The Confiscation of Al-Ahaly Newspaper... Who Is Censoring The Newspapers in Egypt?
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Prepared by: Mohamad Nagy
Researcher at the Association for Freedom of Thought and Expression

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info@afteegypt.org
www.afteegypt.org
On the last May ,29 Al-Tagamoa Party has released a press statement 'condemning the confiscation of Al-Ahaly newspaper weekly issue ,the party’s mouthpiece .The censor’s ”blatant “interference ,according to the party’s statement ,while he ordered removing a reportage on the recent presidential pardons granted to a number of convicts .And this has led to printing suspension of the issue by Al-Ahram Printing Press .This is not the first interference for” the censor ,”as so-called by Al-Tagamoa ,to either remove or change the editorial content of Al-Ahaly ,the mouthpiece of a leftist party which has the government recognition and its president is already an appointed member of the Parliament .Since the editor-in-chief has been instructed to make amendments to the two previous issues of May 15 and .22 During the last few years ,Al-Ahaly is not the only newspaper that faced confiscation .Al-Dostour and Sawt Al-Ummah newspapers have preceded it in experiencing such practices .Therefore ,This paper reviews Al-Ahaly case and others of censorship practices in the Egyptian press.

What has happened to Al-Ahaly?

on Tuesday evening ,May ,28 Amina Al-Nakkash ,Al-Ahaly's editor-in-chief ,received a phone call from a member of the General Secretariat of the Supreme Council for Media .He informed her with the Censor's objection to a particular reportage in the newspaper issue which was in-print by that time .The full two-pages reportage was on presidential pardons granted to convicts of“ violent crimes ,”as Al-Nakkash described .General Secretariat's member required from Al-Nakkash replacing the reportage by another in order to allow resuming the issue printing .However ,Al-Nakkash has rejected the reportage removal or replacement after having a consultation with the editorial board and the party leadership ,according to Al-Tagamoa's statement.

"I did reject the removal of the reportage for several reasons ;firstly ,it is a full two-pages reportage which cannot be replaced by another one in the same space ,given the tight time .Secondly ,it is merely based on the convicts 'case files which are a primary source of information and it has no room for subjective opinion .Thirdly ,the recurrence of such interference in our work indicates the curtailment of Freedom of Media which opens up doors to the corrupt .Lastly and most importantly ,the censorship of the press is neither constitutional nor legal .”Al-Nakkash said.

2. Amina Al-Nakkash ,A phone interview conducted by AFTE researcher ,May,29,2019
3. Ibid.
As above mentioned, this is the third issue of Al-Ahaly that the Censor has had a word on it. The two preceding issues have faced similar interference. The first was the issue of May 15 when the Censor required from the editor-in-chief to delete news story about a Cabinet reshuffle planned by a sovereign authority. "I have deleted the news after mediation by the head of the Supreme Council for Media, Makram Mohammed Ahmed, as he assured me that it is false news," Al-Nakkash stated. "This has allowed the issue to be printed.

Then, the Censor has suspended the printing of the May 22 issue until the removal of a news story about allegations of corruption against a former minister and a current banker’s wife. This story was drawn from a briefing request submitted by a Parliament member. This time the editorial board indeed accepted the story deletion from the paper issue in order to resume the printing and because the story has been already published on Al-Ahaly’s online platforms.

"In the age of the information technology revolution, no one can suppress news circulation or confiscate newspapers. The news reaches the public as they occur via Social Media Networks." Al-Nakkash commented.

Although the two issues have been allowed to be printed, the printing delay resulting from the Censor’s interference has led Al-Ahaly to lose access to their audiences in remote governorates, as the printed issues should have been shipped at the early night.

Al-Nakkash denies that Al-Ahram Printing Press takes responsibility for obstructing Al-Ahaly printing since it is a commercially-oriented facility and has no interest in interfering the editorial policies. Nevertheless, she believes that the Prime Minister, as the Chief Executive of the Government, has direct responsibility. As well as, the Supreme Council for Media which is the competent authority on Media regulation. Moreover, in her interview with BBC Arabic, she has pointed out other actors responsible for Al-Ahaly confiscation when she stated that "Mr. Makram is not the only responsible, there are security apparatuses, there is Intelligence Service."

"We are not a yellow newspaper, we are committed to facts. Al-Ahaly is an influential newspaper despite its limited distribution as the people believe us."

Al-Nakkash resentfully commented on the Censor’s interference in her newspaper editorial policy.

4. Ibid.
5. Ibid.
7. Amina Al-Nakkash, A phone interview conducted by AFTE researcher, May 29, 2019
On April, 2018 Al-Ahaly had a different situation with the printing pause. Since it indebted to for Al-Ahram Printing Press, which exceeded half a million EGP, according to Abd-Almohsen Salama, Al-Ahram’s Chairman and the former head of the journalists ‘syndicate. This would have led to stop printing one of Al-Ahaly’s issues had the head of the Supreme Council for Media not intervened.

Who has preceded Al-Ahaly in the confiscation list?

Al-Ahaly is not the first newspaper on the confiscation list by the Censor’s orders. Al-Dostour, Al-Mesryoon, Sawt Al-Ummah, Al-Sabah and Al-Bawaba newspapers have preceded it in this list. Some of these newspapers had been confiscated before or during the printing or had experienced seizure and shredding of its copies.

On August, 2015, a security entity seized and shredded an issue of Sawt Al-Ummah right after printing at Al-Ahram. This was because the issue had contained a feature about the President’s grief at his mother illness and visiting her at Al-Galaa Hospital, according to Abd-Alhalim Kandil, the editor-in-chief. Kandil confirmed that limited copies were distributed before the seizure. He also added that the editorial board was able to reprint and distribute the issue after removing the contentious story.

On August, 2015, Al-Ahram has stopped printing Al-Sabah’s issue, in compliance with the security authorities’ instructions. Al-Sabah issue was containing a feature on Mohamad Bdran, the former president of Mostakbal Watan party, which came under the title “How to Be The President’s Child in 9 Steps.” Al-Sabah’s editor-in-chief, Wael Lotfy, said that there was an order to replace the feature although he has sent it to Badran for the Right to Reply and the latter declined to comment.

At the same day, the weekly newspaper, Al-Masryoon, stated that Al-Ahram has stopped printing the week’s issue for the second time. The first was on December, 2014, because of the security’s disapproval over some of the editorial content. The disapproval, which has been expressed by an unknown source, was over a column by Gamal Soltan, the editor-in-chief. The column was titled “Why Cannot Al-Sisi Stop Playing The Role of Islamic Intellectual,” and it criticizes Al-Sisi’s obsession with the religious discourse issues more

than carrying out his basic essential duties as a President. The same unknown source, also, conveyed its rejection of reportage on the fourth page entitled “Mystery Surrounds Al-Sisi’s Visit to Britain Fearing of The Arrest,” the visit which was scheduled at the end of 2015. Consequently, Al-Masryoon’s board has replaced the two editorials which allowed resuming the printing, according to Magdy Fathy, the managing editor.

On September 2015, Al-Dostour newspaper posted a briefed statement on its website saying that Dar al-Tahrir Printing Press has banned printing Al-Dostour’s September issue without giving any reasons.

On April 2017, Al-Bawaba newspaper, which its editor in chief is the Parliament member Abd-Alreheem Ali, released a statement entitled “Al-Bawaba’s Statement in The Aftermath of Confiscating Its Monday’s Issue.” The statement said that “No one can outdo us, since the establishment of Al-Bawaba, it has been Egypt’s and the Egyptians’ mouthpiece, we have never deviated from our patriotic responsibility to maintain the security and safety of our homeland. In this spirit, our position is explicit regarding today’s bombing of the Mari Girgis Church in Tanta and Al-Morquosia in Alexandria. We believe that there is a major security inefficiency that requires accountability and the change of the current anti-terrorism security strategy.”

The censorship, again, ordered to stop printing the Al-Bawaba’s issue of the next day for the same reasons. Ali commented “For the second day respectively, we are shocked by the censorship’s decision to confiscate Al-Bawaba’s issue. We believe such an attitude poses a serious threat not only to the Media Freedom in Egypt but also to the general democratic atmosphere.”

**Who Is The Censor?**

The Egyptian Constitution guarantees the press of all types the absolute freedom in the non-exceptional times, as in the meantime, so it is not supposed to encounter any form of censorship on the newspapers and the media in Egypt. In that sense, the Constitution stipulates in Article (71) as follows;

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11. Ibid.
“It is prohibited to censor, confiscate, suspend or shut down Egyptian newspapers and media outlets in any way. By way of exception, they may be subject to limited censorship in times of war or general mobilization.”

However, Law No 180/2018 imposed unconstitutional restrictions on Press Freedom. Since it expands the Supreme Council for Media’s powers of blocking, suspension and confiscation of newspapers and media outlets through vague and interpretable criteria of defining terms such as Public Morality, Public Order and National Security. Article (4) of the law states as follows;

“The press institution, media outlet or website shall be prohibited from broadcasting or transmitting any content or advertisement that conflicts with the provisions of the Constitution, incites violation of the law, contradicts the obligations set out in the Code of Ethics and Professional Conduct, violates the public order or public morality, or stirs up discrimination, violence, racism or hatred. For national security considerations, the Supreme Council may prevent the newspapers, media or advertising contents, which are released or broadcasted abroad, from being broadcasted, circulated or otherwise transmitted in Egypt.”

This Law, therefore, has overthrown the Constitutional right to the Freedom of Press. Regarding the installation of the Supreme Council for Media as the Censor on the newspapers, who has an expanded authority to interfere with the editorial contents. However, despite the broad powers granted to the Council, the press community has a deep-rooted concern that the security authorities still are the upper hand in determining the editorial policies of Newspapers and Media.

The member of the Journalists Syndicate Board, Mohamad Saad Abd-Alhafeez, said:

“Although the law assigns the power of confiscation to the Council, the old-school book is still in force. There is a mysterious person in the Printing Press facilities, who works for the executive authorities, in order to control over the editorial policies of the Egyptian newspapers. This Censor person is working outside the law as he constantly sends his instructions to the newspapers ‘editors in chief via a Whatsapp group that is a quite-known among the press community.”

15. The Law on The Organization of Press and Media and The Supreme Council for Media Regulation, Published in Arabic on The official Gazette Issue 34Bis E. /August.2018.27
17. Law, 180/2018 Part Two: Freedom of the Press and Media, Chapter One: General Provisions, Article.4
18. Mohamad Saad Abd-Alhafeez, A phone interview conducted by AFTE’s researcher, June.2019, 11
The Publisher, Hisham Kasem agrees with Abd-Alhafeez saying:

"A Censor is a person affiliated with the Intelligence Service. Despite the fact that he is not authorized by law, he forcefully exists in Printing Press facilities of the national newspapers that printing all the newspapers in Egypt. This person imposes editorial instructions on the newspapers' representatives in the Printing Press, such as deletion, modification or replacement. And if they declined to comply, the Censor will order to stop printing."\(^{19}\)

Amina Al-Nakkash said "We don't know who is the Censor but in Al-Ahaly, we named him (The Invisible Bad Boy), as he keeps showing up suddenly for the editorial dictations. It is already intelligible for us that the security authorities who do the actual interference." She also pointed out that the members of the General Secretariat of the Supreme Council for Media who reach her in case of editorial instructions, and these members "most probably, in turn, they are experiencing intense pressure as they always talk to us with embarrassment."\(^{20}\)

Abd-Alhafeez mentioned that what Al-Ahaly has experienced, is a daily routine of all the Newspapers either public or private ones. However, the unusual about Al-Ahaly case is that "the editor in chief and Al-Tagamoa Party have publicly spoken up the situation on a press statement."\(^{21}\)

Regarding the censorship history, Kasim is referencing the initiation of censorship in Egypt to President Nasser. At this time, every Newspaper had a Censor who was authorized to interfere in the editorial content. Then, in 1974 Al-Sadat abolished the censorship in order to "enhance his reputation after his separation with the Soviet bloc but this was just a facade. Obtaining a newspaper license, actually, was very difficult despite the legal ease of its procedures on paper."\(^{22}\)

Drawing from this situation, in the 1990s, there was a new wave of the Egyptian press resorted to obtaining their newspapers' licenses from foreign countries. In order to overcome the difficulties regarding this matter in Egypt. This wave was called the "Cypriot press" as Cyprus was the most accessible country for permits.

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19. Hisham Kasem, A phone interview conducted by AFTE's researcher, June 2019, 10
20. Ibid.
21. Mohamad Saad Abd-Alhafeez, A phone interview conducted by AFTE's researcher, June 2019, 11
22. Hisham Kasem, A phone interview conducted by AFTE's researcher, June 2019, 10
In response, the Egyptian government developed a new apparatus of censorship, named it with The Authority of Foreign Publications Control, to play the role of the Censor on the working Egyptian newspapers by foreign licenses. Back then, the government argued that Freedom of Press is guaranteed to Egyptian newspapers. On the contrary, the government has to impose censorship on the foreign press to maintain national security. Kasem said.

Derived from this, when Al-Sadat outwardly abolished the legal reference of the Press censorship, he has opened the back door for the unchecked and illegal practices of censorship. Recently, the legal framework of the censorship has been restored by installing the Supreme Council for Media as a Censor but, oddly, the illegal mysterious interference still has the upper hand regarding the Press work in Egypt.

**Syndicate of Journalists...Which Role Is It has?**

In an interview with BBC Arabic, Al-Ahaly’s editor in chief said that the President of the Journalists Syndicate who is also the Head of State Information Service, Diaa’ Rashwan, has expressed his support to Al-Ahaly. As “I had a phone call from him asking me of what we want him to do”. She added “The Syndicate’s board has not yet formed its internal bodies, therefore, he cannot make his own decisions. The decision has to be made by the board.”

In this context, Abd-Alhafeez said that he and his colleague Amr Badr, have brought up the censorship issue to the General Meeting of the Journalists Syndicate. The General Meeting was held on March, 2018, 17 and that they managed to obtain the General Assembly’s approval to organize an enlarge conference dedicated to addressing the issues of the siege on the Press.

Abd-Alhafeez added that despite Al-Ahaly’s board has published a statement on the prevention of printing, they did not ask the syndicate’s board intervention regarding this matter.

Khaled Al-Balshy, the former member of the Syndicate’s board, draws attention to the fact that most of the editors in chief tend to resolve the matter amicably without escalation. For instance, “when Al-Sabah newspaper was confiscated because of its piece on Mohamad Badran, back then, as a Board Member, I contacted Wael Lotfy, the editor in chief, to offer support but he preferred to not to escalate.”

23. Ibid.
The Syndicate’s Board has poorly handled the censorship crisis in comparison with its major threat to the Press work. Abd-Alhafeez believes that the continuation of censorship practices have destructive impacts on the journalism profession as a whole. And the publisher, Kasem, agrees with him. The Egyptian Media receives a devastating blow and is suffering unprecedented sabotage in the history of Egypt. Meanwhile, the World Media is witnessing significant developments. As the Egyptian Press community should have preoccupied with the issues of the transformation to Digital Media and the profession development potentials, rather than its struggle to survive the censorship. The Egyptian Media needs years to recover from such a situation.

AFTE’s Position

AFTE believes that the confiscation of Al-Ahaly and the other newspapers and the persistent interference in the editorial policies by the government authorities, shall not be seen in isolation from the broader context. The context in which the Egyptian state has sought to re-establish its control of the media. On one hand, during the last five years, the Egyptian has significantly witnessed enormous acquisitions of most private media institutions, by parties who are mostly suspected of being the security services’ interface. On another hand, the State has enacted a vast arsenal of legislation which controls all the Media types: the audiovisual, paper, and electronic. For instance, the Anti-IT Crimes Act, the Law on The Organization of Press and Media and The Supreme Council for Media Regulation, the Law of The National Press Authority, and the Law of The National Media Authority.

In that sense, The Egyptian media has been subjected to successive strikes, not the first of them the extensive measures of websites blocking during the past two years, which resulted in the blocking of 528 websites, including 103 Media websites. And not the last of them the confiscation of Al-Ahaly newspaper.

AFTE believes that such severe oppressive practices on Press and Media in Egypt are not only considered as a blatant violation of the rights and freedoms advocated by the International Conventions and guaranteed by the Constitution but also pose a serious threat on the Media industry itself and its workers.

26. Mohamad Saad Abd-Alhafeez, “A phone interview conducted by AFTE’s researcher, June.2019.11
27. Hisham Kasem, “A phone interview conducted by AFTE’s researcher, June.2019.10
28. According to AFTE’s monitoring reports.