

# **FREEDOM OF SPEECH AND EXPRESSION**

## **DIGITAL RESTRICTIONS**

In countries where censorship abounds, the free exchange of ideas has been further strangled by cybercrime laws. In the Muslim world, these laws have been used indiscriminately to silence religious, political, and social dissent with the pretext of preventing “blasphemy” or “maintaining social order.”

## **LAWS RESTRICTING FREEDOM OF SPEECH**

### **KUWAIT**

2015 - Law No. (63) on Combating Information Technology Crimes<sup>1</sup>

#### Article 6

Punishes “damaging state reputation, criticizing, offending, insulting or slandering the ruler, his family, state symbols or a public official” by a fine of 5,000–20,000 KWD

Punishes “insulting or defaming religion or religious values” with up to 1 year; and/or fine: 5,000–20,000 KWD

Article 4(4): Punishes “prejudicing public order, morals, and social values” with imprisonment up to 2 years; and/or Fine: 2,000–5,000 KWD

### **SAUDI ARABIA**

2007 Anti-Cyber Crime Law, Royal Decree No. M/17<sup>23</sup>

Article 6: Punishes “the production, preparation, transmission, or storage of material impinging on public order, religious values, public morals, or privacy, through an information network or computer” with five years and a fine not exceeding 3,000,000 riyals, or either penalty.

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<sup>1</sup><https://www.gc4hr.org/news/view/1164>

<sup>2</sup> <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/25df73d6-0f49-4dc5-b010-a9a700f2ec1d/2>

<sup>3</sup>[https://www.mcit.gov.sa/sites/default/files/2021-06/la\\_004\\_e\\_anti-cyber\\_crime\\_law%20%281%29.pdf](https://www.mcit.gov.sa/sites/default/files/2021-06/la_004_e_anti-cyber_crime_law%20%281%29.pdf)

## OMAN

2011 Royal Decree No 12 issuing the Cyber Crime Law<sup>4</sup>

Article 19: punishes using the Internet in a way that “might prejudice public order or religious values” with one month to one year in prison, and fines of not less than 1,000 rials (US\$2,600)

## UAE

2012 Cybercrime Law<sup>5</sup>

Allows the government to monitor and arrest those who advocate for reform or criticize the government online

Article 35: punishes “insulting or defaming religion or religious values (if targeted at Islamic religion)” with imprisonment for up to 7 years, and/or fine: 250,000–1,000,000 AED

Prejudicing public orders, morals, and social values:

Article 24: Temporary imprisonment (period not specified); and Fine: 500,000–1,000,000 AED

Article 28: Temporary imprisonment (period not specified); and Fine: up to 1,000,000 AED

2014 Terrorism Law

Permits the arrest and charge of anyone who “antagonizes the government,” and allows for prisoners to be retained even after completing their sentence for an indeterminate amount of time.<sup>6</sup>

## BANGLADESH

(DSA) Digital Security Act, 2018<sup>7</sup>

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<sup>4</sup>[https://www.qcert.org/sites/default/files/public/documents/om-ecrime-issuing\\_the\\_cyber\\_crime\\_law-eng-2011.pdf](https://www.qcert.org/sites/default/files/public/documents/om-ecrime-issuing_the_cyber_crime_law-eng-2011.pdf)

<sup>5</sup><https://www.hrw.org/news/2012/11/28/uae-cybercrimes-decree-attacks-free-speech>

<sup>6</sup>[https://www.icfuae.org.uk/sites/default/files/REPORT\\_Political%20Prisoners%20in%20the%20United%20Arab%20Emirates.pdf](https://www.icfuae.org.uk/sites/default/files/REPORT_Political%20Prisoners%20in%20the%20United%20Arab%20Emirates.pdf)

<sup>7</sup><https://www.article19.org/wp-content/uploads/2019/11/Bangladesh-Cyber-Security-act-2018-analysis-FINAL.pdf>

Criminalizes speech offenses, including criticism of religion.  
Article 8: Grants the authorities the power to remove or block content that “hampers the nation or any part therein in terms of nations unity, financial activities, security, defense, religious values, public discipline or incites racism and hatred.”

## PAKISTAN

2016 Prevention of Electronic Crimes Act (PECA)<sup>8</sup>  
Empowers the Ministry of Religious Affairs and Interfaith Harmony to review internet traffic and report “blasphemous” content to the Pakistan Telecommunications Authority (PTA) for possible removal, or to the Federal Investigative Agency (FIA) for possible criminal prosecution.

Twitter was blocked briefly in May 2012, and again in September that same year.

In May 2014, the Pakistan Telecommunication Authority requested the removal of material, much of which mocked Islam and other religions, claiming that it was “blasphemous,” “unethical” and violated Pakistan’s Penal Code.

## EGYPT

Law 175/2018, the “Anti-Cyber and Information Technology Crimes law”<sup>9</sup>  
Arbitrarily used by the authorities to stifle online media and bloggers that allegedly spread fake news, threaten national security, or attack the “family values of Egyptian society.”

## IRAN

Law No. 71063 on Computer Crimes<sup>10</sup>

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<sup>8</sup> [https://na.gov.pk/uploads/documents/1470910659\\_707.pdf](https://na.gov.pk/uploads/documents/1470910659_707.pdf)

<sup>9</sup> [https://www.loc.gov/item/global-legal-monitor/2018-10-05/egypt-president-ratifies-anti-cybercrime-law/#:~:text=18%2C%202018\).,metadata%2C%20and%20computer%20IP%20addresses.](https://www.loc.gov/item/global-legal-monitor/2018-10-05/egypt-president-ratifies-anti-cybercrime-law/#:~:text=18%2C%202018).,metadata%2C%20and%20computer%20IP%20addresses.)

<sup>10</sup> [http://ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=91715&p\\_country=IRN&p\\_count=168#:~:text=71063%20on%20Computer%20Crimes.,-Country%3A&text=Abstract%2FCitation%3A,a%20fine%20up%20to%205.000.](http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=91715&p_country=IRN&p_count=168#:~:text=71063%20on%20Computer%20Crimes.,-Country%3A&text=Abstract%2FCitation%3A,a%20fine%20up%20to%205.000.)

Punishes the publishing of materials that damage 'public morality' or to be a 'dissemination of lies.'

Article 18 of Penal Code

Punishes anyone for anyone found guilty of 'disseminating false information likely to agitate public opinion' with up to two years and a fine up to 5.000.000 Rials

## MAURITANIA

The 2016 Cybercrime Law<sup>11</sup>

Gives prison sentences and fines for disseminating politically sensitive content over the internet, used in practice to censor government critics.

## TUNISIA

Article 121 of the Penal Code

Punishes those who “distribute, offer for sale, display, or possess, with the intent to distribute...propaganda, tracts, bulletins, and fliers... that are liable to cause harm to the public order or public morals” with 6 months to 5 years in prison.

Article 226 of the Penal Code

Punishes “public indecency,” and criminalizes speech and actions that “cause harm to the public morals” with 6 months imprisonment.

## YEMEN

Article 103 of the Press and Publications Law<sup>12</sup>

Bans materials which “prejudices the Islamic faith,” criticizes of the head of state, “might spread a spirit of dissent and division among the people, “leads to

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<sup>11</sup><https://www.mfwa.org/country-highlights/mauritania-passeslawon-false-publication-amidst-crackdown-on-online-descent/>

<sup>12</sup><https://medialandscapes.org/country/yemen/policies/media-legislation>

the spread of ideas contrary to the principles of the Yemeni Revolution” or that “[distorts] the image of the Yemeni, Arab, or Islamic heritage.”

## **SOCIAL MEDIA**

Social networking platforms have frequently capitulated to religious calls for censorship. Ever more regularly, Facebook and Twitter flag and remove content as “hate speech” for mere critiques of religion or heads of state. EXMNA, along with other atheist, secular, and ex-Muslim organizations have had their content targeted under these justifications. These claims are difficult, if not impossible, to successfully appeal.

### **TWITTER**

#### **MAY 2014**

Twitter complied with the Pakistani government’s request for the removal of “blasphemous” content. Under Twitter’s Country Withheld Content tool, several dozen Twitter accounts were blocked. In June, after international protest, including by Humanists International, Twitter restored access to the previously blocked tweets and accounts.

### **FACEBOOK**

#### **2016**

Multiple atheist and secularist groups were targeted with mass, coordinated infiltration and reporting – leading to the closure of many groups. These groups were eventually restored, but only after a lengthy and sustained effort by organizers to draw public attention to the issue. After appealing their case, Atheist Republic and Ex-Muslims of North America were also able to regain full access to their pages, but Atheist Republic was taken down again only a few hours later.

#### **2017**

Facebook blocked posts from EXMNA and Atheist Republic from appearing in News Feeds – a measure Facebook claimed was “temporary” and in response to

violations of its terms of service and community standards. No details were given as to which standards were allegedly violated. By the following morning, Atheist Republic's Facebook Page with over 1.6 million followers – fostered over the course of six years – had been deleted, with no further explanation.

#### JULY 2021

Facebook's Director of Content Policy Stakeholder Engagement wrote to Ex-Muslims of North America (EXMNA) Director Sarah Haider outlining the platform's new policy banning "attacks" against religious institutions.

#### **FURTHER RESOURCES:**

- THE [RUSHDIE AFFAIR](#)