as they have tried to cover the growing protests in the West Bank.

“However, the PA has become overly sensitive in the last few months. This is related to its hyper sensitivity to international criticism following its upgrade at the UN to non-member observer status and the pressure being exerted on it by Palestinian and international human rights organisations,” said Abu Aita.

One of the PA’s strategies towards implementing its goal of an independent Palestinian state is joining the International Criminal Court (ICC) as a way of bringing pressure to bear on Israel, which is in violation of a number of human rights issues under international law over its treatment of Palestinians.

The PA’s status at the UN is only that of a non-observer state, but it could ratify core human rights treaties including the International Convention on Civil and Political Rights (ICCPR) – Article 19 of which guarantees freedom of expression.

The PA has pledged to uphold human rights and ratify various conventions, but has failed to do so in a number of areas. Human Rights Watch noted that “it’s commendable that the Palestinian leadership is studying the treaties; its delay in ratifying them inspires little faith in their commitment to upholding fundamental rights and freedoms.”

“Another issue is the fear of the PA of a popular uprising in the West Bank following the Arab Spring which has swept through the region, threatening dictatorships in its wake,” Abu Aita told IPS. “Abbas’s government would also like to appear to be taking the higher moral ground in regard to Hamas which has recently been slammed in the press for its crackdown on the media in Gaza.”

While Abbas’s security apparatus has been able to control journalists and media publications in the West Bank to a certain extent, social networks have proven far harder to control despite intensive monitoring.

Last year Palestinian security forces jailed at least three people accused in separate incidents of criticising the government on social networking websites. A Palestinian university lecturer was one of those detained for insulting Abbas on Facebook .

Ironically while the PA has encouraged Palestinians to report on corruption, in April last year blogger Jamal Abu Rihan was arrested for launching a Facebook campaign demanding an end to corruption.

Ma'an News agency has uncovered evidence of the blocking of eight websites critical of Abbas, while columnist Jihad Harb was imprisoned for two months on charges of libel and slander for raising questions about cronyism within Abbas's office.

“However, the PA's efforts to crush journalistic dissent is backfiring,” Abu Aita said. “What we are finding is that Palestinian journalists are becoming stronger supporters of media freedom and more determined to support it the more they are targeted and harassed.”