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Item 5: Activity Report of the Special Rapporteur on Freedom of Expression and Access to Information in Africa

Honourable Commissioners and Special Rapporteur,

The International Commission of Jurists (ICJ) is deeply concerned at the Tunisian and Egyptian authorities' intensifying crackdown on freedom of expression.

In Tunisia, the criminal justice system continues to be instrumentalized against free voices, including lawyers, journalists, bloggers, political opponents and human rights defenders, often through vague provisions under "counter-terrorism" legislation and draconian criminal law provisions concerning "fake news", contrary to this Commission's Declaration of Principles on Freedom of Expression and Access to Information in Africa, which calls on States to repeal laws that criminalize sedition, insult and publication of false news.

The case of lawyer and journalist Sonia Dahmani — currently serving an eight-month prison sentence and facing additional criminal charges solely for having criticized the authorities' policies against sub-Saharan migrants — starkly exemplifies the repression of dissent in the country. Another lawyer, Ahmed Souab, defence counsel in the so-called conspiracy case, is in detention facing "counter-terrorism" charges for having criticized the verdict. Furthermore, two prominent journalists, Mourad Zeghidi and Borhen Bsaïess, are each serving a one-year prison term simply for expressing their opinions on social media.

In Egypt, the authorities continue to subject critical voices, including political opponents and journalists, to arbitrary arrest and detention, enforced disappearance and torture for the mere exercise of their right to freedom of expression.

For example, Ashraf Omar, a political satire artist, was arrested on 20 July 2024 and taken to an undisclosed location where he was held for more than 48 hours. His wife later declared that National Security Agency officers had tortured him, including by threatening to subject him to electric shocks. He remains in detention to this day. His wife and a journalist, who interviewed her regarding her husband's arrest, were, in turn, arrested in January 2025. The journalist remains in detention.

On 20 October 2024, political economist Dr. Abdel Khaleq Farouq, known for his publications criticizing State policies, was arrested and charged with joining a "terrorist" group and spreading "false news". From the circumstances of Dr. Farouq's arrest, the search of his home, his interrogation and his previous arrest and detention on somewhat similar charges in 2018, it appears evident that his detention is related to his expression of political opinions critical of the government. Despite serious medical ailments, and his suffering a heart attack while in detention, he continues to be held in poor detention conditions pending trial.

On 6 February 2024, an Egyptian court convicted and sentenced prominent political opponent Ahmad Tantawi to one year's imprisonment on charges of printing and circulating presidential election documents without authorization. A few days ago, the Egyptian authorities summoned him for questioning in two new cases, a move designed to dissuade him from continuing his opposition activities after his upcoming release on 26 May.

In 2024, the Egyptian authorities arrested and prosecuted journalists and activists for demonstrating against Israel's war in Gaza, while also arbitrarily arresting ordinary citizens for social media posts critical of the country's economic situation.

The ICJ urges the Commission to call on Egypt and Tunisia to immediately release all those currently arbitrarily detained for the mere exercise of their right to freedom of expression and to repeal laws that criminalize sedition, insult and publication of false news, in line with the Declaration of Principles on Freedom of Expression and Access to Information in Africa.

Thank you.