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## **Egypt: The Government Hems in Freedom of Expression and Goes to War against Words**

Over the last 4 years, ANHRI has observed violations committed by the Egyptian government against journalists, bloggers and media workers to restrict the freedom of information using the Emergency Law, which, as always stated by the government, is only to be used against "terrorists and drug dealers", however, the government uses it against all the peaceful currents of political opposition. ANHRI has also recorded cases of the abuse of authority carried out by the state security that has continuously violated human rights without being accused of any crime.

*The following is a review of violations against journalists and bloggers, and the government's practice of limiting the freedom of internet use and transmission of satellite channels:*

### **I. Physical abuse against journalists and bloggers**

On November 2, 2004, while on his way home, journalist Abdul Halim Qandil, the executive editor-in-chief of Al Arabi Al Nasser newspaper, was chased by a car driven by 2 plainclothes persons who forcibly took him to a remote area in Al Moqattam. Abdul Halim was stripped naked, beaten and had his clothes stolen. He was also warned of writing any articles against the regime. The case has yet to be investigated.

On May 25, 2006, blogger Mohamed El Sharqawi was kidnapped and beaten by the police officers near the Press Syndicate. A crowd of people who saw the beating gathered around the police officers who, in turn, took El Sharqawi inside of a building and continued beating him. After a while, a police car arrived and El Sharqawi was pushed inside unconscious. At Qasr El Nil police station, he was stripped naked and sexually assaulted for being outside his house, as he was previously ordered to remain there on May 23, 2006. On June 15, 2006, El Sharqawi notified the attorney general about the violation, but the case has yet to be investigated.

On May 17, 2008, journalist Kamal Murad of Al Fajr Newspaper was abused by security officers while covering the story of some farmers being expelled from their lands in Al Rahmania village, Behaira governorate. He was physically and verbally assaulted by the officers, who subsequently arrested him and accused him of inciting the farmers to strike, as well as insulting and assaulting security officers. His camera and mobile phone were confiscated. On June 21, 2008, Kamal Murad notified the Attorney General about the violation, but the case has not been investigated yet, meanwhile the case filed against Murad by the police officers is being actively investigated, which led the court to sentence him to 6 months in jail and to a fine of LE100. The sentence was appealed and the case will be reconsidered on May 26, 2009.

### **II. Prosecution of journalists before the criminal courts**

A few years ago, journalists welcomed the President's promise not to imprison journalists for

publishing their work. Yet in fact, journalists continue to be threatened with imprisonment, court cases, legal fines and closing down journalism-based institutions. The Penal Code has about 35 articles that justify taking journalists to court. The following is a review of the cases filed against journalists:

1- After sentencing each of the 4 editors in chief, namely; Adel Hamuda (Al Fajr), Ibrahim Eissa (El-Dustour), Wael El-Ibrashi (Sawt El-Umma) and Abdel Halim Kandil (El-Karama), to one year in prison on September 13, 2007, The Agouza Court of Appeal amended the sentence on January 31, 2009 to a fine of L.E. 20.000 each. This ruling was finalized and enforced. The charges included 12 different indictments; insulting the President the head of the NDP, the Assistant Secretary-General and Policy Secretary-General; the dissemination of misinformation, false statements and rumors; and broadcasting "malicious propaganda" that would "disturb public security" and "harm the public interest."

2 - Al-Azhar Sheikh filed a lawsuit against Adel Hammouda, editor-in-chief of Al Fajr newspaper, and Mohamed El Baz, Associate editor, on charges of the contempt of an organizational body and the slander of a public officer (Sheikh Al-Azhar). The Giza Criminal Court sentenced each of them to a fine of 80.000 L.E. on October 11, 2008. The ruling was finalized and enforced.

3 - The case of "The President's Health" was filed by the State Security Prosecution against Ibrahim Issa, editor of Al-Dustour, on the charge of "spreading false statements to harm the public interest." On September 28, 2008, the Court of Appeal decided to amend the sentence from 6 months imprisonment to 2 months, before a presidential pardon was issued on October 6, 2008.

4 – On December 30, 2008, Kamal Murad, a journalist at el-Fajr newspaper, was sentenced to 6 months on the charge of affronting and threatening police officers while performing their job.

In protest against this trend of putting journalists on trial before criminal courts and sentencing them to imprisonment and heavy fines, newspapers halted publication twice. On July 8, 2006, 26 newspapers put a temporary hold on publication in protest against the amendments of the press law and the failure to implement the president's promise to abolish imprisonment in publication cases. On October 7, 2007, partisan and independent newspapers halted publication in protest against the continuing imprisonment of journalist.

### **III. Security control over the use of the Internet**

Over the last few years, Egyptian security forces have been concerned with following and observing political activists, who do not necessarily belong to parties of the opposition and opposition groups, turning to the Internet to organize protests, sit-ins and strikes. The government, represented by the Ministry of the Interior, has tried to hem in Internet users and control the circulation of information over the web, monitoring various websites and blogs to abort any calls for strikes.

On February 23, 2005, the Minister of Interior committed managers and owners of Internet cafes to register the names and identity numbers of Internet users in cafes. He further

compelled them to bring this record to the state security officer deemed responsible for Internet cafes, and threatened to close down internet cafes which fail to implement this procedure, in spite of its illegality.

After the partial success of the strike of April 6, 2008, which was launched through the Facebook social networking website, the Egyptian government imposed a new privacy-abusive measure which heightens the extent of censorship on Internet. The new measure obliges tourist-gearred coffee shops to keep the information of their visitors who use the internet, including their names, email and phone numbers before allowing them to use the web. The Ministry of Interior depends on companies that provide telecommunication and Internet service to extend its control over Internet users.

#### **IV. The use of the Emergency Law against bloggers**

The Emergency Law is the weapon used by the security in the fight against Egyptian bloggers. As a law criminalizing publications on the Internet is absent, the SSI has arrested some bloggers and issued decisions to arrest others by means of the Emergency Law. Bloggers who were arrested under the Emergency Law included, by way of example, but are not limited to:

- 1 - Israa Abdul-Fattah (the one who called for the strike of 6 April 2008)
- 2 - Abu Mus'ad Fajr (owner of the blog 'we want to live')
- 3 - Mohamed Adel (owner of the blog 'dead')
- 4 - Abdul Aziz Mujahid (Esterahet Mujahid blog)
- 5 - Reda Abdul Rahman (owner of the blog 'Justice - Freedom – Peace')
- 6 – Dia Eddin Gad (owner of the blog 'an angry voice')
- 7 - Mohamed Rifaat (owner of the blog 'matabbat')
- 8 - Philip Rizk (Owner of the blog 'Taboula Gaza')
- 9 - Mohamed Khairi (owner of the blog 'garr shakal')
- 10 - Ahmed Mohsen (owner of the blog 'open your eyes')
- 11 - Abdul Rahman Faris (owner of the blog 'my tongue is the pen')
- 12 - Saif el-Islam Muhammad Ibrahim (owner of the blog Saif- not with them).

#### **V. The act to organize satellite broadcast restricts media freedoms**

On February 12, 2008, the meeting of Arab Ministers of Information issued a document entitled "Principles to Organize Satellite Transmissions and the Reception of Radio and Television in the Arab World." The Egyptian Ministry of Information took the initiative to issue the document in cooperation with 2 of the most repressive Arab governments, Saudi Arabia and Tunisia, which are particularly hostile to the freedom of expression. The relentless pursuit of these 3 governments to hinder the freedom of Arab satellite stations is clearly reflected in the document, as these stations operate independently of governments and their desires.

In the light of the terms of this document, the Egyptian Ministry of Information declared, in July 2008, the preparation of a draft of a bill entitled "Law on the Organization of Audiovisual Broadcasting". Most of these terms were characterized by ambiguity and uncertainty, since they shall be interpreted according to the vision of the organs of the public

prosecution and security services, which allows their expanded use against journalists and media workers.

Examples of violations against satellite stations after the announcement of the document:

1 – Ceasing the transmission of el-Baraka channel in February 2008, under the pretense of not completing its registration papers, a charge denied by the channel's founders.

2 - Ceasing the transmission of el-Hikma channel on February 27, 2008. And on November 2008, the Egyptian Satellite Company in charge of the managing Egyptian satellite (Nile Sat), decided to terminate the channel, without giving reasons for this arbitrary decision.

3 – On April 1, 2008, the Department of the Egyptian satellite (Nile Sat) decided to stop broadcasting the channel 'al-Hiwar', without giving reasons.

4 - Closure of the office of 'the Iranian World' Channel on July 17, 2008, after the Egyptian police broke into the channel's office , and confiscated all of the cameras, computers and imaging tools, under the pretense of working without a permit although it has been working in Cairo since 2004.

5 – In August 2008, the Egyptian security exerted considerable pressure on one of the photography companies to cancel filming of 2 programs of al-Hurra American Channel without giving any reasons, despite the prior agreement with the company 4 weeks earlier.

Examples of violations against media professionals in satellite stations:

1 - On May 2, 2007, the el-Nuzha Misdemeanor Court sentenced Huwaida Taha, Program Editor in al-Jazeera Channel, to 6 months in prison, on a bail of L.E. 10.000 and a forfeiture of L.E. 20.000, as well as confiscating the videotapes which had been seized, on the charge of "engaging in an activity that would harm the national interests of the country", and "broadcasting fabricated acting scenes to defame the country's reputation." The documentary for which Taha was tried, "Behind the Sun," deals with police torture in Egypt. In February, 2008, the court of appeal repealed the sentence of imprisonment and fined Huwaida to L.E. 20.000. The verdict was finalized and enforced.

2 - On April 16, 2008, police broke into Cairo News Company, ordered the confiscation of its equipment, and called its director, Nader Gohar, in for questioning. Then, the Bulaq Misdemeanor court sentenced the company to a fine of L.E. 50.000, and ordered the confiscation of the equipment seized by security officers during the search. The ruling was appealed before the Court of Appeal, which decided to acquit the accused.

Examples of violations against satellite programs:

1 – A part of the program "90 minutes" was prevented from broadcasting in February 2008. The banned portion was a discussion of the draft of the "Anti-terrorism Act."

2 – In October 2008, security forces pressured the channel "Dream" to stop broadcasting a part of the '22:00 O'clock' program concerning the raid of the security services on Al-Jazeera school in Alexandria and the depriving of school students from study. The raid came under the pretense that the school conducted business with the financial institutions of the "Muslim Brotherhood," and led to the paralysis of the citizen Hamada Abdul Latif after being attacked by the security.

## VI. Censorship and confiscation of creative works

Over the last few years, many publications have been confiscated by security forces, including:

1 - "The Modern Sheikhs and the Industry of Religious Extremism" by Dr. Mohamed Fattouh in 2006. The publishing house was raided and 280 copies of the book were confiscated.

2 – "The Balcony of Laila Murad" by poet Helmi Salem- 2008.

3 – The novel "Metro" and the prosecution of its author Magdy El-Shafei and its publisher Muhammad Al-Sharkawi. The Vice Squad claimed that the novel contains words and paintings contrary to public morals. The trial started in 2008 and is still pending.

4 - "From the papers of Shahenda Meqled" in 2008. The author was put on trial and sentenced to a 6 month suspended sentence in prison and a fine of L.E. 10.000.

5 -"The Oppressed: The History of the Coptic Nation," in 2008. The book was published by the Middle Eastern Christians Organization, and the representative of the organization in Egypt, Dr. Adel Fawzy, was put on trial and the book was confiscated.

6 – The fictional play 'God Resigns at the Summit Meeting' by Nawal Saadawi," in 2008.

7 - Withdrawing the license of 'Ibdaa' Magazine for publishing the poem "The Balcony of Layla Mourad" by Helmi Salem.

## VII. Hisba lawsuits

In recent years, Hisba lawsuits have become widespread, as a citizen who has neither competence nor interest can sue others before various kinds of judiciaries under the pretense of "fear for the security of the State, and "fear for the interest of the Islamic religion."

### Examples of political Hisba lawsuits:

1 - Cases against Dr. Saad Eddin Ibrahim, Director of Ibn Khaldoun Center for Development Studies, submitted by Abul-Naga el-Mehrezi, a member of Parliament, and Thuraya Labana, head of social professions, for publishing "inflammatory" articles outside Egypt expressing his opinion on the ruling party.

2 - A lawyer and member of the ruling NDP filed a case against 4 editors; Adel Hammouda, editor of el-Fajr, Ibrahim Issa, editor of Al-Dostour, Wael El Ibrashi, editor of Sawt el-Umma and Abdel-Halim Kandil, editor of Al-Karama, for publishing articles critical of the President.

### Examples of religious Hisba lawsuits:

1 - A case against the writer Nawal el-Saadawi filed by an Islamist lawyer to separate her from her husband, 2008.

2 - A case against the poet Helmi Salem brought by an Islamist lawyer; for publishing a poem entitled "The Balcony of Layla Murad" , 2008.