



The

quarterly report

on the state of freedom of expression in Egypt

Third quarter (July – September 2018)

Situation of Freedom of Expression in Egypt

3rd Quarterly Report (July – September 2018)

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Contents

Report Methodology	4
Introduction	4
I. Review of situation of freedom of expression	5
- Attempts at constitutional amendments; an additional drive for constraining freedom of expression	5
- President ratifies media and electronic crime laws; various penalties await opposition	8
- Seizing media outlets; New suspicions surround ownership of media outlets	12
II. Presentation and analysis of patterns of violations of freedom of expression	13
- Press and media freedom	15
- Digital rights	19
- Freedom of creativity	21
III. Recommendations regarding protection of freedom of expression	25
Conclusion	26

Report Methodology

This report was based on the presentation and analysis of some issues related to the right to freedom of expression and information, in order to assess related general policies of state institutions, including the legislative establishment. The report reviews violations documented accordance with the [monitoring and documentation methodology of AFTE](#), in the period from 26 June to 25 September 2018, analyzing their patterns, with a view to demonstrating the impact of public policies on the right to freedom of expression.

Introduction

The report involves a presentation and analysis of the third quarter of 2018, beginning from the first of July and ending at the end of September. This period witnessed renewed debate on amending the articles of the constitution to allow El Sisi to continue in office for a longer period than his second term, which ends in 2022.

The report attempts to review developments in the constitutional amendment process. The report tries to explain the impact on freedom of expression and the authority's practices towards critical and opposing voices; reviews the state of freedom of expression by referring to the President's ratification of the media laws and the combating of information technology crimes, and the regulations and legislations imposed by these laws to limit the freedom of media and digital rights and to prosecute journalists and activists with a large number of penalties and obstacles.

In addition, the report sets out a section to highlight the evolution of media security activity by tracking new acquisitions by the Egyptian Media Group, the latest of which was the acquisition of the CBC network during the reporting period.

The second section reviews the patterns of violations in three areas - freedom of information, digital rights, and freedom of creativity - to reach conclusions, which acquaint

the reader with the motives of authorities in violating freedom of expression. In view of the importance of violations documented by the Monitoring and Documentation Unit of AFTE, they are attached in detail to this report.

The report concludes with a number of recommendations made by AFTE to the concerned state authorities as well as to target groups and groups that are engaged in discussions with Egyptian authorities to protect and promote freedom of expression and information.

This report is the last in the 2018 quarterly reports, and the next report will be the annual report for 2018, to be released by AFTE at the beginning of 2019.

I. **Review of situation of freedom of expression**

In its first section, the report highlights a number of pressing issues during the third quarter of 2018, in order to understand developments at the policy and legislative levels that relate to freedom of expression. The report proceeds from claims to amend articles of the Constitution, so as to extend the term of President El Sisi to 6 instead of 4 years.

In general, ensuring that El Sisi remain in power for a longer period of time is a current major objective of the Authority, for which it imposes great obstacles and restrictions on freedom of expression, so that opponents and activists defending democracy cannot rally citizens against these amendments.

- **Attempts at constitutional amendments: an additional drive for constraining freedom of expression**

The demands to amend the presidential term cannot be seen as a new event in Egyptian political life. These claims existed prior to the last presidential elections and were aimed at ensuring that El Sisi remain in power until at least 2026, i.e. to extend a presidential term to six years, renewable once. Alaa Abed, head of the parliamentary Human Rights Committee called for amending the constitution in 2017, so that the years of the presi-

dential term would be increased to six years. MP Ismail Nasruddin called for the same¹.

The current authority may not have been able to amend the constitution before the presidential elections, so the talk has been revisited after President Sisi was reassured of his victory in the presidential elections after removing his main rivals. Former chief of staff of the armed forces, Sami Annan, is in detention and subject to military investigations, while former Prime Minister Ahmed Shafiq has not appeared in any political events since he was ousted from running in the last presidential race.

The Chairman of the parliamentary committee on Culture and Information, Osama Haikal, on 5 August 2018, said that the 4-year term of the presidency is a short period, and must be changed, while it is important to maintain the maximum limit of a two term presidency². In another statement, Heikal stressed that sooner or later the constitution must be amended, because some articles are impossible to implement³.

“The Brotherhood’s bet is on the post-Sisi period, whether it ends in 2022 or extended by the people’s will to 2024,” wrote Yasser Rizk, a journalist close to the presidency, indicating a tendency in the backrooms of the current power to make a constitutional amendment allowing the continuation of the President in power⁴.

It is expected that parliament will address the amendment of the articles of the presidential term during the cycle, which began in October 2018, according to a report published by the website of Mada Masr.⁵

Despite the plurality of voices calling for amending the constitution, there were also opposing positions. The Conservative Party’s Assistant for Political Affairs issued a statement⁶ saying that “the amendment of the constitution in this period is a distur-

1. Reuters, Egyptian deputy demands to accelerate the amendment of the Constitution to make the presidency 6 years, 12 August 2017, Last visit: 20 September 2018, <https://bit.ly/2RqfJYY>

2. Ibid

3. Nemeen Afifi, Osama Heikal: 4 years too short a term for the presidency.. I refuse extend presidential terms more than twice. Alwatan, August 2018, date of the last visit: 20 September 2018, <https://bit.ly/2RsnbTM>

4. Yasser Rizk, Talks of “reconciliation” in the presidency of the Sisi and beyond, Al Masry Al Youm, August 29, 2018, the last visit: 20 September 2018 <https://bit.ly/2CIHwq8>

5. Rana Mamdouh, “Amendment of the Constitution”.. Plan of continuation of El Sisi as president after the last mandate, Mada Masr, 3 June 2018, the date of last visit: 20 September 2018 <https://bit.ly/2P8Ak2w>

6. Mohamed Hamed, Conservative Party: We reject attempts to amend the presidential term in the Constitution, Al Watan, 5 June 2018, Last visit: 20 September 2018, Link:<https://bit.ly/2IHjzt2>

tion of the popular will. Talking about amending the article concerning presidential terms is a twisting of the will of the voters who approved the constitution and those who elected the president for a second term of 4 years; a prejudice to the constitutional texts is a violation of the state". The Conservative Party has six seats in the House of Representatives out of a total of 594 seats.

The continuing attempts to amend articles of the constitution have likely affected the state of freedom of expression in Egypt during the period covered by the report, in which prominent opposition activist Masoum Marzouq and several other activists were arrested on 23 August 2018⁷ after Marzouk announced his call for a referendum concerning El Sisi's remaining in power. This group, which also includes academic Yahya al-Qazzaz, is still in pre-trial detention and has been charged by the Supreme State Security Prosecution, in case no. 1305/2018, of participation with a terrorist group in achieving its objectives and receiving foreign funding for this purpose.⁸

These charges show the continuation of the crackdown on dissidents known to be affiliated to the Nasserite tendency, who have not been accused by El Sisi before of supporting terrorism. It seems that the calls of Massoum Marzouk caused great discomfort in the midst of ruling circles, which seek to keep the president in power until after the end of his second term in 2022.

It can be said that the desire to suppress dissenting voices is reflected in all aspects of freedom of expression, which is discussed in detail later in this report. Activists, who use the Internet as a means of voicing their views on the current authority, continue to suffer pre-trial detentions. Blogger Wael Abbas is one of the most prominent of these activists, as well as activist Amal Fathi, who was sentenced by Maadi Misdemeanor Court to two years imprisonment, a bail of 10,000 pounds and a fine of 20,000 pounds to suspend the sentence until the appeal was approved on September 29, 2018. Fathi's charges are related to a video she posted on Facebook where she criticized the current regime⁹.

7. France 24, Egyptian authorities arrest three prominent opponents of El Sisi, including a former ambassador, 23 August 2018, the date of the last visit: 20 September 2018, Link:<https://bit.ly/2o8d0q0>

8. Mohammed Faraj, Masoum Marzouk and Yahya Al-Qazzaz imprisoned for 15 days in a new case. El Shorouk, 24 August 2018, Last visit: 20 September 2018, Link:<https://bit.ly/2PfmVFX>

9. AFTE: Maadi court of misdemeanor orders a fine and imprisonment of Amal Fathi in the "insult to public modesty" case, 29

On the other hand, President Sisi ratified four new laws, with the aim of controlling the media and the Internet, while intelligence agencies continue to acquire television channels owned by businessmen, through companies created with the funding and management of security bodies. Thus, the current practices of the Authority are no longer limited to their fears of protests against them, as much as they focus on preventing any opposition to amending the Constitution, in order to ensure that El Sisi remains in power.

- President ratifies media and electronic crime laws; various penalties await opposition

The current authority continues to use legislation to restrict freedom of expression. The Parliament is working on the proposal and drafting of legislation, which the President approves without regard to domestic and international objections to those repressive laws. During the reporting period, President El Sisi ratified four laws to suppress freedom of expression, all of which were published in the Official Gazette:

- Law on Combating Information Technology Crimes, No. 175 of 2018, published in the Official Gazette on 14 August 2018.
- Law regulating the press and media and the Supreme Council Media Regulation, No. 180 of 2018, published in the Official Gazette, on 27 August 2018.
- Law of the National Press Authority, No. 179 of 2018, published in the Official Gazette, on 27 August 2018.
- Law of the National Information Authority, No. 178 of 2018, published in the Official Gazette on 27 August 2018.

These laws have been in force since their publication in the Official Gazette. AFTE expects that these laws will severely affect freedom of information and digital rights¹⁰. A range of articles will severely affect these rights as follows:

- In accordance with Article 7 of the IT Crimes Act, investigating authorities have the authority to order the blocking of sites. The matter shall be submitted to the competent court within 24 hours. The court shall issue its decision of acceptance or rejection within 72 hours. The police may request the blocking of sites from the NTRA, upon which the security apparatus shall immediately notify the service providers of the blocking, in the case of urgency if there is imminent danger or damage from the commission of the crime. The police shall release a report documenting this intervention. The procedure shall be presented to the investigating authorities within 48 hours, which shall submit it to the competent court in accordance with the same procedure described above.
- Article (2) of the IT Crimes Law obliges telecommunications companies to save and store customer usage data for a period of 180 days. This includes user-identifiable data, data on the content and type of information system, and those relating to the flow of use and the devices used. This means that service providers will be able to know of user practices, including phone calls and text messages, websites visited, and applications used.

The article also requires service providers to commit to the maintenance of “other data”, if a request thereof is made by NTRA Board of Directors. This means that telecommunication service providers may be obliged to save data not provided for in the Act. The same article gives national security bodies the authority to access these data, and obligates service providers to provide the technical facilities therefore. The law defines National Security bodies to include the Presidency, the Armed Forces, Ministry of the Interior, the General Intelligence and the Administrative Oversight Authority.

10. Mohammed Nagi, New Laws .. The Big State Stick for Internet Control, Foundation for Freedom of Thought and Expression, 4 September 2018, Last visit: 20 September 2018, Link: <https://bit.ly/2Piq1ZS>

- Article 24 of the Anti-IT Crimes Act allows for the tracking of sarcastic pages and accounts described in the article as “the fabrication of sites, special accounts and e-mail”, so that the penalty in the case of the creation of a mail, account or site and its false attribution to a natural or juridical person or a special legal entity may amount to three months imprisonment and/or a fine of not less than 10,000 pounds, and not exceeding 30,000 pounds, even if no harm is caused. In case of harm, the penalty shall be a term of imprisonment of not less than one year, and/or a fine between 50,000 and 200,000 pounds. If the defendant falsely attributes an email, site or artificial private account to a public legal person, such as government ministries, agencies and companies, the penalty shall be imprisonment and a fine between 100,000 and 300,000 pounds, even if this does not result harm.
- In accordance with Article 19 of the Press and Information Regulation law and the law of the Supreme Council for Media Regulation, a website is blocked if it publishes or broadcasts false news or promotes or incites a violation of the law, violence or hatred, discriminates between citizens, advocates racism or intolerance, includes defamation or slander of individuals or contains insults to religions or religious beliefs. These charges are all loose and vague, making them a means of expanding the blocking of sites. Article (19) also gives the Supreme Council for Media Regulation the power to block personal accounts with 5000 or more followers, as well as blogs, according to the same charges against sites.
- Article (7) of the National Media Commission Law stipulates that the President of the Republic shall choose three persons for the membership of the Commission, including the Chairman of the National Media Commission, out of a total of 9 members. This means that the President directly appoints one third of the members of the National Information Commission. Article (7) gives the Ministry of Finance, the Council of State and the Telecommunications Regulatory Authority the authority to select a member for each of them separately, while the media union, the press, printing and the bureau of the House of Representatives have to nominate one member for each of them, provided that each of these entities nominates twice the number required of them so that the president can select the required number. It is also required that the nominations be sent within three months of the

request, and if not sent, the President of the Republic shall complete the names taking into consideration the category they represent, upon nomination by the House of Representatives. This means that the executive authority, through the President of the Republic, directly controls the formation of a national media body, a matter which challenges its independence.

- Article (7) of the National Press authority regulates the formation of the Commission, which includes nine members from which the President chooses three members, namely the Chairman of the Commission and two experienced and public figures, while the Council of the Journalists Syndicate selects two members, the House of Representatives, and the Council of general union of Press, Printing and media workers shall nominate a member for each of them. In the last three months of the term of office of the Commission, they shall nominate twice the required number for the President of the Republic to choose from them. In the absence of such nominations by these bodies the president will directly select them. The Minister of Finance also selects a representative of the Ministry of Finance, and the Supreme Council of Administrative Affairs of the State Council elects a Vice-Chairman of the Council of State for membership of the Commission. Thus, the President of the Republic has the upper hand in the formation of the National Press Agency, which undermines its independence from the executive branch of authority.

The previous review of some repressive laws of freedom of expression shows some of the problems that will have a major impact on the work of press and media institutions, as well as on the use of the Internet in the coming years.

- **Seizing media outlets: New suspicions surround ownership of media outlets**

In parallel with the enactment of legislation restricting freedom of information, security bodies continue their activity in media business deals. The Egyptian Media Group announced that, on September 10, 2018, it had acquired 51% of the shares of the Future Holding Media and Communications Group, which issued a statement that “This partnership aims to unify the efforts exerted to provide distinctive media services in the Egyptian and Arab markets, which came in several stages by the two groups in the framework of a new structure, resulting in a larger entity benefiting Egyptians and all Recipients of Media Services in the Arab Region.¹¹»

The deal resulted in businessman Mohammed Al-Amin joining the Board of Directors of the Egyptian Media Group. Mohammed Al Amin was the Chairman of the Future Group, in which he holds the majority of shares. The Future Group owns the CBC network channels. Thus the Egyptian media group has come to own CBC channels, in addition ON and Hayat channel as well as administers El Nil radio network.

The reference to the preparation of the deal in several stages is the most prominent aspect in the statement by Egyptian Media. There is constant pressure on businessmen to reduce their ownership of the media, especially television channels. The comments of Ahmed Bahgat, owner of Dream TV, about his entry into a partnership with a state agency, may have contributed to this hypothesis. On September 11, 2018, Bahgat stated that “it is clear that the state has its own view on media that nothing is to remain off the line, and now there is a kind of partnership with the private sector«.

A report by Mada Masr¹², which has been blocked since May 2017, revealed that “Eagle Capital Financial Investments LLC” chaired by Dalia Khorshid, former Minister of Investment, is preparing a direct investment fund, Private Equity Fund, that is owned by Egyptian General Intelligence Service, which was established to manage all of the Portfolio Management’s civilian investments in a large number of companies, partially

11. Al-Shorouk, Video .. Egyptians Media Acquires Future Company owning CBC channels on 10 September 2018. Date of Last Visit: 20 September 2018, Link: <https://bit.ly/2N0pHlo>

12. Mada Masr, Details of the acquisition by the General Intelligence of “Egyptians media”, 20 December 2017, Last visit: 20 September 2018, Link: <https://bit.ly/2zVAbKK>

or wholly owned by Intelligence. Eagle Capital acquired the Egyptian Media Group in December 2017, and the Supreme Council for Media Regulation did not investigate the sources financing the deal, according to a previous report published by AFTE.¹³

Returning to the comments of businessman Ahmed Bahgat, owner of Dream channel, it was said that the Dream channel is about to enter into partnership with some state body¹⁴. Bahgat most likely is referring to Egyptian General Intelligence, which owns the Eagle Capital Group, which owns the Egyptian media group, which seems to have lately become a major tool in the acquisition of television channels and other media outlets.

AFTE fears that security bodies will control the media market in Egypt through its ownership of media companies, especially with the issuance of new media laws, which set complex conditions for the creation of new media outlets.

II. Presentation and analysis of patterns of violations of freedom of expression

In its second section, the report addresses violations of press and media freedom, digital rights and freedom of creativity, dealing with the analysis of developments in patterns of violations in relation to past practices of the current authority or the impact of the political and legislative context on their pace.

The following figure shows the total number of violations of freedom of expression during the third quarter of 2018, documented by the Monitoring and Documentation Unit of AFTE :

 13. AFTE: Under suspicion.. who supervises ownership of media outlets in Egypt? The role of the Supreme Council of Media in monitoring the financing of media institutions ", 22 March 2018, Last visit: 20 September 2018. Link: <https://bit.ly/2QwZ0Cc>

14. Fayez Mohamed Al-Sabri, "Dream" enters into a new partnership.. and "Bahgat" announces the date of the return of Wael El-Ibrachi, Almasry Alyoum, 11 September 2018, <https://bit.ly/2QvfHOn>

Violations of Freedom of Expression

3rd Quarterly (July – September 2018)



Freedom of Media

16 Violations in 16 Incidents

Type of Violation

- Jail sentence (1)
- Arrest (3)
- Publication ban (1)
- Prevention from coverage (4)
- Public appearance ban (1)
- Airing termination of shows and channels (4)
- Confiscating newspapers' assets (1)
- Firing a journalist without investigations (1)

The Violating Bodies

- Government officials (1)
- Syndicate of Journalists officials (1)
- Judicial bodies (2)
- Security bodies (3)
- Personal guards (1)
- Unknown entities (1)
- Citizens (1)
- The Supreme Council for Media Regulation (3)
- Privately-owned media bodies (1)



Freedom of Artistic Creativity

14 Violations in 5 Incidents

Type of Violation

- Screening ban (1)
- Administrative detention (8)
- Ban from entering Egypt (3)
- Deportation from Egypt (1)

The Violating Bodies

- Security bodies (8)
- Judicial bodies (6)



Digital Freedoms

2 Violations in 2 Incidents

Categories of Blocked Websites

- Advertisement (1)
- Media and Journalism (3)
- Magazines (1)
- Technical Websites (1)

- **Press and media freedom**

During the reporting period, AFTE documented 16 incidents of violations of media freedom. The most prominent types of violations were those related to the decisions of the Supreme Media Council against programs and channels, the most prominent of which was the Council's decision to suspend the broadcast of the special LTC channel for two weeks¹⁵ on September 3, 2018. The Council attributed the reasons for the decision to repeated violations by the channel and issuance of more than ten decisions to block some programs for consecutive periods and imposing of fines. The decision added that the channel violated the decision of the Council to prevent the appearance of "homosexuals" or propagating their slogans, according to the resolution.

This decision was not the only one against the LTC channel and its programs during the reporting period. On 17 July 2018, the Council decided to suspend the Audience Star program¹⁶ presented by journalist Abu al-Maati Zaki, against the background of what the resolution described as transgressions and accusations in the July 15, 2018 episode, without providing legal grounds for the accusations.

On September 1, 2018, the Supreme Council for Media Regulation decided to suspend the Sah' Al-Noum¹⁷ program broadcasted on LTC because of the so-called using media in settling accounts, according to the decision, a vague statement, the meaning of which is not clear. Officials at the Supreme Council for Media Regulation probably did not pay attention to the wording of the resolution. In the same context, the Supreme Council for Media Regulation decided to stop the program "Zamalek Stadium" broadcast on the ElHadath Alyoum¹⁸ channel for two weeks, using the same working as above.

On July 4, 2018, the Supreme Council for Media Regulation issued a decision to impose a gag order in the case of the Child Cancer Hospital 57357 until the Ministerial Committee has completed examination of the case. The Council called on all parties

 15. The Supreme Council of Media Regulation website, the Supreme Council for Media regulation decides to stop the broadcast of LTC channel for two weeks and warns Alhadath channel, 3 September 2018, Last visit: 27 September 2018, Link: <https://bit.ly/2RsU02G>

16. The Supreme Council of Media Regulation website, the Supreme Council for Media regulation stops "Negm El Gamaheer" program and warns LTC, 17 July 2018, date of last visit: 27 September 2018, Link: <https://bit.ly/2y74PQ9>

17. The Supreme Council of Media Regulation website, Supreme Council of Media Regulation stops broadcast of "Zamalek Stadium" and "Sah Elnoom" on El Hadath and LTC channels for two weeks. 1 September 2018, Last visit 27 September 2018: Link: <https://bit.ly/2NxzQla>

18. Ibid.

to stop writing on the subject, to stop broadcasting the audio and video programs that deal with the subject, and to deal with any new information by submitting it to the judicial authorities or the Commission of Inquiry or publication through the Council. It is noteworthy that the Attorney General issued a decision clarifying that the gag order by the Supreme Media Regulating Council is illegal and void. The chair of the council was then summoned by the prosecution to investigate his violation of the law by issuing this order.

The prevention of coverage continues to be one of the most prominent types of violations of freedom of information during the third quarter of 2018. AFTE documented 4 incidents preventing coverage by journalists and the media, three of them collectively. On July 17, 2018, officials of the Ministry of Antiquities prevented various media outlets from covering the procedures of opening the ark, which was discovered in Alexandria¹⁹. On August 4, 2018, members of the Council of the Scientific Professions Syndicate prevented the media from covering the emergency meeting called for by some members of the Syndicate Council.²⁰

On August 27, 2018, the security of the Arabs Mall prevented journalists from covering the special screening of the Souq Algoma'a²¹ film, although the film company invited journalists to cover the opening. The mall security requested the police to prevent entry of cameras or interviews with main actors.

Another incident involved the prevention of a journalist from performing her work in Port Said²², where, Naira El Gabry, correspondent of Al-Fajr newspaper in Port Said was prevented from entering the Egyptian club and covering its news, against a backdrop of the journalist's previous publishing of a report concerning nonpayment of dues of some of the players and their subsequent refusal to attend training after they were given checks with no balance. According to the journalist's testimony to AFTE, following the publication of the report, she was surprised by threatening calls from a

 19. Mohamed Abdel Ghani, Discovery of a surprise under the Ark of Alexandria and material of a strange color and characteristics, Al Ahram Gate, 19 July 2018, Last visit: 27 September 2018, Link: <http://gate.ahram.org.eg/News/1982347.aspx>

20. Shaimaa Mubarak, Skirmishes at the emergency meeting of "scientists".. and the prevention of journalists from coverage, Alwatan portal, August 4, 2018, the last visit: 27 September 2018, link: <https://www.elwatannews.com/news/details/3572108>

21. Ahmed Hamdi, Police prevents entry of journalists' cameras in the special performance of "Souq Al Jumah", Washwasha magazine website, August 27, 2018, Last visit: 27 September 2018, Link: <http://www.washwasha.org/347885>

22. Phone interview with Naira Elgaber, Elfagr newspaper correspondent in Port Said, 25 September 2018.

board member of the Egyptian club. She added that after the publication of the report, the Board of Directors of the Egyptian club issued a decision to ban her entry to the club or any of its branches, and prevented her from covering the club's news and teams.

Television anchor Lamis El Hadidy, was also prevented from appearing to present her program Hona Elasema on the private CBC TV satellite channel. Hadidi and the program team were preparing to resume the program on September 1, 2018, before the team was surprised by the decision to present Riham Ibrahim for the episode instead of Hadidi, without informing the team of the reasons, according to a report published by the Mada Masr.²³

Regarding court decisions against journalists, on 31 July 2018, AFTE documented the support by the Misdemeanor Court of Sayeda Zeinab of the imprisonment of journalist Hamdi Al-Zaeem for charges of publishing false news on the grounds of covering the arrival of dead bodies to the Zinham morgue, which the ministry of interior had said were killed during security confrontation in a residential apartment in the 6th of October City, west of Cairo. According to his testimony, Al-Zaeem was convicted in January 2016 of a three-year prison sentence before appealing the verdict. His appeal was rejected.

On the level of disciplinary measures taken by media institutions towards its journalists, Al-Masry Al-Youm's management decided to dismiss journalist Hadir Farghaly from her work at Al-Masry Al Youm on the basis of a complaint from her manager accusing her of absenteeism without informing the administration, resulting in disruption of work according to her testimony to AFTE. Farghaly added that she did not know anything about these complaints and that she was not investigated to prove or deny the allegation. Once she learned of the decision, she filed grievances and complaints against her direct manager, in which she recounts the true facts of her absence from work. However, the Human Resources Department did not investigate, and issued a decision to fire her on 28 August 2018.

On another level, on September 11, 2018, the Judicial Committee for the management of Muslim Brotherhood funds issued a decision to hold a reservation on Al-Masryoun

23. Sources: Refusal to move to "On" behind the absence of Lamees from "Honna Elasema".. Her replacement prevented her from "going on air", Mada Masr, 2 September 2018, Last visit: 27 September 2018, <https://bit.ly/2owoxj1>

newspaper and its website²⁴, without giving reasons for that decision. It is noteworthy that a force of members of the Committee to manage the funds of the group accompanied by a police force, raided the headquarters of the newspaper Al-Masrioun, on 24 September 2018, and they took custody of the office and its contents, delegating its administration to Akhbar Alyoum newspaper. Al-Masryoun website has been blocked as part of the website blocking campaign, which is being carried out by an unknown government agency.

The arrest of journalists is one of the most prominent types of violations documented in the report, with the further arrest of three journalists during the reporting period.

Update of list of imprisoned journalists

- Journalists added to the list during the third quarter:

○ On July 10, 2018, El Tahrir newspaper journalist Mohamed Abu Zayd Kamel handed himself over to al-Ma'asara police station, south of Cairo, after his house was searched in his absence. However, he was not presented to the prosecution until June 24, 2018. The journalist was added to state security case No. 441 of 2018, charged with joining a terrorist group and spreading false news.

○ Islam Goma'a: TheVeto newspaper journalist was arrested from his home on June 29, 2018, but he appeared before the prosecution only on August 7, 2018, in state security case 441 of 2018, charged with joining a terrorist group and spreading false news. The newspaper fired him after his arrest.

○ Zeinab Abu Aouna: On August 16, 2018, the photographer in the El Watan newspaper was arrested by security authorities at Cairo airport while traveling to the Lebanese capital Beirut to attend a training workshops. Abu Aouna appeared before the State Security Prosecution, accused of joining a terrorist group and spreading false news, under State Security Case No. 441 of 2018.

- Journalists who have completed their prison term during the third quarter:

○ Abdullah Ahmad Ismail Al-Fakharani and Mohammed Mohammed Mustafa Al-

 24. Al-Hayat Newspaper, Cairo seizes a newspaper and delegates its management to a governmental institution. 25 September 2018, Last visit: 27 September 2018, Link: <https://bit.ly/2xFtY46>

Adly: Abdullah Al-Fakharani, journalist and executive director of Rassd News Network, and Mohammed Al-Adly, a television correspondent for Amjad channel, ended their five-year prison term, which was supported by the Court of Cassation. They were charged in the case known in the media as the Raba's operation room; the two journalists completed their release procedures.

- Samhi Mustafa Ahmed Abdel-Alim: Samhi Mustafa, a journalist with the Rassd news network, completed his 5 years prison sentence. However he has not been released until the time of writing this report.
- Mahmoud Abdel Shakur Abu Zaid "Shawkan": Mahmoud Abu Zaid, a photojournalist, was sentenced to 5 years in prison. He completed the sentence, nonetheless he has not been released until the time of writing this report.

- Digital Rights

Patterns of violations did not differ in the third quarter of 2018 from earlier periods, with violations related to freedom of expression using digital media and Internet censorship. During the period covered by the report, citizens were prosecuted for publishing opinions on the Internet. Tareq Shawqi, Minister of Education, filed a complaint against science teacher Ahmed Said Abdul Samad, accusing him of libel and slander, and spreading false news about the progress and development of the education system in Egypt.

On 25 September 2018, the Cairo appellate prosecution decided to detain the teacher for a period of 4 days, pending investigation in case no. 33 of 2018²⁵. According to the investigations, the teacher used his personal account on Facebook to direct insult and slander to the Minister of Education and to disseminate false information and news that would distort the image of the ministry and harm the educational system in Egypt.

On May 31, 2018, security forces arrested Lebanese citizen Mona Mathbough before she left the country after an arrest warrant was issued by the Public Prosecutor's Office for

 25. Ahmed Metwally, the imprisonment of a science teacher for 4 days on charges of insulting and slandering the Minister of Education, Alyoum Alsabe'e, 25 September 2018, the date of the last visit: 27 September 2018, Link: <http://bit.do/exBvF>

publishing a video on social media sites telling about her visit to Egypt. Prosecutors charged Mathbough with directing abuse at the Egyptian people by publishing a video on her Facebook page that contains words and phrases punishable by law.

On June 7, the Heliopolis Court of Misdemeanor sentenced her to 11 years for publishing a vulgar video of contempt and defamation of religions. On the same day, the Court decided to commute the sentence to 8 years instead of 11²⁶. Mathbough subsequently filed an appeal against the ruling. The Heliopolis court of appeal reduced the sentence to a suspended one year, with a fine of LE 10700, on 9 September 2018.

In another case, which also revolves around a video clip, the Maadi prosecutor decided to refer activist Amal Fathi to trial in case No. 7991/2018 after she had been earlier released on bail of 10,000 pounds²⁷. On September 29, 2018, the Maadi Misdemeanor Court sentenced Amal Fathi to two years' imprisonment, a bail of 10,000 pounds and a fine of 20,000 pounds to suspend the sentence until the appeal was granted. Fathi was charged with spreading false news and broadcasting a video to overthrow the regime and misuse social media.

Amal Fathi is still in pre-trial detention in another case to which she was added, state security case no. 621/2018 where she is accused of joining a terrorist group, promoting an act of terrorism and publishing false news. There are at least six activists in custody in four different cases mentioned in the previous quarterly report. They are accused of spreading false news, joining a terrorist group and using social networking sites to promote the ideas of that terrorist group and the abuse of social media.

Journalist Hassan Hussein was released with precautionary measures, including surveillance at the police station, after being detained for more than six months in state security case no. 482/2018 on charges of joining a terrorist group and spreading his ideas through social networks and publishing false news.

With regard to Internet censorship, the Authority has continued to block Web sites, a

 26. Mustafa al-Menshawi, Mitigation of sentence of the imprisonment of the Lebanese Mona Almathbough in her insult of Egyptians, AlShorouk, on 9 September 2018, the last visit: 27 September 2018, Link: <http://bit.do/exBv7>

27. AFTE, the date of the verdict on "Amal Fathi" in the case of insulting public modesty, on 23 September 2018, the date of the last visit: 27 September 2018, link: <https://bit.ly/2RxYGEE>

practice that has been widely launched since May 2017 and has not stopped until this report was issued. Recently, sites that are newly launched are being blocked after a short period of time. The previous AFTE report documented the block of Katib website a few hours after its launch. During the third quarter of 2018, Geem site was blocked, less than a month after its launch. Geem is one of the most specialized sites in gender, sex and sexuality.

AFTE also documented the blocking of at least five other sites, ranging from press sites and technology-related sites. This brings the number of blocked sites in Egypt to more than 500 since the start of widespread interdiction.

On September 7, 2018, Raseef 22 website published a statement entitled “Forbidden to Egyptians ... Until when suppression of freedom of expression?”²⁸, one day after being blocked in Egypt. “We have never been unaware of the” red lines drawn by the Egyptian censor to the media, and we have followed the news stories of blocking sites, just like all others interested in the field of media, but we decided to go beyond them, because the philosophy of our existence is based on crossing the red lines. There is the media of the authority and the media of the citizen. Raseef 22 is part of the media of the citizen.” power and citizen’s information is a part of citizen’s media» .

These practices follow President Sisi’s ratification of the Information Technology Crimes Act, which allows blocking of sites, collective monitoring of communications and imposing full control over the Internet. AFTE expects that charges regarding digital rights will increase with the application of this law.

- **Freedom of creativity**

With the beginning of the third quarter of 2018, the Prime Minister issued a decree on the organization of festivals or celebrations, which was published in the Official Gazette on 11 July 2018. The decree imposes restrictions on the freedom of creativity and creators. The decision prohibits the organization or establishment of any festivals

 28. Raseef 22, Raseef 22 Forbidden for Egyptians ... How long will freedom of expression be suppressed? On September 7, 2018, Last visit: 27 September 2018, Link: <http://bit.do/exBwj>

or celebrations except after the organizers obtained a license from a high committee of at least 15 members headed by the Minister of Culture, and includes representatives of several ministries and bodies, a representative of the General Secretariat of the Council of Ministers, in addition to the heads of trade unions and the three heads of literary unions, the number of which was not specified²⁹.

The resolution also stipulates that the Minister of Culture is empowered to reject the application for permission to hold a celebration if he believes that it does not achieve the objectives of developing creativity, preserving the Egyptian identity, promoting cultural, economic and social development, and activating cultural exchange between Egypt and the countries of the world. The Minister of Culture may suspend the festival or revoke its license after granting it, without any conditions.

We cannot separate the Prime Minister's decision from the attacks on some festivals during the period covered by the report. AFTE documented violations that varied between preventing public shows and preventing creators from entering Egypt or deporting them. This shows the tendency of the authority to control creativity and restrict creators.

In the afternoon of 31 August 2018, a security force of 4 members of the Civil Protection entered the theater of the Beni Suef Cultural Palace, claiming that the usual inspection of security and safety precautions was carried out. The Civil Protection Force verbally abused the workers at the Palace of Culture. They also directed insults to the director of Beni Suef Culture Palace, Mohamed Abdel Wahab, and forced him to sign a statement that the Beni Suef Palace is not safe for any of its activities or reception of visitors.³⁰

As a result, the preparations for the carnival of Arabic music and singing stopped. The Civil Protection Force then prevented its public display, which was due to be shown on the same evening, although the staff at the Culture Palace sent letters to the Security

29. Mahmoud Othman, "Festivals Approved by the Authority... Legal Comment on the Decision regarding organization of Festivals or Celebrations", Foundation for Freedom of Thought and Expression, 30 July 2018, Last Date: 27 September 2018, Link: <https://bit.ly/2Od5I2R>

30. Sara Ramadan, "Commentary: How did the attack on freedom of creativity affect the Beni Suef Culture Palace?", Freedom of Thought and Expression Foundation, September 3, 2018, Last Date: 27 September 2018, <https://bit.ly/2OQXw5j>

Directorate to follow up the procedures, according to a phone conversation with one of the employees.

This was not the only incident associated with the banning of a festival. The official page of the Sawasia Short and Documentary Film Festival on Facebook published on September 16, 2018, stating that the festival was banned without any announcement or notice of the reasons for the ban: “We were surprised only one hour before the start of the festival with unprecedented procedures with a complaint and notification of the cinema to prevent any festival activities, despite all technical and administrative preparations and before the arrival of the invitees. We have not been officially informed so far of any reasons for the ban». ³¹

»After the festival management transferred the show to another hall, electricity was cut from that hall and nowhere else in Post Taufik. It is noteworthy that this is the first season of the festival, which is organized by Sawasiya Cultural Salon headed by MP Abdel Hamid Kamal.

In the second season of El Gouna Film Festival, Egyptian security refused to grant a visa to the Syrian film team “The Day I Lost My Shadow”, a participant in the feature film competition. The director and co-producer of the film “Soudat Kadan” posted on her Facebook page on September 21, 2018, announcing that she was unable to attend the film because she and the actress Sawsan Arshid and producer Amira Kadaan did not obtain visas and approvals to enter Egypt. “All members of the film team “The Day I Lost My Shadow” were unable to obtain entry visas to Egypt, as the director, producer and principal actress Sawsan Arshid did not receive the visas and security approvals that allow them to enter and present the film. Since this is the first showing in the Middle East, we would have been happy to celebrate the film with the Egyptian and Elghouna audience.” The film was shown in the absence of its makers.

In the same context, security forces deported Palestinian actor Ali Sulaiman from Hurghada airport outside the country after he arrived in Egypt to participate as a jury member in the feature film competition at the El Gouna Festival on 19 September 2018.

31. Sawasiya Cultural Salon, the first film festival for short films and documentaries in Suez, on September 16, 2018. Date of last visit: 27 September 2018, link: <https://bit.ly/2NMkZYQ>

Suleiman posted on his Facebook page: “Where, unfortunately the officer in charge at the airport dealt with me inhumanly and I was deported on the same plane on which I arrived from Istanbul without giving me the right to ask why I was prevented from entering beloved Egypt“.

On the level of creative amateur work, the police arrested a group of amateurs for filming a short film about drugs in Ezbet Khairallah, where the official page of the Ministry of Interior on Facebook published a statement from the Cairo Security Directorate on 4 September 2018 that “8 individuals were arrested while they were filming a video without permit in violation of the provisions of the law without a permit, that included allegations of their use of drugs and trafficking, and its promotion through the web and the Internet» .

The statement added that the public security sector formed a joint research team with the criminal investigation services in Cairo that was able to conduct investigations and gather information to identify the persons mentioned. The prosecution charged them with filming a video where they enacted being arrested during a raid on drug traffickers, with the intention of gaining fame, without obtaining security approval. They were also charged with carrying firearms and knives. On September 5, 2018, the appeals judge of Dar El Salaam Misdemeanor Court sentenced them to 15 days pending investigations.

Thus, the ongoing onslaught on freedom of creativity seems to have taken a new turn through the new rules for organizing festivals or celebrations, with the accompanying restrictions by the police and civil protection agencies. The current authority is likely worried of free space for art and culture in view of the President’s wish to exert full control over media and culture.

III. Recommendations regarding protection of freedom of expression

- 1) Egyptian authorities should immediately stop the enactment of Anti-IT Crimes Act, as it contains provisions that violate the right to privacy, freedom of information and freedom of expression.
- 2) Egyptian authorities should amend the media laws to ensure the independence of the press and media organizations and to abolish the articles that constrain the right of citizens to freedom of expression, most notably article 19 of the Press and Media Regulation and the Supreme Council for Media Regulation acts.
- 3) The Supreme Council for Media Regulation must verify the sources of financing the transactions carried out by the Egyptian Media Group, in accordance with its legally defined role, especially in light of the existence of reports linking this group with security bodies.
- 4) The Ministry of Culture must ensure that creators in the cultural palaces are free to innovate; it should intervene to prevent security and civil protection authorities from stopping artistic and literary activities in cultural palaces.
- 5) Egyptian authorities should immediately suspend the decision to form a higher committee for festivals or celebrations, which has severely affected the freedom of creators to establish cultural and artistic events.

Conclusion

The report reviewed the patterns of violations in the third quarter of 2018 in order to identify developments in the practices of Egyptian authorities at the level of freedom of expression. The report also noted legislative developments, especially with the entry into force of the laws of information and combating IT crimes.

Through these periodic reports, AFTE seeks to stimulate and encourage various efforts in order to provide the necessary guarantees for Egyptian citizens to express their views freely. It calls upon all interested parties to continue to work on the Egyptian authorities' commitment to international standards, which are constitutionally guaranteed to protect and promote freedom of expression.

In this regard, AFTE leaves its recommendations to be used by groups and stakeholders in their dialogue with Egyptian authorities.