

Media Freedoms Status in Palestine

Semi Annual Report of 2013

MADA: 113 violations against media freedoms during the first half of 2013

Israel committed 78 violations Palestinians committed 35 violations

Media freedoms status in Occupied Palestine still raises concerns in terms of the numbers and types of violations committed against Palestinian journalists. Violations against Palestinian journalists are one of the highest globally, and are life-threatening, where the Palestinian journalists are concerned for their life and safety, especially those who cover peaceful demonstrations and the popular resistance activities against the occupation, settlement, and the apartheid wall. Regardless of the threat, Palestinian journalists never back down and continue to exercise their profession and duty, and they have earned many appreciations and awards.

MADA monitored an increase in violations during the first half of 2013, with **113 violations** against media freedoms, **78** were committed by Israel Occupation Forces IOF, and **35** violations committed by Palestinians.

Violations have increased with 11 violations comparing to the same period in 2012 (102 violations), due to the increase of violations committed by the IOF against Palestinian journalists.

The Israeli Occupation's desire to blur the truth and hide its constant attacks on the Palestinian people's rights is a main reason for the increase of its violations against media freedoms during the past years. Another reason for this increase is the official International community forgiving attitude towards the continues and rising Israeli violations against media freedoms, and the absence of a serious pressure policies on Israel, which leads to its sense of tranquility and assurance for being above impunity and accountability.

The Impunity which is awarded to Israel over and over again has enhanced its sense of being a state above international laws, which encouraged Israel to continue its attacks on Palestinian journalists, For example, the absence of official international reactions with a few exceptions, for the murder of three journalists in the past year, reinforced that feeling, it even led to a disrespectful and offensive justification to the killing by the spokesmen of the Israeli government, and encouraged the Israeli lobby and some Jewish organizations in America to pressure the U.S.A. "Newseum" to prevent it from honoring two of the murdered journalists last May. It also leads to an excessive use of violence by Israeli soldiers with journalists during their coverage of the peaceful marches in the West Bank.

The months which whitens a lot of peaceful marches and sit-ins and confrontations between Palestinians and Israeli forces lead to many violations against journalists, which shows that when there is a decrease in Israeli violations in citrine months or years, the reason is not due to the respect of the occupation authorities of freedom of

expression, or a change in its policy or approach on how to deal with journalists, but to the absence of these events that the occupation forces doesn't want journalists to cover.

MADA monitored a decrease in the number of Palestinian violations against media freedoms, but there are still concerns due to the continuing policy of arrests, the control over social media, and the prosecution of journalists and activists for expressing their opinions, leading to the promotion of self-censorship.

What raises more concerns is resorting to torture of a number of journalists during their detention in the Gaza Strip, especially during January, returning to a method prohibited by international laws, the return to this style of torture is not only worthy of condemnation, but also to hold those responsible accountable. This type of violation disappeared during the past few years according to MADA's reports.

Even though the director of the Public Prosecutors Dr. Ahmed Burak announced during a workshop of MADA's the prosecutions moral obligation to not remand journalists, MADA reported the remand of George Canwati a journalists on 3rd June 2013 by the public prosecutors in Bethlehem, which raised concerns, because it will lead to negative impacts on media freedoms and will enhance self censorship of journalists.

The other factor which still leaves a negative impact on media freedoms is the lack of a legal environment appropriate to the work of the media in Palestine. Palestine lacks laws governing the work of the media, except for Press and Publications Law of 1995, which requires amendment so it can become appropriate to the developments that have occurred on the local media scene and the world, and to become in line with international standards. In addition the Jordanian Penal Code that is enforced in the West Bank since 1960 allows for the imprisonment of journalists and forms a burden on media freedoms and an obstacle to its development.

Palestinian media still faces many difficulties because of the absence of Access to Information law, which MADA recently drafted a law that is compatible with international standards, after hard work during the past two years in collaboration with several civil institutions, journalists, experts, and DECAF, where there is hope it will be passed this year. This law will help not only all workers in the local, Arab, and international media outlets to get the information, but all citizens. With the enactment of this law, Palestine will join another more than 90 country across the globe who adopted an access to information law.

The great number of violations practiced by security forces against journalists in recent years, especially after the division in 2007, enhanced self-censorship among journalists and the media, and led to the dearth of investigative reporting, and the decline of the supervisory role of the press, especially that the Palestinian Legislative

Council is not in session, and to devote the media division, and increased polarization at the expense of professional media and pluralism.

MADA has stressed many times that it is difficult to talk about a real evolution in the development of media freedoms with the continuation of the Israeli occupation and the Palestinian internal division. However, the ongoing work of the Centre and many of the institutions of civil society concerned has made progress in the field of freedom of expression with regard to the Palestinian violations, and this is reflected in the low number of violations.

Below are details on the number and types of violations against media freedoms monitored by the center during the first half of this year, and its most prominent forms:

The Israeli Occupation Violations:

Israeli occupation forces committed 78 violations against media freedoms in Palestine during the first half of this year, equivalent to 69% percent of the violations monitored by MADA center, an increase of 11 violations for the year 2012 for the same period.

These violations embodied five forms, namely: physical abuse, arrest, detention, prevention from coverage, and prosecution. And as usual physical assault on journalists formed the largest percentage of violations of the occupation with 43 attacks (54.4%).

Types of violations of the occupation forces in the first half of this year:

Types of Violations	Number of violations
Physical assault	43
Detention	13
Prevention from coverage	11
arrest	8
Prosecution	3
total	78

Compared with the past two years, MADA noticed through its monitoring of violations the increasing of violence and physical abuse by the occupation forces on journalists, and this is evident in the number of cases of this type of violations, and in the statements of some of them. For example, a statement by the photographer of Arabiya TV on how the Israeli soldiers assaulted him: "I been working in this field for many years, this was the first time I was exposed to violence, they've been very

violent with all journalists and they had instructions not to allow us to cover the event."

The table below shows the number of cases of physical assault against journalists by the Israeli occupation forces in the first half of the past three years:

year	Number of physical assault cases
2011	24
2012	31
2013	43

Some physical attacks on journalists were dangerous and caused a number of them serious injuries, such as the injury of Palestine News Network PNN cameraman Mohammed Walid Alaza by a rubber-coated metal bullet beneath his eye, and the photojournalist injury Jihad Aqadi by a bullet that entered his abdomen and exited from his back, which caused him significant injuries in the colon, spleen and a slight wound in the liver and bruises in the lower breastbone. As well as the injury of the photographer Mahfouz Abu Turk was shot in the head behind the right ear, causing him a great wound that needed three stitches.

MADA also monitored 13 cases of detention of journalists during the first half of 2013, concentrated mostly in the month of March, where Palestine witnessed several marches, sit-ins and confrontations because of Earth Day. This along with 8 cases of arrests of journalists over the past six months, and the longest arrest was the arrest of Palestinian cartoonist Mohammed Faiq Sabaana who was sentenced to imprisonment for a period of 5 months and a fine of 10 thousand shekels (approximately 2780 USD), Sabaana was released after the end of his term on 1st July 2013. Another journalist is also expected to be released Amer Abu Arafa in mid next August, who has been detained administratively since the date of 21st August 2011.

Other leading forms of violations by the Israeli occupation is to prevent journalists from coverage, where MADA monitored 11 cases, knowing that some cases were collectively and included a large group of journalists, such as preventing all journalists from covering the events of "BAB AL SHAMS Village, and ALNAWATEER Village" by highlighting strong lights on their cameras, and by tampering with wires and audio broadcast. MADA also notes the inability of many Palestinian journalists from covering events around different areas in Palestine due to the difficulty of movement, where journalists are not allowed to travel between the West Bank, Gaza Strip and Jerusalem.

Conclusions and Recommendations

As the report above pointed out, the behavior of the Israeli occupation forces with journalists during their coverage of the various events is going from bad to worse, MADA holds the official international community a great responsibility in the continued deterioration of the situation of media freedoms because of their silence and lack of movement for the protection of journalists in Palestine. MADA is strongly demanding the international community to punish the occupation for its crimes against journalists, and to pressure Israel through connecting their relations with the level of Israel respect for freedom of expression and human rights in Palestine. Especially since Israel is violating on almost daily basis all international conventions that ensured the right to freedom of expression in particular Article 19 of the Universal Declaration of Human Rights, and the decision of the General Assembly of the United Nations 59 d - 1 from 1946, as well as resolutions of the Organization UNESCO and other decisions.

Palestinian violations:

MADA monitoring 35 Palestinian violations on the right of Palestinian media freedoms during the first six months of the current year, Although the numbers of Palestinian violations in the past three years show a significant decrease in this area, but the nature of the violations are still of concern, and indicates a problem with the lack of depth of the right to freedom of expression as a fundamental human rights.

Palestinian violations have occurred in the Gaza Strip by 25 violations, approximately 71% of the whole. It should also be noted that the most were committed in the month of January, where the internal security services of Hamas government in Gaza arrested and interrogated 12 journalists, and in the month of May, where five journalists have been assaulted and detained during their coverage of a solidarity march in Khan Younis.

In the West Bank MADA has touched an extent of improvement in the case of media freedoms, with an emphasis on the continuing patterns of troubling violations of impeding the evolution of the development of media freedoms, such as internet censorship and sentencing journalists to prison, as it happened in the case of Mamdouh Hamamrah, and the arrest of journalist George Canawati, for publishing or using Facebook.

In addition the threats of two journalists with death by unidentified persons raise the utmost concern, where the Palestine Public TV crew was threatened with murder and a bomb was placed outside the house of one of the crew members. MADA praises the effort by Palestinian police that recently announced the detection of the identity of the perpetrators, where MADA believes holding accountable and punish the perpetrators will reduces these types of violations.

Palestinian violations during the first half of the past three years:

year	Number
2011	68
2012	41
2013	35

The Palestinian violations during the past six months were divided between 8 types, namely: arrest, detention, investigation, prevention of coverage, threats, assault, sentencing journalists, and the closure and blocking of websites.

The arrest of journalists was at the forefront of violations with 16 arrests, up significantly from the number of arrests in the past year where MADA monitored 9 cases. The journalists' detention and interrogation was one of the common patterns of violations, where MADA monitored 10 cases in this regard.

Types of Palestinian violations during the first half of this year:

Type	arrest	interrogation	detention	blockage	Prevention from coverage	assault	threat	Jail sentence
Number	16	5	5	2	2	2	2	1

Conclusions and Recommendations:

MADA calls for all relevant authorities and decision-makers in the West Bank and Gaza Strip to respect freedom of opinion expression and Palestinian law and hold accountable those responsible for the violations, and to stop violations against journalists and media institutions, which increases their suffering because of their exposure to the flagrant violations by the Israeli occupation, as well as an end to the effects of Palestinian division on media freedom and neutralize it from all political differences, and allow the re-printing and distribution of Palestinian newspapers banned in the West Bank and Gaza Strip. MADA also emphasizes the need to provide the appropriate legal environment for the work of the media that are in line with international standards.

At the end we wish to thank The Open Society Foundations for its support for this report, and we thank all Arab and International Organizations who stood by the Palestinian journalists, and supported his right to exercise his profession freely and safely.