



Punishment first..

A report on the security and administrative violations of the rights of Maspero staff

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Maspero staff

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Thought and Expression
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هذا المصنف مرخص بموجب
رخصة المشاع الإبداعي:
النسبة، الإصدار ٤.٠.



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Methodology

The report monitors and analyzes media reports that tackled the situation in the National Media Authority (NMA, aka Maspero) and the security and administrative violations of the rights of its staff against the backdrop of their protests demanding their working conditions to be improved.

The report documented the testimonies of six Maspero employees in Cairo and the Delta sector and two of their lawyers. It got the testimonies via the internet in September, in line with the monitoring and documentation methodology adopted by AFTE. The report also monitored the investigations that some Maspero employees were subjected to, whether before the Supreme State Security Prosecution, the Administrative Prosecution or the Legal Affairs Unit in Maspero.

Introduction

The Egyptian authorities - through their security services, parliament, bodies and councils formed since 2016 - have imposed almost complete control over all media outlets of all kinds, whether state-owned or privately-owned. However, this control has apparently not been able to muzzle the voices of media personnel, specifically those working in the state-owned media sector who seek improvement of their working conditions and reject attempts to marginalize them in favor of state investments through sovereign bodies working in the field of private media. The authorities seek to liquidate the public media under claims of development and restructuring.

The government believes that the repression of Maspero staff against the backdrop of the protests they staged in January may deter the journalists and media personnel who demand their right to freedom of expression.

This report reviews what has happened in Maspero since January 2022. This includes the security violations committed against the staff, the conviction of some on political charges, the administrative abuse of others, the arbitrary suspension of some employees without investigation, the freezing of their financial dues and referring some to investigation before the Administrative Prosecution, in addition to the constant threats by Maspero officials to arrest or imprison staff, as happened with TV presenter Hala Fahmy and journalist Safaa al-Korbighi of the Radio and Television magazine.

The report provides a number of recommendations urging the NMA to ensure the return of employees to their work without harassment or abuse, and to guarantee their constitutional right to protest and sit-in to demand better conditions for their work. It also calls for the protection of the public servants' right to freedom of expression, which is explicitly guaranteed by the Egyptian constitution and stipulated in international treaties that Egypt has signed and have the force of law, especially Article 19 of the International Covenant on Civil and Political Rights.

What happened in Maspero?



On 2 January 2022, a number of Maspero employees staged a protest against the deterioration of their working conditions and their low wages, demanding the payment of their accumulated financial dues. They also rejected the decisions taken by NMA head Hussein Zein to extend the working hours to seven hours a day, five days a week, which the protesters saw as the main reason for their anger. They believed that the goal of these decisions was to push the largest possible number of Maspero staff to leave their jobs. A number of workers in regional TV channels showed solidarity and decided to join their colleagues in Maspero. Indeed, some came from different governorates to Cairo to join the protests, but they were prevented from entering the Maspero building.

The decision to implement the fingerprint attendance system was preceded by the NMA's refusal to pay dues for pensioners (for their annual leave entitlements and severance packages) which were suspended from December 2018 until early 2022, something which heavily affected the staff's living conditions. The crisis has not been resolved, although many pensioners have taken all legal methods to obtain their entitlements. These included negotiations with Maspero officials, filing complaints to the concerned bodies such as the House of Representatives, the cabinet, and the Presidency of the Republic, and organizing protests from time to time.

The demands of the Maspero staff - whose protests continued until March 2022 - increased, as they demanded the return of the Ministry of Information with its full powers to supervise all the three media bodies (the NMA, the Press Media Authority, and the Supreme Council for Media Regulation) and the appointment of a minister of information with a legal and administrative background. They also demanded the amendment of the law establishing the NMA in a way that allows it to restore the exclusive right of satellite and terrestrial broadcasting, according to a statement the protesters issued on 11 February 2022.

The protesters believed that assigning the task of restructuring and developing Maspero to a private company affiliated with the United Media Services Company was a step back. They argued that the move was deliberately aimed to liquidate the official TV channels in

favour of channels owned by the same company (such as DMC, CBC, ON TV, and Al-Hayat). The Egyptian authorities seeks to relay the official narrative through these channels and withdraw it from the official ones. Meanwhile, the United Media Services seeks to convert many of the state-owned satellite channels to terrestrial broadcasting, something which many rejected, considering it a policy of destruction, not reform.

Security and administrative violations



As the protests continued and escalated, a number of Maspero employees were subjected to security and administrative violations with the aim of silencing their voices and punishing them for exercising their right to protest and demand their rights.

On 6 March 2022, the acting board chairman and editor-in-chief of the Radio and Television magazine, Khaled Hanafi, issued a decision to sack journalist Safaa al-Korbigei, the editorial secretary of the magazine, for her absence from work from 1 January to 6 March 2022 without permission or an acceptable excuse, although she was notified more than once, according to the text of the decision.

Meanwhile, Al-Korbigei submitted a grievance to the Journalists Syndicate against her dismissal. She said the decision to dismiss her from the Radio and Television magazine was invalid for several reasons, including the fact that she “was not notified after her absence from work for more than seven days, according to Article 100 of Law 48 of 1978, to which journalists in the magazine are subject”. She noted in her grievance that she had health issues that give her the right - under the Prime Minister’s decision - to be exempted from attendance, and therefore the decision to sack her was arbitrary and had no legal basis. Given the fact that Al-Korbigei is a woman of determination, Article 62 of the Executive Regulations of the Rights of People with Disabilities Law No. 10 of 2018 applies to her.

On 20 April 2022, Al-Korbigei was arrested in the Mokattam neighbourhood in Cairo, where she lives with her mother. She remained in the police car for long hours until the medical report on her condition was completed. She was then transferred to the Qanater prison, something which affected her due to her health condition, according to her lawyer.

Al-Korbigi was brought before the Supreme State Security Prosecution a day after her arrest. The prosecution investigated her and remanded her in custody pending investigation into Case No. 441 of 2022 (Supreme State Security Prosecution). The prosecution charged her with joining a banned group and promoting its ideas and spreading false news.

During the investigation, the prosecution faced Al-Korbigi with “live” videos posted on her personal Facebook page. The videos had to do with the protests against the NMA. Al-Korbigi is still held in pretrial detention until the time of writing of this report.

The decision to dismiss Al-Korbigi and then arrest her came in the context of the widening scope of the protesters’ punishment, which included referrals to investigation and banning entry to the Maspero building, something that happened to Hala Fahmy, a senior presenter with the rank of general manager at the Egyptian state TV.

The targeting of Fahmy began on 28 February 2022 when she and her colleague, director Wafaa Barakat, were denied access to their workplace in Maspero. This came after the NMA decided on 17 February 2022 to refer Fahmy to an investigation based on a memorandum submitted by the head of the television sector. She was suspended from work for three months, paid only half of her salary, and prevented from entering the Maspero building until the investigations were completed. She was not notified of the decision or summoned for investigation through any official or unofficial means.

Fahmy said the decision to refer her to investigation came against the backdrop of her support for and participation in the protests staged by Maspero staff.

In the same month, Fahmy posted a video on Facebook while she was outside the Nozha police station. She said in the video that she was being pursued by unknown people and that she sought help from the security forces at the police station. After that, plain-clothes security men stormed Fahmy’s house and searched it, but she was not there. All contacts with her were cut off after her phone was turned off for two days. She was arrested on 24 April 2022 and appeared before the Supreme State Security Prosecution on the same day without the presence of a lawyer.

The Supreme State Security Prosecution charged Fahmy with joining a terrorist group and spreading false news. Then, it remanded her in custody pending investigation into Case No. 441 of 2022 (Supreme State Security Prosecution).

On 7 March 2022, Channel Two chairman Ahmed Mostafa sent a letter to the official in charge of the reservation of the television sector studios asking him not to accept any reservations for the Al-Damir (Conscience) TV program or any other programs directed by Wafaa Barakat, in implementation of resolution No. 164 of 2022 issued by the NMA’s head, Hussein Zein, on the suspension of Hala Fahmy from work.

In another context, the NMA suspended eight journalists in the regional channels sector after they demonstrated in their workplaces in solidarity with their colleagues who were dismissed and in protest against the poor conditions of the regional channels. Four employees from Channel Eight, namely Tarek Dawy Mahmoud, Sahar Mohamed Mokhtar, Sami Ahmed Mohamed, and director Siham Abdel Hamid, were suspended from work under precautionary terms for a period of three months until the investigations are completed, paid only half of their salaries. Another four from Channel Six - presenter Talal Seif, director Ibrahim Abu Zina, producer Nani Hussein, and Abeer Abdel Aziz - were suspended for the same reasons. The term of their suspension was extended by three months pending investigations, without written proof. It was the second decision of suspension, of which only one month was implemented, according to the testimony of Nani Abdel Latif, the editor-in-chief of the “Good Morning” TV show on the Delta channel.

Punishment first, then investigation



Talal Seif, a senior TV show presenter on Channel Six, says in his testimony to AFTE:

"When the protests began last January, the NMA issued a decision to deduct a month from my salary on the pretext of gathering during working hours. In February, a decision was issued to suspend me for three months and deduct half of my salary without having been investigated. My suspension was supposed to end on 2 June, but I was surprised that the suspension was extended for another three months under an oral decision, which lasted for only one month, then I returned to my work, but without receiving my salary."

Seif continued to say: "Restriction attempts continued. On 29 May, while I was on my way to Beirut, the security authorities of the Cairo International Airport prevented me from traveling. I was surprised that my name was on the travel ban list. The ban was repeated again on 4 June 2022, but I managed to travel in the end. However, I was subjected to severe arbitrary search for four hours upon my return on 14 June at the airport."

"The matter did not end there," Seif says, adding: "I was surprised to be referred to the Administrative Prosecution for insulting the President of the Republic. The prosecution faced me with some satirical posts on my Facebook page."

Seif submitted a complaint to the Administrative Prosecution on 8 March 2022 against Hussein Zein, Nayla Farouk and others, accusing them of harassing him and fabricating accusations against him, given the fact that he had disputes with Zein and Farouk previously. He also submitted a request to transfer the investigation to the Tanta Fourth Public Prosecution on the grounds that it is the right jurisdiction body, as he worked for Channel Six. Days later, Seif was referred to investigation on new charges. He called on the Administrative Prosecution to promptly look into his complaint.

Some employees confirmed in their testimonies that they received direct threats from various NMA officials. They said they were threatened that they would be imprisoned like Al-Korbighi and Fahmy if they do not stop sharing troublesome posts on social media.

Nani Abdel Latif, the editor-in-chief of the "Ahl Masr" TV show on the Delta channel, says:

"The House of Representatives' Complaints and Proposals Committee has discussed a

proposal submitted by MP Shaima Halawa to stop the broadcasting of the regional channels via Nilesat and to limit them to terrestrial broadcast. The proposal angered media personnel and prompted us to criticize it on social media, which caused us to face repression, abuse, intimidation and silencing. I was referred to investigation with a collection of old posts from 2006 on charges of misusing social media, and five days were deducted from my salary. Shortly later, the Maspero staff started their protests, demanding their wasted rights represented in getting pay raises, bonuses and promotions. Due to these protests, I was suspended from work for three months without investigation, paid half of my salary. This prompted me to submit a request to the Tanta Fourth Administrative Prosecution to take over the investigation as a disciplinary authority, away from the NMA which I had a dispute with, something that negates impartial and transparent litigation. However, the Public Prosecution did not respond to my request, unfortunately. I was referred again to the Administrative Prosecution on charges of forcibly breaking into Maspero. After we responded to mediation attempts and met the director of the TV sector Nayla Farouk and the Administrative Prosecution investigator Kamal Qandil, and after agreeing to settle all this abuse, we were surprised that Farouk intended to dismiss me and my colleagues Talal Seif and Ibrahim Abu Zina on seven new charges, including gathering and disrupting work during official working hours. The prosecution faced me with video clips from inside the demonstrations while I was talking on the phone among thousands of workers. But they kept insisting during the investigations that I was standing next to Hala Fahmy, considering this as an incitement to the assembly. The results of the investigations have not been announced yet."

The pressure on the Maspero staff did not stop after the suspension decision, a Maspero employee, who refused to be named, told AFTE.

He said: "I have been suspended from my TV show since 2014 on charge of going off script. This came after I presented content that talked about the bad economic conditions and their impact on the Egyptian people. I was gradually removed from my specialization. When the pensioners' protests escalated, I decided to show solidarity with them, which resulted in a series of violations that I did not expect. Last March, the NMA decided to suspend my salary for a month, then prevented me from entering the Maspero building, and deducted all my financial dues (salary and production) for more three months. All decisions were arbitrary. I received notifications of the suspension without any investigation being conducted, meaning that punishment is implemented before the investigation."

He continued: "I was directly asked to stay away from Hala Fahmy during the protests, as she was treated as one of the leaders of the protests in Maspero. I received threats of dismissal, imprisonment or transfer to administrative work by mediators in the NMA."

An NMA official, who asked not to be named, says: "The problem is that there are continuous attempts by the state to marginalize us, and find a media alternative, as it established the United Media Services, and all staff are aware of this matter. The number of employees was cut from 41,000 to 31,000 under the pretext of restructuring. As the crisis escalated, the NMA was unable to provide the salaries of the staff. The pensioners did not receive their financial dues from December 2018 until 2022. Moreover, the NMA cut 5% of their severance package in favor of the "Social Purposes Fund", in an attempt to provide the salaries of the current staff, something which sparked the protests."

The same official adds: "I decided to participate in the protests after fellow protesters were subjected to violations, such as throwing water mixed with soap and chlorine at them during the protests in Maspero. As a result of my participation, the NMA head, Hussein Zein, asked the head of the Maspero security sector to arrest me during the protests on charge of distributing inciting leaflets to the staff. But after they detained me in the building, they looked at the rights leaflets distributed to the staff and released me."

"All the protesters were filmed by the security. Dozens of employees were summoned for

administrative investigation over the protests in the Maspero building. Moreover, the general managers in one of the NMA sectors were asked to tighten control over the attendance of staff in their offices and to permanently check the number of attendees who signed the attendance book and compare them with those present in the workplace in order to know the number of participants in the protests.”

He continued: "After negotiations with the NMA head, it was agreed to drop the investigations with all staff that took place before 16 March 2022, but the NMA banned me from entering the building for three months, and I was referred to the Administrative Prosecution and investigated on charges of inciting the public, gathering, and deviating from the job duties by sharing posts on Facebook about the crisis. I was also referred to a disciplinary trial on the same charges. I was acquitted in three cases, and got 10 days deducted from my salary as a penalty in one of the cases, although some of the investigations are still ongoing.”

“An NMA official threatened me with imprisonment. I am still banned from entering the NMA building until now. All employees of the regional channels, as well as pensioners, were also banned from entering the building. We were informed that the ban was for security reasons.”

“All those suspended from work had their suspension extended for another three months by a verbal decision, but only one month of the decision was implemented after the staff revealed what they posted on social media. The salaries, however, are still suspended.”

Conclusion and recommendations

AFTE expresses its full and unconditional solidarity with the NMA staff’s right to protest to demand improvement of their work conditions. It also affirms the public servants’ right to freedom of expression without harassment or abuse.

AFTE calls on the NMA and the security services to stop all forms of administrative and security violations of the rights of the Maspero staff, return the dismissed employees to their jobs, and drop the investigations conducted with them. It also calls on the Administrative Prosecution to drop the investigations conducted with the employees and to respond to the investigation requests submitted by the employees against NMA officials. It further calls on the Supreme State Security Prosecution to release Hala Fahmy and Safaa al-Korbige, drop the charges levelled at them, and allow them to return to work normally.