EGYPT

1. What are the most important national media institutions (regional media institutions based in your country) including: newspapers, radio and television that are found in your country? Give a brief profile of each including: ownership – date of establishment – circulation – scope of work and most important characteristics?

There are 13 registered newspapers in Egypt, the most important of which are Al-Ahram, Al-Akhbar, and Al-Gumhoria Newspapers. The sales thereof range from two hundred thousand to one million copies. They are all State-owned. There are partisan and opposition newspapers as well. Audio and Visual means of mass communication are State-owned

**Newspapers:** Law no. 96 of 1996 denies persons the right to issue newspapers confining this right to the judicial personalities and political parties. The Egyptian legislator has adopted – in this regard – the prior licensing regulation for issuance of newspapers. The law promulgates that companies issuing newspapers shall:

1. be in the form of cooperatives or joint-stock companies and the shares thereof shall entirely be owned be Egyptians.
2. The paid-up capital of the company shall not be less than one million Egyptian pounds in case of Dailies; two hundred fifty thousand Egyptian pounds in case of Weeklies; and one hundred thousand Egyptian pounds in case of Monthlies.

2. What are the most important legal stipulations and provisions that sponsor the work of mass media (the Constitution, the laws and regulating procedures)? To what extent do such stipulations ensure the freedom of the mass media institutions and the press reporters in dealing with issues of public interest, and those related to state and public institutions reform? Are there laws pertaining to censorship, defamation and libel, media morals and ethics, as well as laws regulating the profession and the sector, etc.?

The most salient legal provisions that sponsor the audio and visual mass media profession are:

**The Constitution**
The freedom of the expression of opinion is guaranteed. Each person has the right to express and publish their opinions orally, in writing, or through pictures and any other means of expression of opinion subject to the law; in addition to the right to self-criticism and constructive criticism with a view to ensuring the soundness and intactness of the national structure.

**The Law**
Law no. 13 of 1979, amended by Law no. 223 of 1989
Article (1):
A National Authority shall be established and called the Radio and Television Union, with its own judicial personality, and shall be headquartered in Cairo. Said Authority shall solely have the right to be in charge of the audio and visual means of mass communication, and establish and own audiovisual broadcasting stations in The Arab Republic of Egypt. The Authority shall solely undertake the supervision and control of the audio and visual materials broadcasted through the instruments of the Authority, and the materials produced by the Authority-owned companies. The Authority shall lay down the regulations organizing such supervision and control.

Article (2):
The Union aims at the realization of the mission of audiovisual means of mass communication as regards the policy, planning and implementation of this mission, within the framework of the public policy and media requirements of the society adopting in this course the latest applications and developments of modern science in the field of utilizing the audio and visual mass media with a view to serving the society and achieving its objectives.

Article (4):
The Minister of Information shall oversee the Radio and Television Union and follow up the implementation of the national objectives and services, and the other services stipulated by the law herein, in a manner that guarantees linking these objectives and services with the Higher Policy, the National Objectives, the Social Peace, the National Unity and the Mass Media Plan of the State.

The Union shall have a Secretariat Council, a Council for Delegated Members, and a General Assembly. It shall be made up of the following sectors: Chairmanship of the Radio and Television Union, Radio Engineering, Production, Finical and Economic Affairs, and the General Secretariat. Subject to a Secretariat Council decree, other sectors may be established based on the work requirements.

Article (12):
The Council Delegated Member shall be appointed via a Presidential Decree for a renewable term of three years. He will manage one of the Union's sectors within the framework of the policy, regulations and decisions of the Council. He shall have the financial and administrative powers necessary for performing his responsibilities, and shall submit a monthly report on the activities of his sector to the Secretariat Council. In addition, he may authorize one or more officials to undertake some of his powers. Appointment in the major positions of the Union shall be by a Minister of Information decree upon recommendation of the Secretariat Council Chairman.

Newspapers

The Constitution
Article 48:
The freedom of the Press, printing, publication and means of mass media are guaranteed. Newspapers censorship shall be prohibited. It is prohibited as
well that newspapers be warned, suspended, or cancelled via the administrative measure. Subject to the law, limited censorship may be imposed on newspapers, publications and means of mass media in emergencies or at times of war as regards the matters pertaining to public safety or for purposes of national security.

**Article (206):**
The Press is an independent public authority performing its mission in the manner defined by the Constitution and the Law.

**Article (207):**
Subject to the Constitution and the Law, the Press shall freely and independently perform its mission of serving the society by all means of expression, voicing the trends of the public opinion and taking part in the formation and direction thereof, within the framework of the basic constituents of the society and maintenance of public freedoms, rights and duties, and respect of the sanctity of citizens private life.

**Article (208):**
Subject to the Constitution and Law, the freedom of Press is guaranteed. Newspapers censorship shall be prohibited. It is prohibited as well that newspapers be served a caveat, suspended, or cancelled via the administrative measure.

**Article (209):**
The freedom of newspapers issuance and ownership by public and private judicial personalities and political parties is guaranteed in pursuance of the law. Newspapers ownership and financing and the funds owned by these newspapers shall be subject to public supervision in the manner provided for by the Constitution and the Law.

**Article (210):**
Journalists shall be entitled to obtain news and information items in accordance with the stipulations of the Constitution and Law.

**Article (211):**
A Higher Council, whose formation, powers and relationship with the State authorities will be determined by the Law, shall undertake the affairs of the Press. Said Council shall exercise its powers in a manner that promotes the freedom and independence of the Press, realizes maintenance of the basic constituents of the society, and guarantees the intactness of the National Unity, and Social Peace as stipulated by the Constitution.

**The Law**
**Law no. 20 of 36 on Publications**
**Article (2):**
Prior to opening a Printing Press a person desiring such shall file a written notification to the Governorate or the Directorate within which the Printing Press is located.
He shall, furthermore, prior to publishing a newspaper submit a written notification to the Governorate or the Directorate.

**Article (7):**
No one may sell or distribute publications in the public roads or at a public shop even if this is just occasionally or temporarily unless a license to this effect is obtained from the Ministry of the Interior.

**Article (9):**
For the purposes of maintaining public order, publications issued outside Egypt may be prohibited from coming into and being circulated in the country via a special order issued by the Council of Ministers.

**Article (10):**
The Council of Ministers may, as well, prevent publications of sexual nature and publications addressing religions in a manner that could disturb the public peace, from being circulated in Egypt.

**Article (17):**
A newspaper may be issued at the thirty first day of notification unless, within this period, the Governor or the Director notifies the applicants in writing through the administrative measure of his disapproval of issuing the said newspaper because of noncompliance thereof with any of the conditions stipulated in the above articles.

**Article (21):**
For the purposes of maintaining public order, a certain issue of a newspaper published abroad may be prevented from coming into and being circulated in Egypt via a Minister of the Interior Decree.

**Article (30):**
In the event of noncompliance with the provisions of articles 9, 10 and 21, the publications of the newspaper issues shall be seized administratively. There is no doubt that the Egyptian legal structure, as above shown through the presentation of the most salient law provisions governing the mass media institutions, hinders these institutions in performance of their role.

3. **What is the role played by the ministries concerned (the Ministry of Information, etc.), official or joint authorities (the Information Higher Council) in regulating, setting up the framework and monitoring the media scope of work?**

The Ministry of Information is in full control of the Radio and Television Union; the Minister of Information oversees the Union and controls the implementation of its policy, in addition to the Power granted the President of the Republic of appointing some Secretariat Council members and Delegated members.
4. Are there any media syndicates or alliances? How independent are they? Do they seek to protect the freedom of expression and media men's rights?

The Egyptian Journalists Syndicate. It defends the journalists' rights and adopts campaigns for boosting the margin of freedoms. Journalists have lately been able to elect an independent President of the Syndicate not a government follower.

5. What is the number of reporters and media men working in the media inside your country? What are their most important characteristics (e.g. age, nationality – education – professional qualifications)?

The number of journalists is 10264, which is the greatest number in the Arab Countries.

6. To what extent can the mass media exercise freedom of expression? What are the reasons of censoring, chasing, harassing, banning mass media as well as using other means of curbing the freedom of the media?

Rights in Egypt are always restricted by such phrases as "the Public Order" and "Public Morals" in addition to the Public Security related topics. As to the censorship of the means of mass media, the Radio and Television Union controls the broadcasted materials especially those containing nude scenes, showing the pictures of Prophets, addressing sexual topics, or expressly criticizing the Ruling Regime or the President of the Republic. As to the newspapers, they may be censored in cases of emergency, in addition to the self-censor of each journalist which prevents them from addressing topics that are detrimental to the Regime or the President of the Republic.

7. Is there sufficient freedom and possibility of creating new mass media within the state monopoly, conditions of licensing, conditions of funding and conditions of technology for creating such media (ranging from printing, the distribution of radio waves, providing television channels and facilitating electronic communication, etc?)

As regards the visual means of mass media, it is impossible to own a terrestrial station because the law expressly confines the ownership of radio and terrestrial television stations to the State. As regards newspapers, they may be owned through one of the following two ways: the Political Parties and the Joint-Stock Companies. However, the government declines to grant permits for establishing new newspapers even if all the stipulated legal conditions are complied with.
8. Are there several mass media in your country providing for competition? Are there opposition mass media?

There is no competition as regards the terrestrial radio and television stations. As to newspapers, the competition is very intense. There are, as well, opposition newspapers.

9. What is the balance of power between national mass media and foreign mass media in your country working through radio and satellite television?

The Egyptian government felt the seriousness of the external competition and put up dozens of news and specialized satellite stations broadcasted through "Nile Sat." However, the Egyptian citizens often resort to external foreign satellite stations especially "Al-Jazeera."

10. How much coverage and follow up does the media give to issues of state, public administration and public institutions reform? Are there any programs or sections covering such issues?

There is good coverage on both Radio and Television for only the State-led reform initiatives.

11. Do citizens, civil society institutions and public sectors resort to the mass media to voice their opinions, forward their suggestions for reforming the state, public administration and public institutions?

Only educated people favored by the State appear on television. As to the newspapers, there is a separate page on some independent newspapers called "The Civil Society," in addition to the interviews conducted with many civil society activists.

12. How easy or difficult is it for reporters and the mass media to access information, data and official documents? To what extent can such information be leaked to the mass media?

The President of the Republic lays down the decree regulating the process of maintaining the official documents and instruments. The Decree states the method of publishing and using the documents and instruments relating to the higher policies of the State or National Security.

13. To what extent is information made public, available and accessible concerning:

- **Council of Ministers Debates and Decisions;**
  - Are circulated, except for the information not permitted to be broadcasted or circulated.
- **Parliamentary Debates;**
  - Circulated.
- ** Debates within Parliamentary Committees;**
  - Not circulated.
Legislations and Legislative Decrees;  
On the Official Journal.

Reports of Censoring Authorities;  
Not circulated.

The National Budget and its Items;  
Not circulated.

Court Rulings;  
Circulated

National Statistics;  
Some of which are circulated others are classified.

Publications and other Official Documents;  
Not to be circulated unless a certain period of time has elapsed; in addition, the Presidential approval shall be required.

14. What are the most important laws and regulations pertaining to documents, data and official information and their accessibility?

The Decree by Law no. 313 of 1956 on the prohibition of publishing any news on the Armed Forces:

(Article 80a) of the Penal Code: Anyone who illegally comes to a secret of the Ministry of Defense concerning the State without the intention of disclosing that secret to a foreign country or to someone working for that foreign country shall be sentenced to detention for a period not less than six months and not more than five years, and a fine not less than 100 Egyptian pounds, and not more than 500 Egyptian pounds.

(Article 80b) of the Penal Code: Any public officer, or a person of a public representation capacity or assigned a public service who discloses a secret of the Ministry of Defense concerning the State shall be sentenced to imprisonment. In case the said crime has occurred at wartime, the said person shall be sentenced to temporary hard labor.

(Article 80c) of the Penal Code: Anyone who intentionally disseminates at wartime any false or purposeful news, data, or rumors, or effects any stirring propaganda, which thing could be detrimental to the war arrangements made for defense of the country, or the Armed forces war operations, spread horror among people, or weaken the stamina of the nation shall be sentenced to imprisonment.

Said person shall be sentenced to temporary hard labor in the event the said crime is committed as a result of communicating with a foreign country.

Said person shall be sentenced to permanent hard labor in the event the said crime is committed as a result of communicating with a hostile country.

(Article 80d) of the Penal Code: Any Egyptian who intentionally disseminates abroad any false or purposeful news, data, or rumors
concerning the internal situation in the country which thing could weaken
the financial confidence of the State or its stature or prestige, or practices
in whatever way any activity that could be detrimental to the national
interests of the county, shall be sentenced to detention for a period not
less than six months and not more than five years, and/or a fine not less
than one hundred Egyptian pounds, and not more than five hundred
Egyptian pounds. In the event the said crime is committed at wartime, the
penalty shall be imprisonment.

(Article 80f) of the Penal Code: Any Egyptian who hands over to a
foreign country, or anyone working for that country any news, information,
objects, correspondences, documents, maps, pictures, photographs or the
like relating to the interests of the government, the public authorities or the
authorities of public benefits, in any form and through any means as far as
an order passed by the concerned authorities banning the publication or
disclosure thereof shall be sentenced to detention for a period not less
than six months and not more than five years, and/or a fine not less than
one hundred Egyptian pounds, and not more than five hundred Egyptian
pounds.

Law no 35 of 1960 on the Statistics and Census
Article 3:
Individual's particulars pertaining to any statistics or census shall be
confidential. No person or public or private organization may have access
to the said particulars, or be informed of any part thereof. Moreover, the
said particulars may not be used for purposes other than the statistical
objectives; and any individual-related particulars may only be published
upon a written permission of the concerned parties. No statistical item may
be used as a basis for tax assessment, utilized for imposing any other
financial burden, or exploited as a proof in a crime, or a basis for any
action.

Article 3:
A person shall be punishable by detention for a term not less than one
month and not more than six months and/or a fine not less than one
hundred Egyptian pounds and not more than five hundred Egyptian
pounds if:
1. he violates the confidentiality of the statistical data or discloses an
individual's statistical item, or an industrial or commercial secret or any
work methods he may have come across on the occasion of his work in
the statistics and census.
2. he obtains or attempts to obtain confidential data or information relating
to statistics and censuses through cheating, threatening or any other
means of deceit.
3. he intentionally obstructs or causes the obstruction of a role of the
statistics or census stipulated by the Technical Authority.
4. he publishes incorrect statistics or censuses or results of surveys in
spite of his knowledge thereof.
5. he abstains from declaring the required data or declares incorrect data
in spite of his knowledge thereof.
Law no 100 of 1971 on Public Intelligence  
**Article 9:**  
Head of the Public Intelligence shall be in charge of securing the activities of intelligence and maintaining the information and the sources and means of soliciting such information. For these purposes, he shall take any necessary and relevant measures and he may not declare any information at all unless he obtains the approval of the President of the Republic or the National Council of Defense.

**Article 46:**  
The Personnel of the Public Intelligence shall be subject to the duties and obligations required by their job and pursuant to the stipulated general rules. They shall in particular observe the following:

A. Observance of the rules of security and confidentiality and the work regulations issued by the Public Intelligence which observance shall remain in effect even after termination of the service of these personnel. No authority may request any Public Intelligence personnel to make any statements about their work or allow them to make such statements even if this occurs after leaving the service at the Public Intelligence unless written approval thereof is obtained from the Public Intelligence Head, and without prejudice to the provisions of Article 9 of this law.

B. Living at the place where their job is headquartered and they may only live away therefrom in case of obligatory reasons approved by the Public Intelligence Head.

C. Notifying the Public Intelligence of the latest changes of the individual's social life and the problems he faces that may threaten his social status or affect his work.

D. Not working for any foreign government or agency before two years have lapsed as of leaving service at the Public Intelligence, unless he obtains the Public Intelligence Head's written approval.

Violations of the above provisions of 'A' and 'D' shall be subject to the regulations of Article 60 herein.

A recalled individual shall be given a monthly bonus not less than the difference between his pension and the total salary, wages and substitutes he used to receive before retirement.

Said recall shall be via a Public Intelligence Head's decree.

Law no 121 of 1975 on Maintenance of the State's Official Documents and Organizing the Method of Publishing such  
**Article 1:**  
A President of the Republic' decree shall lay down a regulation for maintenance of the official documents and instruments of the State. The said Regulation shall state the method of publishing and using the documents and instruments relating to the State's higher policy or national security the publication of which has not been stipulated by the Constitution or the Law upon the issuance or approval thereof.
The said regulation may stipulate non-publication of some of these documents and instruments for a period not exceeding fifty years if the public interest so requires.

**Article 2:**
A person who has happened to obtain unpublished documents or instruments of those referred to in Article 1 above or copies thereof may not publish such or publish their content entirely or partially without special permission issued by a Council of Ministers' decree upon recommendation of the competent minister.

**Article 3:**
Without prejudice of any severer punishment stipulated by any other law, anyone who violates the provisions of article two above shall be sentenced to detention and/or a fine not exceeding one thousand Egyptian pounds.

In the event the culprit gains a benefit or profit out of this crime, he shall be sentenced to an extra fine equaling the value of the benefit or profit he has gained.

The monies, object of the crime, shall, in all cases, be confiscated.

**Presidential Decree no. 472 of 1979 on Maintenance of the State’s Official Documents and Organizing the Method of Publishing and Using such**

**Article 1:**
Documents, instruments and correspondences relating to the State's higher policy or national security shall be deemed confidential and may not be published or broadcasted wholly or partially; besides, they may not be circulated or accessed unless the Constitution or the Law has provided for publishing them upon their having been issued.

**Article 2:**
All the authorities, be they ministries, or political, diplomatic, economic, war, or religious authorities, or institutions shall upon having issued documents, instruments, or correspondences relating to the State's higher policy or national security annotate them as banned from being circulated or accessed except for those who are empowered to use them in the course of performing their jobs.

**Article 3:**
The head of each authority shall be in charge of laying down the regulation that guarantees maintaining the confidentiality of the said documenters. Besides, there must be allocated in these authorities a place for keeping the said documents together with a record for recording the names of the personnel empowered to use such documents in the course of performing their jobs in addition to the periods of using such.
Article 4:
The said documents and instruments shall be maintained in the relevant authorities for a period not exceeding fifteen years, after which they shall be transferred to the National Archives in order to be kept in the places intended for this purpose and shall remain there as confidential for another fifteen years.

Article 5:
A Committee shall be formed at the National Archives comprising its Manager and with the membership of two technical employees thereof and a representative of the authority issuing the said document or instrument. The said Committee shall review the documents and instruments that are thirty or more years old in order to decide whether they be permitted to be accessed, or kept just as confidential and be banned from being circulated for another term not exceeding twenty years provided the period of banning having access to or publishing such shall not exceed fifty years commencing from the date of issuing such document or instrument.

Article 6:
The documents and instruments shall be kept for access or research after lapse of the period of banned access or publishing. Said document or instrument may be published before expiry of the term stipulated in the above article, subject to a Council of Ministers' Decree, upon recommendation of the competent minister and approval of the authority originally issuing such document or instrument.

15. Are there pressure exercised, initiatives taken, or campaigns launched to expand the scope of freedom for citizens and mass media to have access to information and official documents? Are there any proposals to draft relevant bills?
Initiatives all led by the Civil Society:
Added pursuant to law no. 97 of 1992.
Replaced by virtue of law no. 635 of 1954.
Added in pursuance of law no. 34 of 1970
Law no. 13 of 1979 on the Radio and Television Union, amended by law no. 223 of 1989, on the Radio and Television Union.
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Added by virtue of the decree by law no 112 of 1957
Amended by virtue of law no. 28 of 1982.