

# **FREEDOM OF OPINION & EXPRESSION IN EGYPT Annual Report 2007**

## Foreword

“When we were together on dinner he told me, ‘I have formulated my own system for press freedom; in my writings I avoid writing about press, worship, politics, manners, highly-positioned personalities, Opera, and any outstanding figure in the society. However, I can write freely about any thing else. Therefore, I am so happy.’”

Beaumarchais play *Le nozze di Figaro* (marriage of Figaro)

## **This report**

This is the first annual report prepared by the Arabic Network for Human Rights Information on the status of freedom of opinion and expression in Egypt during 2007.

The report contains two sections, the first section on the legal framework and stations affecting freedom of expression in 2007.

Section II on the violations monitored by the Arabic Network of freedom of expression and freedom of press this year. Whether printed media or the electronic blogs, and this report contains for the first time a section on violations, which affected the freedom of artistic creativity "theatre, cinema, and television."

This report is a result of collaborative work of:

Gamal Eid: researcher and legal counsel, the Executive Director of the Arabic Network, prepared the legal section and the editing.

Duaa Sultan: assistant editor of Al-Dostour, Chief of the Art page, prepared the chapter on artistic creativity.

Rawda. Ahmed Sayed: Lawyer in the Arabic Network, and Abdou Abdel Aziz, the administrative director of the Arabic Network, prepared together the chapter on journalists and writers.

Mina Zekri: Programme Director of the Arabic Network, prepared the chapter on the blogs and electronic journalism

Also, Mohammed Abu Al Majd translated the report from the Arabic of English.

The Arabic Network gives special thanks to the Cartoonist  
Mohamed Abdullah, as he enriched the report with his cartoons.

## **Introduction**

Walls of Glass!

Nothing can be hidden in Egypt . The state-owned newspapers are no longer the only source of news or information. To know about real situations in Egypt , one can read the independent newspapers and bloggs.

Torture, corruption, political suppression, poverty, and peaceful and violent protests, all art taking place in Egypt , but the state-controlled media never comment or publish such aspects.

Nowadays, the situation is different; such aspects and events are widely known. All what you need to know about them is to read an independent newspaper or a blogg or to watch the space channels.

No one is above criticism, and no more government secrets, all now are known. Executioners are no longer free to chastise people and go with impunity. Young journalists and bloggers are there to write, criticize and record shootings.

The slogan of “Every thing is OK in Egypt ” is changed to be “ Egypt is not well, let us expose this to find a treatment”.

A priced freedom

The Egyptian government has not changed and its policy is unchangeable. However, now some are ready to pay the price of changing; they are the Egyptian journalists and bloggers.

They fulfill the price of every news or information they release while the government is intending to hide. They fulfill a very high price on behalf of the Egyptian citizen.

Being sent behind the bars, or threatened is the price. Six independent newspapers and some blogs play the role of a microscope that enables the Egyptian citizens to see the mere naked picture of their country. Al Dostor, Al Badeel, Al Masri Al Youm, Nahdat Misr, Al Fagr, Sout Al Ummah and the blogs, such newspapers and blogs are reviving the Egyptian press and leading the parties newspapers, which were pioneers in the same field, to support freedoms of expression and press.

Tens? Hundreds? Thousands?

How many cases are launched against journalists?

In an attempt to find out the real number of cases launched against journalists in 2007, The Arabic network for human rights information made an interview with Mr. Saied Abu Zaid, the legal advisor for the syndicate of journalists. Mr. Abu Zaid said, "It is very difficult to define a certain number of such cases. The number of summons is more than one thousand and the number of trials is about five hundreds." "These numbers refer to what I know personally not formally," commented Mr. Abu Zaid.

So, more than one thousand summons and five hundred cases were launched against journalists. These numbers do not include cases against non-syndicate members nor the bloggers nor artists and men of letters who are not syndicate members.

Before reviewing the events of 2007 we have to pay attention to some factors affecting the journalists performances and their role:

- \* The executive authority, assisted by security systems, is the only decision maker at the expense of other authorities. Laws with the general atmosphere and the real situation in Egypt , magnify the attitude of the executive authority at the expense of judiciary and legislative authorities.

- \* The absence of laws and governmental practices that support transparency and information handling. However, there are many legislations that circumscribe the right to get and publish any information. Even the state-owned newspapers depend on news agencies or on deductions and guessing. In his speech before the workshop titled “The role of press in enhancing the human rights” organized by the National council of human rights on November 10, 2007 , Mr. Ahmad Kamal Abul Magd, the under secretary of the council said, “Information blackout makes journalists release false news”... “The state is responsible for the spread of rumors since it stands behind the information blackout,” added Mr. Abul Magd.

- \* The absence and demolition of a journalistic value and an important tool which is the right to refute any false news. This value is replaced by the so-called “political Hesba” which means that some uninterested personality launches a law suit against any journalist who releases certain kind of information. Some courts accept such law suits and some reject them!

- \* The syndicate membership regulations are a means of exercising pressure on any journalist working for state-owned, parties, or

private newspapers. Such regulations oblige some journalist to accept working under bad conditions and for low salaries.

Some slight amendments were done to the penal code but the amendments are vague and broadly worded regarding some kind of crimes. Such crimes are interpreted according to the relation between a journalist and the government officials. Journalist Kareem Yahia was quoted commenting on this “Our press practices a kind of freedom that is customary and out of law and is depending on contenting the executive authority.”

## **Section I Main points affecting the freedom of expression and opinion freedom during 2007**

The year 2007 witnessed serious turning points in the way of the freedom of expression and opinion freedom in Egypt . These points affected the year 2007 and affect the year 2008 since many cases have been launched before the end of 2007.

The Arabic Network For Human Rights Information, due to its involvement in many cases, recorded such points as follows:

I- The excessive use of libel and defamation articles of the penal code

II- The strong return of political and religious “Hesba” cases

III- The increasing phenomenon of non-syndicate member journalists, and depriving journalists from the syndicate membership

IV- Formulating a press working against press freedom

V- The elections of the journalists syndicate

VI- One-day withdrawal of 22 independent and parties newspapers

I - The excessive use of libel and defamation articles of the penal code

The libel and defamation charges were excessively used against journalist and men of letter during the year 2007. We hardly find an

independent journalist who was not accused of such crimes by the state of the democratic party or even by the “Hesba” lawyers.

It seems that the Egyptian government is not intending to amend the penalty of this crime to be financial fine instead of imprisonment. Moreover, the government directly or indirectly, launched many cases of that type against many journalists.

Reducing the space given to expression and rejecting all forms of criticism made many lawyers and officials interpret any criticism written by a journalist as libel and defamation. For example, the journalist who criticized the minister of military production, who is a parliament member for Helwan district, was accused of libel and defamation by the minister, because the journalist branded the minister as the worst parliament member for Helwan district. This example is a serious indicator against journalists and society rights to criticize the officials and to reveal their undemocratic and unclear practices.

## II- The strong return of political and religious “Hesba” cases

It seems that the year 2007 was the year of religious and political Hesba.

Once again this hectic number of such cases that restrict the freedom of press and expression, reveals the bad stance of the Egyptian government towards the sever set back of the Egyptian society.

The general prosecutor investigated a notice handed by one of the Hesba lawyers against Dr. Nawal El Se'dawi accusing her of disbelieving.

It is very obvious that the ruling party contribute its quota in the Hesba case through many law suits launched by the party lawyers against journalists who criticize the government and the national democratic party. The best example for this are the cases launched against Ibrahim Isa, the editor-in-chief of Al Dustur newspaper.

Moreover, many fanatic religion men sniped the opportunity to spread an atmosphere of fanaticism and fear among writers and journalists through launching hundreds of these cases regardless winning them or not. Such cases make their lawyer gain a lot whether on the fanatic atmosphere they create or on the financial gains they get through the compensation law suits against journalists and writers besides the heroic fame they gain. Such lawyers became TV shows stars and gained a lot, regardless the great loss and retardation of the Egyptian society due to their cases.

III- The increasing phenomenon of non-syndicate member journalists, and depriving journalists from the syndicate membership

Q- In Egypt, who is the journalist?

A- A journalist in Egypt is the person who is a member in the journalists syndicate, whether he/she works in journalism or not.

Thousands of professional journalists, most are youth, who formulated many government and parties and independent newspapers, are deprived from being members in the syndicate of journalists, because of the harsh regulations imposed by the syndicate and by law, like the condition that a journalist can be a syndicate member only when he/she has a contract with a licensed Egyptian newspaper.

Such condition pave the way to many officials to impose very difficult job conditions like low salaries – or no salary at all- or bad treatment. Many journalists, specially, youth, face these bad conditions to become syndicate members.

The most clear-cut example of this is the “Shabab mist” newspaper, the mouthpiece of a party with the same name. 15 journalists engaged by this newspaper for more than 12 months without being paid. Some of these journalists paid from his own to support the newspaper. These dreamed of a great newspaper and of the syndicate membership. The party president, who is close to the National Democratic Party (NDP), the editor-in-chief of the newspaper, did not pay the journalists and did not recruit them in the newspaper to get the syndicate membership.

The situation in the journalists syndicate is the same in other labor or professional syndicates. Since the 1950s, the state overwhelms the parliament. This attitude restricted the right to multi syndicalistic attitude. In professional syndicates, to be a member one should practice the profession. Syndicates became places to give licenses and are not entities that defend the rights of its members.

The number of professional journalists who are not syndicate members is about eight thousand journalists. The number of

journalists syndicate members in Egypt is no more than five thousand journalists.

#### IV- Newspapers work against the press freedom

After three years of low distribution returns, Rose Al Yousif newspaper decided to adopt a new strategy to achieve good publicity to announce its ability to compete.

This newspaper adopted a strategy which does not meet the needs of a society suffering from the culture of suppression and opinion confiscation.

This newspaper created false conflicts with the parties and independent newspapers, hoping that such newspapers would write about it, in a miserable attempt to attract the readers. This newspaper, on its pages, attacked most political activists, human rights organizations, journalists, and space channel. No one remained to be praised by this newspaper, except the ministry of interior and the Egyptian president's son Mr. Gamal Mubarak. The newspaper badly exploited the situation of escalated suppression against independent and parties press. It encouraged against the journalists chased by the state and the Hesba lawyers. The most hostility was directed to Al Dustur and Al Masri Al Youm newspapers, the first along with its editor-in-chief Ibrahim Isa faced more.

The state, the Hesba lawyers and some trifling newspapers, on top comes "Rose Al Yousif" became the main suppressors against press.

This made some people ironically comment of the situation by saying, “The diversity in Egypt is represented in the newspapers which defend the press freedom, and the newspapers which hate the press freedom!”

#### V- The elections of the journalists syndicate

The syndicate of journalists is one of the ancient institutions in Egypt , established in 1941 to defend the freedom of press through its affiliated committees. It also, release an annual report about its activities.

The syndicate of journalist is the Egyptian citizens tribune to address the officials through the peaceful demonstrations and protests.

In November 2007, the general assembly of the syndicate held a meeting to elect a chief and the board members. The judicial committee supervising the elections declared the journalist Makram Muhammad Ahmad, close to the government, a chief of the syndicate. The so called syntactical independency trend was defeated in the elections.

The elections day was so difficult that it threatened the fate of the syndicate. As per the report of the committee formed by human rights editors, “the vote count process for board members was halted for more than three hours because the general assembly members objected on the electoral commission supervisors who left the commission bearing sealed envelops containing the votes and 10 votes minutes. They took the sealed envelops to Southern Cairo Court in Bab El Khalq before finishing the vote count of 6

ballot boxes. The general assembly members, and the candidates and their representatives objected on the behavior of the judicial commission supervising the elections who decided to declare the poll from the headquarter of the court. Many of the attendants started to shout demanding declaring the poll in the headquarter of the syndicate not in the court.

After declaring the poll the new board of the journalists syndicate was formed as follows:

Makram Muhammad Ahmad, chief

Abdul Mohsen Salama (Al Ahram), Hatem Zakaria ( Al Akhbar), Yasser Rezq (Al Akhbar), Salah Abdul Maqsoud (International Arabic Media Center), Muhammad Abdul Quddus (Al Akhabar), Abeer Al Sa'di (Al Akhbar), Yehya Qallash (Al Gomhouria), Muhammad Kharaga (Al Ahram Al Masa'i), Gamal Abdul Raheem (Al Gomhouria), Hani Emara (Al Ahram Al Masa'i), Alaa Thabit (Al Ahram Al Masa'i), and Gamal Fahmi (Al Arabi), Memebbers.

VI-One-day withdrawal of 22 independent and parties newspapers

As a way to face the wild campaign launched by the state against the press in Egypt , 22 newspapers decided to make a one-day withdrawal to stop the cases launched against journalists and to protest on eradicating the little margin given to the freedoms. This came after sentencing 7 editors-in-chief. That was the straw that broke the camel's back, and unfulfilled the 3-year old president's promise to abandon the jail sentence regarding publishing.

The protest done by the 22 newspapers succeeded in attracting attention to the deteriorated situation in press freedom in Egypt . The most significant matter was the integration between the withdrawn newspapers and some websites specially human rights ones.

## **Laws and the freedom of expression in Egypt**

Constitutional freedom....legal detention

The Egyptian constitution assured the freedom of opinion and expression and the freedom of press and scientific research and the freedom of creation as in the following articles:

(47) Freedom of opinion is guaranteed. Every individual has the right to express his opinion and to publicize it verbally or in writing or by photography or by other means within the limits of the law. Self-criticism and constructive criticism is the guarantee for the safety of the national structure .

(48) Freedom of the press, printing, publication and mass media shall be guaranteed. Censorship on newspapers is forbidden as well as notifying, suspending or canceling them by administrative methods.

In a state of emergency or in time of war a limited censorship may be imposed on the newspapers, publications and mass media in matters related to public safety or purposes of national security in accordance with the law.

(49) The State shall guarantee the freedom of scientific research and literary, artistic and cultural invention and provide the necessary means for its realization.

The constitution also allocated a complete chapter entitled “the sovereignty of press” with six articles, from 206 to 211 which state the following content: Censorship on newspapers is forbidden as

well as notifying, suspending or canceling them by administrative methods. Journalists have the right to get information.

Moreover, in 1982, Egypt approved and signed the UN Covenant on Civil and Political Rights CCPR. This makes articles (18) and (19) of the Covenant, emphasizing the freedom of opinion and expression, as active as other legislations.

However, laws contains many restrictions on the freedom of publishing and the freedom of press. These restrictions make the articles of the constitution and the covenant non exist except in the government reports handed to the international or UN authorities. The government then can say that “we have laws guaranteeing the freedom of press and the freedom of expression”. The statement then is said by some officials as “We enjoy press freedom and freedom of expression.” Just the existence of enactive constitutional articles hides the other laws constricting and killing all forms of freedom.

Legal constrictions on the freedom of expression in Egypt:

A- constricting the right to issue a newspaper:

1- According to press sovereignty law no 96/1996, the supreme press council – formed and controlled by the government- is the only authority for licensing newspapers issuance.

2- The right to issue newspapers is only restricted to political parties and public legal persons under severe conditions.

3- Upon the issuance of newspapers, the supreme press council impose censorship and supervision on journalists and journalistic

institutions.

4- The council allocates resources of paper to newspapers and determining their prices

#### B- Delaying and censoring newspapers

1- The Ministerial Council may, according to imprints law no. 20/1936, ban any publication, issued abroad, from being sold, and to ban publishing it inside the state

2- Also article 10 of the law granted the Minister of Interior the right to ban many newspapers published abroad from entering Egypt

3- The emergency law imposed 27 years ago granted the President the right to censor newspapers, periodicals, publications and all kinds of expression and advertisement before publication, and to confiscate it and closing it down.

4- According to law no. 20/1936 regarding imprints, newspapers can be confiscated in case of breaching articles 4, 7, 11, 12, 13, 14, 17, 19, or in case of committing a crime mentioned in chapter 14 of part two of the Penal Code related to Crimes and Misdemeanors regarding journalism.

5- According to the same law a newspaper can be closed in two cases. If it wasn't published in three successive months of the date of the decision establishing it (article 18) of the imprints law no. 20/1936, or in the case of irregularity of publication.

#### C- Restrictions on the right of information flow

Many laws put restrictions on the right of getting and publishing information some are:

Law no 121/1975 regarding g banning using or publishing official documents.

law no. 35/1960 regarding statistical accounts of population.

law no. 313/1956 amended by law 14/1967 banning the publication of any news regarding the armed forces

Intelligence law no. 100/1971

D- penalties in cases of publishing

On the contrary of what may be thought by some people that the penal code contains only 30 articles of jail penalties in press crimes. The code contains many articles of jail penalty against the freedom of expression as follows:

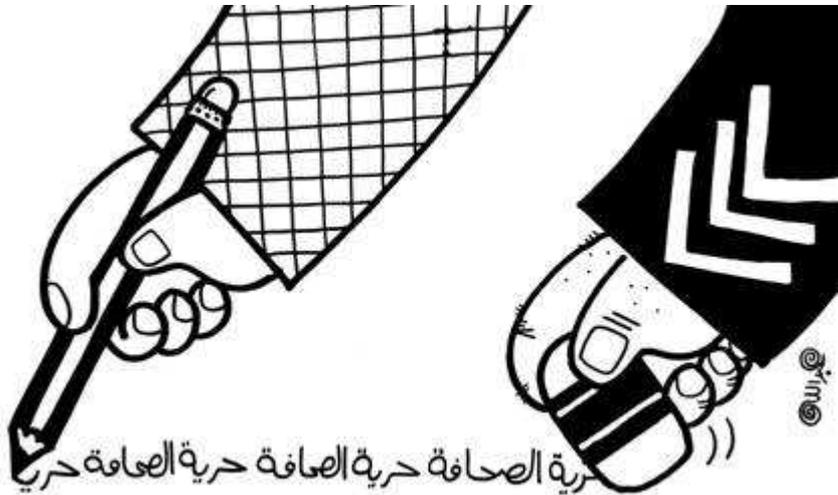
1. Articles of the 14 th chapter from article 171 to article 200 which impose jail penalty in broadly worded crimes such as “encouraging or tempting on coup against regime or on changing the fundamental principles of the constitution (art.174). discrimination against a certain sect of the people and disturbing the public peace (art.176), harming the social decorum (art.178), deforming the state reputation and bringing out unsuitable manifestations (art 178 bis.) humiliating state president (art.179),

2. Jail penalty instead of fine penalty in “defaming the parliament, the shoura council or any other state authority (art.184), defaming a public or parliament personality (art.185), humiliating a judge or an authority or affecting a case (art.186)

3. Jail penalty in crimes of publishing false news or data (art.188)

4. Jail penalty in publishing cases that should be undisclosed (art.189)
5. Publishing about cases that should not be published (art.190)
6. Dishonest publishing about procedures of hearings and tribunals (191)
7. Publishing about undisclosed sessions of the parliament or dishonest publishing about it (art.192)
8. Some sections of the penal code jail penalty are stated in libel crimes (art.302, 303)
9. Publishing false news (art.305)
10. Libel (art.306)

## Section II Violations, which affected the freedom of expression Part I Journalists and Writers



In this chapter we monitor the situation of freedom of opinion and expression in Egypt with regard to the press, journalists and writers. Year 2007 has seen many cases that violate freedom of opinion and expression in Egypt. These cases can be divided as follows:

First: the trials of journalists.

Second: threats to and arrest of journalists.

Third: defamation of journalists

Fourth: physical abuse and preventing journalists from doing their press work

Fifth: confiscation (books - newspapers)

First: the trials of journalists

• The cause of the four editors:

1. Ibrahim Issa - editor of "Al-Dostour"

2. Wael El Ibrashi - editor of the "Sawt El-Omma"

3. Abdel Halim Qandil - former executive editor of "Al Karama"
4. Adel Hammouda - editor of "Al Fajr"

This case started back on November 30, 2006 when Al Gamaleya Court looked into a case brought by lawyer Ibrahim Abdul Rasul , being a member of the National Democratic Party. He accused the four editors of libeling & defaming the President, the Prime Minister and Secretary of the National Democratic Party Policy Committee. He even accused them of deliberately disseminating false rumors and statements and improper pictures of the figures of the NDP and, thus, harming the reputation of the country abroad!

On December 27, 2006 the Gamaleya Court judged by having no jurisdiction to handle the case & thus, referred it to Agouza Misdemeanor Court, which in turn issued a judgment on September 13, 2007 & the four editors were sentenced a year in jail and a fine of 10 thousand pounds in case No. 1799 / 2007 for each of the editors: Ibrahim Issa (Al-Dostour), Wael El Ibrashi editor of (Sawt El-Omma), Abdel Halim Qandil, former editor of (Al-Karama), Adel Hammouda, editor of (Al-AFajr). The four of them were convicted of charges of abuse to the figures of the ruling National Democratic Party, led by President Mohamed Hosni Mubarak, President of the National Party, and his son Gamal Mubarak, Assistant Secretary for Policy in the Democratic Party, in addition to members of the Government of the National Democratic Party.

The four editors appealed before the Appeal Court, and on December 1, 2007 Appellant Court decided defer consideration of the appeal to the hearing on January 26, 2008 and the case is still in circulation.

- the case of " President Mubarak's Health "

#### 5. Ibrahim Issa - editor of the Constitution

On September 5, 2007, based on a complaint made by a lawyer close to the National Party claiming that he was alarmed & frightened, as well as his children and his family as a result of Al-Dostour newspaper's publishing "rumors" on President Hosni Mubarak being sick, as well as the report submitted by the state security officer Mohammed Burgosh, which accused Issa of publishing false news about the health of President Mubarak. Supreme State Security Prosecution interrogated Ibrahim Issa and transferred the case to Boulak Court, which held its first session on the first of October 2007 after prosecutors accused him of deliberately publishing and disseminating false news and rumors, which led to damage to the public interest.

At this hearing session, Ibrahim Issa's defense body were surprised to find that Issa was accused in another eight new lawsuits filed against him by a number of lawyers who are members of and close to the NDP in different provinces, which made the defense of Ibrahim Issa asked for the postponement of the session for reviewing the similar cases and their documents and the postponement of the core case No. 195 security of the State which is stirred by the top prosecutor .

What issues remain in circulation.

- the cause of "insulting the President"

6. Ibrahim Issa - editor of AIDostour
7. Sahar Zaki - editor of AIDostour
8. Saeed Abdullah - lawyer

On April 5, 2006 AIDostour newspaper published an article entitled "A citizen of Warraq Al- Arab demands the trial of Mubarak and his family & restoring five hundred billion pounds, the value of public sector and external aid", which was considered by some lawyers from the NDP members and associates from residents of the neighborhood in Warraq, Giza as insults against the President, and an affront to them!

The court judged in a hearing on June 26, 2006 to imprison the three defendants years with force and a fine of ten thousand pounds and 2001 pounds for temporary compensation.

In he appeal hearing, on February 27, 2007, the Criminal Appellant Court of Warraq abolished imprisonment and raised the value of the fine from ten thousand to twenty-two thousand five hundred pounds.

- Al-Wafd lawsuits:

9. Anwar Al Hawwari - chief editor of Al-Wafd
10. Mahmoud Ghalab - Deputy Chief Editor
11. Amir Salem - parliamentary editor

Warraq Court issued in September 24, 2007 ruling of imprisonment against both Anwar Al Hawwari chief editor of Al-Wafd, Mahmoud Ghalab, deputy chief editor, and Amir Salem, Parliamentary editor two years in jail and to ensure 5 thousand pounds each for a moratorium on the imprisonment sentence with

penalizing them two hundred pounds & obliging them to pay expenses and attorney's fees.

The story goes back to January 2007 when 11 lawyers belonging to the ruling National Democratic Party filed a lawsuit against these three journalists after Al-Wafd newspaper had published the proceedings of a meeting of the Shura Council's Legislative Committee on January 26, 2007 attended by Judge Mamdouh Marei the Minister of Justice, and they quoted some notes made by the Minister of Justice on the proceedings of lawsuits in courts. These lawyers however considered that the quote represents an affront to the judiciary authority, assuring that those statements had not been issued by the Minister of Justice and what came in Al-Wafd was skeptical about the judiciary.

On December 17, 2007 plaintiffs waived from the case before Warraq District Court.

12. Anwar Al Hawwari - chief editor of Al-Wafd

13. Younis Darwish correspondent of Al-Wafd in Assiut

Assiut Criminal Court issued on July 21, 2007 a sentence in absentia of imprisonment against the president of Al-Wafd Party, as well as Anwar Al Hawwari chief editor of Al-Wafd newspaper and Younis Darwish correspondent of the newspaper in Assiut to a month in prison in case No. 7844/ 2007 Assiut in, on the backdrop of the news published by Al-Wafd in March 21, 2007 in the context of the newspaper correspondent's coverage of the meeting of the local public council in the village of Riva, Abotij Assiut Governorate and the Council's discussions on a plot of land belonging to the

Endowments, which was considered by the plaintiffs as insults and defamation against them.

An opposition appeal against the judgment and the case is still pending.

- sentenced to imprisonment for publishing about corruption:

14. Kamal Abbas - General Coordinator of the Association of Laborer Services and trade unions

15. Mohammed Helmi, lawyer

The Court of Helwan on October 1, 2007 issued a sentence of imprisonment against Kamal Abbas, general coordinator of the Association of services for trade unions and labor & lawyer, Mohamed Helmi to one year in jail in case No. 269 of 2007.

Mohamed Mustafa, National Party candidate in the previous parliamentary elections had filed a libel and defamation lawsuit against them because they were publishing articles against him in a non-periodical entitled " Labor talk " issued by the association Abbas & Helmi in these articles monitored the Proceedings of administrative and financial irregularities attributed to the period Mohammed Mustafa spent as a Chairman of the of the Youth Center in May 15 city. They proceeded the case to the Appeal Court in circulation until today.

- sentenced to imprisonment for a book on feudalism:

16. Shahenda Muqalled, writer and political activist.

17. Shirin Aboulnaga - writer and university professor

18. Mohamed Hashem - owner of Merritt Publishing House

The Nasr City Court on July 9, 2007 in case No. 46739 of the 2006 issued a sentence of imprisonment against Shahenda Muqallad six to months in jail suspended and fined ten thousand pounds and acquitted both Mohammad Hashim, owner of Merritt Publishing House and Shirin Aboulnaga - writer, because of the book the three published under the title "From Shahenda Muqallad papers. "

The book addressed part of the history of Shahenda Muqallad to resist feudalism and its crimes in Kimsheech village. A family dealt with in the book, which is Al-Fiqi family considered this as libel & defamation against them. Shahenda appealed before the Appeal Court & the lawsuit still in circulation.

- Criminal proceedings because of articles criticizing a minister:  
19. Mohamed Sayed Saad - chairman of the newspaper Helwan today

On the first of June 2007 Dr. Sayed. Mashaal the Military Production Minister and member of the People's Chamber of Helwan, Cairo made a communiqué against Mohamed Sayed Saad, board chairman of the newspaper (Helwan today) for publishing 2 critical articles under the title "the minister wasted public money by distributing factories products on his friends, Sayed Mashaal is the worst parliamentarian in the history of Helwan. "

Articles dealt with Mashaal's distributing "stoves" from the products of the Ministry of Military Production, for all members of the Parliament which is a waste of public money.

On July 20, 2007 Saad was investigated in the Office of the

Prosecutor General before the Chief Appeal Prosecutor & the case was referred to criminal court and the case is still in circulation.

- Al-Mawgaz newspaper lawsuits

20. Yasser Barakat - chief editor and board chairman of the Al-Mawgaz.

21. Said Zeinhom

22. Tariq Shaltout

23. Amer Mahmoud

24. Ibrahim Gaballah – journalists in Al-Mawgaz newspaper

Dr. Ayman Nour filed a libel & defamation lawsuit (No. 9846 of the 2005, Cairo, criminal) against the chief editor of Al Mawgaz together with 4 journalists accusing them of libel & defamation during the presidential elections and during his trial in the case of forgery of Al-Ghad party delegations, because of what was published in the newspaper outlined in the issue of March 20, 2005 under the title " Ayman Nour's moments on his bed of pleasure" and another news under the title "for the first time, the unknown history of the family of Ayman Nour in Mansoura", " American recipe for making a champion of paper" and Ayman Nour sued these journalists to trial because of the material and moral damage they caused him. The court had ruled on March 9, 2006 dismissal of the civil part of the case & obliging Nour to pay 2000 pounds as law fees. It has been taken to the Appeal Court & the case is still in circulation.

- Sawt El-Omma, detention or imprisonment!!

25. Wael El Ibrashi - chief editor of the newspaper "Sawt El-

Omma"

26. Ahmed Abul Khair - journalist

Sawt Al-Umma newspaper published a news in issue No. 345 on July 16, 2007 under the title: "fierce war between Ahmed Ezz & Sawirus to control the ground of Imbaba airport."

Naguib Sawiris filed a LAWSUIT No. 19216 / 2007 against Wael El Ibrashi chief editor and journalist Ahmed Abul Khair accusing them of libel & defamation, and the case is now in circulation.

27. Wael El Ibrashi - chief editor of Sawt el-Omma

28. Essam Ismail Fahmy - board chairman of Sawt el-Omma

29. Hana Moussa

30. Reda Awad

31. Manal Abdel-Latif "journalists gazette"

On September 26, 2007 Agouza Court issued a judgment to imprison both Essam Ismail Fahmy, board chairman of Sawt Al-Umma newspaper, Wael El Ibrashi chief editor and three journalists to two months in jail and 100 pounds for a bail because of their "disseminating News about businessman Ali Mohamed Ibrahim, which was deemed defamatory and libeling.

The journalists appealed for a higher court and the case is now pending before the Court.

- Al-Badil and the "President's health" once again

32. Mohamed Sayed Said - editor of "Al-Badil"

In September 2007, against the backdrop of an article published in the Journal of "Al-Badil" on rumors about "the health of the President" lawyer Samir al Sheshtawy provided a communiqué against Al-Badil newspaper and its chief editor Mohammed Sayed Said, accusing the newspaper of misinforming public opinion, publishing rumors about the health of the President. The case is pending in courts in the time being.

Samir al Sheshtawy the lawyer had filed a case of libel & defamation to Abdeen Criminal Court against Muhammad Sayed Saeed, following publishing an editorial in the Journal of Al-Badil, issue on September 5, 2007 addressed by Mohamed Sayed Saeed of the case built against Hassan Ibrahim Issa.

- Customary Ruling to cut a journalist's tongue

33. Amer Suleiman - Chief of incidents department at Al Ahrar newspaper

Consistent with the sentences of imprisonment issued by the courts against journalists, customary Judicial Court ruled in Sinai, composed of three judges, representing 3 neutral tribes during the month of September 2007, these courts are not subject to appeal against them. "Amer Suleiman" chief of incidents department at Al-Ahrar newspaper. This case was considered by one of the tribes as libel and defamation case against the tribe of Turabeyen , so the journalist was sentenced to paying a substantial amount of money and cutting a small part of his tongue! The latter sentence was replaced by forcing him to pay about 1.2 million pounds (if the tribes didn't decide to pardon him after forcing him to apologize!)

- Nasser and Sadat!

#### 34. Mrs. Hoda Abdel-Nasser

On the background of a dialogue with Mrs. Hoda Abdel-Nasser - the daughter of late President Gamal Abdel Nasser - she described the former president Anwar Sadat as "an agent of the United States", So, Mrs. Rokaya Sadat, the daughter of late President Sadat filed a lawsuit before Qasr el-Nile Court accuses her of libeling & defaming her father in 2005 , the court ruled then not to accept criminal and civil proceedings, making Ms. Rokaya resume bringing the case once again before Boulak Abu Ula court, accusing Hoda Nasser with the same charges.

The Court issued its sentence in February 2007 that there was no jurisdiction over the civil action and forwarded the whole case to the competent civil court and the court said in its sentence grounds that the Penal Code only mean protecting the living without throwing the dead as defaming the dead is punishable only if it exceeded the dead & included relatives or heirs who are living.

- penalties on those who publish on torture

#### 35. Howayda Taha

Howayda Taha Mitwalli is a program designer in al- Jazeera channel, as she was preparing for the work of a documentary film on torture and other ill-treatment by police officers in Egypt & while she was leaving the airport in Cairo on January 8, 2007 was arrested by airport authorities who confiscated about 50 videos that were in her luggage as well as confiscating her laptop. State security prosecution in the January 13 accused her of initiating an

activity intended to harm national interests of the country through broadcasting & publishing false internal conditions that would weaken confidence in the State.

The State Security Court issued its decision to release Howayda Taha on Sunday January 14 after a bail amount of ten thousand pounds (\$ 2800) was paid.

On May 2, 2007, one day before the world celebration of World Press Freedom Day, a court issued its sentence, following an unfair trial where all requests of the defense were rejected, to six months in prison on charges of "direct activity that would harm national interests of the country, the production and possession of fabricated videotapes for the purpose of broadcast that would offend to the reputation of the country."

The defense appealed before the Appeal Court & the case is now pending in courts.

- Lawsuits of libel and defamation against the editor of "Al-Ahrar"

36. Salah Qabadaya - board chairman of Al-Ahrar, chief editor

On February 28, 2007 Qabadaya the editor-in-chief of Al-Ahrar and Chairman of the Board was sentenced to a fine of an amount of five thousand pounds in compensation for libel & defamation lawsuit No. 2389 / 2006 on the backdrop of an article published entitled "the first issue of extortion on the Internet," which was considered by the complainant (Mohamed Mohamed Ibrahim Al-Shamoti) as libeling & defamation against him. The case was referred to the appeal court & is still in circulation.

Also, Ahmed Ibrahim Eid filed a libel & defamation lawsuit against deputy board chairman of Al-Ahrar, chief editor Salah Qabadaya before Misdemeanor Court No. 28168 / 2006 & was forwarded to the Felony Criminal Court which didn't determine a certain appointment for its hearing so far.

On November 21, 2007 chief editor of Al-Ahrar, the board chairman, Professor Salah Qabadaya was sentenced to a fine of 20 thousand pounds in absentia in a libel & defamation lawsuit brought by the Dean of the Graduate Institute of Social Service on publishing an article in Al-Ahrar on March 23, 2007 p. 3 entitled "documented irregularities of Aswan's Institute for social service ". The sentence has been opposed by the defendant and the case is still in circulation.

- 37. Salah Qabadaya - chief editor of Al-Ahrar
- 38. Hani Laundries - a journalist of Al-Ahrar
- 39. Atef Farouk - the Free Press newspaper

The lawsuit brought by the first secretary of the Ministry of Education against the journalists of Al-Ahrar handled in the courts has not been resolved yet. That was the case which has been filed on the background of a press campaign by Al-Ahrar against corruption in the Ministry of Education.

The first secretary of the Ministry of Education misdemeanour direct insults and threw restricted number 3646 and in 2005 to cover Kobba against journalists publishers of the news, and denied what it said and that it is not unfounded to the Court Kobba, and the case is still in circulation.

- "Hesba" lawsuits are back against outspoken writings

#### 40. Nawal Saadawi - writer and feminist activist

The year 2007 witnessed a strong reappearance of the phenomenon of "Hesba" lawsuits where extremists make themselves accountable for the whole society. Two "hesba" lawsuits were filed against Nawal Saadawi because of her play entitled "When the god resigns in the summit". The first Hesba lawsuit was filed by a lawyer called Samir Sabri before the administrative court (case no. 18544) where he was requesting to prevent Nawal Saadawi from entering the country and put her name on the lists of the travel ban and the case is still in circulation.

The second, filed by lawyer "Nabih Al Wahsh" accusing her of infidelity and apostasy, and it was surprising that the public prosecutor has already communiqué provided by Al Wahsh in a clear retreat from rejecting claims & lawsuits of "hisbah", cases are still in circulation. These cases may be the reason for Dr. Nawal Saadawi to remain staying out of the country at the time of preparation of this report.

- A writer threatened to sell his furniture!

#### 41. Ahmed Abdel Muti Hijazi, a writer and poet.

The properties & furniture of the poet & writer (Ahmed Abdel Muti Hijazi) were held under custody on August 8, 2007 according to record No. 456 / 2007 in Case No. 2770 / 2003 in favor of Yusuf Badri where South Cairo Court issued its sentence in November

2004 that an amount of twenty thousand pounds would be given in compensation. This sentence was reaffirmed in November 2006 under the sentence of the Supreme Court on the background of an article published in the magazine "Rose Al-Youssef entitled: "read in the book of Makram Mohamed Ahmed - the separation of religion and politics is difficult and mixing them is even harder" issue No. 3888 on Saturday, December 14, 2002.

- Good officer Sharif & evil officer!

42. Brigadier Mahmoud Koutry - lawyer, former police officer

Department of Legal Affairs, Ministry of Interior filed the case No. 512 /2006 against Brigadier Mahmoud Koutry accusing him of libel & defamation on the background of his writing & publishing 2 books; "Confessions of a police officer in the city of wolves" in 2003 & "Forging of a state" in 2004 in which he recorded his memoirs about his tenure in the Ministry of the Interior, through which he also pointed to his view on the methods of breeding police men and thus, criticized it as it would lead to creating security guards trained in the practice of acts of violence against citizens even committing the crime of torture, and in these 2 books, he recorded his testimony on the methods of security management of the election process in addition to that he participated in a symposium at the Press Syndicate, in which he talked about the role of the Interior Ministry in forging the elections taking place in Egypt.

Koutry is facing many incomprehensible causes, which is the political nature and which are still in circulation before the courts on the time of preparation of the report.

- Al-Nabaa newspaper lawsuits

#### 43. Hatem Mahmoud Mehran - chief editor of Al-Nabaa

The Dokki Court on November 27, 2007 issue a sentence of imprisonment against Hatem Mahmoud Mehran chief editor of Al-Nabaa to a year in jail and a fine of 20 thousand pounds and paying a bail of 5 thousand pounds on the charge of libel & defamation against actress Hala Sidqi, having published a picture of her on the first page of the newspaper in January 2007 and the headline was saying " story of a scandalous return of Hala Sidqi" and another title saying: "the sexy pose of Hala Sidqi in her latest movie"

- Charges of defamation on publishing about potential corruption

#### 44. Hatem Mahmoud Mehran - chief editor of Al-Nabaa

On the background of a news published on September 15, 2007 in Al-Nabaa newspaper, claiming that Kamal El-Shazly possesses a company trafficking in cellular phones prepaid cards and that he has achieved profits and gains estimated at 700 million pounds in some illegal ways. Kamal El- Shazli provided a communiqué on September 17, 2007 before Dokki Prosecution office against Al-Nabaa daily paper accusing them of defamation and libeling against him.

Second: the threats to and arresting of journalists

- Detention of a journalist for covering a cases of torture

45. Mohammed Taher - correspondent for Al-Badeel newspaper

Prosecution office in Mansoura decided on August 21, 2007 detaining Mohamed Tahir correspondent of Al-Badeel newspaper for 15 days pending investigation on charges of distributing leaflets that would stimulate public opinion on cases of torture and killings in the villages of Talbanah and Shaha on the background of his coverage of the case of child Mohammed Mamdouh Abdel Rahman, from the village of Shaha who died from torture to which he was subject. Taher was then released on 27, 2007.

Third: Discrediting & Defaming Journalists

- Discrediting a journalist in the grounds of a court ruling against him

46. Mahmoud Askalani – a journalist Al Arabi newspaper

In an unprecedented incident, Mahmoud Askalani, a journalist in Al Arabi newspaper provided a communiqué to the prosecution office of the Cairo Appeals Counsel against Gamal Eddin Safwat who is the head of Cairo Criminal Court accusing him of libel & defamation in the grounds of his judicial sentence against him in a case of defamation.

The judge ruled the reasons for conviction in the case of defamation filed by the former Minister of Housing Mohammed Ibrahim Suleiman against journalist Mahmoud Askalani & among these grounds came some phrases describing the journalist as being like "Bats of darkness and that he is disseminating toxins of

hatred" against the man of great achievements " the Minister of Housing!

- Accusation of treason to a human rights activist

#### 47. Saad Eddin Ibrahim

Saad Eddin Ibrahim, made a statement to Al-Dostour newspaper about his meeting with President Bush, with whom he met on the sidelines of the Prague conference (13/6/2007), and that he asked Bush to put an end to support for the Arab tyrants in Egypt, Tunisia, Saudi Arabia, and that he should not support the Inheritance of the rule in Egypt. As a result of this statement, many persons closely related to the Egyptian government filed several lawsuits against him accusing him of treason and demanding taking away the Egyptian nationality from him.

Fourth: The assault on journalists and disability to perform their work

- Attacks , insults and the prevention of coverage

#### 48. Hisham Lotfi - Al Arabi newspaper

#### 49. Ghada Abdel-Hafiz – Al-Masri Al-Yom newspaper

On August 2, 2007 both Hisham Lotfi journalist in Al Arabi newspaper & Ghada Abdel-Hafiz Saleh from Al-Masri Al-Yom were assaulted, during the coverage of the events of the police assault on the people following the death of the victim of torture in «Talbanah», where reports said that he died of excessive torture at the hands of an officer status Police Mansoura.

50. Said Faraj – Journalist in "Al-Ahrar" newspaper & Secretary of "Al-Ahrar" Party in Al Zawya Al Hamra

Journalist Faraj Said was assaulted when a police force raided on his office and arrested him for the implementation of a default judgment – by mistake - against a person carrying the same name. All his attempts to convince them that he was not the person sought failed, they were mad at him and even insulted him and continued to assault him. It should be noted that on March 26, 2007 was the trial of police officers and secret informants of the police force accused of the excessive use of force and beating them before the court of the Al Zawia AlHamra. After showing sincerity of the journalist and that he is not the person sought.

51. Ahmed Badr – journalist in Al-dostour newspaper

On the evening of Wednesday, July 4, 2007 journalist Ahmad Badr from Al Dostour was assaulted by members of the police, which coincides with the return of the journalist from his working place when the American ambassador and others were in the Palace of Muhammad Ali, the police individuals were pushing him even to the police station of the bus stop & while he was talking with the officer, a police officer insulted him with offensive words, even slapped him on the face. Badr has declared his identity, as a journalist, and one of the officers, however, cursed the journalist saying that press is "under our shoes"!

52. Mahmoud Al-Minshawi - correspondent of Al-Masri Al-Yom

On September 2, 2007 "Mahmoud Al-Minshawi " the correspondent of Al Masri Al Yom in Menoufiya - who is a teacher

at "Al Masa'i Al-Mashkoora" School was arrested by the security guards of the Directorate of Education while he was there to monitor preparations for the reception of the month of Ramadan. Security men escorted him to the office of the undersecretary of the ministry, who received him with insults, & even with a slap on the face. Security men also kidnapped the journalist's bag & papers, and made a number of injuries to him. Al Minshawi made an official police record for the incident, & thus he received open threats from the Undersecretary to transfer him to another far district unless dropping the record.

53. Photographers prevent journalists from entering the parliament and the follow-up meetings

Fathi Sorour the chairman of the parliament in the beginning of February 2007 issuing a decision to prevent photographers from entering the People's Council and from the follow-up of the sessions after a Amr Abdullah (photographer of Al Masry Al Yom), took a picture of Dr. Nazif (The prime minister) while engaged in eating salted seeds and peanuts while the parliamentarians were discussing the government statement!

The Council later retreated from this resolution after the protest of journalists and photographers on the matter.

- Case "Imad Al-Galda": an assault on the court and shattering photographers cameras

54. Khaled Jamal – AlAkhbar photographer

55. Jamal Nihad Mohammed - Cameraman al-Mehwar channel

56. Issam Ibrahim – photographer of Al Gomhouria newspaper

57. Samir Sadek - photographer of Al-Masry Al-Yom

58. Sami Ahmed Kotb - Egyptian television cameraman

While the court was considering the lawsuit of "Imad Al-Galda" a member of the People's Council on May 29, 2007 at the Criminal Court of Cairo, and after sentencing imprisonment against the MP, cited, his supporters attacked the court and broke the seats thereof. They also attacked journalists, photographers and damaged their cameras

Fifth: the confiscation of newspapers & books

Security Services and Research Assembly at Al-Azhar, are the real enemies of speech in Egypt. Confiscation without judicial decision is a common practice for them all!

Regardless of the content, form and disregard the law, whatever it is opposed to such control, it is there, strong & controlling.

The year 2007 has seen many cases of confiscation, including:

\* "Al-Mashaheer" Newspaper being confiscated in the month of August.

\* "Ibda'a" Magazine, " its first issue was confiscated after the a stop for four years ". It was confiscated because it has published a poem by the poet Helmi Salem entitled "The Balcony of Laila Murad" which has infuriated some people and thus the General Authority for Book withdrew it from the market before distribution.

\* A book entitled "The Oppressed", which discusses the situation of Copts in Egypt, and is prepared by the Middle East Christians Association & the copies of such a book were found in the house

of Dr. Adel Fawzi when SSI raided his home and arrested him in August.

\* The book "My trip with the Shiites and the Shiite doctrines in Egypt,". The Research Assembly of Al-Azhar in Egypt on October 20 requested to confiscate the book "My trip with the Shiites and the Shiite doctrines in Egypt," by the Egyptian writer Ahmed Rasim Nafees and prevented it from being distributed as it is adopting a point of view contrary to the doctrine of the Sunni Islam. This is the third book for the same author requested to be prevented by Al-Azhar.

\* The book, "The truth is lost - my trip to the household of the Prophet". Al-Azhar refused the book as it promotes the Shiite doctrine . The book is prepared by Sheikh Ahmed Sayed Mutasim & printed in Beirut

\* The book "the god submits his resignation at the summit". The publisher (Madbouly Library) withdrew the book "the god submits his resignation at the summit" by the writer Nawal Saadawi from the markets after objecting to the idea that the writer embodies God the divine prophets and the angels and the devil in body personalities in the form of roles on the stage, and thus, the book was absent from the Book Fair in Cairo International Book in January 2007, but few copies of which reached some newspapers. A report on the book was prepared by the Islamic Research Assembly, the report stressed her defaming the divine and the holy angels and all religions. Saadawi expressed her anger of this action and accused the intellectuals and artists as traitors, through their implied agreeing to the confiscation of creativity. Saadawi then left to Brussels and there she escaped from the accusations

of judicial and religious accuses atheism and defaming the divine self.

## Chapter 2 The freedom of artistic creation “Cinema, theater and television”



Sa'd Hindawi, a film director, said, “One hundred demonstrations can not suffice one play, and one hundred plays can not suffice one demonstration”.

It seems that the security systems and censorship systems in Egypt adopted the above principle in dealing with arts. Besides the sufferings of the artists from the stubborn attitude of the censorship systems in Egypt , many authorities and personalities are trying to overwhelm and interfere in the artistic creation. Such authorities and personalities are like the security systems, religious

institutions, some ministers, and the religious and political “Hesba” professionals. The censorship often respond ‘positively’ to such authorities and personalities. One can imagine the serious consequences of these authorities interfering in creative work. The Arabic Network For Human Rights Information recorded many violations against artistic creation as follows:

I- Display banning

II- Censoring and interfering in drama works

III- Legal suits

IV- Takfir fatwas

I- Display banning

1- The play entitled “Hekayat Sha'b Kowaies” (a tale of a nice people)

In June 2007, the censorship system rejected a scenario of a play entitled “Al Sha'b Lamma Yefalsa” ( when a people flees) written by Mahmoud Al Tokhy, directed by Hisham Atwa. The censorship said that the play was aiming at toppling the ruling system! The play is about the relationship between a tyrant leader and his people on one hand, and between the people and the government on the other. According to the scenario, the government is committed to save security to the people and in turn it will get legitimacy. In case the government, in the play, does not fulfill its commitments, the contract approved with the people will be nullified immediately.

The censorship found a kind of imitation between the play and the real situation, and found the scenario encouraging on toppling the ruling system. Although Mahmoud Al Tokhy, the playwright, mentioned in the beginning of the scenario, "The events take place in a third-world state", without specifying a state, the censorship rejected the scenario and the rehearsals were abandoned.

In the beginning, the censorship requested changing the play title and the director, in turn, responded and changed it to "a tale of a nice people", but later on the censorship rejected the whole scenario.

2- The movie entitled "Moazen El Kitkat" (the moazen of El Kitkat)

In April 2007, the censorship system rejected the scenario of "Moazen El Kitkat" movie which is quoted from an English novel bearing the same title. The scenario was handed by the director Mounir Rady. The reason behind rejecting was that the scenario firms up the revolutionary thought, and the movie displays the moazen as a religious symbol, referring to "Bilal" the Messenger's moazen.

After issuing the censorship report, Ali Abu Shadi, chief of the censorship system, said, "The movie director tackled the character of "Bilal" the Messenger's moazen in a modern way, and this is harmful to our manners and creeds and is against the censorship regulations". But, the movie director Mounir Rady, suggested that the real reason behind the ban was merely political one.

The final scene in the scenario rejected by the censorship was about the moazen who calls for a peaceful march in which all the

Arabs shall participate and go to Jerusalem to return it back peacefully without fighting. And because of the moazen's popular position, he succeeds in propagating his call in Egypt and then in all Arab countries. But, when the American and British embassies know about the same, they exploit their men to stop the march by all means.

3- Banning the second round of the festival of the independent cinema:

In the end of November 2007, Ali Abu Shadi warned "Town House" gallery against hosting the independent cinema festival without getting the movies approved by the censorship system.

Muhammad Abdul Fattah, the festival organizer, denounced this warning since the first round of the festival in 2006 did not deal with the censorship and all movies were displayed without any interference. The festival administration rejected the censorship warning and decided to delay the festival to be held in January 2008 instead of December 1-5, 2007 . Ali Abu Shady commented by saying, "The previous festival was not reported about to any authority, and the censorship system did not abandon it-at that time- for the sake of the organizers." "But this time, it is different and the censorship will not allow the festival to start without getting the participant movies censored", added Abu Shady.

4- "Watani wa Aqedati" (my homeland and my creed) documentary film

On June17,2007, the documentary film (my homeland and my creed) was displayed in the association of the Egyptian cinema

writers and critics. The film directed by Ahmad Ezzat, tackles the crises of the Baha'is in Egypt from a human rights view point. The film documents the court session took place on December 16, 2006 in which the court rejected the demand of the Baha'is to get their religion approved in formal documents.

For unknown reasons the film was banned and was not allowed to participate in the Alexandria International Film Festival.

## II- Censoring and interfering in drama works

### 1- Censoring and modifying the scripts for security reasons:

#### a- "Dhabet wa Arba' Otat" (a police officer and four cats) movie

In July, 2007, and after finishing the filming and getting the censorship approval, the ministry of interior rejected – obviously- the movie title. The main character in the movie is a naïve police officer, and this harms the reputation of the ministry of interior and its officials. The ministry insisted on changing the movie title, otherwise the movie will not be displayed. Based on the ministry rejection, despite the previous censorship approval, the censorship system rejected the movie title (a police officer and four cats) and requested changing the word (police officer) to be in the safe side. In turn, the movie writers Sameh Serr El Khetm and Muhammad Nori changed the movie title to be "Asad wa Arba'Otat" (a lion and four cats).

#### b- "Al Qadia 2007" (the case No.2007) play

In the end of January 2007, the censorship system, headed by Ali Abu Shady, approved the display of the play entitled "what

happened to the lost Jewish and the foreseen Christ” written by Yosri El Gindy and directed by Hasan Al Wazir. The censorship approved the play after changing its title to be “The case No.2007”. The play was displayed for two weeks on the stage of Al Hanager theater of the Egyptian Opera House. Because of its outstanding success among audience and critics, Huda Wasfi, the theater manager decided to extend the display for more two weeks.

But, after two days of the second two weeks, the display was stopped upon a decision taken by a not-clearly-mentioned security authority. Huda Wasfi told the play director Hasan Al Wazir that some pressures were exercised on the minister of culture to stop displaying the play. She refused to reveal the security authority which exercised these pressures. The play was about the Palestinian case and it criticized the American and Israeli policies in the Arab region.

No one believed the theater manager when she went back on her word announcing that no pressures were exercised to stop the play displaying.

c- “Haq Mashro' ” (a legal right) episodes series.

In September 2007, the television censorship requested Rabab Hussain, director of “Haq Mashro' ” (a legal right) episodes series which tackled the violence events in Upper Egypt and extremist groups, to delete the sentence “ You know that our security system has nothing to do except fighting the religion” from script. The sentence was said by an extremist character. The reason behind deleting that sentence was to prohibit the tendency of encouraging

against security system and sympathizing with extremist groups. The sentence was deleted.

d-“Al Mohema Al Akhera” (the last mission) movie

In the end of December 2006, the censorship system sent the movie (the last mission) to the security authorities to approve it since it tackled some political issues regarding the last events in Lebanon and Hizbullah.

In September 2005, the scenarist Muhammad Al Mahallawi, the movie writer, handed his movie script entitled “Hizbullah” to the censorship system for approval. He was requested to do some modifications on the scenario to get the censorship approval. He did the required modifications and handed it again in December 2006 under the title of “Al Mohema Al Akhera” (the last mission). Again the censorship objected on mentioning “Hizbullah” and Hassan Nasrullah in the script, and requested replacing “Hizbullah” by any other liberating movement like Hamas for example. The movie writer objected on such modification saying that it would harm the main plot of the movie. He handed a memorandum to the Supreme Council of Culture and to the Egyptian president. The censorship sent the movie script to the security authorities.

In February 2007, and when the movie writer went to the ministry of culture to hand a complaint, he was arrested immediately after introducing himself. He was branded mad, but the prosecutor released him.

2- Scripts censoring and modifying for religious reasons:

#### a- "Al majek" movie

In September 2007, the censorship system threatened Hussain Al Qalla, the producer of "Al majek" movie to ban the movie display if he refused to delete a part of one scene in the movie. The scene showed some persons (personified by the movie stars) while stealing the 'vows' (donations) box from a church. The censorship stated that in case the scene was showed, it would lead to sectarian sedition. Yieldingly, Muhammad Moustafa, the movie director deleted the 12-second shot, and the movie was displayed.

#### 3- Deleting and modifying to protect "values and manners"!

##### a- "Emaret Yaqubian" (Yaqubian building) episodes series

In May 2007, the censorship authority requested the scenarist Atef Beshay to do some modifications on the original text of the novel, specially the areas where the corruption of the men of the power is revealed. Also, the censorship authority objected on the character of a homosexual journalist, saying that showing such a character is a kind of propagating it. In order not to highlight the homosexuality, the writer replaced the homosexual journalist by a bribed journalist before totally deleting the character during shooting.

On the same track, the censorship authority requested Ahmad Saqr, the director, to lessen the shots of sexual harassment towards the main character "Bothaina", since these scenes, according to the censorship viewpoint, are harmful to the public manners. The director responded!

##### b- "Sultan Al Gharam" (passions sultan) episodes series

In September 2007, the television censorship authority objected on – what it saw as- hot scenes in the episodes series “Sultan Al Gharam” written by Muhammad Ashraf. The scenes display the Lebanese singer Maya Nasri dressed in cloths, as said by the censorship authority, that are not suitable to be displayed during the Holy month or Ramadan. The director, Shereen Adel was requested to delete these scenes. She deleted them and replaced them with some other scenes during the montage phase.

c-“Yetraba fi ‘izzo” episodes series

In September 2007, the television censorship authority request the deletion of some scenes and sentences from the “Yetraba fi ‘iszzo” episodes series. Some sentences were to be said by actor Yahia El Fakharani who played the main character. These sentences were allegedly encouraging “depravation” since the main character, as was mentioned in the censorship report, was a playboy. Also, the television censorship authority requested the deletion of all scenes of wine drinking and women flirting, because, as said by the censorship, they were bold and unsuitable for the Egyptian families. Also, the censorship requested lessening the scene that displayed the actress Rania Farid Shawiqi dancing, and alleged that such a scene was unsuitable for the Holly month of Ramadan. Magdi Abu Emera, the work director accepted to do all requests and deleted and lessened according to the censorship requests. The same scenes were completely displayed without deletion or lessening on the ART channels at the same time of displaying the episodes on the Egyptian TV channels.

d- “Mafish Ghair Keda” (only this) movie

In the beginning of March 2007, and two days before displaying the movie entitled “Mafish Ghair Keda” (only this), the censorship system objected on some scenes of the movie. One of these scenes involved the actor Ahmad Azmi and an actress, the censorship saw that the scene was hot-rated and was harmful to the public manners and was unsuitable for the Egyptian families. Also, the censorship objected on the “hot” cloths of the actress Arwa, and the report requested banning the movie display in case these requests are not obeyed.

Although the movie director objected on these requests, he was forced to obey them. A committee affiliated to the syndicate of cinema actors was appointed to check all copies of the movies that were ready to be displayed.

#### 4- Censoring for political reasons

##### a- “Noqtet Nizam” (a point of discipline) episodes series

“Noqtet Nizam” (a point of discipline) episodes series faced many problems with the Egyptian television censorship system before being displayed on one of its channels ( Nile drama) in September 2007. The censorship requested deleting many scenes for political and security reasons. According to the censorship report, the scenes were as follows:

# deleting many scenes regarding the torturing in the Israeli detention camps where the main character of the series were detained as a POW.

- \* Deleting the scene of burying the Egyptian POW during the war of 1967
- \* Deleting the sentence “not to forget” from the series introductory
- \* Deleting some sentences that showed the main character attitude against normalization with Israel like “Peace with whom?... With Nitaniahu?...Parak?...Ulmert? how to write this peace? In which color we write it? In the color of blood which filled Sinai and the Arab land?” and the sentence “Sir, this period is over only for us...but for our enemy is not...and never!...We forget, but our enemy never forgets, but...if we forget it will be our end.”

Ahmad Saqr, the series director and Muhammad Safa Amer, the series writer obeyed the censorship requests to display the series. At the same time the series were displayed with deletions on the Egyptian television, it were displayed without any deletions on the Hizbullah-owned television “Al Manar”.

#### b- “Yetraba fi ‘izzo” episodes series

Before displaying the “Yetraba fi ‘izzo” episodes series in September 2007, the television censorship objected on a scene of a university demonstration led by “Ibrahim ‘izzo” a character played by the actor ‘Ahmad Azmy’ who was shouting against favoritism and corruption saying “corruption and favoritism made Egypt uncontrolled.” The censorship requested deleting that scene and the series director responded by deleting it. Also, two sentences said by a main character were deleted. The first was “This country should be devastated ...to be built again”, the second was “The Revolution was nothing if compared with what is

happening now.” All of these deletions were done for political reasons.

c- “Al Qarar” (the decision) episodes series

In the beginning of September 2007, the Egyptian television central censorship authority objected on four scenes in the “Al Qarar” (the decision) episodes series, directed by Moustafa El Shal and written by Dr. Amira Abu El Fotoh, and requested the director to delete them. The censorship said that these scenes were encouraging extremism and Hijab, and also gave an excessive space to the political opposition. The director deleted the four scenes to display the series on the (Nile Drama) channel.

The content of the four deleted scenes were tackled before by both cinema and television. This content was something like a man trying to convince his sister to wear the Hijab, or a person who became an extremist, or a dialogue between a father and his son about the usefulness of terrorism operations.

d- “Heya Fauda” (anarchy) movie

On November 27, 2007 the movie entitled “Heya Fauda” (anarchy) directed by Yousif Shahin and Khalid Yousif was displayed in a special occasion for journalists and critics. The movie was displayed without deletion. On November 28, the movie was publicly displayed after the deletion of a 13-second shot. The shot was about a quarrel between a district attorney and an investigation officer in a police station. The quarrel was developed to be a fight. The censorship deleted this shot in order not to

create a kind of sensitiveness between the executive and judiciary authorities.

#### 5- "Al Shafra" (the code) play

In the beginning of February 2007 the show of the "Al Sharfr" (the code) play started by "Sana Al Sharq" theater group. The play was written by Ahmad Morsi and directed by Kamal Attiya. The play is a political comedy about an assumed country called "Basharstan" that is invaded in the year 2135. When the rehearsals started on "Faysal Nada" theater's stage, the stubborn attitude of the censorship started to work. The play was preceded by negative propaganda in the media assuring that the play belonged to the theater of Ikhwan (Muslim brotherhood group) or the masculine theater or to the Islamic theater. The reason of these accusations was the play poster which only contained actors without illustrating any actress, this poster urged the censorship against the show. The censors watched the play four times before approving it. The stubborn attitude was represented in the following objections:

i- the censorship rejected the original title of the play which was "the story of Egypt 's occupation". This title was changed to be "what is the problem" but it was rejected too. The title was again changed to be "raise your hand" but was rejected since it was inspired by a sentence said by the main character of the play who, according to the scenario, leaves the stage and goes down to the audience and says, "We are not acting...raise your hand". The play director and writer changed the title to be "the code". The above-mentioned scene was deleted since the censorship saw it was an obvious encouraging to demonstrating.

ii- The censorship requested deleting some Islamic symbols like the scene of performing the Salah behind the main character of the play. The scene was written to express the people's unity and following its leader. The censorship requested deleting it saying that this scene would approve that the play belonged to the Islamic theater. Moreover, imitating the Salah performance on the stage is Haram (illegal).

iii- The censorship requested deleting a scene in which someone belonging to the Arab League is seen sleeping .

iv- The censorship requested deleting a scene in which one of the actors denounces a statement in the news saying that Iraq is occupied.

v- The censorship rejected the appearance of the Iraqi representative, in the play, dressed in the American uniform and requested deleting this scene.

All requests of the censorship were responded to. In February 2007, the play was displayed, and in December 2007, was displayed once again with the same censorship restrictions.

e- "Yamama Baida" (a white dove) play

In August 2007, the show of the play "Yamama Baida" (a white dove) play started. The play is inspired by two texts written by the great novelist (Tawfiq Al Hakim). The poet Gamal Bekhet contributed in the play with his poems and vision. The play was directed by Hossam El Dien Salah. From the very beginning of its show, the play faced many problems with the censorship. The

censorship objected on a song entitled “Ya Amm Bei' ” (don't worry, sell it) performed by Mahmoud Azab. The censorship saw that the song was touching the political situation and the privatization of the public sector, although the play was speaking about the last century. The song was deleted and could be permitted only after adding some words that specify the era of the events.

The play show in Alexandria was stopped till modifications were done. The show was resumed on Al Salam theater's stage in October 2007.

In the second show of the play, the censorship rejected another song performed by Mahmoud Azab in which he imitated the prime minister Ahmad Nazef . The words of the song were “Latif afif beadeen nazefa wa damir nazef ” (nice and honest, with clean hands and clean conscience). The censorship found the song a mocking the prime minister's personality.

f- “Ragol ghani faqeer geddan” (a very poor rich man) episodes series

In May 2007, the censorship rejected some scenes of “Ragol ghani faqeer geddan” (a very poor rich man) episodes series written and directed by Muhammad Sobhi. The censorship said that the scenes contained obvious negative references to some public political personalities. Sobhi responded to the censorship and deleted the scenes. Also, the censorship requested deleting some other scenes that highlighted the impact of the foreign authorities

like the USA , Israel and Iran . Sobhi did the same towards these scenes too.

## 5- Censoring in favor of ministers

### a- “Al Dalee” episodes series

In July 2007, the ex-minister of housing Muhammad Ibrahim Solaiman, objected on the “Al Dalee” episodes series starred by Nour El Sharief and directed by Yousif Sharaf El Dien. The series tackled a case of corruption in which a minister of housing was involved during the era of the late president Muhammad Anwar El Sadat. In his complaint handed to the information minister Anas El Fiqi, the ex-minister demanded discontinuing of the series shooting which started in March 2007. the ex-minister alleged that the series tackled his life story. The information minister could not discontinue the series shooting because the series were produced by a private sector company. The ex-minister threatened to escalate the situation and send a memorandum to the Egyptian president since the series contained many political implications. The television censorship requested the series makers to delete the scenes which highlighted the minister corruption.

## III- Legal suits against art and artists

### 1-“Qadiat Ra'i aam” (a public opinion case) episodes series

“Qadiat Ra'i aam” (a public opinion case) episodes series faced many legal suits demanding its show discontinuing. Some lawyers alleged that the series defamed the lawyers' reputation, because of the dishonest character of “Morsi” the lawyer, which was played by

actor Samir Sabri specially the events of episodes 18 and 19 in which the lawyer appeared dishonest in advocating the minister's son charged with rape crime. This, according to the lawyers, was a defamation of the holy nature of legal profession which aims at leading, not misleading, the justice to reach the truth.

The first law suit was launched by a lawyer in September 2007, who demanded discontinuing the series show. In the end of October 2007, six lawyers launched a case against the information minister Anas El Fiqi and the chief of censorship system Ali Abu Shady, and the production company "Al Adl Group, and the scenarist Mohsen Al Gallad, the series writer, to discontinue showing the series of "Qadiat Ra'i aam" (a public opinion case). They also demanded the concerned authorities not to permit its display again on Egyptian television and space channels, alleging that the series were harmful to both lawyers and legal profession.

Moreover, the series producer, Gamal Al Adl, willingly deleted 10 minutes out of 15 minutes, the real time of the raping scene. After deletion, he distributed copies of the modified episodes on the channels displaying the series; ART Hekayat, Orbit, Dubai , Channel 2 in the Egyptian television. These channels previously received the same episode without modifications. The producer indicated that he deleted the 10 minutes as a response to the censorship which objected on the scene and found it harmful to the traditions of the Egyptian television. The series writer, Mohsen Al Gallad, decided to impose a 'self censorship'. He assured that he agrees on lessening and deleting some part of the scene because it was harmful to the Egyptians' values and traditions, he added that he did not write the scene as it was shot. But, the series

director Muhammad Azizia, objected on deleting any part of the series considering this deletion a violation against his vision and his right as a director.

The Egyptian television displayed the scene after deletion and so did Orbit and ART Hekayat channels after hinting that the scene was rated parental supervision program. But Dubai TV displayed the episode without any deletion.

#### IV: Defamation and Takfir and banning fatwas

##### 1- "Al Imam Al Shafi'e" series

In November 2007, and after playing the role of "Al Saiyeda Nafisa" whose character was personified by actress Mona Abdul Ghani who wears Hijab, in "Al Imam Al Shafi'e" series displayed on September 2007, Sheikh Yousif Al Badri issued a fatwa assuring that the actress is "sinful and committed a major sin" for personifying the character of Al Saiyeda Nafisa. He rejected personifying the characters of "the Messenger's family". He indicated that acting is a pagan art which came from the ancient Egypt and from the Romans. He added that if acting was something good, it would have been recommended by the Prophet Muhammad (PBUH). On another hand, Dr. Abdul Sabour Shahin, Dr. Amna Nosair and Dr. Mogahed Tawfiq, said that no harm in personifying the characters of the " Messenger's family", since it is good for people to take them as good examples in their lives.

##### 2- Marriage and divorce scenes are prohibited

In September 2007, a number of Al Azhar scholars renewed, on the internet, a fatwa prohibiting marriage and divorce scenes in artistic works. They said that such marriages is legally confirmed if done even in a movie or a series. So if an actress is involved in such a scene, she is considered married to the actor playing the role with her.

The fatwa is based on a fundamental rule saying that both marriage and divorce trifle to be jokes. They built their fatwa on a Prophet's saying which states, "Three matters, you cannot joke about; Marriage, divorce and setting a slave free." This means that we can not joke about these things.

This fatwa was spread years ago, but it came to light again in last Ramadan/September 2007, the occasion of the television drama. Although there was not a formal approval to this fatwa from Al Azhar, it created a disturbed atmosphere among series makers who were afraid to commit sins.

### 3- The Egyptian singer, Angham

An arbitrary complaint was launched by one religion person accusing the singer Angham of shooting a video clip inside a historical mosque while wearing "hot" cloths. Al Azhar and the ministry of Awqaf (endowments) and some parliament members demanded a criminal trial against the participants of the clip in May 2007.

This defaming campaign was done without watching the song.

When the song video clip was displayed, it showed that the clip was shot in a remote place and there were not any “hot” cloths. Also, it was approved that the singer Angham paid the formal fees for shooting in historical places.

No one of the campaign participants apologized and none was punished.

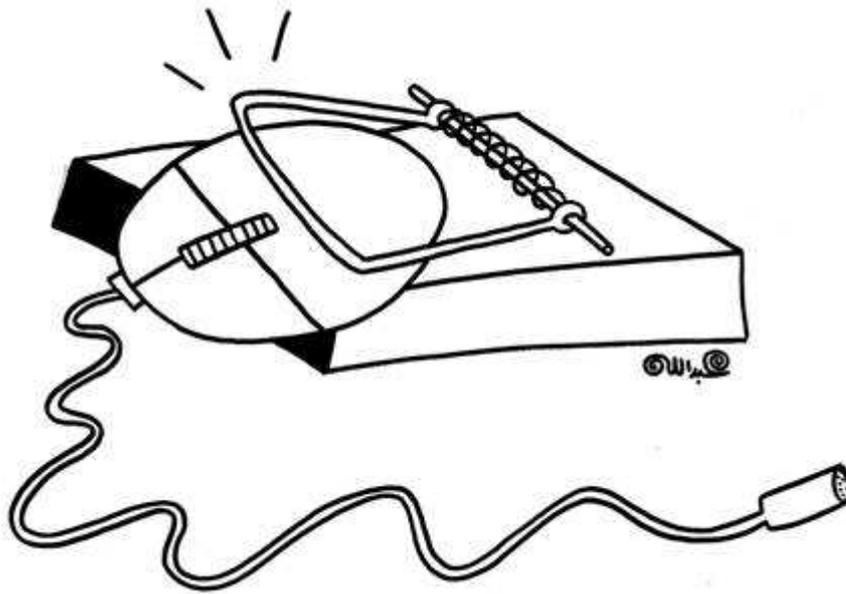
#### 4- The actress Abeer Sabri

In August 2007 the actress Abeer Sabri stopped wearing the Hijab after more than four years of wearing it. After announcing this in the media, the lawyer Nabih Al Wahsh made a notice to the prosecutor accusing the actress of religions, including Islam, contempt.

In his notice, Al Wahsh considered discontinuing wearing the Hijab makes the actress due to be sentenced. The lawyer, known of being one of “Hesba” lawyers, asserted that Abeer Sabri should be requested to repent, and if she refuses to repent, she will be considered denying a fundamental religious rule. So, she will be due to be punished according to law by being imprisoned!

Although the attorney general reserved the notice in October 2007, the campaign launched by that lawyer against Abeer and other writers and actors are still disturbing a lot of people.

## Chapter 3 Electronic press and blogs



The year 2007 did not only witness the retardation of press freedom, but also it witnessed unprecedented aggression against the freedom of expression on the internet. The Arabic Network For Human Rights Information recorded many of such aggressions and violations that can be summed up as follows:

I- Websites banning

II- Arresting and detaining various bloggers without a legal cause

III- Aggressions against bloggers and e-activists

IV- Launching law suits against some bloggers and e-activists

I-Websites banning

1- A law suit launched by judge Abdul Fattah Murad, demanding the ban of 51 websites and blogs

## \* The beginning

The story begins on the end of February 2007, when the judge Abdul Fattah Murad, the chief of the appeal court in Alexandria , demanded the government to ban 21 websites and bloggs branding them as “terrorism websites”!

Among the websites and blogs he demanded to ban was the website of the Arabic Netwrok For Human Rights Informationand the website of Hisham Mubarak Law Center besides another 19 websites that had a common ground basically; writing about the above-mentioned judge's plagiarism against the copy rights of the Arabic network for human rights information. The judge published a book entitled “The Scientific and Legal Fundamentals of Internet Blogs.” The book contained tens of pages that were ‘copied’ from the annual report of the Arabic network for human rights information, issued on December 13, 2006 under the title “ Implacable Adversaries: Arab Governments and the Internet ”, without referring to the source, preaching the law of intellectual property no.82/2002.

The judge in his demand to bans such websites and blogs depended on the content of these websites and blogs. He alleged that they defame Egypt 's reputation and libel the president of Egypt . Also they defame some Arab countries and its political systems. He also alleged that these websites and blogs defame himself because he tackled their reports in his book “The scientific and legal fundamentals of internet blogs.”

In his demand, the judge alleged that the content of the websites is illegal and threatens the public peace of Egypt . He tried to provoke the state against such websites and blogs when he branded them as “terrorism ones” and are dangerous for the national security and harm the supreme interests of the state and the system. He not only demanded the ban of these existing websites and blogs, but also he demanded the ban of any potential websites that may be launched in the future.

The case track:

On April 4, 2007 the judge Abdul Fattah Murad accused both Mr. Gamal Eid, the executive director of the Arabic Network For Human Rights Information and Mr. and Mrs. Alaa Saif, bloggers, of defamation and libel. This was another case who acted in retaliation because the previously mentioned persons revealed his plagiarism against the copy rights of the Arabica network. After investigating the case by the prosecution who released the three persons, the latter were detained by police, 'to finish the release procedures', for more than 10 hours from 1pm to midnight .

On May 10, 2007 , the judge Murad added more 30 blogs to his list of websites and blogs branded as practicing “intellectual terrorism” and threatening the national security. The number of the websites and blogs reached 51. To know more about these websites and blogs you can visit

<http://www.hrinfo.net/press/2007/pr0510.shtml> .

On the same day, the Arabic Network was surprised on knowing that its executive director Mr. Gamal Eid along with Mr. Ahmad

Saif, the executive director of Hisham Mubarak Law Center are summoned for interrogation regarding a new false case launched by the judge against them. The judge this time accused them of forcing him to publish some news and information that defame Egypt 's reputation!!

Rejecting the case and supporting the freedom of expression

On December 29, 2007 and before the end of the year, came the sentence of the administrative court rejecting the law suit launched by judge Murad demanding the ban of websites and bloggs. It was a historic sentence supporting the freedom of expression. The sentence stated that:

“Banning a website of electronic press is the same like banning a newspaper, besides, any restrictions on the freedom of expression is unconstitutional.” “Any breaches considered by the plaintiff as a defamation against him, give him the right to launch cases against personalities who did it, but never can be reasons for banning a website containing a lot of information that can be useful for others. In case the websites are banned, net browsers are punished by being deprived from such information.

The year ends but the false cases launched by the judge Murad against two human rights centers and some Egyptian bloggs do not. Such false cases hinder the way of the freedom of expression in Egypt .

2- The blogg of Eman Republic : willingly banned

Eman Republic is the title of the blog of the Alexandrian blogger Eman. In her blog Eman present herself as “a simple girl believing in simple principles, looking at the enlightened side of life, willing to discard the old traditions and customs, crazy about her friends and family, loves Alexandria and Egypt but hates Mubarak!”

One day, in her blog, Eman wrote about the Libyan absence in the 19 th Arab Summit held in Riyad. She wrote that colonel Qaddafi prefers the African entity on the Arabian one. Although her opinion was not wrong nor false and depended on a real stance and the Libyan president statements, the concerned were disturbed!

Eman met assaults against her by Libyan persons and many aggressive emails. Then she was summoned for interrogation by the state security which accused her of “defaming Libya ”! Eman was interrogated while the Libyan embassy representative was attending – which is a violation against the national sovereignty- and told her that she is on the top of the Libyan black list, and a law suit will be launched against her in Libya. Eman was threatened and was told that what happened to her was just a flick. She was forced to close “willingly” her blog. The Eman republic disappeared forever along with the values of national sovereignty and the freedom of expression and the right to criticize.

In her message published on the internet, Eman commented on her blog disappearance by saying, “The worst thing to feel is disappointment and despair. It is very bad to find yourself unable to return back your freedom...to feel how weak you are before arrogant authorities. When my heart shrived because of a sin I did

not commit, and when my fingers were cut for the alleged sin they wrote, the most important pillar in my life was ruined...my republic disappeared along with the principles and thoughts in which I believed. The persons I thought they were gentle, were naked before my eyes to see their brutality.”

### 3-The ban of Egypt save front website

\* Banned on January 2006

On January 27, 2006 the Egyptian government partially banned the front website “ [www.saveegyptfront.org](http://www.saveegyptfront.org) ”. Most Egyptian internet browsers were deprived from viewing the website. This website is the mouthpiece of one political reformation group which was formed with more than 14 groups got fed up with the political suppression in Egypt . This group demanded more civil and political freedom and called for political reformation. It declared its establishment in April, 2005.

The websites owners said that the website was banned after publishing the activities of a political reformation conference held in London . In that conference the secretary general of the Al Ghad party delivered a speech and so Mrs. Gamila Ismaiel, wife of Dr. Ayman Noor, an opinion prisoner and president of the party. They spoke about the unfair tribunal of Ayman.

\* Breaking the ban in the end of 2007

As being illegally and suddenly banned, the website was suddenly back on the internet in the end of 2007. It seems that the Egyptian government got the lesson that banning a website, increases the

its popularity and so became known by more people. Also, banning a website, urges its owner(s) to launch many other websites as happened with the website of the Muslim brotherhood group. Moreover, banning a website makes its owner(s) use the proxy technique to overcome any attempt to ban the website.

## II- Arresting and detaining various bloggers without a legal cause

The year 2007 witnessed the increase in the phenomenon of arresting various bloggers without a legal cause. Although many political activists and journalists faced kidnapping, the number of bloggers who faced kidnapping or arresting was bigger. This big number makes it a phenomenon that should be recorded and documented.

- Bloggers are always kidnapped by non-uniformed security forces during covering or participating in certain activities or political demonstrations or during covering some tribunals like the military tribunal of Muslim brotherhood members. It is not true that the bloggers, known as members in the Muslim brotherhood, are targeted for belonging to an “out-lawed group”. They are targeted just for being bloggers. Arresting them is justified – if justified- by their committing the ready-made crimes such as belonging to an out-lawed group, or having illegal fliers or any other charge but not ‘blogging’ may be because blogging was not mentioned in the emergency law articles.

Note: In this chapter, we did not mention the bloggers detained upon legal sentences. Such bloggers are mentioned in a special

chapter for the bloggers and websites owners who faced judiciary abuse.

The Arabic network for human rights watch could record the following violations against bloggers who were arrested without a legal cause:

1- Blogger and writer Muhammad Yakut: chased by the security forces who broke through his house and confiscated his personal computer.

Blogger Muhammad Musaad Yakut is the owner of the blog <http://yakut.blogspot.com> . He is also a researcher and an electronic publisher for various websites such as khair online, islamonline, libyafuture. He got the journalist reward of the late man of letter Ahmad Baha.

- On June 10, 2007 , the police broke through Muhammad Yakut's house, who was not that at the time, without a legal permission. The police took Yakut's PC and some documents and books. In his comment on this assault, Yakut said that this happened because he declared on his blog his support for the Muslim brotherhood members candidates for the Shoura council midterm elections.

The police detained Muhammad Yakut's brother as a hostage and then released him while keeping Yakut's PC till now.

2- The blogger Omar El Sharqawi: detained and abused without a legal cause

On June 11, 2007 , the state security investigation unit arrested the blogger Omar El Sharqawi owner of the blog entitled "Events in

my life” linked on <http://omarmhmf.maktoobblog.com> during covering the Egyptian Shoura council elections. He was detained in Talkha police station without being formally charged with any charge and without being interrogated by the prosecutor.

\* Blogger Omar El Sharqawi tried by his camera to record some shots displaying the attempts of elections fraud in his district affiliated to Talkha town, Dakahliya governorate. He also tried to record the security violations to make the government candidate win even by fraud. While recording such violations and fraud attempt, Omar found himself being pushed by some people who forced him to enter a “microbus” and sent him to Talkha police station where he was abused and got his camera confiscated. While being sent to the police station, security persons leading him said to him “Do you want to expose us on the internet?!” Also, the officer who interrogated him in the police station accused Omar of “defaming Egypt reputation” specially when he watched the shots taken by Omar displaying the way of ballots filling for the interest of the ruling party candidate.

When some human rights activists and lawyers went to the Talkha police station to know about the destination of Omar El Sharqawi with the police, the station officer denied knowing any thing about Omar alleging that he is not in the police station. This assures that there was not any legal cause for arresting Omar.

After a three-day detention without a legal cause, Omar El Sharqawi was released on June 14, 2007 .

3- The blogger Ahmad Sa'd Doma: kidnapped and detained without a legal cause

On July 26, 2007 the blogger Ahmad Sa'd Doma, owner of the blog entitled "Ikhwan poet" linked on <http://ikhwan-poet.maktoobblog.com> , was arrested. Being near to his house in Shurbra El Kheima district, Ahmad was assaulted by three non-uniformed police men who led him blindfolded to a police vehicle and took him to an unknown place (even after his release Ahmad could not know about that place). Ahmad Sa'd was preparing for the one million-face campaign against Mubarak's system linked on <http://www.no4m.6x.to> .

The pivot of interrogating Ahmad, according to his story, was the one million-face campaign against Mubarak's system. For about two hours, Ahmad, who was shackled, was physically and verbally abused during being interrogated. He was beaten by a stick till he fainted. After refreshing him, Ahmad was interrogated again about his writings on his blog and about his opinion about the state system and the president Mubarak.

After two days of humiliation and physical abuse, Ahmad was released without being charged and without any proof of being arrested 'kidnapped' in that unknown place.

4- Blogger Mo'taz Adel: detained and released

On July 16, 2007 , the state security investigation unit in Mansoura detained the blogger Mo'taz Adel owner of the blog entitled "Manfe" (exiled) linked on <http://manfe.blogspot.com> . This happened when Mo'taz was going to the Hikestep military area to

cover a hearing of the military tribunal of the Muslim brotherhood group leaders. Mo'taz said that his arresting came after few minutes of getting out of his house in Mansoura. He was interrogated about what he wrote in his blog regarding his intention to attend the hearing and his call for the political activists to attend the hearing. He was asked also about the reason behind his attending.

After being detained for six hours, Mo'taz was released.

5- The blogger Hosam Al Hendi: hosted in Helwan police station

On November 28, 2007 , the state security forces arrested the blogger Hosam Al Hendi, owner of the blog entitled “Ghalaba” (needy). This happened when Hosam was covering the violent events in Helwan University done by the university-administration-partisan student federation members. Hosam was led to Helwan police station and was released on November 29, 2007 at the evening time. It is worth to mention that Hosam Al Hindi, besides being a blogger and e-activist, is a journalist at the Egyptian independent newspaper Al Dustur.

Reporters without borders organization commented on Al Hindi release by saying, “It is true that Hosam Al Hindi is freed, but concerns about the government policy against bloggers are arisen.” “Bloggers and journalists are still targeted, so we call the authorities to eliminate the unreasoned and arbitrary arresting”, added the organization.

6- The blogger Ahmad El Gizawi: anti torture blogger arrested

On November 10, 2007 , the blogger and lawyer Ahmad El Gizawi, owner of the blog entitled “I love you Egypt ” linked on <http://iloveyouegypt.blogspot.com> , was arrested upon his attempt to cover the protest stance made by “Egyptians against torture” movement in front of Al Omrania police station. Ahmad participated in the stance protesting on the increase in the cases of torturing to death specifically in that police station, where many were tortured to death. The last victim was Ahmad Sabir who met his end due to being tortured in the same police station. The security forces foiled the protest stance and detained the blogger Ahmad El Gizawi and the activist Dr. Layla Swaif.

Ahmad El Gizawi is one of the activist bloggers in “Egyptians against torture” movement who played an important role in documenting the cases of torturing in various governorates.

#### 7- The blogger Ahmad Mohsen: detention in custody

On November 27 the blogger and physician Ahmad Mohsen, owner of the blog entitled “eyes still open” linked on <http://eyestillopen.blogspot.com> was detained. The supreme state security prosecutor issued a sentence to detain him in custody and renew the period of custody when due. Till the time of preparing this report, Mr. Ahmad is still imprisoned.

As usual, Mr. Ahmad faced the ready-made charges like belonging to an out-lawed group and attempting to coup against the ruling system and a new charge of “planning for the municipal elections”!! Some of the concerned attribute the detention of the blogger Ahmad Mohsen to his role in exposing the torturing crime whose

victim was Muhammad Gom'a Al Dahshori who met his end due to torturing in Fayum. Ahmad Mohsen was the first to expose this crime committed by a state security officer in Fayum. Perhaps, his role in telling the media about that crime, is the main motivation behind the security aggression against him.

8- The blogger Abdul Rahman Faris : the price of “a round with the seniors”!

The blogger Abdul Rahman Faris, owner of the blog entitled “my tongue is my pen” linked on <http://chabfares.arwp.net> , was arrested on October 13, 2007 , the first day of Eid Al Fitr. He was charged with distributing fliers aiming at disturbing the public peace and toppling the ruling system.

As usual, after being interrogated by the prosecutor twice, the latter finds no charge to be directed to the blogger Abdul Rahman Faris. On October 15, 2007 , Abdul Rahman was released.

It is worth to mention that the most probable reason behind Faris' arresting was the ironical campaign he launched on his blog under the title “We'll watch them as they watch us”. He published some data about the state security officers in Fayum (where he dwells). The data were unclassified (officers names, their cars brands, their addresses). Although the data were unclassified, it provoked the state security officers who responded by false charges against Faris to scare him. It seems that ‘playing’ with the ‘seniors’ (i.e. the state security officers), is costly. The attorney general found no crime to charge Faris with, so he was released.

9- Mass detention against some bloggers during covering and participating in the protests on the constitutional amendments

Amendment to the 34 articles in the Egyptian permanent constitution!

The year 2007 witnessed the most promoted amendments to the constitution formulated in 1971. The amendments were done to 34 articles. Most amendments did not cause any disturbance except for the amendments done to the articles 88 and 179. The former is regarding eliminating the judicial supervision on the elections, and the latter is regarding legislating an anti-terrorism law that is expected to be a permanent substitution for the temporary emergency law.

With the referendum on the amendments drawing near on March 26, 2007, a case of political severe disturbance started to prevail among all non governmental political trends; parties, political movements, journalist ....and bloggers. A wave of protest and demonstrations and sit-ins started on March 15, 2007.

The E-arrangements for the demonstrations and set-ins!

The outstanding role of bloggers was represented in adopting the call for national movements to arrange for peaceful demonstrations to express the public rejection of the amendments. The blogs were the best location for arranging such demonstrations and also were the fastest and best medium for the instant publishing of the hot events such as activists set-ins and their peaceful demonstrations.

The Tahrir square demonstration on March 15, 2007: mass arresting including some bloggers:

After the security forces foiled the demonstration made by Kifaya (enough) movement in The Tahrir square, they arrested 31 activists among them were at least five bloggers. The bloggers were, Muhammad Adel, owner of the blog entitled "meit" linked on <http://43arb.info/meit> and Muhammad Tahir, owner of the blog entitled "abused Egyptian citizen" linked on <http://www.egymasr.com> and the blogger Moustafa Ismail, owner of the blog entitled "my belongings" linked on <http://hagaty.blogspot.com> , and many other activist bloggers.

The arrested bloggers and activists were sent to the prosecutor where they were released after a 48-hour detention with being charged.

A protest stance in front of the parliament on March 20, 2007: kidnapping in the police trucks

On March 20, 2007 , and in front of the Egyptian parliament, many activists and blogger were kidnapped immediately before participating in a protest stance. The security-foiled stance was a solidarity with the independent MPs who object on passing the constitutional amendments.

The blogger Malik Moustafa, owner of Malcolm X blog was kidnapped for some hours and released afterwards. The same happened to the famous man of letter and journalist Muhammad Abdul Quddus who supervises hurriyatona (our freedom) website.

The most hectic practice on that day was kidnapping a number of bloggers and activists in a police truck which became a mobile cell, that hiding the crime of arbitrary detention by its continuous mobility. The 5-hour detention was against a number of blogger among whom were, Muhammad Gamal owner of “Jemmihood” blog linked on <http://www.t5at5a.blogspot.com> , and Hajj Gerges owner of “kifaya, haram” blog linked on <http://kefaya7aram.blogspot.com> / and Fathi Farid owner of “almagnon” (the mad) blog linked on <http://almagnon.blogspot.com>

March, 25, the night before the referendum: when the security system rears its ugly head

The security forces fiercely dispersed a set-in adopted by Kifaya movement and was called for by some Egyptian bloggers. The sit-in was to be done in the Tahrir square on the night before the referendum. During the sit-in dispersing, non-uniformed policemen assaulted a number of activists and bloggers who were beaten and verbally abused.

The situation was wrapped up, and the activists were deprived from making the set-in in the Tahrir and Talat Harb squares. The security strike resulted in kidnapping tens of activists and bloggers among whom were: Malik Moustafa owner of Malcolm X blog <http://malek-x.net>, Omar Al Hadi, owner of “asad” (lion) blog <http://asad.blogsome.com> , Omar Moustafa owner of “Cesar” blog <http://x-ist.blogspot.com> , Muhammad Gamal owner of “Jemmyhood” blog <http://www.t5at5a.blogspot.com> , Karim Al Sha'ir, owner of “mistr hurra” (free Egypt) blog

<http://misrhura.blogspot.com> , and Adham El Safti, owner of “al haya mo'geza” (life is a miracle) blog <http://crisis-poets-locaa.blogspot.com> , and many others.

On March 25,2007 , 6pm , the whole participants were detained in a police truck that moved around Cairo suburbs. The state security forces did not release them. The detained persons spent 21 hours completely confined inside the truck, without fresh air, food or even a chance to ease themselves.

That time the detained activists weren't sent to the prosecutor. It was very obvious that they were kidnapped. That was the crime in which the state appeared naked without any cover showing, even in form, its respect towards law. The stated showed its worst practice of repression and suppression means against some few youth who expressed their opinions on the internet and adopted a stance to declare rejecting on playing with the constitution. For this only they were kidnapped and abused.

The activists and bloggers were arbitrarily detained and suddenly released. After the police made sure that every thing went well with the referendum on March 26, 2007 , the police forces started to drop the detained bloggers from the truck, but individually far in the desert leaving each one of them trying to return back alone.

# The blogger Mos'ad Abu Fagr: detained, released and finally detained again

On September 8, 2007 , the blogger and novelist Mos'ad Sulaiman Hasan know as Mos'ad Abu Fagr, was kidnapped by the security forces in Al Qantara Sharq city. It is worth to mention that besides

being a novelist and owning a blog entitled “wedna neiesh” (we wanna live) <http://wednane3ish.katib.org> , Mos'ad is a human rights activist defending the rights of Sinai residents. He is also a leader in the “wedna neiesh” movement which defends the rights of Sinai tribes. After one-day detention Abu Fagr was released upon the government response to the set-in made by Sinai residents who demanded his immediate release. But, Mos'ad was charged with “rioting” upon supporting the rights of Sinai residents.

On December 26, 2007 , and before the end of the year, Mos'ad Abu Fagr was again arrested while being at home located at the Suez Canal blocks in Ismailia . He was led to some jail in Sinai and the prosecutor issued an order to imprison him (and to be renewed when due) upon the old crime, i.e. “rioting”. But, the real reason behind Mos'ad detention is to deprive him from participating in the set-in that was to be done on January,1,2008 . The set-in was to settle a dept of some persons for a governmental bank. Mos'ad called for participating in such set-in on his blog “ wedna neiesh”.

Till the moment of preparing this report, Mos'ad Abu Fagr, has not been released yet. Despite the demands of local and international human rights organizations to release Mos'ad since he is a human rights defender facing suppression and false charges, Mos'ad is still in jail.

### III: Aggressions against bloggers and e-activists

1- Breaking through blogger Muhammad Al Sharqawi's house and stealing his laptop pc.

On March 10, 2007 some unknown individuals broke through the apartment of blogger Muhammad Al Sharqawi, owner of “ketabat” (writings) blog, <http://sharkawy.wordpress.com> . Al Sharqawi discovered what happened in his apartment and the disappearance of his laptop pc few hours later. Al Sharqawi said that the apartment was professionally broken through without traces left behind. He added that nothing was stolen more than the laptop pc which contained a video file displaying the details of Al Sharqawi torturing in Kasr El Neel police station in May, 2006.

It is worth-mentioned that when Al Sharqawi went to the Tahrir police station (the nearest to his house) along with a lawyer from the Arabic Network For Human Rights Information to issue a notice regarding the robbery, the dispatched officer refused to record the notice. Al Sharqawi was redirected to Kasr El Neel police station, where he had been physically abused during being detained upon “the judges' crisis” in 2006.

2- The state security broke through the house of an e-activist and captured his pc.

On August 8, 2007 , the state security forces broke through the house of the Coptic activist Dr. Adel Fawizy (62 years old) who writes for “middle east Copts” website. The forces ruined most of his properties, specially the contents of his bedroom and captured his own laptop pc along with the cover of the book entitled “suppressed Copts”. He faced some false ready-made charges like contempt of religions, false news spread, ...etc, in order to file a case against him. The case was routed to the state security

supreme prosecutor. In November, 2007, Dr. Adel was released after three months of detention.

### 3- The blogger Wael Abbas: non-stop defaming campaigns

Wael Abbas is the most outstanding blogger in Egypt and the Arab world as well. This is because he enjoys the enough courage to publish the most hectic files on his blog. The blog “al wa'i al masri” (the Egyptian consciousness) directed by Wael, was highly recognized in 2007 for the various torturing cases in the Egyptian police stations. The case was known by “torturing video clips”, and the blogger called it (Al Adly video-gate scandal- referring to the Egyptian interior minister Habib Al Adly). The most prominent case tackled on the blog, in 2007, was “Emad Al Kabir” torturing and dishonoring case. Wael published a video file displaying the details. What made it worse was that the video file was created by those who committed the crime. On November 25, 2007, the credibility of the bloggers in general and Wael's in particular, was assured by the court which sentenced police captain, Islam Nabih to 3 years in jail for committing the torturing and dishonoring crime.

Because of his prominent role, Wael Abbas became targeted by the ministry of interior which launched a defaming campaign against him. General Ahmad Diya El Dien, assistant interior minister, was quoted on various TV shows defaming Abbas by alleging that the latter is recorded criminal and the ministry is about to file cases against him.

After all defaming campaigns, Wael had to publish a scanned copy of his criminal record on the blog to refute and nullify the alleges of

the interior ministry and the assistant minister of interior. Till the moment of preparing this report, Wael is still facing a wild defaming campaign, especially after publishing a new video on his blog displaying someone (seemingly, a police officer) forcing a girl to get naked.

#### IV: Launching law suits against some bloggers and e-activists

1- The case of the year: the blogger Karim Amir was sentenced to four years in prison for contempt of religions and humiliating the president!

The first Egyptian imprisonment sentence against a blogger!

On February 22, 2007 , the blogger Abul Karim Nabil Sulaiman, (known as Karim Amer) was sentenced to 4 years in jail for “encouraging against Islam” and humiliating the Egyptian president. The sentence is the first in its category in Egypt , and Karim Amir is the first Egyptian blogger to be sentenced to imprisonment for his writings on the internet. The sentence is so much harmful to Egypt 's reputation regarding the freedom of expression.

On November 6, 2006 , Abdul Karim was arrested upon the notice issued by Al Azhar University to the general attorney. Abdul Karim was charged with:

- \* spreading false news and rumors aiming at disturbing the public peace

- \* humiliating the president

- \* encouraging against the ruling system
- \* encouraging against Muslim sect and disturbing the public peace
- \* defaming the state by publishing harming manifestations

The trial lacked the factors of a fair trial. The judge charged Karim with an abandoned article! Also the trial witnessed a strange and unprecedented behavior, the judge changed the charges without informing the defending lawyers.

Along the hearings, Karim's lawyers were handing argumentations regarding the charges provided by the prosecutor. At the end, they were astonished by the judge sentence, which came for different charges other than the ones they handed their argumentations for.

On March 12, 2007 , the appeal court in Alexandria supported the jail sentence against the blogger Abdul Karim Solaiman. Till the moment of preparing this report, the cassation court has not fixed a date to discuss the contest in the appeal court sentence, handed by Karim's defending lawyers.

To agree or disagree, is not the question!

As human rights defenders we are not much concerned about supporting or denying Karim's opinions. Our deep concern is the freedom of expression even if we disagree with the expressed opinions.

Till you go back on your word!

According to a letter sent by Karim in which he mentioned that “Till you go back on your word” is the main sentence said to him in the

jail while being beaten. The officers in Burg Al Arab jail, encouraged the cell guard and some prisoners to assault Karim who was beaten and tortured by them under the supervision of the officers. This happened in October, 2007 when Karim got a broken tooth and many contusions and bruises in his body.

Reporters without borders granted Karim Amir the annual award of the “e-opponent”

On December 5, 2007 , Karim Solaiman, was granted the e-opponent award by Reporters without Borders Organization for his courage in expressing his opinions. It is worth-mentioned that during being interrogated, Karim was given a bargain of nullifying his opinions for being released. But, Karim did not go back on his work and paid the price; staying in jail.

On his speech delivered on his behalf on the day of award granting, Karim stated, “One complete year is about to pass while being deprived from freedom. This hard experience made me taste the bitterness of oppression and injustice. A taste that can never be expressed.

2- Arresting the Egyptian blogger Abdul Moniem Mahmoud: the Ikhwan ‘news agency’ in the jail.

# A meaningful precedent

\* On April 13, 2007 the state security investigation forces broke through the house of the Egyptian blogger Abdul Moniem Mahmoud, a journalist for the Ikhwan (Muslim brotherhood group)

English website, and reporter for the Al Hiwar (dialogue) space channel in Egypt . He was not in his house at the time of assault.

\* When “Moniem” knew about the assault he consulted his lawyer who assured him that he is not charged not summoned by the prosecutor. Moniem decided not to give himself up since he is not summoned nor charged. When the blogger inside and outside Egypt knew about this assault and the case of chasing, they started their ‘anticipating’ campaign in solidarity with Moniem against the arbitrary security aggression.

\* The blogs started to publish about the illegal ‘chasing’ against Moneim few hours after breaking through Moneim's house in Alexandria . It was an unprecedented procedure that is a campaign for solidarity with a detainee that had not yet detained and to immediately publish all news on the internet upon taking place.

# Arrested on the airliner board

\* Since Abdul Moniem was not formally summoned or charged, he decided to go in a business tour to Sudan as was scheduled before. After finishing the formalities in the air port he was boarded on the plane. Before the take off, he was arrested on April 15, 2007 .

\* The policy of the security systems is to arrest whomever they want regardless being charged or summoned. False charges come after arresting. This what exactly happened to Moniem who found no crime to be arrested for.

# Even the charges are not well-fabricated

\* The charge waited for Abdul Moniem Mahomoud to face was, as usual, belonging to an out-lawed group and some other fool charges. But, the surprising one was that strange charge. He was charged with planning and financing a “military” parade for the Ikhwan group members in the Agricultural Cooperation Institute, in Shubra El Khayma. Abdul Moniem and the institute students were approved innocent from such a charge by the dean of the institute himself before the prosecutor.

# Released after a 45-day detention in custody

\* After a 45-day detention in custody in Tura jail, the prosecutor released the blogger Abdul Moniem Mahmoud on May 30, 2007 . The prosecutor did not mention any legal cause for detaining or releasing him.

# In the state security premise, the naked reality exists

\* After being released by the prosecutor, Abdul Moniem disappeared. He commented in this saying, “After being released, I was led to the headquarter of the state security in Alexandria , where an officer tried to convince me to work with him against the bloggers and the members of the Muslim brotherhood group.” “Since you are an officer and I am an Ikwam member, we will never cooperate”, decisively Abdul Moneim told the officer.

\* It is good to mention that the real reason behind arresting Abdul Moniem and abusing him on that way, is his active performance as a blogger for Muslim brotherhood group (Ikhwan) and as a reporter

for the Al Hiwar space channel, and also for telling the international news agencies about being tortured before.

3- The case of arresting two persons working in the “middle east Christians” website.

\* On August 8, 2007 both Adel Fawzi and Beter Ezzat were arrested and set before the prosecutors for seven times. A lawyer belonging to the Arabic Network For Human Rights Information attended the interrogation sessions and recorded many violations against the fundamentals of fair interrogation such as,

- Urging the charged to refuse human rights organizations lawyers attendance

- abandoning the lawyer's and the charged right to read the complaint against them and investigation memorandum

- Exhausting the lawyers and the charged, on purpose, by starting the interrogation sessions late till the midnight in some cases

- Abandoning the charged right to record the lose of documents confiscated by the state security forces during arresting

- Asking illegal question that aimed at probing inside the charged like asking, “what's your opinion in...? what is your own stance towards..?”

- the prosecutor neglected the security forces act when they searched one of the charged mother's house without a legal permission from the prosecutor.

\* The two suspected are now detained after being accused of religions contempt and spreading extremist thoughts on the internet that aiming at encouraging the sectarian sedition, and of spreading false new harming the public interest, according to the prosecutor statement. Besides, Fawzi was charged with having unlicensed gun. On November 4, 2007 they were released after repeated detention renewals.