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ASSESSMENT OF MEDIA DEVELOPMENT IN EGYPT

BASED ON UNESCO'S MEDIA DEVELOPMENT INDICATORS



June 2011

TOBY MENDEL
EXECUTIVE DIRECTOR

CENTRE FOR LAW AND DEMOCRACY

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By Toby Mendel

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FOREWORD

The UNESCO Cairo Office is glad to present an Interim Assessment of the mass media landscape in Egypt based on the Media Development Indicators (MDI) of the International Programme for the Development of Communication (IPDC). The aim of this document is to facilitate discussions and actions within the Egyptian society leading to the eventual change of the mass media, while strengthening pluralism and independence of it.

MDI is not a new media development tool. It has already been successfully applied in close to ten countries and lies at the very heart of the UNESCO's mandate to promote development of free, pluralistic and independent media in accordance with international standards and best practices. But it does not prescribe a fixed methodological approach. MDIs rather offer a 'toolkit' approach in which indicators can be tailored by the national actors to the particularities of the national context.

We anticipate that this Interim Assessment will provide local stakeholders - including civil society, state institutions and relevant professional communities - with a rough mapping of key media development needs in the country, based on the accepted and tested MDI methodology. Providing such a mapping will give local actors a sense of the wider media development needs, thereby helping them to identify priorities and plan and execute their programmes of action.

It is our hope that all stakeholders will take advantage of the possibilities offered by this analytical tool and that it will become a useful reference for all those committed to building free, independent and pluralistic media.

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INTRODUCTION

On 25 January 2011 demonstrations started in Tahrir Square triggering a chain of events - a revolution - which in less than three weeks led to the downfall of the Mubarak regime. Mubarak resigned from the presidency on 11 February 2011 and handed over power to the Supreme Council of the Armed Forces. He had ruled Egypt for thirty years: he first became President in 1981, when he was automatically elevated to the post from the position of Vice-President, after Anwar Sadat was assassinated.

The Mubarak period was characterised by severe repression of democratic rights. Perhaps the single most obvious evidence of this is the fact that the Emergency Law, which was reinstated as soon as President Sadat was assassinated, remained in force throughout the entire 30 years of Mubarak's rule. It remains in force to this day. Freedom of expression was among those rights that were most restricted during Mubarak's rule.

It is thus not surprising that, in the post-revolutionary environment, there were immediate calls by civil society for significant reform of the legal framework governing the media. On 12 February 2011, a Statement issued by the Forum of Independent Human Rights Organizations entitled "Roadmap for a nation of rights and the rule of law" included a significant section on media law reform.¹ This called, among other things, for the transformation of the State media into independent public service media, the establishment of an independent broadcast regulator, the adoption of right to information legislation and the repeal of penal sanctions for crimes of publication.

¹ See section IV(2)(e). Available at: <http://www.cswatch.org/action/roadmap-for-a-nation-of-rights-and-the-rule-of-law-statement-by-the-forum-of-independent-huma>.

² See www.ncmf.info.

³ Available at: <http://www.anhri.net/en/?p=2488>.

⁴ Available at: http://portal.unesco.org/ci/en/ev.php-URL_ID=26032&URL_DO=DO_TOPIC&URL_SECTION=201.html.

The National Coalition for Media Freedom (NCMF)² was established on 30 April 2011. A few days later, on 3 May 2011 (UNESCO sponsored World Press Freedom Day), NCMF issued a Media Freedom Declaration Cairo,³ setting out ten main principles regarding media freedom, along with eleven priority tasks. These build and expand on the calls in the earlier statement, and include institutional demands such as abolishing the Ministry of Information and the Supreme Press Council and replacing them with independent bodies.

In the meantime, a number of measures have already been taken to enhance media freedom. The Ministry of Information has effectively been dissolved, and key figures in a number of ministries and other bodies, including the Journalist Syndicate, have been replaced. Many rules limiting media freedom are not being applied and some are being widely flouted.

In this volatile situation, where the stage is being set for the resolution of key issues relating to freedom of expression and of the media, UNESCO considers that it would be useful to prepare, on an urgent basis, an Interim Media Development Indicators (MDI) assessment. UNESCO's Media development indicators: a framework for assessing media development⁴ provide a meticulously developed structure for assessing media development needs in a country, using a methodology that is designed to provide a broad mapping of the overall media development strengths and weaknesses. MDI assessments do not set priorities; rather, they assess all of the media development needs in a country.

The aim of this Interim Assessment is to provide local stakeholders - including civil society groups, officials, leading decision-makers and legal professionals - with a rough mapping of key media development needs in the country, based on the accepted and tested MDI methodology. Providing such a mapping within a

relatively short timeframe will, it is hoped, give local actors a sense of the wider media development needs, thereby helping them to identify priorities and plan their programmes of action.

Meetings with various stakeholders during an in-country mission conducted from 9-15 April confirmed the usefulness of this exercise. Indeed, several interviewees calling for the document to be made available as soon as possible so as to provide a resource for them as they consider media reform priorities.

This Interim Media Development Indicators Assessment for Egypt is simply that: an interim assessment. It is not, nor does it claim to be, a comprehensive assessment exercise. That was not possible given the urgency of the situation. A full assessment would need to engage directly a wide range of key stakeholders and involve a range of assessment methodologies, such as surveys, so that it would take between six and nine months to complete. The intention is to conduct such a proper survey, led by local actors, in due course, while satisfying immediate needs through this Interim Assessment.

The rapid nature of this assessment exercise, coupled with the enormous complexity of the media development situation in Egypt and the fact that it is in a state of rapid change, means that there are a number of gaps in the assessment. These apply to most of the indicators that involve social factors - such as the extent to which the public is aware of the right to freedom of expression, whether or not there are opportunities for public engagement in the development of legislation and policies affecting the media, and the extent to which the public trusts the media - as there was no time to conduct the surveys that would be necessary to collect this information.

The Interim Assessment also provides a less than thorough assessment of some complex indicators - such as the availability of appropriate training opportunities, the allocation of government advertising and the extent to which employment practices in the media reflect society as a whole - as there was simply not sufficient time to collect comprehensive information on these indicators.

In addition, the fact that the old regime is effectively gone diminishes the importance of focusing heavily on the kinds of informal practices it employed to control

the media. No one can accurately predict what the future will bring, but it seems clear that very significant changes are afoot and that the old practices, as least as we knew them, will not return. This Interim Assessment looks forward to a period of reform, rather than dwelling on the abuses of the past. At the same time, it is, at least in some cases, important to understand past abusive practices so as to understand why some of the more formal structures that are still in place need to be amended.

As a result of the above, there is a certain bias in this Interim Assessment towards the legal and institutional structures governing the media in Egypt, as compared to a more balanced overall MDI assessment methodology. This is probably unavoidable. It may also not be such a liability, since local actors are also prioritising legal reforms and this is the most urgent reform need. This is reflected in both the interviews held as part of the assessment exercise and many of the calls for reform by civil society, including those noted above.

Egypt has a population of about 85 million, with a young median age of just 24 years. In geographic terms, it occupies the most North Eastern part of the African continent, with some claiming that part of it, namely the Sinai Peninsula, actually lies within Asia. Although it is a relatively large country of over one million square kilometres, only about three per cent of the country is inhabited, and the population density in these areas is high.

Egypt has experienced high economic growth in recent years, with a Gross National Income (GNI) of \$5,889 in purchasing power parity (PPP) terms in 2008, according to the 2010 UNDP Human Development Report (HDR), up from \$5,349 in 2007 and \$3,950 in 2003, an increase of nearly fifty per cent over a five-year period.⁵ The growth appears to be reasonably well distributed, as the Gini Coefficient dropped from 34.4 in 2005 to 32.1 in 2010.

According to the website Trading Economics:

Egypt has one of the most developed and diversified economies in the Middle East. Agriculture (cotton, corn, sugarcane, fruit and vegetables, fodder, and rice), industry (textiles and clothing, chemicals, steel, consumer electronics and home appliances) and services (tourism) represent almost equal rates in national production.⁶

⁵ See the UNDP HDR Reports of 2009 and 2005.

⁶ Available at: <http://www.tradingeconomics.com/egypt/households-with-television-percent-wb-data.html>.

The official language of Egypt is Arabic and almost everyone speaks that language, although there are small Berber, Nubian, Bedouin, Greek and Armenia populations, amounting to about two per cent of the population.⁷ About 90 per cent of the population is Muslim, predominantly Sunni, with most of the remaining ten per cent being Christian, mainly Coptic. There are also very small Baha'i and Jewish communities in the country.⁸ We were informed that there were no significant class, geographic or ethnic differences among these religions.

In terms of its Human Development Index (HDI) rank, Egypt places 101st out of 169 countries in the 2010 UNDP report. In addition to its GNI of \$5,899, the HDR assessed the average life expectancy in Egypt at 70.5 years, and a rather low 6.5 mean years of schooling, substantially lower than most of the other countries with a similar overall rank. Despite its strong economic growth, Egypt gained only two spots in its HDI between 2005 and 2010, and remained level between 2009 and 2010.

According to the 2010 UNDP HDR, in 2008 there were 65 mobile or landline phones per 100 inhabitants in Egypt, with telephone accessibility covering 95 per cent of the population. The website Media Landscape: Egypt suggests that in 2007 there were just over 11 million landlines and 30 million mobile phones in the country,⁹ which is roughly consistent with the UNDP figures. A representative of the National Telecommunications Regulatory Authority (NTRA) informed us that today, there are 70 million registered mobile phones in the country.

The UNDP reports Internet usage at 16.6 per cent of the population in 2008, up nearly 3,000 per cent since 2000, but less than one per cent of the population had a broadband subscription in 2008. Media Landscape: Egypt quotes 8.62 million Internet users in 2007, which is largely consistent with the UNDP figures, given the strong growth rate and the one-year measurement difference. The revolution has affected many things in Egypt, and this applies with special force to the rate of Internet usage, which appears to be increasing significantly.¹⁰ The UNDP also quotes figures of 94 per cent in terms of public access to radio, and 92 per cent for television. Trading Economics quotes a slightly higher figure of 96.5% for television.

It is not clear how many Egyptians have access to pay television, which is the only way to access the private broadcasters, which disseminate their signals via satellite.¹¹ However, the rate is reportedly quite high,

perhaps over 40% in urban areas. It seems that the rate is much higher than official subscription rates might suggest, with up to 75% of overall access being obtained through the black market.¹²

In terms of press freedom, Egypt was ranked 130th out of 196 countries globally by Freedom House in their Freedom of the Press 2010 report,¹³ with a score of 60 out of 100 (lower scores are better), just scraping into the partly free category (a score of 61 would be rated not free).¹⁴ It has maintained roughly equal scores for several years, although its 2010 score was measurably better than its 2005 score of 68.

The media environment in Egypt is heavily dominated by the State media, which are active in all media sectors, including the print and broadcast media, and news agencies. The three erstwhile leading national newspaper houses - Al-Ahram (The Pyramids), Al-Akhbar (The News) and Al Goumhurya (The Republic) - are all owned by the government and until recently have operated largely under government control. Each newspaper house publishes a number of different titles. The Shura Council controls the appointments to all of the key decision-making positions and bodies for these newspapers, including by appointing the editors-in-chief.¹⁵

In former times, these newspapers, and Al-Ahram in particular, were extremely dominant. We were told of a saying to the effect that if your obituary was not published in Al-Ahram, you were not really dead. They have lost ground recently, and we were informed by some interviewees that their circulation numbers dropped during the period of revolutionary demonstrations.

⁷ See http://www.ejc.net/media_landscape/article/egypt/.

⁸ See <http://looklex.com/e.o/egypt.religions.htm>.

⁹ See http://www.ejc.net/media_landscape/article/egypt/.

¹⁰ See, for example, <http://www.almasryalyoum.com/en/node/453402>.

¹¹ Only State broadcasting services are available for free through terrestrial transmission.

¹² This is mainly via local operators reselling subscription satellite services through local cable networks. See <http://www.ameinfo.com/157522.html>.

¹³ Available at: <http://www.freedomhouse.org/uploads/pfs/371.pdf>.

¹⁴ Table available at: <http://www.freedomhouse.org/images/File/fop/2010/FOTP2010Global&RegionalTables.pdf>.

¹⁵ See Article 65 of Law No 96 of Year 1996 Concerning the Regulation and Organization of Journalism and Press Functions (Press Law). See also Article 62, regarding the appointment of the General Assemblies, Article 64, regarding the appointment of the Boards of Directors and Article 65, regarding the appointment of the editorial boards.

Private newspapers have been growing stronger in recent years and, at least during the period of demonstrations in January and February 2011, Al Masry-Al Youm (The Egyptian Today) appears to have achieved higher circulation figures than Al-Ahram, historically the market leader. Other important private dailies include Al-Shorouk (The Sunrise) and El Dostour (The Constitution). There are also a large number of private weekly newspapers, as well as newspapers published by political parties, both dailies and weeklies. The government runs the only local news agency, the Middle East News Agency (MENA) (Wakalet Inbaa alSharq alAwasat), although local newspapers do subscribe to international news agencies.

Terrestrial broadcasting is largely a State monopoly, with a vast network of stations operating under the structure of the Egyptian Radio and Television Union (ERTU), established by Law No 13 of 1979. There are two private FM radio stations in Cairo - Nogoom FM and Nile FM - alongside numerous State radios. There are also a number of private Internet radio stations.

In terms of television, ERTU operates two national terrestrial stations - Channels 1 and 2 - and six local channels covering the 27 different governorates of Egypt. ERTU also provides around fifteen satellite channels through the Nile Television Network, including a news channel, Nile News, and a variety of other specialised channels, for example focusing on drama, movies, culture, sports, comedy and education.

While there are no private terrestrial television stations in Egypt, a number of private stations are available via satellite. These include Dream 1 and 2, On TV, El Mahwar, Al Youm-Orbit and Al Hayaat. The ability of these stations to broadcast news was traditionally quite limited, although they have found imaginative ways to do this in recent years, and this is likely to change now.

There has been a lot of discussion in recent months regarding the role of the so-called 'social media' in fomenting the revolution. There is no question that a variety of communications tools - including Facebook, Twitter and SMS - were widely used to help organise the demonstrations. However, the dissemination of news, current affairs and other sorts of public interest information over the Internet and other communications technologies is relatively under-developed in Egypt. Traditional media have only started to use the Internet as an alternative medium in recent years. There are a few online news portals, such as Masrawy, El Dostor Al Asly and Fil Balad, and the Egyptian blogosphere is reportedly relatively large and growing rapidly.

The legal framework governing the media in Egypt is very complex, with overlapping rules set out in different pieces of legislation. The Penal Code contains a wide range of criminal content restrictions, supplemented by the Civil Code, which allows individuals to gain compensation for various wrongs against them. The key pieces of legislation dealing directly with the media are Law No 96 of Year 1996 Concerning the Regulation and Organization of Journalism and Press Functions (Press Law), Law No. 76 of Year 1970 Regarding the Formation and Establishment of the Journalist Syndicate (Journalist Syndicate Law),¹⁶ Law No 13 of Year 1979 on the Egyptian Radio and Television Union (ERTU Law) and Law No 10 of Year 2003 on Telecommunication Regulation (Telecommunications Law).

These laws are assessed in greater detail in the body of this Interim MDI Assessment. For now, it is enough to note that they formally establish a strict regime of control over the media, which is very much under government control. For example, the government formally exercises control over all of the institutional structures established by these laws, such as the Journalist Syndicate, the Supreme Press Council, the Egyptian Radio and Television Union (ERTU) and the National Telecommunications Regulatory Authority (NTRA). The rules are often not applied in their strict form, but they are there to be relied upon should anyone step too far out of line. Thus, in practice the system relies largely on what might be termed 'co-censorship': self-censorship backed up by the possibility of direct censorship.

At the same time, it is necessary to distinguish the Syndicate from the other bodies mentioned above. It was originally founded in 1941 as an autonomous entity; indeed a meeting took place as early as 1900 to establish an association for journalists, although the idea was effectively quashed by the British authorities.¹⁷ The Syndicate has always had difficulty maintaining its independence and it was brought under a statutory regime with the adoption of the Journalist Syndicate Law in 1970.

¹⁶ An interesting historical recollection is that this was apparently the last law President Nasser signed before his sudden death on 28 September 1970. It was published in the Official Gazette on 17 September 1970.

¹⁷ See Anis, M. and Sakr, H., The six-decade balancing act, Special Issue No. 872 of Al-Ahram, 22-28 November 2007. Available at: <http://weekly.ahram.org.eg/2007/872/special.htm>.

This Interim Assessment reviews the overall state of media development in Egypt, based on UNESCO's Media Development Indicators. The Indicators are based on five main Media Development Categories, broken down into more detailed Issues and Key Indicators. This Interim Assessment follows the same format, providing key recommendations at the end of each of the five main Categories. The assessment of Egypt relative to the indicators takes into account the special challenges facing the country, and in particular the context of revolutionary change that it is now grappling with.

The primary methodology used in preparing this Interim Assessment was a series of unstructured interviews conducted during a mission by the author to Egypt, with support from the local UNESCO office, from 9-15 April 2011. These interviews were, in some cases, followed up by further questions submitted by email. The local

UNESCO office also conducted a number of follow-up interviews with key stakeholders that we were unable to meet during the main mission. A list of those met is provided in the Annex.

The interview process was supplemented by an extensive literature and legal review, including online sources. Several laws were translated into English to facilitate the legal review. Support was also provided by a local consultant, who surveyed literature that is only available in Arabic.

We would like to acknowledge the assistance of Ahmed Amaal in doing background research and information collection for this report. Mr. Amaal was particularly helpful in researching existing social science data, and in providing information about the existing situation regarding media and media regulation in Egypt.

Key Recommendations

Detailed recommendations are provided at the end of each of the five main chapters of this report, based on the Media Development Categories of the MDIs. The key recommendations are as follows:

- The state of emergency should be lifted immediately, or at least limited to what is strictly required by the situation.
- The government should make a commitment to engage in widespread consultation with interested stakeholders before adopting or amending any law which relates to freedom of expression or of the media.
- The guarantee of freedom of expression in the new Egyptian constitution should be substantially stronger than the current guarantee, and should place strict limits on the power of the government to restrict this fundamental right, in line with international standards.
- A right to information law, giving individuals a right to access information held by public authorities, should be adopted and the existing secrecy provisions in different laws should be reviewed and repealed or amended to bring them into line with international standards on openness.
- Restrictions on the content of what may be published or broadcast, including defamation laws, which are currently found in a number of different Egyptian laws, should be reviewed and amended as necessary to bring them into line with international standards.
- The Supreme Press Council should be abolished and the system of licensing for the print media should be done away with.
- The legal framework should not allow the government to shut down the Internet.
- The current statutory system for regulating professionalism in the print media should be done away with and print media outlets should be encouraged to set up their own self-regulatory system.
- A consultation should be held with interested stakeholders to determine the future of the Journalist Syndicate. At a minimum, the special status afforded to members of the Syndicate should be done away with, along with any prohibition on individuals who are not members from working as journalists. If the Syndicate is maintained as a statutory body, it should be fully protected against political interference.
- An independent regulatory body should be established with the power to licence and regulate private broadcasters. It should have a mandate to issue licences for commercial and community broadcasters, including to disseminate their signals via terrestrial frequencies, and to promote diversity in the broadcasting sector in the overall public interest.
- The ERTU should be transformed into an independent public service broadcaster, with a clear mandate to broadcast in the public interest, with strong protections for its governance and editorial independence and with sufficient funding to allow it to discharge its mandate.
- Widespread consultations should be held to determine the future of the existing State print media. If these are retained as public bodies, their independence should be guaranteed, in an analogous way to public service broadcasters.
- The government should engage in widespread consultations with a view to adopting a comprehensive ICT policy, which should include promoting universal access to the Internet as one of its goals.

A system of regulation conducive to freedom of expression, pluralism and diversity of the media

A. LEGAL AND POLICY FRAMEWORK

Freedom of expression is guaranteed in law and respected in practice

On 13 February 2011, just two days after Mubarak's resignation, the Supreme Council of the Armed Forces suspended the 1971 Constitution and set about preparing for a constitutional referendum, which was held on 19 March 2011. The referendum, which was on whether or not to add nine new articles to the 1971 Constitution, was overwhelmingly approved by 77 per cent of the approximately 18.5 million people who voted, representing just 41 per cent of the 45 million strong electorate.

These nine articles focus primarily on the structures of government, including who is eligible to run for president, the presidential term of office (which was limited to two four-year terms), the conduct of elections, the Shura Council and the Constituent Assembly and process of preparing a new constitution. The referendum also struck former Article 179 from the constitution, which had given the Public Prosecutor the power to take "measures which secure the people's rights, the safety of the society and its political regime, the preservation of the socialist achievements and commitment to socialist behaviour".

Significantly, when Constitutional Declaration which was proclaimed by the Supreme Council of the Armed Forces on 23 March 2011 included the nine articles which had been voted on,¹⁸ 49 'rump' articles from the 1971 Constitution and three additional articles, namely Articles 56, 57 and 61. The 49 rump articles mostly address human rights and the structures of the State, such as the parliament, judiciary and armed forces. The three new articles address the respective powers of the Supreme Council of the Armed Forces and the Council of Ministers, as well as the tenure of power of the former, which shall

continue until such time as the "People's Assembly and Shoura Councils assume their responsibilities and the president of the republic is elected and assumes his position" (Article 61).

It is not exactly clear how this happened but it seems likely that the Supreme Council of the Armed Forces did not feel that it could risk putting these fundamental articles to a referendum. It may be noted that had they been included and the referendum rejected, this would have created a huge power vacuum at the very top of the Egyptian State.

Articles 12 and 13 of the Constitutional Declaration provide for the protection of freedom of expression and media freedom as follows:

(Article 12)

Freedom of opinion is guaranteed, and every person has the right to express his opinion and publish it spoken, written, photographed, or other form of expression within the law. Personal criticism and constructive criticism are a guarantee for the safety of the national development.

(Article 13)

Freedom of the press, printing, publication and media are guaranteed, and censorship is forbidden, as are giving ultimatums and stopping or cancelling publication from an administrative channel. Exception may be made in the case of emergency or time of war, allowing limited censorship of newspapers, publication and media on matters related to general safety or the purposes of national security, all according to law.

While useful, these are weak guarantees. The right to freedom of expression is only guaranteed "within the law", but the Constitution fails to place any conditions on laws which limit the right. This essentially means that legislators may pass any law at all restricting the right, largely negating the value of the constitutional guarantee, although it does at least require restrictions to be set out in law.

¹⁸ There is some suggestion that one of the nine articles was later subtly changed, with powers destined for the president given to the Supreme Council of the Armed Forces. See In the footsteps of the Tunisian revolution: A Constitution first. Available at: <http://www.cihrs.org/English/NewsSystem/Articles/2891.aspx>.

International law provides two further limitations on the power to restrict freedom of expression. First, restrictions must serve to protect one of the private or public interests set out in international law which, in accordance with Article 19 of the International Covenant on Civil and Political Rights (ICCPR), are the rights and reputations of others, national security, public order and public health and morals. Restrictions which serve other interests are not legitimate.

Second, under international law, restrictions must be 'necessary' to protect one of those interests. This is an extremely important limitation which serves to ensure that restrictions are proportionate, are carefully designed to protect the interest and are not overbroad, in the sense of going beyond simply prohibiting harmful speech.

International law also includes a number of other features which are missing from the Egyptian constitutional guarantee. Under international law, freedom of expression protects not only the right to express oneself (the right to 'impart') but also the rights to seek and receive information and ideas. This is an extremely important part of the guarantee, which protects citizens' right to access a diversity of information and ideas. International law also protects information and ideas of all kinds, making it clear that unpopular or even offensive speech is also protected. Finally, international law protects the free flow of information and ideas "regardless of frontiers".

Article 13 is welcome, prohibiting, as it does, administrative censorship. However, in practice any protection from this article has been illusory, since it may be waived whenever an emergency is proclaimed, which applied throughout the whole period of the Mubarak regime. No limitations on the declaration of an emergency are found in Article 13. Rather than including a reference to emergencies in the main article guaranteeing media freedom, which suggests that emergency restrictions on this right are to be expected, it would be preferable to provide separately for a declaration of emergency. Furthermore, Article 13 is undermined by Article 4 of the Press Law, which explicitly envisages the banning of news items which are "detrimental to the national integrity, independence or sovereignty".

Article 59 of the Constitutional Declaration, approved in the referendum, provides generally for declarations of emergencies. It requires the People's Assembly to ratify any declaration of an emergency and, importantly,

it limits any emergency to six months, requiring any extension beyond this to be approved in a popular referendum. International law does allow for very limited restrictions on rights which are "strictly required by the exigencies of the situation" in case of an emergency "which threatens the life of the nation" (Article 4 of the ICCPR). Article 59 lacks these key protections. Despite Article 59, the Emergency Law which was proclaimed in 1981, and which was continuously extended under the Mubarak regime, remains in force.

The post-revolutionary period has seen increasing demands to lift the state of emergency and the Supreme Council of the Armed Forces has promised that it will do so in due course. Although it has not yet set a firm timeframe for this, the Council has promised that the emergency will be lifted before parliamentary elections, currently scheduled for September 2011, take place.

Constitutions in other countries variously include a number of other provisions on freedom of expression and of the media. It is common, for example, to include provisions on the right to access information held by public bodies (the right to information or freedom of information) in constitutions. Many countries explicitly provide in their constitutions for the independence of bodies with regulatory powers over the media.

Other possible constitutional guarantees include the following:

- Protection for the right of journalists not to reveal their confidential sources of information.
- Prohibitions on licensing or registering journalists and/or print media outlets.
- A requirement to allocate the frequency spectrum in the public interest among all three types of broadcasters, namely public, commercial and community. This might also include a specific reservation of a percentage of the frequency spectrum for community broadcasters.

Egypt has ratified most of the main international human rights conventions, including the key treaty guaranteeing the right to freedom of expression, the International Covenant on Civil and Political Rights (ICCPR). It has not, however, ratified the (first) Optional Protocol to the International Covenant on Civil and Political Rights, which would allow individuals to bring complaints to the oversight body, the UN Human Rights Committee, regarding a breach of rights.

Egypt has also ratified the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child.

It was not possible within the context of the interim assessment to determine with any precision the extent to which the public are aware of and exercise their right to freedom of expression.

The right to information is guaranteed in law and respected in practice

Egypt has not yet adopted a right to information or freedom of information law. Prior to the revolution, there had been some discussions about adopting such a law, although actual progress in this regard had been limited. The revolution has brought about significant renewed impetus for the adoption of such a law, and some senior officials, including ministers, have made statements about the importance of such a measure. Some limited consultation with civil society on a right to information law has taken place.

Article 8 of the Press Law does purport to protect the right of journalists to access information from both "public and/or government sources", "according to applicable laws". Article 9 prohibits the imposition of restrictions which impede the equal flow of information to newspapers, which may undermine citizens right to information, subject to rules on national security and "supreme interests". And Article 10 gives journalists the right to request information, except where it is deemed to be confidential. In practice, these provisions have done little to protect journalists' right to access information.

The Egyptian legal framework includes a rather comprehensive regime of secrecy provisions spread across a large number of laws. These include laws on the national archives, on intelligence, on auditing, on publishing military information, on publishing official documents, the civil service, on the Central Agency for Public Mobilization and Statistics (CAPMAS) and the Penal Code. Taken together, these provisions give the authorities wide discretion to refuse to disclose practically any information they please.

In practice, the government operated largely in secret prior to the revolution, although there has reportedly been a significant opening up since then, as the civil service is anxious to show that it supports and is reflecting the goals of the revolution. Proactive publication of information by government agencies has increased in recent years, but remains limited compared to most democracies. There are, however, some exceptions and the government procurement website (<http://tenders.gov.eg>) is apparently quite modern and user-friendly.

Egypt has ratified the Convention Against Corruption, Article 10 of which has been interpreted as placing an obligation on States Parties to adopt right to information legislation.

Editorial independence is guaranteed in law and respected in practice

In the past, editorial independence was signally abused in Egypt through a variety of informal and quasi-legal measures. The variety of these measures ñ which were as extensive as those found anywhere in the world ñ reflects the enormous ingenuity and imagination of the repressive organs of the Mubarak regime.

As noted above, an important purpose of the many legal restrictions on freedom of expression and of the media was to promote self-censorship rather than to set firm rules. In many cases, media outlets and/or workers were threatened with legal action, but this was not in fact acted on. This signalled a degree of displeasure on the part of the regime, and highlighted the vulnerability of the media outlet.

In other cases, financial measures were used. Threats or actual business measures might be taken against other businesses owned by the media owner. Given the all-pervasive presence of the Egyptian State in the business sector, this was a powerful and effective means to control the media. In some cases, interventions have been made directly in the media business. For example, El Dostour newspaper was bought recently by a major businessman with close links to the Mubarak regime who changed the editorial line, resulting in the editor-in-chief, Ibrahim Eissa, leaving. Many commentators believe the government promoted this result because it felt that the newspaper had become too critical. Eissa and a dozen journalists have retained control of the website, calling it the Original Dostour.

It was widely reported to us that the government had placed 'spies', i.e. people working for or reporting to the intelligence services, in all major media outlets. As evidence of this, we were informed that these services would be aware at a very early stage of information about proposed reporting or programming, which had not been shared externally. For example, the editor-in-chief might get a phone call asking why they media outlet was proposing to interview a certain person or carry a story on a particular issue.

We were also informed of the case of a broadcaster who, some months before the parliamentary elections of November/December 2010 had been formally told by the General Authority for Investment (GAFI), which licenses the private satellite broadcasters, to stop broadcasting news and current affairs programming. When the broadcaster persistently refused to do so, they were pointedly reminded by GAFI that their licence was up for renewal the following year.

Much more could be said on this issue, but the current situation has radically changed the environment for the media, and it remains very unclear what will happen in the future. It seems almost certain that the most egregious practices will cease, and it is possible that most of these practices may come to an end. There is little to be gained at this point from speculating on how this will play out in the future.

Formally, broadcasters are not required to carry government messages, although courts sometimes order them to carry messages as part of a criminal decision and there were rules requiring them to carry party political broadcasts during elections. In practice, however, most broadcasters did carry government messages, at least prior to the revolution. This was especially true of the ERTU stations, which operated largely as mouthpieces of government. According to information from several interviewees, these broadcasters would allocate significant amounts of time to government activities, even where they had little news value.

Journalists' right to protect their sources is guaranteed in law and respected in practice

Article 7 of the Press Law protects journalists' right not to reveal their confidential sources of information, and prohibits them from being coerced to do so, although these protections are subject to "relevant laws". Thus, as with the general constitutional guarantees of freedom of expression, no constraints are placed on laws which may require journalists to reveal their sources. We were

informed that, in practice, protection for sources is weak.

International law provides strong protection for confidential sources of information. This may be overridden only in accordance with the three-part test for all restrictions on freedom of expression, which, among other things, requires such restrictions to be necessary.

The public and civil society organisations (CSOs) participate in shaping public policy towards the media

In the past, the government consulted only sporadically on the development of laws and public policies regarding the media. For example, Law 147 of Year 2006 introduced various changes to the Penal Code, cancelling various articles criminalising publishing activities and replacing imprisonment with fines for various other provisions.¹⁹ We were informed that even though this legislation improved the environment for the media, there was virtually no public consultation in advance of its adoption.

According to Article 70(1) of the Press Law, the Supreme Press Council, which includes various media representatives although it is largely government-controlled, has the duty of providing input into draft laws affecting the media. It is not clear whether this was respected in practice in the past. The Press Council has effectively been disbanded in the post-revolutionary context.

There are some indications that the practice of failing to consult even on key pieces of legislation has continued even in the post-revolutionary period. For example, in a press release issued on 9 June 2011, a number of leading human rights organisations stated:

The political parties' law, the law on the exercise of political rights, and the law criminalizing strikes were all issued without the slightest consultation with society, political parties, and civil society.²⁰

¹⁹ See Amira Abdel Fattah Hussein, *Press Freedom In Egypt*, June 2008, Chapter 2. Available at: <http://www.anhri.net/en/reports/pressfreedom/>.

²⁰ In the footsteps of the Tunisian revolution: A Constitution first, note 16.

B. REGULATORY SYSTEM FOR BROADCASTING

Independence of the regulatory system is guaranteed by law and respected in practice

There is no proper regulatory system for broadcasting in Egypt. The public broadcasters fall under a separate regime, governed by the ERTU Law. There are no private terrestrial broadcasters in Egypt, with the exception of two FM radio stations, as noted above. Most of the private satellite television stations operate out of the Free Zones in Egypt, in particular the Media Public Free Zone. The Free Zones are located within the territory of Egypt, but are considered offshore areas for financial regulatory purposes. These Zones fall under the jurisdiction of the General Authority for Investment (GAFI).²¹

To set up a business in the Free Zones, including in the area of satellite broadcasting, one must obtain a business licence from GAFI. It is not clear what exactly this involved, but there is no law setting out the rules that commonly apply to broadcasters in other countries. In particular, there is no law setting out the rules for applying for a broadcasting licence, or the criteria that a regulator should take into account in allocating such licences.

In terms of independence, GAFI is a government body, which is subject to political control and direction. International law, on the other hand, requires bodies which exercise regulatory powers over the media to be protected against political interference. As the (then) three special mechanisms for the protection of the right to freedom of expression at the UN, OSCE and OAS stated in a Joint Declaration on 18 December 2003:

All public authorities which exercise formal regulatory powers over the media should be protected against interference, particularly of a political or economic nature, including by an appointments process for members which is transparent, allows for public input and is not controlled by any particular political party.

The reasons for this are pretty obvious. If the regulator is subject to political control or interference, its licensing and other decisions will serve the government of the day, rather than the wider public interest. As such, freedom of expression will be undermined.

Regulatory system works to ensure media pluralism and freedom of expression and information

The issue of accountability of broadcast regulators arises in the context of regulators which operate at arms-length

from government (i.e. which are independent). Since GAFI is directly part of government, and is thereby at least in theory accountable to the public in this way, the issue does not really arise.

As noted above, there is no statutory regime for the processing of licences. According to some interviewees, the process of applying for a licence was a matter of negotiating with the GAFI and of convincing them that the broadcaster would not threaten the government's interests.

C. DEFAMATION LAWS AND OTHER LEGAL RESTRICTIONS ON JOURNALISTS

The state does not place unwarranted legal restrictions on the media

The system for registering/licensing journalists in Egypt is complex. Formally, according to Article 65 of the Journalist Syndicate Law, an individual needs to be a member of the Syndicate to practise as a journalist. That article states:

Regular individuals may not engage in professional practices or perform press-related functions unless they are registered in the Syndicate rosters and upon an approval by the Arab Socialist Union.

Article 103 of the same law prohibits owners from hiring journalists who are not members of the Syndicate. According to Article 115, breach of these articles may result in a prison sentence for up to one year and/or a fine of up to 300 Egyptian pounds (approximately USD50).

This is implicitly supported by the Press Law, which suggests a close link between journalists and the Syndicate in many places. For example, Article 17 provides that the employment contract of a journalist may not be terminated without notifying the Syndicate. This suggests that one may only be a journalist if one is also a member of the Syndicate. On the other hand, Article 54 of the Press Law specifically provides that the editor-in-chief and editors of newspapers must be registered as employed journalists with the Syndicate, which might suggest that other journalists did not need to have this status. The Penal Code also establishes the crime of impersonating a journalist and we were informed that there have been prosecutions under the relevant Penal Code provisions.

²¹ See: <http://www.gafinet.org/English/Pages/FreeZones.aspx>.

In practice, one may carry on the profession of a journalist in Egypt without being registered as a member of the Syndicate. Indeed, it was suggested to us that of the approximately 14,000 media workers, only 5,500 are members of the Syndicate. It may well be that these apparently inconsistent rules were all part of the complex system of control operated by the Egyptian authorities, whereby non-members of the Syndicate were always in a vulnerable position.

Regardless of the above, membership in the Syndicate effectively, and through operation of the law, creates a two-tier status within the profession of journalism. Thus, the Journalist Syndicate Law and the Press Law, taken together, afford members significant benefits, including in relation to:

- Disciplinary actions and prosecutions: see, for example, Article 43 of the Press Law, which allows the Chair of the Syndicate to attend investigations against journalists and obtain copies of such investigations free of charge, and Article 68 of the Journalist Syndicate Law, which requires permission from the public prosecutor before an investigation may be launched regarding a journalist.
- Employment agreements: see, for example, Articles 15 and 17 of the Press Law, which give the Syndicate the right to conclude employment agreements on behalf of their members and require media outlets to contact the Syndicate before terminating an employment contract with a member. Article 104 of the Journalist Syndicate Law requires contracts to be drawn up with members, and Article 113 requires employers to report to the Syndicate all of the terms of the contracts they conclude with journalists.
- Pensions: Articles 89-102 of the Journalist Syndicate Law provide for the setting up of a pension scheme for members which is funded, among other things, by a percentage of newspaper advertising revenues (we were informed that the rate is one per cent).
- Other employment benefits: Article 106 of the Journalist Syndicate Law sets out rules for vacations, Article 107 addresses sick leave, Article 108 provides for notice upon termination of a contract, and Article 110 deals with severance pay.

As a result, the rules on membership in the Journalist Syndicate at least establish a two-tier structure for the journalism profession. Under international law, it is not legitimate for this to be done through legislation.

Individuals might, privately, try to establish a more elite journalists' association, but this is a very different matter.

The Journalist Syndicate Law establishes four types of membership: employed journalists, unemployed journalists, affiliated journalists and apprentice journalists (Article 4). Article 5 sets out the conditions for membership, which include acting as a professional, not owning or holding shares in newspapers, holding a university degree, being of good repute, not having been convicted of a 'dishonourable or notorious criminal act' and not having had one's membership revoked for reasons "compromising their integrity". Article 6 appears to exclude freelance journalists from being registered as employed journalists. Individuals may, pursuant to Article 12 and at the discretion of the Registration Committee, be registered as affiliate members notwithstanding the fact that they do not meet all of the conditions of Article 5.

We were informed that, in practice, it is difficult to gain membership of the Syndicate even for individuals who meet the conditions, while there are reportedly a number of individuals who are members who are not 'journalists' according to the definition. The names of applicants must be provided to the "Arab Socialist Union" and the "Ministry of National Guidance",²² which may provide "input and insight" into the application (Article 13). These bodies shall also be provided with a copy of the list of members (Articles 4 and 16).

Members may be excluded on various grounds, including non-fulfilment of any of the conditions of membership (Article 18), non-payment of fees (Article 23) and pursuant to a disciplinary action for breach of the law, the statutes of the Syndicate or the professional code of ethics (Article 76). We were informed, however, that journalists have rarely, if ever, been expelled. Members may also be moved to the unemployed journalists roster, including at the request of the Arab Socialist Union or Ministry of National Guidance (Article 20).

These rules are in clear breach of international guarantees of freedom of expression, as well as of association, which prohibit conditions being placed on who may work as a journalists mandatory membership in a particular association or measure which effectively ban individuals from working as journalists. This problem is significantly exacerbated by the involvement of government actors in the process of applying for membership.

²² It is not clear which bodies in modern Egypt are currently deemed to represent these bodies.

The problem is further exacerbated by the fact that the Syndicate is, at least formally, subject to extensive government control, which extends to all of its organs. Pursuant to Article 36, candidates for the position of "Captain Journalist" (the head of the Syndicate) or membership of the Board must be "active members of the Arab Socialist Union". The outcome of elections to these posts, as well as decisions of the General Assembly, must be communicated to the Arab Socialist Union and Minister of National Guidance (Article 42).

The Minister of National Guidance may appeal against the membership of the Syndicate Board and General Assembly (Article 62). Where the Minister of National Guidance is of the view that the Board has failed to pursue its stipulated goals, objectives and responsibilities, or breached procedural rules, he or she may petition the President to issue a decree dissolving the Board, and replacing it with one largely under his or her control (Article 64).

Representatives of the Ministry of National Guidance sit on the investigation and disciplinary committees (Articles 80 and 81). The committee that reviews complaints regarding employment issues includes numerous government and official representatives (Article 113).

It is well established that any bodies which exercise regulatory powers over the media must be independent of government. The rules which establish the Journalist Syndicate signally fail to meet this standard.

Defamation laws impose the narrowest restrictions necessary to protect the reputation of individuals

Defamation is a criminal offence in Egypt and there are a number of provisions in the Penal Code relating to this. Thus, Article 179 makes it a crime to insult the President, Article 184 does the same in relation to the Majlis al-Shaab (People's Assembly), the army, the courts or any other public authority, Article 186 protects the judiciary against criticism and Article 185 does the same in relation to public officials. The latter is mitigated somewhat by Article 302, which provides that it is not a crime to criticise the work of an official relating to their duties, if this is done in good faith. Furthermore, Law 147 of Year 2006 removed the possibility of imprisonment for breach of Article 185.

In practice, these rules appear to be applied sparingly and we were informed of only a few defamation cases against the media. We were, however, informed of at

least one case involving fines and a prison sentence. Furthermore, under international law, defamation should not be criminal in nature, but should be dealt with as a civil matter.

Furthermore, international law establishes a number of limitations on civil defamation laws. There should, for example, be adequate defences against a charge of defamation, including that the statement was true, that it was an opinion or that it relates to a matter of public interest and was made with reasonable care. Under international law, contrary to the situation in Egypt, officials are required to tolerate a higher degree of criticism than ordinary citizens, among other things because such criticism is central to democracy.

The Press Law provides for the rights of correction and reply. Article 24 requires editors to publish a correction upon request, presumably only where the information which was published was incorrect, although this is not stipulated. Article 25 provides for a right of reply. Requests for corrections or replies may be rejected when they are made after 30 days, where the newspaper has already corrected the material or where the correction may involve a criminal act or contravene public order (Article 26). A failure to publish a correction may be reported to the Supreme Press Council and may be punished by a mandatory term of imprisonment of three years or a fine of between LE 1,000 and 4,000 (approximately USD 170-675) (Article 28).

These rules do not meet international standards. They are not subject to the necessary limitations in terms of scope; indeed their scope is simply not defined in the law. This allows anyone who has been identified in a media report to claim this right, whereas under international law it is only where a report breaches your legal rights that a reply may be claimed. The rules are unduly limited in terms of the grounds for rejecting a reply, which should also include excessive length and going beyond the subject matter of the original article. And they impose significantly disproportionate sanctions, including imprisonment. As with defamation, any remedy for a failure to respect the rights of correction and reply should be civil in nature.

Other restrictions upon freedom of expression, whether based on national security, hate speech, privacy, contempt of court laws and obscenity should be clear and narrowly defined in law and justifiable as necessary in a democratic society, in accordance with international law

We were unable, as part of this Interim Assessment, to conduct a comprehensive review of the reportedly many rules in various Egyptian laws which criminalise or prohibit different sorts of expression. Many interviewees made it quite clear that discussion about matters of national security was not tolerated under the previous regime, either in practice or in law. It is not clear whether or how far this particular 'red line' has moved since the revolution, and some bloggers have already been charged for criticising the military.²³

The Penal Code imposes a number of restrictions on content, including Article 174, which prohibits advocating changes to the constitution, Articles 188 and 305, prohibiting the publication of false news, and Articles 189 and 190, limiting publication of information about ongoing court cases.²⁴

There are also criminal restrictions on content in the Press Law. Pursuant to Article 20, journalists shall not publish information which is disrespectful of the cast, creed, nationality or religion of any individual, or which demonstrates racial bias. Article 21 prohibits interfering in the private life of citizens, or addressing the demeanour of a public servant unless this is closely related to their public duties and is in the public interest. Breach of these rules may, pursuant to Article 22, lead to a term of imprisonment of up to one year and/or a fine of between 5,000 and 10,000 Egyptian pounds (approximately USD840-1,680).

These limitations, which are only a few of the content restrictions found in Egyptian law, are problematical. Some prohibitions, such as on advocating changes to the constitution or publishing false news, are simply not legitimate at all, as these are protected forms of speech under international law.

Pursuant to the emergency law, in many cases crimes against the media and others may be pursued in military courts. This has the effect of depriving defendants of many of their due process rights, contrary to international law, as well as the openness that should attend criminal trials.

D. CENSORSHIP

The media is not subject to prior censorship as a matter of both law and practice

As noted above, the Constitution formally prohibits prior censorship, although the exact scope of this remains unclear and, in particular, whether it applies only to administrative measures which constitute censorship or all forms of censorship. This lack of clarity is compounded by Article 5 of the Press Law, which states:

No confiscation, suspension, and/ or termination of a newspaper, using the administrative proceedings, may be permitted.

In practice, actual forced closure of newspapers is rare.

Pursuant to the Press Law, no one may publish a newspaper without first obtaining a license from the Supreme Press Council. Pursuant to Article 46, an application to this effect must include a range of information, including the name, language, periodicity, business sector and editorial structure of the publication, the nationality and place of residence of the proprietor, the budget structure and sources of funding, the name of the editor-in-chief and the address of the printing house that will print the publication.

The Supreme Press Council shall, pursuant to Article 47, decide on an application within 40 days and, in the event that the application is refused, it shall provide justified reasons to the applicant. In case of a refusal, the applicant may appeal to the Court of Administrative Adjudication.

The law does not stipulate what would constitute a justified reason to refuse to issue a licence. Article 49 makes it clear that it is a "special privilege" to receive a licence to publish a newspaper, and Article 50 prohibits anyone who is prohibited by law from exercising their political rights from owning or publishing a newspaper.

Although this is not explicitly set out in the law, we were informed by several interviewees that applications to establish a newspaper were, in the past, vetted by the security forces.

²³ See, for example: <http://www.itnewsafrika.com/2011/04/egypt-arrests-blogger-critical-of-military/>.

²⁴ See The Arabic Network for Human Rights Information (ANHRI), Freedom of Opinion & Expression in Egypt: Annual Report 2007. Available at: <http://old.openarab.net/en/node/277>.

Shortly after the revolution, the government announced that this practice would be stopped. We were also informed that in the past it was extremely difficult to obtain a licence to publish a newspaper and that even when licences were issued, this took an extremely long time.

The Press Law also imposes stringent conditions on the structure and establishment of newspapers. Privately owned newspapers must take the form of co-operatives owned exclusively by Egyptians, with no one person owning more than ten per cent of the overall capital. Newspapers must, prior to publication, deposit in full in an Egyptian bank a sum of "paid-in or contributed capital". This is a substantial sum of money, at least one million Egyptian pounds for a daily (approximately USD168,000) and smaller sums for weeklies and monthlies (Article 52).

These rules are in clear breach of international standards regarding the right to freedom of expression. Licensing of newspapers, unlike broadcasters, is not a justifiable restriction on freedom of expression. International law even regards registration requirements for newspapers with suspicion and will approve them only if they are technical in nature, do not allow for any discretion to refuse registration and do not impose substantive burdens on newspapers. Essentially, a prospective newspaper publisher should just be able to inform the authorities about his or her intentions and then start publication.

The constraints on the structure and ownership of newspapers are also not legitimate. Absolute prohibitions on foreign involvement in newspapers cannot be justified by reference to any legitimate national interest. While there is an interest in preventing excessive concentration of newspaper ownership, imposing a ten per cent limit on ownership in any particular newspaper is not necessary to achieve this goal. Finally, the capital deposit requirements also cannot be justified. They are not imposed in democracies and they are not necessary to protect the public, as widespread experience in other countries demonstrates.

These problems are, once again, significantly exacerbated by the fact that the Supreme Press Council, which oversees the licensing process, is not independent. The chair is the Speaker of the Shura Council and many of the other members are appointed by the Shura Council (Article 68). As noted above, the Supreme Press Council has effectively been disbanded following the revolution

(and neither the Shura Council nor the People's Assembly have been in session since that time).

Most, if not all, major private newspapers are printed by printing presses owned by the State-owned newspapers, and they also rely on the latter's distribution services. The large operations in these areas of the State-owned newspapers means that they have been able to offer these services at a competitive price. In general, this has not been a problem although reportedly in the past there have been some instances of interference. For example, we were told that on occasion the headlines of El Dostour newspaper were changed. We were also informed of some cases of delay and problems with the quality of the printing.

The state does not seek to block or filter Internet content deemed sensitive or detrimental

In general, prior to the revolution, there had only been a few cases of blocking of Internet sites, mostly during elections. For example, a Facebook page relating to someone who had been tortured was taken down, and an administrative court banned a site carrying sexually explicit material, although this was apparently never implemented. During the 2010 elections, some sites of the Muslim Brotherhood were apparently blocked for a few days and one Twitter account was obstructed.

The shutdown, by the Egyptian authorities, of both the Internet and mobile phone services during the revolution is now legendary. According to the information we received, as early as 25 or 26 January, three social websites - namely Facebook, Twitter and Bamboozle - were largely shut down in Egypt. On 28 January, all but one of the six main ISPs in the country were shut down, with the smallest provider, Noor, which apparently services some of the main financial institutions, kept open. On 31 January, Noor was also closed down, along with the three mobile phone services. On 2 February, all of these services were returned.

It is clear that these measures were a breach of the right to freedom of expression as protected under international law. They represent a completely untargeted response to the (almost entirely legal) activities that were taking place in the country, and deprived all Egyptians of a key communications platform.

Furthermore, as is well known, these measures were ineffective. They did not stop either the successful organisation of the protests or the feeding of information and images from them to the outside world. This was due in part to innovative measures on the part of various parties, and in part to the existence of alternative means of transmission of data, such as satellite phones and direct satellite Internet connections.

There is some debate in the country about whether the possibility of a total shutdown of the Internet is legitimate, with some asserting that Egypt is required by the ITU to preserve this possibility. A recent Joint Declaration by the four special mandates on freedom of expression at the UN, OSCE, OAS and OSCE stated:

Cutting off access to the Internet, or parts of the Internet, for whole populations or segments of the public (shutting down the Internet) can never be justified, including on public order or national security grounds. The same applies to slow-downs imposed on the Internet or parts of the Internet.²⁵

These measures by the government were possible in part because ISPs and mobile phone providers are required to register with the NTRA. It is not necessarily inappropriate to require top-level providers to register. But we were informed that the Telecommunications Law prohibits any form of non-licensed telecommunications service, due to its extremely wide definition of such a service, as follows: "Providing or operating telecommunication through whatsoever mean" (Article 1(4)). This apparently covers services based on voice over Internet protocols (VOIP), such as skype, and even the running of any local wifi operation (such as are extremely common in homes and businesses everywhere). Reportedly, skype applications are blocked on at least some Internet-enabled phones in the country (such as 3G phones).

Recommendations

- The government should make a commitment to engage in widespread consultation with interested stakeholders before adopting or amending any law which relates to freedom of expression or of the media.
- The new Egyptian constitution should include strong guarantees for freedom of expression which protect the right to seek, receive and impart information and ideas of all kinds, and regardless of frontiers. Restrictions on this right should be permitted only where they are provided by law and are necessary to protect a limited set of interests listed in the constitution.
- The constitution should place strict limits on the ability of the government to declare a state of emergency of both a substantive and procedural nature.
- Consideration should be given to including in the constitution guarantees of the right to information, to protect confidential sources, of the independence of media regulators and to reserve frequencies for community broadcasters, as well as prohibitions on censorship of the media and on licensing newspapers or journalists.
- The constitution should place strict limits on the declaration of emergencies and on the restriction of rights during emergencies.
- The state of emergency should be lifted immediately or at least limited to what is strictly required by the situation.
- Egypt should ratify the (first) Optional Protocol to the ICCPR.
- A right to information law, in line with international standards, should be adopted.
- The various laws providing for secrecy should be reviewed and repealed or amended to bring them into line with the standards of the right to information law.

²⁵ Joint Declaration of 1 June 2011. Available at: <http://www.law-democracy.org/?p=842>.

- The government should make a commitment to respect editorial independence and should put an immediate end to practices which interfere with this independence.
- The law should provide for a strong right to protect confidential sources, which may be limited only in light of overriding interests, in line with international standards.
- A law providing for the licensing of private terrestrial broadcasters should be adopted and this process should be overseen by an independent regulatory body, which is accountable to the people through parliament, instead of GAFI.
- A consultation should be held with interested stakeholders to determine the future of the Journalist Syndicate, with a view to bringing the system into line with international standards. At a minimum, the special status afforded to members of the Syndicate should be done away with, along with any prohibition on individuals who are not members from working as journalists, any conditions on who may be considered to be a journalist, and any limitations on media workers from forming their own unions and associations. If the Syndicate is maintained as a statutory body, it should be fully protected against political interference.
- If a percentage of the advertising revenues from newspapers continues to be allocated to journalists, this should be distributed through an independent body, based on objective criteria to all journalists.
- The criminal defamation rules should be repealed and replaced by a set of civil rules that are in line with international standards in this area.
- The rules on the rights of correction and reply should be amended so as to limit the cases in which these rights may be claimed, to build in other protections for media outlets and to provide for civil sanctions for breach of these rights.
- The rules limiting the content of what may be published or broadcast, found in various different laws, should be reviewed and repealed or amended as necessary to bring them into line with international standards.
- The practice of using military tribunals to hear cases relating to crimes of publication should be stopped immediately.
- The Supreme Press Council should be abolished along with the system for licensing newspapers. If any system for registering newspapers is adopted, it should be purely technical in nature, and it should not allow for any discretion to refuse registration. Newspapers should not be required to provide start-up capital prior to commencing publication.
- The government should make a commitment never again to shut down the Internet or mobile phone services.
- The Telecommunications Law should be reviewed and the requirement to obtain a licence for offering telecommunications services should be limited to those larger players for which regulation is necessary to achieve public policy goals.

Plurality and diversity of media, a level economic playing field and transparency of ownership

A. MEDIA CONCENTRATION

State takes positive measures to promote pluralist media

There are no specific rules on concentration of media ownership in Egypt either within a sector or between sectors. Indeed, we were informed that there are no anti-monopoly laws at all in Egypt. As noted above, the Press Law does strictly limit concentration of ownership in the print media sector (see Article 52). It is, however, unclear whether these rules are enforced in practice, as at least some major print media titles appear to be owned, or at least controlled, by individual businessmen. It is not clear whether or not GAFI takes ownership issues into account when issuing licences to private satellite broadcasters, but in practice the main stations are all owned by different players.

Media ownership thus remains quite diverse at the moment, although some vertically integrated ownership structures are beginning to emerge, for example in the form of ownership of television, print media and online media. It may be noted that it is much easier to put in place rules limiting concentration of media ownership before concentrations start to emerge.

Newspapers have to disclose their ownership structures to the Supreme Press Council when applying for a licence, and inform the Council of any changes to this (Articles 46 and 51 of the Press Law). Similar rules presumably apply to broadcasters in relation to GAFI. This information is not made public; the purpose is to ensure separation between the editor and journalists, on the one hand, and the owners, on the other (we were informed that journalists may not own shares of newspapers). However, pursuant to Article 33 of the Press Law, newspapers must publish their budgets within the first six months and at the end of the fiscal year. It is not clear whether this rule is observed in practice.

State ensures compliance with measures to promote pluralist media

As noted above, there are no formal measures to ensure diversity of media ownership. It would appear that this is not an issue that actors in Egypt - whether official or civil society - have engaged around much. As noted, it is important to address this before concentrations start to emerge as it is normally extremely difficult and controversial to try to deconstruct concentrated media empires once they are in place.

B. A DIVERSE MIX OF PUBLIC, PRIVATE AND COMMUNITY MEDIA

State actively promotes a diverse mix of public, private and community media

We were informed that there is a significant bias towards the State media, both print and broadcast, in terms of providing access to government information. In return, these media largely, albeit to varying degrees,²⁶ act as mouthpieces of government.

ERTU appears to have ready access to digital frequencies and we were informed that it is already broadcasting a number of channels in digital format.

Significant start-up costs are imposed on print media, as detailed under "D. CENSORSHIP - The media is not subject to prior censorship as a matter of both law and practice".

²⁶ We were informed, for example, that the State English language weekly newspaper is relatively more independent than the Arabic language newspapers. This may perhaps be due to the fact that it is mostly read by foreigners and local intellectuals, who can already be expected to have access to a diverse range of news sources.

Independent and transparent regulatory system

The whole system of regulation of the media in Egypt is geared towards ensuing government control, with the result that it actively discourages media diversity. As noted above, there are no private terrestrial broadcasters, and hence no community broadcasters. There is, as a result, absolutely no equitable access to the frequency spectrum.

This is clearly contrary to both international standards and the practice of other States. Thus, the four special international mechanisms to promote freedom of expression at the UN, OSCE, OAS and African Commission stated in a Joint Declaration on Diversity in Broadcasting on 12 December 2007:

Different types of broadcasters - commercial, public service and community - should be able to operate on, and have equitable access to, all available distribution platforms. Specific measures to promote diversity may include reservation of adequate frequencies for different types of broadcasters.

In democracies in practice, licences and frequency spectrum are allocated to all three types of broadcasters. In some countries, for example in Europe, there were historically only public broadcasters but these State monopolies were mostly done away with many decades ago. In a case decided in 1993, the European Court of Human Rights comprehensively rejected Austria's argument that a State broadcasting monopoly was the best way to promote diversity, stating:

Of all the means of ensuring that [pluralism is] respected, a public monopoly is the one which imposes the greatest restrictions on the freedom of expression, namely the total impossibility of broadcasting otherwise than through a national station ... It cannot be argued that there are no equivalent less restrictive solutions; it is sufficient by way of example to cite the practice of certain countries which either issue licences subject to specified conditions of variable content or make provision for forms of private participation in the activities of the national corporation.²⁷

There are also major constraints on setting up newspapers, which again limits diversity in this sector. The capital deposit requirements, for example, essentially mean that only wealthy businessmen can set up newspapers.

The processes for licensing both newspapers, overseen by the Supreme Press Council, and private satellite broadcasters, overseen by GAFI, are conducted in secret and without any opportunity for public participation. As noted above, both the Council and GAFI lack structural guarantees of independence and in practice both very much operate to serve the government's interests rather than the wider public interest.

State and CSOs actively promote development of community media

There are no community media, properly speaking, in Egypt. As noted above, international standards require States to allocate frequencies to all kinds of broadcasters, including community broadcasters. These broadcasters make a very significant contribution to diversity, including by providing local communities with a unique vehicle for both accessing information and being able to give voice to their views and concerns. The Joint Declaration by the special international mechanisms on freedom of expression noted above specifically recognised the importance of community broadcasting, stating:

Community broadcasting should be explicitly recognised in law as a distinct form of broadcasting, should benefit from fair and simple licensing procedures, should not have to meet stringent technological or other licence criteria, should benefit from concessionary licence fees and should have access to advertising.

C. LICENSING AND SPECTRUM ALLOCATION

State plan for spectrum allocation ensures optimal use for the public interest

There is a State plan for the allocation of the frequency spectrum that is available online²⁸ and which meets ITU requirements. The plan was drafted by the National Frequency Management Commission, which is composed of representatives of NTRA, the Ministry of Telecommunications, the armed forces, the presidency and three independent experts. The plan was last updated in 2008 and is due to be updated again in 2012.

There was no public consultation or involvement in the development of this plan, apart from the involvement of the three independent experts. In terms of broadcasting, the plan allocates blocks of frequencies for broadcasting uses (such as the FM radio spectrum) but it does not indicate sub-allocations to different types of broadcasters within those blocks.

As a result of the lack of sub-allocations, the plan does not realise its full potential in terms of serving as a tool for equitable allocation of frequencies and for promoting diversity in broadcasting.

²⁷ Informationsverein Lentia v. Austria, 24 November 1993, Application Nos. 13914/88, 15041/89, 15717/89, 15779/89, 17207/90, para. 39.

²⁸ At: <http://www.tra.gov.eg/EgyAllocChart.pdf>.

In some countries, for example, parts of the broadcasting spectrum are reserved for community broadcasters, or to promote other public interests, such as local broadcasting.

State plan for spectrum allocation promotes diversity of ownership and content

As noted above, only the State broadcaster has access to terrestrial broadcasting frequencies, which is clearly not an equitable allocation of frequencies among different types of broadcasters.

It is not clear whether any frequencies apart from satellite frequencies have been reserved for private broadcasting uses. Some interviewees suggested that issuing licences for private broadcasters would involve technical, as well as political, challenges. The ERTU has apparently claimed that there are no frequencies available for private broadcasters,²⁹ but this would appear to be a suspect claim. It does not seem to be technically possible that the ERTU is, for example, using all of the FM radio spectrum, which is centrally allocated by the ITU for this sort of broadcasting use. If it is, then it probably needs to either surrender some of these frequencies for private radio uses or upgrade its equipment to allow for more stations within the same band.

We were informed that there is a plan for the transition from analogue to digital broadcasting, but it is unclear whether the plan has been fully developed. No one in civil society seemed to be aware of the plan, which has not been published. It is, therefore, unclear whether the so-called digital dividend has been planned for and, if so, what uses it will be allocated to. International standards suggest that at least some of the digital dividend should be allocated back to broadcasting uses.³⁰

Independent and transparent regulatory system

As noted above, the processes for allocating newspaper and broadcasting licences are neither independent nor transparent. Rather, they are designed to allow for strict government control over who has access to these licences. The criteria for assessing applications are not set out in law and it is unclear how decisions are made or on what basis. It is unclear whether the regulator, NTRA, monitors frequency usage, but since only ERTU has access to terrestrial broadcasting frequencies, it could resolve any issues or conflicts relating to usage internally.

In democracies, licensing processes for the allocation of broadcasting licences are set out in primary legislation and often elaborated upon in secondary legislation. Regardless of the division between these two, the rules, including the criteria for deciding between competing licence applications, are very clear. For more significant licences - such as television licences - the public are given an opportunity to comment on the applications. This ensures that the process is both fair and participatory.

D. TAXATION AND BUSINESS REGULATION

State uses taxation and business regulation to encourage media development in a non-discriminatory manner

There are no preferential taxation or other fee rules for the print media, which operate in the same manner in this regard as ordinary companies. Some, for example those with international licences, operate from the Free Zones and are thus able to take advantage of the tax benefits these offer, but this does not apply to the main newspapers. Pursuant to Article 30 of the Press Law, newspapers may not receive any contributions or donations from foreign entities.

The private satellite broadcasters, however, are registered in the Free Zones of Egypt. As a result, they do not pay tax on imported goods, although they do have to pay fees on revenues. This is certainly a significant benefit for these services. But it was not put in place with a view to promoting media development. Rather, it was simply part and parcel of a wider effort to promote economic development.

²⁹ See Anne Cooper-Chen, *Global entertainment media: content, audiences, issues* (2005: New Jersey, Lawrence Erlbaum Associates), p. 88. Available at: <http://books.google.com/books?id=gb8Bkmq5254C&lpg=PA88&ots=KVh1ZYngdN&dq=ertu%20law%2013%201979&pg=PA88#v=onepage&q=ertu%20law%2013%201979&f=false>.

³⁰ See, for example, the 12 December 2007 Joint Declaration by the special international mechanisms for promoting freedom of expression.

E. ADVERTISING

State does not discriminate through advertising policy

There is no formal code or policy governing the allocation of the very substantial State advertising budget. We are not aware of any studies or surveys that have measured the way in which this advertising is allocated. However, informal estimates suggest that around 80 per cent of these resources are allocated to the State media, with the remaining 20 per cent going to private media. Some interviewees suggested that at least some private media do not get any government advertising.

This would not appear to be justified, based on objective considerations such as audience share. Furthermore, anecdotal evidence suggests that where the government wants to reach out to the wider public, for example in its tax campaigns or taxi/truck renewal campaign, it directs its advertising effort more towards the non-State media, on the basis that these reach a wider percentage of the public. This supports the claim that the irregular allocation of advertising, which goes disproportionately

to the State media, is not based on proper considerations (i.e. reaching the desired population with the message contained in the advertisement).

Effective regulation governing advertising in the media

There are no formal limits on the amount of advertising that may be carried in the media and at least some media outlets in both the print and television sectors carry very substantial proportions of advertisements. There are also no established codes of conduct regarding advertising, although we were informed that some media outlets do have internal guidelines on this.

Article 31 of the Press Law does provide, very generally, that advertisements in newspapers may not contradict the shared values, ethics and ideas of society, or the "mission statement, goals and objectives of journalism", whatever these vague terms may be deemed to mean. Furthermore, editorial content and news must be clearly separated from advertising. Pursuant to Article 30 of the same law, newspapers may not overcharge for advertising.

Recommendations

- Rules should be put in place which limit concentration of media ownership both within and between media sectors, before such concentrations start to be a problem in Egypt. These rules should be accompanied by requirements of transparency in relation to the ownership of media outlets.
- The government should adopt and implement policies to ensure that it provides information on an equal basis to all media.
- A comprehensive system for licensing private terrestrial broadcasters should be put in place, overseen by an independent body, as recommended in the previous section. A key aim of the system should be to promote diversity in the broadcasting sector. To this end, the system should include specific rules on the licensing of community broadcasters, which involve simple application processes and are either free or very low cost. All licensing processes should be based on clear criteria and rules set out in advance, and should be open and allow for public participation.
- The updating of the radio frequency spectrum plan should be an open, consultative process, allowing for input by civil society and other interested stakeholders. The plan which emerges from this process should include indicative sub-allocations of frequency blocks (such as the FM spectrum) among different types of broadcasters. These sub-allocations should support the goal of promoting diversity in broadcasting. The system should be carefully designed to work in tandem with the licensing system described above.
- A plan for the transition from analogue to digital television broadcasting should be developed in an open and participatory manner, which is closely linked to the planning process described above. The plan should ensure that a reasonable proportion of the digital dividend is returned to broadcasting uses.
- Consideration should be given to removing the prohibition on newspapers receiving foreign support, or at least to making it less absolute.
- A system should be put in place to ensure that the allocation of State advertising is done according to objective criteria, such as market considerations, and in a manner that it is protected against political interference.
- The media should be encouraged to put in place a self-regulatory system regarding advertising, which includes overall limits on the amount of advertising that may be carried, in both the print and broadcasting sectors, as well as rules on the nature and content of that advertising.

3

PLATFORM FOR DEMOCRATIC DISCOURSE

Media as a platform for democratic discourse

A. MEDIA REFLECTS DIVERSITY OF SOCIETY

The media - public, private and community-based - serve the needs of all groups in society

Arabic is the overwhelmingly dominant language in Egypt, although there are also pockets of Nubian and Berber speakers. The media is also largely in Arabic, although there is some English and French language media output.

There are no community broadcasters in Egypt. In terms of terrestrial television, ERTU operates two national stations - Channels 1 and 2 - along with six regional stations which cover different parts of the country. These regional stations do focus more on local news and events, however the relatively large size of the sectors they cover means that their coverage is not very local in nature.

It was agreed by all interviewees that the State media have, at least in the past, demonstrated a strong bias towards the government in their coverage, although the extent of that bias varied among these media. It was also widely agreed that the extent of that bias has diminished since the revolution, although different views were expressed as to how far this was the case. The head of news at ERTU was changed after the revolution, but most of the personnel remain the same. Experience in other countries that have promoted a transformation of State media into public service media suggests that this is not an easy task and that it is likely to take quite some time.

The State media also fail to provide local media coverage in Egypt. Apart from the six main regional television stations, ERTU does not operate local media. The State newspapers also do not publish local versions, although there is some adaptation of content for the very big cities (such as Alexandria; this is also the case for some

private newspapers). Generally, we were informed by several interviewees that local media are underdeveloped in Egypt.

Media organisations reflect social diversity through their employment practices

A lot of the journalists in Egypt are women, perhaps an overall majority (we were informed that some 90 per cent of mass communications students were women). It was reported to us that women are also reasonably represented at senior levels. We were unable to verify this objectively, although we were informed that there was only one woman among eleven members of the Journalist Syndicate. However, most interviewees agreed that women are not well represented in terms of decision-making. Some interviewees also suggested that Christians are not well represented in the media but, again, we were not able to verify this.

B. PUBLIC SERVICE BROADCASTING MODEL

The goals of public service broadcasting are legally defined and guaranteed

In Egypt, the public media comprises both broadcasters and print media outlets. The main State newspapers started out as private newspapers, but were nationalised in 1960. Pursuant to Articles 55 and 56 of the Press Law, the so-called 'national newspapers' (i.e. the ones owned by the State), are "free-standing and autonomous" and they are required to provide "a free national platform for all political voices and trends and key actors". The law does not otherwise, however, set out a mandate for public print media.

Despite the formal guarantee of autonomy for public print media, in practice their editorial independence is not guaranteed and everyone we discussed this with,

including interviewees who were working or had worked for these outlets, agreed that they were not impartial in their reporting. Some interviewees suggested that the journalists and other employees at these organisations effectively have the attitude of civil servants, and have lost their sense of being professional, independent journalists.

These organisations also lack guarantees of structural independence. Pursuant to Article 65 of the Press Law, the editorial board of these newspapers is chaired by the editor-in-chief, who is appointed by the Shura Council, while the other members are appointed by the board of directors (see below).

The national newspapers are funded primarily through advertising, and at least some, such as Al-Ahram, appear to have been quite well endowed until recently. However, we were informed by some interviewees that a lucrative source of funding for these newspapers was the paying of what essentially amounted to tributes to the government, and especially the President, through the placement of various congratulatory advertisements in the national newspapers. This source of funding has now dried up.

Article 2 of the Egyptian Radio and Television Union (ERTU) Law sets out a number of purposes for ERTU as a whole. These include delivering broadcasting services in an effective and efficient manner, for the benefit of the nation, consistently with the values of Egyptian society and the Constitution. ERTU is specifically given a wide range of tasks, including promoting general social values (unity, peace, human rights, the rule of law, etc.) and knowledge, developing broadcasting, presenting current trends in public opinion, covering the legislatures, expanding its coverage, fostering creative Egyptian talent, providing news coverage, and improving technical standards in broadcasting. No specific mandate is provided for the various stations operating under ERTU.

There is no mention of independence in the ERTU Law, except with respect to the budget, which shall be independent, “as decreed and mandated by the President” (Article 18 of the ERTU Law). In practice, most interviewees agreed that the broadcasters under ETRU were, on average, even less independent in their coverage than the national newspapers, especially the television outlets.

The budget of ERTU is decreed by the President, upon presentation of a budget by the Board (Articles 16 and 18). According to the law, ERTU may raise funds from

statutory fees, business activities, government budget allocations, grants, and revenue generated by the companies it owns (Article 20). In practice, we were informed that funding for ERTU comes largely from the State budget, although ERTU stations do lease out some broadcasting time. Furthermore, ERTU has some significant business interests, including major shares in NileSat, which presumably generate some revenues. ERTU’s funding must cover the salaries of ERTU’s 43,000 employees, of whom only eight per cent are media professionals, as well as all of its other costs. There are no formal mechanisms to protect ERTU from interference through government control over its funding.

As is clear from the structure of ERTU (see below), it is accountable to the government rather than to the people. Formally, an annual report was provided, through the Minister of Information, to the People’s Assembly and the ERTU also provided quarterly reports to the Prime Minister. There are also systems to ensure financial accountability.³¹

The operations of public service broadcasters do not experience discrimination in any field

ERTU is a major shareholder in NileSat and so its broadcasters have ready access to satellite forms of distribution. There is no negative discrimination against the State broadcaster in terms of carriage, although we did hear some allegations of discrimination against private broadcasters.

Independent and transparent system of governance

The Press Law sets out the governance structure for the national newspapers. For each of these, the key body is the board, which appoints members of the editorial board and sets the overall policy framework for the organisation. The board chair is selected by the Shura Council, which also comprises six employees (two each elected from among journalists, administrators and labourers), and six others appointed by the Shura Council, of whom at least four must ‘belong to’ the newspaper (Article 64 of the Press Law).

There is also a general assembly for each newspaper, headed by the chair of the board and including 15 members elected from among journalists, administrators and labourers, along with 20 members selected by the Shura Council (Article 62 of the Press Law).

³¹ See, for example, Articles 21-22 of the ERTU Law regarding auditing of the accounts.

For its part, pursuant to Article 196 of the 1971 Constitution, the Shura Council had two-thirds of its members elected and one-third appointed (this is set to continue under Article 35 of the Constitutional Declaration). It is widely accepted that the old Shura Council was not an independent body.

It is clear that in both law and in practice the national newspapers were not independence bodies in the past. Options for these newspapers include transforming them into public service media, along the lines of public service broadcasters, or perhaps undertaking some form of privatisation programme. Either could, if done properly, meet international standards. It is not appropriate, however, to keep these newspapers under government control.

According to the ERTU Law, the ERTU governance structure comprises a General Assembly, Board of Trustees, and Board of Managing Directors or sector board (Article 4). According to the law, the General Assembly is chaired by the Minister of Information and also includes around 12 other ministers, the members of the Board of Trustees, representatives of various other official bodies (the Supreme Council for Youth and Sports and Al-Azhar), and other experts appointed by the Minister of Information (Article 28). This body approves the annual reports and financial reports, draft budgets and actual budgets, and other financial documents of ERTU (Article 29).

The Chair of the Board of Trustees is appointed by a presidential decree, upon the recommendation of the cabinet, and a deputy chair is designated by the Minister of Information. A number of public figures appointed by the Prime Minister, the managing directors of the main 'sectors' of ERTU (of which there are around ten) and the President of the General Authority for Information make up the other members. The Board of Trustees meets at least once a month and is the main management oversight body for ERTU. It sets the main policies for ERTU, approves the activity plans, develops the code of ethics, approves the internal by-laws and statutes, including pay scales, and monitors and assesses performance (Articles 5-10). However, decisions of the Board of Trustees need to be approved by the Minister of Information (Article 8).

The Board of Managing Directors is convened under the chairmanship of the 'President of the Board of Trustees' (who is presumably the chair of that Board, appointed by the President of the Republic). The Board of Managing Directors also includes the directors of each ERTU sector,

such as news television, radio, engineering and so on. These directors are appointed by Presidential Decree (ERTU Law, Article 12).

After the revolution, the Minister of Information was removed, and the Ministry essentially put into receivership. The head of ERTU was also removed, and Dr. Samy Sherif, formerly a media and communications professor, was appointed as Chair, alongside a military general. Dr. Sherif was, however, removed at the beginning of June 2011, and replaced by Tarek El-Mahdy, a general. It also appears that the organisation has been put under the direction of a council, so that ERTU is largely under the control of the governing military authorities.

It is clear that the ERTU structures are not remotely independent. Amendments to the ERTU Law in 1989, in the form of Law No. 223 of 1989, increased the extent of government control (for example, providing that the Minister of Information, rather than the Chair of the Board of Trustees, chairs the General Assembly, appoints the Deputy-Chair of the Board of Trustees and approves the decisions of the Board of Trustees). The appointments process has not been open in the past.

PSBs engage with the public and CSOs

There is, as noted above, no opportunity for civil society involvement in appointments to the governing bodies of ERTU, although some civil society experts might be appointed to the General Assembly or Board of Trustees. There is also very little scope for civil society to be involved in the governance structures of the national newspapers, although there is a role for employees.

There are few formal mechanisms for citizen engagement in ERTU, although there is an informal complaints system (see below). Audience call-in shows are aired on a daily basis and the websites of the various channels include interactive sections where the audience can vote on programmes.

C. MEDIA SELF-REGULATION

Print and broadcast media have effective mechanisms of self-regulation

There is no real self-regulatory system for the print or broadcast media in Egypt. Instead, at least for the print media, the Press Law and Journalist Syndicate Law establish what might be termed a co-regulatory system. Pursuant to Article 34 of the Press Law, disciplinary actions may only be taken against journalists by the Journalist Syndicate. Articles 35 and 36 provide that, after deliberating, the Syndicate Board may refer a journalist to an investigation panel, made up of the Deputy Chair of the Syndicate, a judge from the State Council, selected by that Council, and the Secretary-General of the Syndicate (or a sub-syndicate, as warranted). The Syndicate Law provides for a slightly different composition, namely of the Deputy Chair, a legal advisor from the Ministry of National Guidance and the Secretary of the Syndicate (Article 80).

A case may be referred to the disciplinary board for acts “at variance with” the Journalist Syndicate Law, the internal statutes of the Syndicate, the code of ethics, or “specified professional duties and responsibilities”, or for any act that “may compromise the integrity of the Syndicate” (Article 75 of the Syndicate Law). The disciplinary board is described in Article 37 of the Press Law as comprising three members selected by the Syndicate Board from its members, one member from the Supreme Press Council also selected by the Syndicate Board, and one judge from the State Council. Article 81 of the Syndicate Law, on the other hand, describes the membership as being two members of the Syndicate Board and one from the Ministry of National Guidance.

According to Article 38 of the Press Law, supported by Article 82 of the Syndicate Law, appeals from the verdicts of this body go to the Disciplinary Appeal Board, composed of the members of a judiciary circuit at the Cairo Appeal Court, a member of the Syndicate Board and a representative chosen by the journalist under investigation.

Article 77 of the Syndicate Law provides for a range of disciplinary sanctions, including a warning letter, a fine, a one-year suspension from the Syndicate and expulsion from the Syndicate.

Pursuant to Article 70(10) of the Press Law, the Supreme Press Council is tasked with releasing the code of ethics developed by the Journalists Syndicate, which according

to the Journalist Syndicate Law is developed by the Syndicate Board (Article 47) and approved by the General Assembly. A Press Code of Ethics was issued by Decree 4/1988 of the Supreme Press Council.

The Code includes many provisions that are commonly found in other such codes, along with a few that are not. An example of the latter is the stress on moral issues in the Code. Thus, clause II(1) calls for respect for the truth, but “in a manner that best secures the virtues and moral of the society”, while clause II(3) simply calls for the honest presentation of information, without distortion. Another example is the Code’s inclusion of calls for solidarity among journalists, for example in clause II(12), which calls on journalists to “refrain from causing personal mutual harm”. The Code also seeks to establish journalists’ rights - for example to protect their sources (clause (1) under Rights)) and not to be blackmailed (clause (2) under Rights)) - although it is not clear who is bound by these purported obligations (since the Code only binds other journalists).

The statutory nature of this system means that it cannot be described as a self-regulatory system. Another problematical element of the system is its quasi-legal nature, for example with judges sitting on the disciplinary panels, with it having a mandate to enforce not only the Code but also the law, and with the power to impose fines being part of the system. As a result of this, journalists are subject not only to the law as applied by the courts but also a sort of parallel quasi-legal system of rules and enforcement.

It is also problematical that the two bodies which enforce the system - the Journalist Syndicate and the Supreme Press Council - are statutory bodies which lack independence from government. The Code is also problematical. It is not clear how it was developed, and what degree of input journalists had. But it does not resemble other media codes of conduct in important ways, as noted above.

Finally, it may be noted that this system does not even provide for a mechanism whereby members of the public may lodge complaints against the media for what they believe is unprofessional behaviour. Rather, cases are referred to the system exclusively by the Syndicate Board.

Media displays culture of self-regulation

There would appear to be very limited systems for recourse for individuals against unprofessional reporting provided by individual media outlets. We were informed by a number of interviewees that some media outlets do publish replies on a quasi-voluntary basis (but this is also provided for by law; see Indicator 1.9) and/or receive public complaints. At the time of writing, none of these had been developed into formal systems, although some media outlets were looking into the idea of readers' editors or ombudsmen.

D. REQUIREMENTS FOR FAIRNESS AND IMPARTIALITY

Effective broadcasting code setting out requirements for fairness and impartiality

There is no broadcast regulator and no dedicated system for the regulation of private broadcasters. We were informed that private satellite television stations were often required, through their private contracts with satellite carriers, such as NileSat, to respect basic content obligations, such as to avoid sexual content or material which is insulting to Islam. Many private broadcasters have limited rights to broadcast news and current affairs programming, which diminishes the relevance of requirements of fairness and impartiality.

The Board of Trustees of ERTU is tasked with developing a professional code of conduct for broadcasters (Article 6(1)). We were unable to obtain a copy of this code, but it applies to all broadcasters. The ERTU law does not refer to the ideas of balance, fairness or impartiality, or to election coverage at all.

In terms of election coverage, there is some evidence that coverage by ERTU of the 2005 elections was more balanced than had hitherto been the case. During those elections, ERTU established a Media Monitoring Committee, composed of 17 members, primarily academic and professional media workers from the State media, but including some public figures and representatives of the private media. It set guidelines for media coverage of the elections and its activities did have an impact on ERTU election coverage.³² Some interviewees suggested that coverage of the presidential campaigns was better than of the parliamentary elections.

The positive direction from 2005 was not, however, repeated during the 2010 elections. Groups who

conducted monitoring of these elections suggested that political coverage during these elections was as biased as ever in favour of the ruling party.

Effective enforcement of broadcasting code

We were informed that there is little actual enforcement of the ERTU broadcasting code. The code does not incorporate a public complaints system. We were informed by ERTU that it has a number which members of the public can call to lodge complaints. However, ERTU also informed us that the system is not very formal, and that not every complaint is even responded to. Several interviewees suggested that there was no proper complaints system at ERTU, even if there was a sort of complaints line.

E. LEVELS OF PUBLIC TRUST AND CONFIDENCE IN THE MEDIA

The public displays high levels of trust and confidence in the media

Prior to the revolution, several interviewees indicated that levels of trust in the State media were very low, even though they maintained significant readership, listenership and viewership ratings. We are not aware of any studies which directly assessed this issue and we were not able to gauge with any degree of reliability the level of trust in the private media.

Since the revolution, most media, and particularly the State media, are trying to reposition themselves as being more independent. For example, Al-Ahram daily issued a supplement on the events in Tahrir Square during the period of revolutionary demonstrations. According to different interviewees, the success of the various State media in terms of reporting in a more balanced fashion varies. We were unable to assess with any degree of accuracy how successful the State media have been in this regard.

Media organisations are responsive to public perceptions of their work

We received only limited input on the issue of media responsiveness to its audience, but the evidence we did obtain suggests that there is a nascent but growing level of engagement by media outlets with their audiences.

³² See Hussein Amin, Report on the State of the Media in Egypt, published by The Arab Center for the Development of the Rule of Law and Integrity. Available at: http://www.arabruleoflaw.org/Files/PDF/Media/English/P2/Egypt_MediaReportP2_En.pdf.

It is significant that despite the now famous role played by so-called social media during the revolution, mainstream Egyptian media have been somewhat behind, considering how developed the sector is, in terms of exploiting online opportunities to promote audience engagement. We were informed, for example, that most newspapers have just started online versions relatively recently, and that it is only in the last few years that these have been used to solicit audience engagement.

F. SAFETY OF JOURNALISTS

Journalists, associated media personnel and media organisations can practice their profession in safety

In general, it would appear that the practice of journalism is pretty safe in Egypt, outside of the special context of the revolutionary demonstrations, although we did hear of one or two cases of attacks over the last five years.

Article 7 of the Press Law states that the safety of journalists shall not be compromised on account of their viewpoints or what they write, while Article 12 provides that attacks against journalists will be subject to the same (higher) sanctions as attacks against civil servants. It is not clear whether these provisions have been applied or have had any impact in terms of mitigating attacks against journalists.

Media practice is not harmed by a climate of insecurity

As noted under Indicator 1.3, in the past the government employed a wide range of informal measures to intimidate and harass journalists and to induce self-censorship. There is little question that these and other measures were effective in terms of affecting the content of media output (i.e. in promoting self-censorship). There is also little question that in the post-revolutionary period the space for media freedom has opened up very

significantly, and that many media outlets have become much bolder in their reporting.

At the same time, it is not clear how long this period of openness will last and what the future holds. As noted above, much remains to be done to transform the State media into independent public media, serving the public rather than the government. At this point, it is not possible to predict with any certainty how free the media – public and private – will be from external pressure in the coming years. In this fluctuating environment, it is important for the government to make a clear public commitment not to renew the bad practices of the past.

We heard very different views as to the role of bloggers and alternative media in Egypt. Some interviewees suggested that the Egyptian blogosphere is large and varied, while others suggested that it was relatively nascent and just starting to break down social barriers and get around official measures of control. What does seem certain is that the role played by social media in ensuring the success of the revolution has caught the imagination of Egyptians, and that this will significantly boost the popularity and role of new forms of media in the coming years. For example, the second Arab Social Media Report suggests that the number of Facebook users in Egypt soared by two million in the first quarter of 2011, representing 10% of all Internet users in the country.³³

Some media do exercise quite significant levels of control over user-generated content. We were informed that one media employed a system whereby content would automatically be taken down after five complaints against it were lodged. This could be challenged, however, and some 60 per cent of such content was returned to the site following such a challenge (suggesting that the majority of take-downs were not warranted). Individual users could be banned from posting content altogether if they posted very extreme material or had content repeatedly taken down.

³³ Produced by the Governance and Innovation Program at the Dubai School of Government. See <http://english.youm7.com/News.asp?NewsID=340774>.

Recommendations

- Greater effort should be made to ensure that women media workers are represented fairly at all levels in the media.
- Widespread consultations should be held to determine the future of the existing State print media. If these are retained as public bodies, their independence should be guaranteed, in an analogous way to public service broadcasters. This will require structural changes to their governing legislation and institutional frameworks. If these are to be sold off, the process should be scrupulously fair, taking into account the real market value of these assets, and also the need to maintain diversity of media ownership.
- The rules governing ERTU should be completely revised so as to transform it into an independent public service broadcaster, including guarantees of editorial and budget independence. Public consultations should be held to ensure that its mandate is in line with the needs of all of the people of Egypt, and public engagement should be built into all aspects of its work, including the process for appointing the governing board. Given the vast size of ERTU, consideration might also be given to whether parts of it should be privatised.
- Individual media outlets should be encouraged to put in place their own systems for receiving public complaints and promoting professionalism.
- The current system of professional regulation of the print media, overseen by the Supreme Press Council and the Journalist Syndicate, should be abolished. The print media should be given an opportunity to establish a true self-regulatory system for promoting professionalism, which incorporates a public complaints system. If a statutory system for complaints is put in place, it should be protected against political and commercial interference, and should only have the power to impose limited sanctions on media outlets.
- Consideration should be given to encouraging self-regulation in the broadcast media sector as well. Any statutory system should apply to all broadcasters ñ public and private ñ and should be overseen by an independent broadcast regulator (see the recommendations under Category I).
- All broadcasters, and public broadcasters in particular, should be required to be balanced and impartial in their news and current affairs reporting, at all times and especially during elections. Consideration should be given to putting in place special rules for the broadcast media, and public broadcasters, in particular, during elections.
- The government should make a public commitment not to interfere with the editorial independence of the media, and it should respect that commitment in practice.

4

PROFESSIONAL CAPACITY BUILDING

Professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity

A. AVAILABILITY OF PROFESSIONAL MEDIA TRAINING

Media professionals can access training appropriate to their needs

There are numerous programmes to provide professional and/or upgrade training to journalists in Egypt. We were not able to canvas fully the range of available options, but these appear to be extensive, provided by both local and international players. Indeed, this was one area of media support where international cooperation was relatively easy to provide before the revolution. A wide variety of different programmes are available, including the ongoing provision of different types of training to a core set of journalists, as well as broad programmes touching many journalists.

These training courses are provided through various bodies including universities, media outlets, civil society and the Journalist Syndicate. The latter runs a fund, paid for through a contribution from all advertising collected by newspapers (reportedly of one per cent), which supports training and social support for media workers. Training facilities are reportedly run by various media bodies, such as Al-Ahram and the Supreme Press Council. We were also informed that media outlets not infrequently purchase training for their employees from international providers.

According to the information we received, available these training opportunities cover a wide range of skill-sets, including business opportunities and IT skills. Some interviewees suggested, however, that they were concentrated in the main urban areas and that provision of training through distance-based systems was limited.

Media managers, including business managers can access training appropriate to their needs

According to the information we received, training programmes directed at managers are available, and these cover a wide range of business skills, including marketing and financial management. At the same time, some interviewees suggested that, overall, this was an area which needed more attention.

Training equips media professionals to understand democracy and development

It is unclear to what extent the training available to media workers in Egypt builds an understanding of the role of the media in a democracy. Some interviewees indicated that at least some training programmes do address these issues. But it was probably rather difficult to instil much of a sense of this in the pre-revolutionary period when, in practice, the ability of the media to fulfil this role was highly circumscribed. We understand that training on investigative reporting was also available. Again, however, the prevailing environment prior to the revolution made it difficult for journalists to employ fully such investigative skills as they may have learnt during training.

B. AVAILABILITY OF ACADEMIC COURSES IN MEDIA PRACTICE

Academic courses accessible to wide range of students

Egypt has a very well developed system of universities, some 20 of which offer a range of courses relating to journalism. At Cairo University alone, for example, there are some 550 communications studies students at various levels, including PhD programmes, divided among three departments, namely journalism, broadcasting and public relations. These numbers do not include the many students who pursue distance-based programmes.

According to the information we received, while a large number of textbooks exist in Arabic, English textbooks are used for some specialised subjects and to broaden the range of views and perspectives available to students. Indeed, Cairo University provides a full programme of media studies in English. At least some universities have sophisticated facilities for media production, including print, radio and television facilities. The latter two are not yet allowed to be broadcasted, but this may change in the future.

Academic courses equip students with skills and knowledge related to democratic development

Taken together, the range of available courses in media appears to be very wide. For example, the American University in Cairo lists a wide range of available media courses.³⁴ As with training, it is not clear to what extent these cover issues such as the role of the media in a democracy, but the ability of students to apply these knowledge was limited in the past.

C. PRESENCE OF TRADE UNIONS AND PROFESSIONAL ORGANISATIONS

Media workers have the right to join independent trade unions and exercise this right

As noted above, the Journalist Syndicate is effectively a mandatory, statutory union for journalists working in the print media sector. Legally, no one can work as a journalist in this sector who is not a member of the Syndicate, although we heard that there are up to 14,000 working print media journalists in the country, of which only around 5,500 are members of the Syndicate. Journalists may also join other unions, which are not specific to journalists, for purposes of protecting their labour rights and we understand that some of the more restrictive rules regarding unions have already been amended since the revolution.

For those who are members of the Syndicate, the Press Law provides relatively strong labour protection. For example, Article 15 gives the Syndicate Board the right to negotiate collective agreements with newspaper owners, which it shall also sign as a party. Pursuant to Article 17, the employment contract of a member of the Syndicate cannot be terminated before the Syndicate is notified, and given an opportunity to try to mediate a solution. The Syndicate must also be notified of all contracts drawn up with its members (Article 113 of the Syndicate Law).

However, the right of journalists to form independent trade unions is not protected in Egypt. As noted above, the Syndicate is not independent. Furthermore, journalists have hitherto effectively been prevented from forming other associations and unions, although some new groups have already started to be formed in the post-revolutionary environment. Finally, the Syndicate does not represent journalists who are not from the print media sector, hitherto defined rather narrowly. Thus, broadcast journalists and those working for the new media, including bloggers, were traditionally excluded from the Syndicate.

Overall, working conditions for journalists in the country can only be described as quite poor. Wages are very low, and most of the better graduates from communications studies programmes go into more lucrative fields, such as advertising and public relations. At the same time, at least the more established media outlets do provide basic social support packages for their employees, such as medical insurance. At the same time, we were informed by several interviewees that, at least in the State media, it was impossible to fire journalists. Indeed, this was presented to us as a barrier to the reform of these bodies.

A significant element in the financial support system for journalists is the regular payments provided by the government, through the Syndicate, to members, reportedly of LE600 (approximately USD100) per month. This is problematical because it inevitably leads to a certain degree of dependence on the government.

Trade unions and professional associations provide advocacy on behalf of the profession

The Journalist Syndicate, although lacking in independence, has defended individual journalists in the past, and it has also protested against measures which threaten freedom of expression, such as the introduction of repressive laws. At the same time, many interviewees suggested that an independent body could have done far more in this regard. It remains to be seen what role the Syndicate will play in the future. Furthermore, as noted above, new associations are starting to emerge which may play a more active role in defending the rights of their members, and freedom of expression more generally.

³⁴ See: http://catalog.aucegypt.edu/content.php?filter%5B27%5D=-1&filter%5B29%5D=&filter%5Bcourse_type%5D=1&filter%5Bkeyword%5D=media&filter%5B32%5D=1&cpage=1&cur_cat_oid=14&expand=&catoid=14&navoid=426&search_database=Filter&filter%5Bexact_match%5D=1.

As noted above, the Journalist Syndicate, working with the Supreme Press Council, has adopted a set of ethical principles in the form of the Press Code of Ethics. It is unclear how widely this was debated among journalists.

D. PRESENCE OF CIVIL SOCIETY ORGANISATIONS

CSOs monitor the media systematically

A number of human rights NGOs, including CIHRS, ANHRI and EOHR, monitored the media during the election campaigns in 2005 and 2010. There has also been some ongoing monitoring of and reporting on the performance of the media. These activities have, among other things, reported on the extensive government bias in the public media.

CSOs provide direct advocacy on issues of freedom of expression

A number of Egyptian NGOs have historically provided advocacy on freedom of expression and the right to information, and some of them focus specifically on issues relating to freedom of expression. They have, for example, produced publications on restrictions on this right, advocated against laws which would further restrict freedom of expression, advocated for law reform to repeal or amend repressive laws, and held public discussions and undertaken awareness raising activities.

At the same time, the repressive environment prior to the revolution made the work of these groups very difficult. They were frequently monitored by security agents and harassed in various ways if they went too far. This has now changed, and these groups are now very active in trying to promote positive reform of the repressive media environment in the country. The establishment of the National Coalition for Media Freedom is part of this effort.

In the past, it has been very difficult for civil society organisations to engage directly with decision-makers on media policy issues because the space for this has simply not been available (i.e. the government has refused to consult on these issues). This is something that is likely to change, although it remains unclear what the future will bring in this regard. It may be noted that in several areas, including some key legislative initiatives regarding the upcoming elections, consultation has not met the expectations of at least some groups.³⁵

CSOs help communities access information and get their voices heard

There is a vast network of civil society groups in Egypt, working with many different sectors. We were not able to assess the extent to which these groups are able to assist the various communities they work with and represent to access the media.

Recommendations

- The availability of training opportunities and more formal education in relation to the media should be reviewed to assess whether it is responding adequately to the needs of the media in the new environment in Egypt.
- Journalists should be free to establish unions and other associations to advocate on their behalf, including in relation to labour issues. The special status of the Journalist Syndicate in this area should not be maintained.
- A wide consultation should be held to assess what to do with the government payments to journalists through the Syndicate. Any system of allocating funds should be non-discriminatory, including on the basis of membership in a particular association, and should be protected against government interference.
- Support should be provided to civil society groups working in the areas of media, media monitoring, and freedom of expression and of the media, and the government should make a commitment not to harass these groups for their work.

³⁵ See In the footsteps of the Tunisian revolution: A Constitution first. Note 16

Infrastructural capacity is sufficient to support independent and pluralistic media

A. AVAILABILITY AND USE OF TECHNICAL RESOURCES BY THE MEDIA

Media organisations have access to modern technical facilities for news gathering, production and distribution

Most media in Egypt now have online versions although, as noted above, this has been a relatively late development in Egypt. This includes the public as well as private media, and all ERTU stations now have interactive online versions, as well as being distributed terrestrially and via satellite. These online versions are now being used more extensively in interactive ways, including to allow citizens to provide feedback and otherwise engage with the media.

B. PRESS, BROADCASTING AND ICT PENETRATION

Marginalised groups have access to forms of communication they can use

According to the reports we received, the ERTU stations, both radio and television, are technically available nationwide. No doubt the highly concentrated population density within just three per cent of the overall land area of Egypt facilitates this. According to a study conducted by the Information Decision Support Center (IDSC) in 2010, 88.3% of households actually have access to television, with some 69.8% having access to satellite television.³⁶

Other assessments put the percentage of households with access to television a bit higher (up to 96.5% – see Introduction) and the penetration of satellite television a bit lower (at around 43%).

We were informed that there are around 70 million registered mobile phones in Egypt, although it is not

clear how many discrete users this represents, as many people may have more than one phone. A representative of NTRA put the number at approximately 85% of all adults, but that seems rather high.

As noted above, there is no community broadcasting in Egypt, which significantly deprives local communities of opportunities for both voice and access to information of local relevance.

The country has a coherent ICT policy which aims to meet the information needs of marginalised communities

According to the information we received, there are three main international Internet gateways connecting Egypt to the global Internet backbone. Services are distributed through six main Internet service providers. Anyone who has a landline telephone connection can get ADSL broadband Internet delivered through that line. There are around 11 million landlines, representing something like four to five times as many people (on an estimate of four to five people per household). There are, however, only one million broadband subscribers. We were informed that NTRA sets the rates for both Internet and mobile phones, for which there are three main providers. A one-half Mb connection via a phone line reportedly costs LE150 (USD 25) per month.

We were unable to determine whether or not the government has a clear ICT policy, with plans to roll out access throughout the country. It is clear, however, that Internet usage has increased rapidly in recent years (see Introduction) and that this is set to continue. The Telecommunications Law, as noted above, prohibits the use of new technologies to operate telecommunications systems, rendering VOIP applications formally illegal, although they are commonly used.

³⁶ IDSC, Egyptian TV - 50 Years of Achievements (July 2010).

Recommendations

- The government should engage in a broad consultation to develop a comprehensive ICT policy for the country, which should address issues such as promoting universal access to the Internet, pricing issues and telecommunications uses of the Internet.



ANNEX

List of People Met

Name	Organisation	Official Position
Abeer Saady	Egyptian Journalist Syndicate	Board Member
Ahmad Ezzat	Association for Freedom of Thought and Expression (AFTE)	Legal Unit officer
Albeer Shefik	ON TV	Director
Amr Badawi	National Telecommunication Regulatory Authority (NTRA)	Executive President
Amr Khafagy	Al Shorouk Newspaper	Editor in Chief
Assem El Kersh	Al Ahram Weekly Newspaper	Editor in Chief
Basyouni Hamada	Faculty of Mass Communication of Cairo	Head of Media Department
Emad Mubarak	Association for Freedom of Thought and Expression (AFTE)	Executive Director
Emad Sayed	Masrawi	Executive Director
Gamal Eid	Arabic Network for Human Rights Information (ANHRI)	Executive Director
Ghada Mussa	Governance and Corruption Center (Ministry of Administrative Development)	Officer
Hassan Bahey El Din	Cairo Institute for Human Rights Studies (CIHRS)	General Director
Hassan Hussein	Information and Decision Support Center (The Egyptian Cabinet)	National Anti-corruption Strategy Program Coordinator
Hesham Kassem	Egyptian Organization for Human Rights (EOHR)	President
Ibrahim El Sayad	Egyptian Radio and TV Union (ERTU)	Head of News Sector
Khawla Mattar	United Nations Information Center of Cairo (UNIC)	Director

List of People Met

Name	Organisation	Official Position
Mahmoud Qandil	Independent	Lawyer
Mounir Megahed	Al Misryoun Against Religious Discrimination	Executive Officer
Petrus Schothorst	Free Voice	General Coordinator
Ragay Al Magrani	Middle East News Agency (MENA)	Managing Editor
Ramy Raouf	The Egyptian Initiative for Personal Rights (EIPR)	Online Media Officer
Tarek Attia	Media Development Programme	Director
Wael Gamal	Al Shorouk Newspaper	Managing Editor
Hala Hashish	ERTU	Head of Nile TV
Hussein El Kamel	IDSC	International Cooperation Senior Advisor



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