The quarterly report on the state of freedom of expression in Egypt

First quarter (January - March 2018)
Quarterly report on situation of freedom of expression in Egypt

First quarter (January – March 2018)

Contributed to the monitoring

Sarah Ibrahim
Researcher at monitoring and documentation unit

Report prepared by
Wessam Atta
Director, monitoring and documentation unit

Mohamed Abdel Salam
Director, research unit

Publisher:
Association o Freedom of Thought and Expression

info@afteegypt.org
www.afteegypt.org

Cover Design: Amal Hamed
Report methodology

The report was based on the presentation and analysis of some issues related to the right to freedom of expression and freedom of information, in order to evaluate the general policies of state institutions in that regard. The report also includes a presentation of documented violations in accordance with AFTE standards* and the analysis of patterns of violations in order to demonstrate the impact of state policies on the right to freedom of expression. The report covers the period from 1 January 2018 to 31 March 2018.

Introduction

The report examines a period of time, in which attempts were made to compete with President El-Sisi in the presidential elections. This was the most significant event, during which violations of freedom of speech violations could be demonstrated during the first quarter of 2018. Potential candidates were excluded, either by pressure or by actions against them. Two candidates decided not to run for election because of the climate, which did not signify a free democratic process. Many violations and developments related to freedom of expression during this quarter were associated with the presidential elections. The growing concern of the authorities over the publication of news about the dismissal of the director of the General Intelligence may have caused the block of the website of the Lebanese newspaper Al-Akhbar. Media criticism of the state of rights and freedoms, especially as regards political participation, drove the Public Prosecution to beyond its mandate as an investigative body to decide on what is published on social networking sites. This situation reflects the Egyptian citizens’ desire to express their views and participate in the public debate on the one hand, and on the other hand, the failure of successive authoritarian procedures to freeze public debate. The Authority therefore seeks to use new tools and repeated threats to the media, creative artists and politicians, hoping to close any space for free expression of opinion.

* View Methodology of Monitoring and Documentation https://goo.gl/JEMgNk
In its first section, the report presents an overview of the state of freedom of expression and recent developments at the level of the current regime policies. In the second section, the report presents statistics prepared by the Monitoring and Documentation Unit of AFTE. The report then analyzes the patterns of these violations. The report concludes with AFTE recommendations to the concerned authorities in the hope of reviewing procedures restricting the right to freedom of expression.
I. Review of situation of freedom of expression

The first part of the report addresses the situation of freedom of expression during the first quarter of 2018, with a number of developments highlighting the policy of state institutions towards the right to freedom of expression. The presidential election has a high priority in the report, which also tries to address its impact on other developments and events, as follows:

- Presidential elections: no space for expression of views

Since the first presidential elections in 2005, through the 2012 and 2014 presidential elections, the Egyptian authorities have allowed space to express political opinions, with different circumstances and contexts associated with each experience. In 2014 there were restrictions on movement on the street, while space was available in the media to highlight the campaign of the rival candidate of current President Abdul Fattah al-Sisi. But what Egypt experienced in the light of recent elections, which took place from 26 to 28 March 2018, was unprecedented, with spaces completely closed to potential candidates, including being pressured or even arrested. Media coverage focused on the representation of the regime’s positions. In some cases programs broadcasted on private channels expressed criticism of the state of political impasse, but this was very limited, especially after statements by President Sisi that he was not political and that he does not prefer to talk.

This new variable demonstrates the current authority’s indifference to leave some space during presidential elections to disseminate and express critical views, as was the case in the past. Potential candidates faced direct pressures and threats1, and candidates could not organize campaigns were not allowed to work, with the exception of the candidate who entered the last-minute election race, Musa Mustafa Musa, known for his support of President Abdel Fattah al-Sisi.

---

Many of the events and the severe attack on journalists, creative artists and politicians can be analyzed in this context, as if the message of the current authority was “forget what you have been used to during previous presidential elections.” As a matter of face expressing political views ahs come to be associated with a high price, as happened with Abdel Monem Abul-Fotouh, who was arrested after several media interviews in London, and the Times newspaper correspondent Bill Trew, who was deported from Cairo, in addition to the great annoyance against the BBC coverage of Egyptian affairs, and other facts that the report will address later.

These numerous violations during the first quarter of 2018 confirm the current authority’s tendency towards further restrictions and persecutions during the next four years. The situation seems to be decided in favor of President Abdel Fattah al-Sisi, who made a number of statements clearly expressing his rejection of freedom of expression and dissatisfaction with political action.

- **Attack on foreign media: deportations and calls for boycott**

The State Information Service (SIS) - an official body issuing work permits to foreign journalists - has continued to attack foreign media and journalists, whether through official statements objecting to the content of foreign media reports or through internal campaign and propaganda led by its chair, Diaa Rashwan, who repeatedly appears on satellite channels to denounce foreign media. He even took part in a television program entitled “Why Foreign Media Targets Egypt” on 12 January 2018. The appearance of the head of SIS is accompanied by the feeding of xenophobia in Egypt and the portrayal of foreign journalists working in Egypt as part of a conspiracy against state stability, which sometimes amounts to accusations by program presenters in pro-government channels that foreign journalists support terrorism.

It is noteworthy that the head of the Information Service asked for a boycott of BBC by Egyptian officials until it makes an apology for what it has published; this came

---

against the background of a report published by the English channel dealing with the issues of enforced disappearance and torture in Egypt. Therefore, Egyptian authorities appear to be trying to send threats and harassment to foreign media, the content of which Egyptian security is unable to control. Large purchases of television channels and newspapers have taken place in Egypt, as well as the establishment of companies suspected of links to security bodies. This led to the control by the current authority of Egyptian media, in an unprecedented manner.

SIS issued several statements during the first quarter of 2018, in which foreign media were criticized for deliberately publishing false information and making professional mistakes. The first was on January 7, 2018, against the New York Times, then against the BBC on February 24, 2018, criticizing a BBC report that contained a series of interviews with victims and their relatives who were tortured and forcibly disappeared. This is not the first time that SIS has accused BBC of falsifying facts and spreading false news. This happened last year in 2017 against the background of the oasis incident.

The attack on foreign media was not limited to these statements and the calls for BBC boycott, which was launched by the head of SIS, but extended to the deportation of journalist Bel Trew, a correspondent for The Times British newspaper in Egypt, where she was arrested and subjected to investigation, with a threat of a military trial. However, SIS issued a statement accusing the journalist of carrying out her work without a permit. In the same statement, it stated that it did not issue the foreign journalists' permits for the current year due to technical circumstances.


5. Mada Masr, The Times publishes details of the deportation of its correspondent from Egypt, “In line with the repressive atmosphere that Sisi created for the press, 26 March 2018, Last visit 28 March 2018 https://goo.gl/wGo3q7
Statement by public prosecution: Citizens’ views under surveillance

On February 28, 2018, the Public Prosecutor issued a decree instructing public attorneys and prosecutors to continue monitoring various media and social networking sites to control the news, statements and false rumors that would harm the public interest of the state. The decision also addressed the bodies responsible for the media and social networks to report such information to the prosecution. In a subsequent statement, the Public Prosecution announced on March 12, 2018, phone numbers, which citizens in all governorates could call to inform the prosecution of news and statements that harm the interests of the state. The decision of the Public Prosecutor’s Office came during the period of the presidential elections, and coinciding with several statements by President Sisi, in which he threatened the so-called “forces of evil” and where he considered that freedom of opinion does not include talking about security institutions in the media, in a way which he described as “harmful”.

The decision of the Public Prosecution has many problems, including the lack of clarity of terminology and the lack of connection to the law. The statement used the term “evil forces”, which is a vague term, in addition to unspecified terms such as spreading rumors and false statements. The decision and the subsequent availability of prosecution phone numbers make every expression a possible crime. Also, the prosecution as an investigative body, exceeded its legally defined role, so that it acts both as an investigation and intelligence body. The decision is likely to be the beginning of a legitimization of social media monitoring practices and the inspection of their views by both state bodies and citizens. The decision is like an inquisition, inquiring on the ideas and consciences of citizens, especially those who criticize the current authority on several public affairs issues.

7. Mohamed Nassar and Mai Medhat, Sissi: “It is not allowed to abuse the army and police .. This is high treason,” Masrawy, March 1, 2018, Last visit: 28 March 2018. https://goo.gl/TeuTSH
The Law on Combating Cyber Crime was approved by the Communications and Information Technology Committee of the House of Representatives in the first quarter of 2018. The law, which contains 45 digital rights articles, threatens to tighten control over the content of the Internet and codify comprehensive monitoring of communications in Egypt. For example, the bill requires telecommunications companies to keep and store customer usage data for a period of 180 days, including data that enables user identification and data relating to the content of the information system relating to the movement of use and the equipment used. This means that telecom providers will have data that describe all user practices including phone calls and text messages, and all related data, websites visited and applications used on smart phones and computers.

On the other hand, the bill compels telecom companies to comply with the decisions of the NTRA to keep any other data. National security authorities will have the right to access to the data held by telecommunications companies. The bill states that “service providers and their affiliates must provide all available technical facilities to National Security Authorities upon demand, which allows those authorities to exercise their powers in accordance with the law”. The Act defines national security bodies to include the Presidency, the Armed Forces, the Ministry of Interior, the General Intelligence and the Administrative Control Authority.

The impact of the bill, which is being debated by Parliament, extends to the blocking of Internet sites, a phenomenon that has emerged in the recent period. It is not explained by clear legal grounds. The Egyptian authorities do not recognize their responsibility, except for the decision to block 33 of the 500 sites. The draft law allows authorities to expand the blocking of sites. The bill gives authorities the power to issue a decision to block websites if they feel that the content posted on these sites constitutes a crime or a threat to national security or jeopardizes the security of the country, or puts its national economy at risk. The bill provides that the investigating body shall submit the decision to the competent court.

Not only that, but the bill also grants the police the power to issue a site blocking decision, in case of urgency of imminent danger or damage, by reporting to the NTRA,
which in turn informs the service provider of the temporary blocking of the site, sites or links, or content, and the law obliges service providers to implement the content of the notification as soon as it is received. Subsequently, the decision is presented to the investigating authorities and then to the competent court.

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

- Press and Media Freedom

The first quarter of 2018 witnessed a growing monitoring role played by the Higher Media Council on various channels and newspapers. The Council referred the editor of Al-Masry Al-Youm website to be questioned by the Journalists Syndicate against the background of news published on the site concerning one of the Saudi royal family women, which was described by the council as a violation of the “code of ethics” which was approved by the Council before, according to the official website of the Supreme Media Council. Under the pretext of “moral code” and moral and professional abuses that harm the customs, traditions and the general Egyptian taste, the Council suspended the broadcast of several television programs and referred sponsors for questioning by their unions. This included the Council’s decision to stop the program “artistic scene”, aired on the “Elhadath Alyoum” channel, against the backdrop of the presentation of special clothes worn by an actress in one of her films. The presenter of the program, Ahmed Abdel Aziz was referred for questioning to his union and the channel was warned that in case of repetition of the incident the council will impose a monetary fine. These cases show that the Higher Media Council continues to violate media freedom, 13 incidents in total, followed by security bodies (12 violations) out of 33 violations documented by the report.

The number of arrested journalists increased during the first quarter of 2018, where the police arrested 6 journalists while on the job, notably Mu'taz Muhammad Shams
al-Din, aka Motaz Wednan, of the Huff Post Arabic, for having interviewed Judge Hisham Jaya, former head of the Central Auditing Organization and one of the electoral campaign team of Field Marshal Sami Anan, who announced his intention to run in the presidential elections, upon which he was arrested by the military police and referred to the military prosecution. The interview addressed some of the information about the possession by Annan of documents that threaten the current leadership. The journalist was referred to the State Security Prosecutor and charged of joining a banned group and publishing false news.

Wednan was not the only journalist to have been charged with these charges. The same charges were made to free journalist Mustafa Ahmed, known as Mustafa al-Aasar and trainee journalist at the Al-Shorouq newspaper, Hassan al-Banna Mubarak, who were arrested from a car they were riding in the vicinity of Faisal Street in Giza on February 4, 2018. Security authorities denied their arrest. The two journalists remained under enforced disappearance until they appeared in front of State Security Prosecution, in State Security Case No. 441 of 2018. They were accused of joining a group established against the law and publishing false news. In the same context, security forces in Alexandria arrested journalist in the UAE Bayan newspaper, Mai Sabbagh and photographer Ahmad Mustafa while filming a report on the history of the tram in Alexandria. They were charged with possession of means of filming and publishing false news with the aim of destabilizing and disturbing public peace and security. The prosecution ordered their detention. They were later released. These incidents coincide with the period surrounding presidential elections, as noted in the report in its first section.
freedom of media violations in accordance to the violating body
Freedom of Media violations in accordance to the type of violation

- Investigations: 5
- Legal detention: 2
- Deportation: 1
- Penalty warning: 1
- Ordering the termination of TV shows: 5
- Reporting from official bodies: 1
- Confiscating issues: 1
- Fine: 2
- Arrests: 6
- Negative judicial decisions or orders: 6
- Prevent the publication of an article or news piece: 1
- Preventing coverage of incidents: 1
freedom of Media violations, according to the timeline
freedom of Media violations, year 2018, in accordance to its geographical scale

- Qena: 1
- Cairo: 25
- Giza: 4
- Red Sea: 1
- Alexandria: 2
freedom of Media violations in accordance to the violated body (individuals and organizations)

- 5 TV show
- 3 TV Channel
- 8 Miscellaneous
- 6 TV Representer
- 1 fixer
- 1 Photojournalist
- 9 Journalist
Egyptian authorities continued to expand Internet censorship during the first quarter of 2018, blocking 35 sites, including the Lebanese newspaper Al-Akhbar and the New Gulf News website, upon their publishing news of the dismissal of the director of the General Intelligence. This news was confirmed by the Egyptian press in a very brief way.

The most prominent development in Internet censorship was the blocking of AMP, a service developed by Google with many partners. This service focuses on improving the performance of web pages on mobile phones to provide a convenient experience for Smartphone users. The project provides an open source tool that enables online publishers to increase the speed of downloading and browsing their sites through smart phones, and a visual display of pages corresponding to the sizes of screens of various mobile phones and tablets. A number of Egyptian websites used the AMP service as a mechanism to bypass the blockage, relying on the links produced by the AMP and their dissemination on social networks to reach the public without needing technical expertise to enable bypassing the blocking. After the spread of use of (AMP) by some blocked websites In Egypt, including Mada, the Egyptian government resorted to blocking the service on February 3, 2018, which affected Smartphone users coming from Google's search engine to any site that uses AMP, where users are unable to access these sites including sites that the Egyptian government did not block. So Google announced a stop of the service in Egypt.
Categories of blocked websites

- **VPN**: 2
- **Proxy**: 26
- **Press**: 5
- **Social network websites**: 1
- **Guides and technical websites**: 1
- Freedom of Creativity

With regard to violations of freedom of creativity, they amounted to 19 violations during the first quarter of 2018, and saw a serious development of referral of six artists to the military judiciary, against the backdrop of a play, that was criticized by journalists and media supporters of President Sisi, who commented on that in one of his speeches, saying that insulting the army and police is considered a betrayal of the homeland. It seems that the current authority, as it seeks to restrict freedom of expression during the presidential election period, has considered that works of art can pose a political threat, as is the case with arrested journalists.
Violations of freedom of Artistic creation according to Types of content

- Music: 7
- TV show: 1
- Performing arts: 1
- Theater: 8
- Film: 1
- Advertisements: 1
### Violations of freedom of Artistic creation according to the type of violation

<table>
<thead>
<tr>
<th>Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>First degree decision of detention</td>
<td>3</td>
</tr>
<tr>
<td>First degree decision of detention in absentia</td>
<td>4</td>
</tr>
<tr>
<td>Preventing the showcase of content temporarily</td>
<td>1</td>
</tr>
<tr>
<td>Pending Investigation detention</td>
<td>7</td>
</tr>
<tr>
<td>Preventing the showcase</td>
<td>1</td>
</tr>
<tr>
<td>Refraining from issuing a permit</td>
<td>1</td>
</tr>
<tr>
<td>Stop showcase or display</td>
<td>1</td>
</tr>
<tr>
<td>Censoring content</td>
<td>1</td>
</tr>
</tbody>
</table>
Violations of freedom of Artistic creation according to the violating body

- Giza Misdemeanor Court: 7
- Supreme Council for Media Regulation: 2
- Prosecution: 1
- Military prosecution: 6
- Tanta University: 2
- Censorship of Artistic Work Authority: 1
- Students’ Rights and Freedoms

These practices, witnessed during the first quarter of 2018, also affected four student activists, who were suddenly placed on the lists of terrorism. It was remarkable that the listing defined the students according to their positions in the student unions, in conjunction with the targeting of leaders and members of the “Strong Egypt”, after the sharp criticism, directed by the head of the party Abdul Moneim Abul Fotouh to the president, accusing him of wanting to rule the country through repression.

**Freedom of Student Rights in Accordance to the Type of the Violation**

<table>
<thead>
<tr>
<th>Type of Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inclusion in the terrorist lists+</td>
<td>4</td>
</tr>
<tr>
<td>Final dismissal</td>
<td>1</td>
</tr>
<tr>
<td>Dismissal for a Semester</td>
<td>2</td>
</tr>
<tr>
<td>Ban of theater play</td>
<td>1</td>
</tr>
<tr>
<td>Censoring the content of a theater play</td>
<td>1</td>
</tr>
</tbody>
</table>
III. Recommendations concerning the protection of freedom of expression

1) The State Information Service should suspend its interference in the work of foreign journalists; abide by its legally mandated role in issuing work permits, and make available official data that assist foreign journalists in their work.

2) The Public Prosecution must suspend decree to monitor sites of social communication and media, and commit to its role as an investigative body.

3) Egyptian authorities should commit to provide access to information on the nature of their role in blocking sites and legal grounds for carrying out this practice. Egyptian authorities must abide by the relevant international standards and lift the ban on blocked sites.

4) Egyptian authorities should release journalists and innovators who were imprisoned in conjunction with the presidential elections, as well as withdraw the decision to include student activists on the terrorist lists.

5) Egyptian parliament should freeze the electronic crime bill because it poses a threat to digital rights and violates Egypt’s international obligations, especially in the presence of penalties for crimes through several other laws.

Conclusion

The report presented patterns of violations during the first quarter of 2018, as well as the context in which these violations occurred, in order to analyze the attitudes and policies of the Egyptian authorities towards the right to freedom of expression and the circulation of information. 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. The Foundation 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.