

## Egypt

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Conditions for the media in Egypt grew worse during 2014 as Abdel Fattah al-Sisi, the army chief who overthrew President Mohamed Morsi in a July 2013 coup, consolidated his power. A new constitution adopted in January contained a number of press freedom guarantees, but these were undermined by important exceptions as well as existing legal restrictions that remained in effect. In practice, the authorities sought to purge the media of any critical voices, especially those deemed sympathetic to Morsi's banned Muslim Brotherhood, in part by prosecuting journalists in the politicized courts. Journalists also faced violence when covering protests, and most media outlets increasingly displayed a strong progovernment bias, with self-censorship contributing to the broader loss of pluralism and diversity of opinion.

### Legal Environment

In January 2014, Egyptians voted on a constitution drafted under the supervision of an interim government established after the 2013 coup. The new document, which passed the referendum with 98 percent of the vote amid 39 percent turnout, replaced a charter that had been ratified under Morsi in December 2012 and suspended by the coup. During the campaign period for the referendum, the authorities effectively banned all expression of opposition to the new constitution.

The 2014 constitution contains several encouraging provisions regarding freedom of expression, access to information, and the media. Article 65 guarantees freedom of thought, opinion, and the expression thereof. Article 68 declares that all official state documents and information are the property of the people, who have the right to access such materials in a timely and transparent manner. Articles 70, 71, and 72 all govern the press, providing for many of the rights that support a free media environment. They guarantee the freedom of the print, broadcast, and digital sectors; enshrine the right to establish media outlets; ban all forms of media censorship, including the suspension and closure of outlets; ban prison terms for press crimes; and declare the independence and neutrality of all state-owned media outlets. The constitution also calls for the establishment of independent regulatory bodies tasked with supporting and developing both private and state-owned media and administering all relevant regulations.

However, these positive elements are seriously undermined by a variety of exceptions and ambiguities. Article 71 authorizes media censorship "in times of war or general mobilization." The same article, which ostensibly eliminates jail terms for media offenses, leaves room for imprisonment for crimes related to incitement of violence, discrimination, and defamation. The constitution notably fails to specify the composition and appointment procedures for regulatory bodies, meaning future legislation could create structures that enable political influence.

Moreover, the existing press laws and penal code remained in place, including an array of articles that can be used to imprison journalists. For example, defamation is a criminal offense, and sentences of up to five years in prison can be imposed for blasphemy, or “exploiting religion in spreading, either by words, in writing or in any other means, extreme ideas for the purposes of inciting strife, ridiculing or insulting [the Abrahamic faiths] or a sect following it, or damaging national unity.”

The authorities continued to arrest and prosecute journalists in practice during 2014, subjecting them to deeply flawed legal proceedings that disregarded their fundamental rights. According to the Committee to Protect Journalists, 12 journalists were behind bars in Egypt as of December, nine of whom had been in custody since 2013. The most prominent case was that of three employees of Qatar’s Al-Jazeera television network—Peter Greste, an Australian citizen, Mohamed Adel Fahmy, a dual Canadian-Egyptian citizen, and Baher Mohamed, an Egyptian national. They were arrested in late 2013 and sentenced in June 2014 for supposedly spreading false news and aiding the banned Muslim Brotherhood. Greste and Fahmy received seven-year prison terms, and Mohamed was sentenced to 10 years due to an additional charge of possessing ammunition. Despite an international campaign for their release and complaints that no incriminating evidence had been presented at trial, the three remained in prison at year’s end. Three other foreign journalists, two British and one Dutch, were convicted in absentia on similar charges.

Some journalists with actual links to the Muslim Brotherhood faced criminal charges during the year. Samah Ibrahim, a reporter for the Brotherhood’s *Freedom and Justice* newspaper, was sentenced to a year in prison in March on charges including “disturbing the peace,” having been arrested in January while photographing a Brotherhood protest. Her sentence was later reduced to six months on appeal. In April, two reporters for a Brotherhood-sponsored news website were arrested and charged with various crimes related to their journalistic activity and political affiliations. One, Abdel Rahman Shaheen, was sentenced to three years in prison in late June, while the other, Ahmed al-Ajos, was released on bail in September, though his charges were still pending.

At least two of several other journalists arrested during 2014 remained in detention as of December. Ahmed Fouad, a reporter for the news website *Karmoz*, was arrested in January while covering a Brotherhood protest in Alexandria. Ayman Saqr of the news website *Almesryoon* was arrested in November after covering an Islamist demonstration in Cairo.

Al-Sisi, who won a tightly controlled presidential election in May 2014 and ruled without a legislature for the rest of the year, made no progress on draft freedom of information legislation that was under debate in 2013. In November 2014, the cabinet took up consideration of a draft law that would prohibit the publication of information pertaining to the armed forces by print, radio, and television outlets, as well as on social media. The ban applied to analysis and investigative work, any statistics or data on military assets and strategy, and “any other information that might harm the security of the members of the armed forces.” Violations would carry prison sentences of six months to five years and fines ranging from 10,000 to 50,000 Egyptian pounds (\$1,400 to \$7,000)—penalties that would be magnified during a state of emergency or declared war.

The new constitution calls for an independent Supreme Council for the Regulation of Media, but the necessary legislation had yet to be enacted in 2014. Consequently, the existing Ministry of Information continued to operate during the year. When a new cabinet was named in June, following al-Sisi's election as president, no information minister was named. Instead, the prime minister appointed the head of the Egyptian Radio and Television Union (ERTU), Egypt's public broadcaster, to serve as interim leader of the ministry.

Nongovernmental organizations (NGOs) dedicated to protecting journalists' rights and freedom of expression have long been subject to restrictive laws that apply to all civil society groups. In September 2014, al-Sisi signed a decree that amended the penal code to ban the receipt of foreign funding for activities that "harm the national interest," potentially affecting NGOs. Violations of the law can be punished with life imprisonment and fines of nearly \$70,000, and the death penalty would apply if the offender is a public servant or linked to terrorism.

The government was working to augment its electronic surveillance capabilities during 2014, adding to concerns about privacy and the confidentiality of journalists' sources and activities. By September, according to some reports, officials and private contractors had begun extensive monitoring of social media and other online communications platforms.

## Political Environment

Following the July 2013 coup, the authorities began to purge the media of any support for Morsi or the Muslim Brotherhood, which was declared a terrorist organization late that year. This process continued in 2014 as the new regime consolidated its authority.

As in previous years, state media generally displayed a progovernment bias. In January 2014, a Supreme Press Council created shortly after the coup named new chairpersons for the country's state-owned newspapers. Although the new constitution called for independent bodies to oversee state media assets, they had yet to be established.

Private media also showed a strong allegiance to al-Sisi's government during the year, partly because Islamist television networks had been shut down following the coup, leaving anti-Morsi stations in a dominant position. Many high-profile media personalities voiced unambiguous support for al-Sisi's May presidential bid, and in October, following a militant attack that killed at least 31 soldiers in the restive Sinai Peninsula, the chief editors of 17 private and state-owned newspapers pledged to refrain from criticizing the government, the army, or other national institutions. Hundreds of journalists denounced the pledge on social media.

Throughout the year, journalists at both state-owned and private outlets who expressed even the slightest criticism of the regime suffered repercussions from the government or their employers. In March, the state television program *Revolutionaries All the Way* was suspended for criticizing the government, and seven journalists were summoned for investigations by the station's legal affairs department after they expressed support for the show. Also that month, state-owned Radio Masr's *Om el-Donia* program was suspended

over its coverage of the upcoming presidential election. In June, the well-known satirist Bassem Youssef was forced to cancel his popular program *Al-Bernameg* after he and the private broadcaster MBC Masr experienced sustained political pressure and threats; the show had already been suspended by another station in late 2013. In October, popular talk-show hosts Wael Ibrashi of Dream TV and Mahmoud Saad of Al-Nahar TV saw their programs pulled from the airwaves when they carried remarks that were considered antigovernment or unpatriotic.

In addition to editorial pressure and censorship, journalists faced physical attacks and restrictions on their movement in 2014. On January 25, journalists covering demonstrations on the anniversary of former president Hosni Mubarak's 2011 ouster reported dozens of cases of physical assault by both civilians and security forces. Many were also detained, searched, and had their equipment confiscated by police. In late March, Mayada Ashraf, a journalist for the daily *Al-Dustour*, was shot and killed while covering clashes between police and demonstrators protesting al-Sisi's announcement that would run for president. Two weeks later, two journalists were shot and wounded while covering a demonstration by a student group opposed to the 2013 coup. Several journalists were beaten or briefly detained during August protests marking the anniversary of a deadly crackdown on Brotherhood demonstrators in 2013.

Many of the journalists in detention during the year were held for long periods without charges and reported mistreatment in custody. Mohamed Badr, an Al-Jazeera cameraman released in February after seven months of detention, alleged regular beatings and psychological torture. Mahmoud Abu Zied, a freelance photojournalist held without charge since August 2013, has reported similar abuse. Some journalists launched hunger strikes to protest their treatment, including Al-Jazeera's Abdullah al-Shami, who was ultimately released on medical grounds in June after 10 months of detention without charges.

## **Economic Environment**

Egypt has more than 500 newspapers, magazines, journals, and other periodicals, and the state retains ownership of several important titles. ERTU remains the only terrestrial broadcaster and controls a range of regional and specialty channels. However, several privately owned Egyptian satellite television channels and major pan-Arab stations have attracted wide viewership.

Some 50 percent of Egyptians accessed the internet regularly as of 2013, and nearly 70 percent had access to mobile telephones. Social media, particularly Facebook and Twitter, play an important role in diffusing news and information. By early 2014, well over 16 million Egyptians were on Facebook, accounting for more than 25 percent of all Facebook users in the Middle East.

The authorities occasionally interfere with media production and distribution. In June 2014, police seized a press run and printing equipment from the Arabic Network for Human Rights

Information (ANHRI), which produces the newspaper *Wasla*. No formal explanation was provided.

Trends in media ownership, spending, revenues, and advertising are difficult to assess given the industry's opacity. The government supports state media directly and through advertising subsidies, although it is unclear what types of advertising subsidies exist. The country's weak economy has forced both state-owned and private newspapers to slash their budgets, but no major newspaper or broadcast station went out of business in 2014.