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# Freedom House (Author)

# Freedom on the Net 2023 - Egypt

**NOT FREE** 

28

/ 100

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LAST YEAR'S SCORE & STATUS

27 / 100 Not Free

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.

## Overview

Internet freedom and the rights of internet users are severely constrained in Egypt. Criminal penalties, harassment, and surveillance have contributed to high levels of self-censorship among Egyptian internet users. Authorities continued their practice of "recycling" detainees, and at least one individual who was previously imprisoned on earlier charges was resentenced during the coverage period in retaliation for online content. Activists, bloggers, and journalists who are arrested routinely suffer abuse and torture in detention. Ahead of the 27th UN Climate Change Conference (COP27), authorities arrested social media users en masse for calls to protest the conference and forced the removal of critical online content.

President Abdel Fattah al-Sisi, who first took power in a 2013 coup, has governed Egypt in an increasingly authoritarian manner. Meaningful political opposition is virtually nonexistent, as expressions of dissent can draw criminal prosecution and imprisonment. Civil liberties, including press freedom and freedom of assembly, are tightly restricted. Security forces engage in human rights abuses and extrajudicial killing with

impunity. Discrimination against women, LGBT+ people, and other groups remain serious problems, as do high rates of sexual and gender-based violence.

# Key Developments, June 1, 2022 - May 31, 2023

- Ahead of COP27, WhatsApp and several human rights websites, all of which had been previously blocked, were made available; however, most of the blockings were restored shortly after the conference (see A3 and B1).
- In July 2022, the independent news website Al-Manassa was blocked for 72 hours, and several staff members were interrogated after publishing an article criticizing the lack of oversight mechanisms to hold the president accountable (see B1 and C3).
- Against the backdrop of COP27, more than 150 people were detained and investigated by the Supreme State Security Prosecution (SSSP), often under "counterterrorism" charges, for using social media to mobilize protests (see B8 and C3).
- In January 2023, exiled activist Mohamed Ali was handed a life sentence in absentia for his online mobilization efforts during the 2019 protests (see C3).
- Egypt's mobile app for COP27 reportedly allowed authorities to listen in on conversations, read private emails, track texts, and bypass encryption (see C4 and C5).

# A Obstacles to Access

#### A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the 4 / speed and quality of internet connections? 6

The Egyptian government has made efforts to improve the information and communication technology (ICT) infrastructure and increase the number of internet users, though internet connections continue to suffer from poor quality and low speeds. As of October 2022, internet penetration stood at 72.2 percent while the mobile phone penetration rate was 94.18 percent.1

Mobile and broadband speeds remain relatively slow. As of May 2023, the median mobile and fixed broadband download speeds stood at 25.79 megabits per second (Mbps) and 47.57 Mbps, respectively. Egypt ranked 73rd out of 131 countries in the 2022 Network Readiness Index, receiving its highest score in the governance pillar (trust, regulation, and inclusion).2 Some improvements to speeds and access have been attributed to the 60 billion Egyptian pound (\$3.82 billion) investment that

the government has made to promote digital transformation and development.3

The National Telecommunication Regulatory Authority (NTRA) has led reforms to upgrade the telecommunications infrastructure and increase internet speeds by installing fiber-optic cables. In November 2021, the NTRA approved new frequencies for mobile operators with the goal of enhancing the quality of voice and data services. 4 Previous endeavors by the NTRA include the deployment of fifth-generation (5G) mobile technology in cooperation with telecom companies across the country since 2018. 5 6

In February 2022, Egypt and Greece signed an agreement to extend a submarine fiber-optic cable between the two countries at a cost of \$60 million.7 In March 2022, Telecom Egypt announced the creation of a new route for fiber-optic internet cables between the Red Sea and the Mediterranean via Al Morshedeen Road, aiming to promote Egypt as a central point for intercontinental communications.8

In January 2022, the Ministry of Communications and Information Technology (MCIT) began an initiative to improve internet access in remote villages, with 33 villages participating in the project. As of December 2021, six villages had new fixed-line cables installed, and seven fourth-generation (4G) base stations had been made fully operational.9

In September 2021, Telecom Egypt announced that it would improve the country's ICT infrastructure and secure access to high-speed internet services by providing fiber-optic networks to approximately 1,413 rural villages and towns.10 This includes providing internet services to 2,563 high schools and connecting 18,000 governmental buildings to fiber-optic cables.11 Such developments resulted in a 16.3 percent growth rate in the ICT sector during the 2021-2022 fiscal year.12

## A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, 3 social, or other reasons?

Score Change: The score improved from 1 to 2 because internet prices have remained relatively stable and affordable, despite rising inflation and increased costs in other sectors.

Broadband internet connections are relatively affordable. According to the International Telecommunication Union (ITU), while 90 percent of the population in Egypt can afford mobile broadband services,13 fixed broadband costs remain high, at approximately 3 percent of the annual per capita income.14 According to the World Bank, Egypt's gross domestic product (GDP) per capita is around 113,202 Egyptian pounds (\$3,698.8).15 Since 2022, Egypt has abruptly depreciated its currency

three times, yet the cost of fixed and mobile broadband remained intact.16

While state-owned internet service provider (ISP) Telecom Egypt continues to dominate the sector, increased competition among mobile providers has led to a decrease in broadband prices. According to Cable, a London-based price comparison website, Egypt ranked 9th out of 220 countries on consumer broadband prices as of January 2023. On average, a monthly broadband package costs of \$9.67, one of the cheapest globally.17 A monthly 140 gigabyte (GB) mobile package costs 120 Egyptian pounds (\$4.48).18

The distribution of fixed-line internet access varies across different parts of the country. In November 2022, 36 percent of the country's Asymmetric Digital Subscriber Line (ADSL) subscriptions were in greater Cairo, 34 percent were in the Nile Delta region, 15 percent were in Upper Egypt, 10 percent were in Alexandria and Matrouh, and 5 percent were in the Sinai, Red Sea, and Suez Canal areas.19 In addition to the urban-rural divide, factors such as gender, wealth, and education level significantly impact internet access in Egypt.20 According to regional digital rights organization SMEX, men have more access to information and communication technologies than women.21

Internet penetration is hindered by digital illiteracy, among other factors. The Economist Intelligence Unit's Inclusive Internet Index 2022 ranked Egypt 57th out of 120 countries due to high prices and low digital literacy.22

#### A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting 6 connectivity?

The government has considerable control over internet infrastructure and has restricted connectivity in the past.

Article 67 of the 2003 Telecommunication Regulation Law provides Egyptian authorities with the power to commandeer telecommunication services and networks of any operator or service provider. This means that the NTRA, alongside the military and national security agencies, is entitled by law to set the operational plan for the deployment of telecommunication networks in the event of cases listed under Article 67, such as "natural or environmental disasters" or "any other cases concerning national security."23

The government has centralized the internet infrastructure and fiber-optic cables to create highly controllable choke points.24 In addition, virtually all of Egypt's telecommunications infrastructure belongs to Telecom Egypt. Decree 242, issued in 2019, put the telecommunications

infrastructure under the ownership of the National Service Projects Organization (NSPO), which is run by the Egyptian ministry of defense.25

Voice over Internet Protocol (VoIP) services have been intermittently blocked on mobile networks. In October 2020, Telegram was reportedly blocked for customers of mobile service providers We, Vodafone Egypt, and Orange Egypt after authorities blocked access to the service's IP addresses.26 The NTRA provided no justification for these disruptions. During COP27 in November 2022, Egyptian telecom providers lifted the ban on WhatsApp VoIP services, such as voice calls, for a short period of time (see B1).27 However, the restrictions were restored after the conference.

Periodic blockages of VoIP traffic over mobile networks were documented as early as 2010,28 and in 2013, the NTRA announced the establishment of a committee to "monitor" communications on WhatsApp and Viber.29 Making international calls over VoIP networks is technically illegal under Article 72 of the Telecommunication Regulation Law.30

## A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict 3 / the diversity of service providers?

The Egyptian ICT market is dominated by a small number of companies, creating obstacles to competition and innovation.

Three companies largely control the mobile phone market. Vodafone Egypt enjoys the greatest market share, at 40.5 percent, while Orange Egypt, a French company, has 33 percent.31 Etisalat Misr, with its 24 percent market share, is 66 percent owned by Etisalat, which has strong ties to the United Arab Emirates (UAE).32 In 2017, state-owned Telecom Egypt officially launched We,33 the country's fourth mobile network. Telecom Egypt also owns about 45 percent of Vodafone Egypt.

Telecom Egypt, under the banner TE Data, controls 75 percent of the ADSL market. Egypt's other main ISPs are Etisalat Egypt, Noor, and Vodafone Data. These companies lease lines from TE Data and resell bandwidth to smaller ISPs.34 In 2016, Etisalat Misr obtained a license to offer fixed-line services via Telecom Egypt's infrastructure.35

In 2022, Vodafone International Group approved the transfer of 55 percent of its shares in Vodafone Egypt to Vodacom (its sub-Saharan African subsidiary) in exchange for cash and new shares in Vodacom.36 Vodacom announced that it will "sign (a) deed of adherence to the shareholders' agreement with Telecom Egypt,"37 which owns 44.95 percent of Vodafone Egypt.38

The NTRA and the Ministry of Communications issue guidelines for ISPs and regulate licensing. These guidelines at times undermine a competitive

telecommunications market. Unlike international best practices, the guidelines for granting licenses to ISPs do not refer to any standardized economic model for determining service prices. There is no reference to common pricing methods, such as usage-based pricing, flat-rate pricing, or pricing supported by both the user and the service provider, giving ISPs significant leeway to set their prices in ways that could harm consumers.39

#### A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

Telecommunications services and ISPs are regulated by the NTRA under the Telecommunication Regulation Law, which does not guarantee the NTRA's independence.40

The authority is subordinated to the MCIT, and the members of its board are selected by the prime minister, who also determines their salaries.41 The NTRA board is chaired by the minister of communications and information technology and includes representatives from the Ministries of Defense, Finance, and Interior; the National Security Council; the presidency; and trade unions, among others.42 Officially, the NTRA is responsible for ensuring a competitive market environment, managing the frequency spectrum, setting industry standards, and overseeing interconnection agreements.43

The NTRA played a significant role in the five-day shutdown of internet and mobile services during the 2011 revolution. According to a judgment by an administrative court, the authority participated in all stages of the shutdown and represented the MCIT in this operation. It also worked with telecommunications companies to follow the Interior Ministry's decree calling for the shutdown; in the same judgment, the decree was ruled to be an infringement on the right to communicate, among others.44

In 2022, the NTRA fined several mobile providers 11.2 million Egyptian pounds (\$361,670) for failing to adequately respond to customer complaints and obliged the companies to refund affected customers 3.8 million Egyptian pounds (\$122,700).45 In late 2022, several ISPs were fined 24 million Egyptian pounds (\$775,000) for violating quality standards.46

# **B** Limits on Content

#### B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?

The state continued to block news websites during the coverage period as part of a wider crackdown on freedom of expression. Through Article 7 of the Law on Combating Information Technology Crimes, the NTRA can order telecom companies to block websites.47 During the coverage period, lawmakers began discussing a proposal to block TikTok, although the app remained available as of June 2023.48

In 2022, a total of 12 websites were blocked on the grounds that they propagated false information, incited violence, or mocked religious beliefs, among other reasons. Additionally, some foreign-based websites were blocked for operating without a Supreme Council for Media Regulation (SCMR) license.49 In July 2022, the independent news website Al-Manassa was blocked for 72 hours after publishing an article criticizing the lack of oversight mechanisms to hold the president accountable.50

In November 2021, the website Disclose, a nonprofit newsroom and investigative journalism organization, was blocked after it revealed that French companies had sold surveillance systems to Egypt (see C5).51 In July 2021, the "180 investigations" website was permanently blocked by the authorities without any stated reason or due process (see B3).52 In April 2020, Darb, a news outlet run by the opposition Socialist Popular Movement Party, was blocked a month after its launch. Darb had published calls for the release of prisoners of conscience during the COVID-19 pandemic.53

In November 2020, IFEX reported that at least 600 websites had been blocked by the authorities since May 2017, including 394 virtual private network (VPN) and proxy providers and 116 news sites.54 While some of these websites were blocked temporarily, others remained blocked throughout the coverage period.

Many international and local news sites are blocked, with some having been blocked since the beginning of 2017. Blocked sites include Huffington Post Arabic, financial newspaper *Al-Borsa*, and the entire online publishing platform Medium. Websites run by Human Rights Watch (HRW), Reporters Without Borders (RSF), and the April 6 Youth Movement, which was active during the 2011 revolution, are also inaccessible. In November 2022, websites belonging to HRW and independent outlet Mada Masr became temporarily accessible during COP27 (see A3).55 While HRW's website remains accessible, Mada Masr's website was re-blocked after the conference.

In October 2020, it was reported that the Egyptian government had used Sandvine's technology to block hundreds of websites, including 100 independent news and media websites and the popular citizen news platform Al-Manassa (see C5).56

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to 1 / delete content, particularly material that is protected by 4 international human rights standards?

In recent years, the government has removed objectionable content from certain outlets and pressured social media users to take down critical content. Ahead of COP27, authorities released several political prisoners in response to growing international pressure; however, at least seven released prisoners reported that the National Security Agency (NSA) ordered them to remove social media content critical of the government or face arrest at the end of the conference. Those who refused to comply where re-arrested.57

Prepublication censorship is common. In May 2022, the Chamber of Travel and Tourism Companies and Agencies banned employees from posting social media content that could negatively impact tourism. The regulations came after two tour operators were arrested for posting a video that showed several boys harassing foreign women tourists at the Giza Pyramids.58

Other tactics have been used by nonstate actors to control the digital space. Private citizens can lodge legal complaints against the "violation of public morality" on social media, which allows the authorities to censor online content, curtail freedom of expression online, and clamp down on internet users.59

Social media content is removed following demands from the government. Progovernment lawyers have filed lawsuits against social media influencers, at times resulting in their content being deleted.60 In 2021, the SCMR ordered 212 Facebook accounts, 10 Twitter accounts, and 5 Instagram accounts to be blocked, although it is unclear whether social media companies complied with the ruling.61

News outlets regularly remove articles from their own websites. In May 2018, the Arabic website of Russian state broadcaster RT was pressured to remove an online poll it had posted about the disputed territories of Halayeb and Shalateen on the Egyptian-Sudanese border.62

Shortly before the September 2019 protests, the SCMR published an article titled "Blocking and fines are the penalty for spreading rumours in the media," reiterating Article 17 of the SCMR's Sanctions Regulations, which provides penalties for spreading false news or rumors and for inciting violations of the law.63

In November 2020, the SCMR amended licensing regulations to pressure streaming platforms to obtain a certificate of approval for operation (see B3 and B6). The regulations also include some provisions requiring companies to remove "harmful content." Companies must comply with

content removal requests within 24 hours. The SCMR is awarded discretionary power to make decisions about how to respond to noncompliance.64

#### B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?

The legal framework that regulates the digital space includes restrictions that are neither necessary nor proportionate and largely lack transparency.

A May 2018 Supreme Administrative Court decision limited the ability of administrative courts to restrict executive orders for online censorship and facilitated new legislation granting judicial and executive bodies, including the NTRA,65 the right to block websites on national security grounds.66

In August 2018, President Sisi signed a law to combat cybercrime and a law on media regulation (see C2).67 The cybercrime law allows state authorities to block websites without a judicial order on national security or economic grounds, which are vaguely defined. Personnel at service providers who do not respond swiftly to blocking decisions could face prison sentences and fines.68 The government claimed that the law was meant to combat online theft and hacking.69 The media regulation law requires that news sites obtain an SCMR license. However, whether blocked websites are able to apply for one, and whether they would remain blocked after obtaining one, is unclear (see B6 and C2).70

In March 2019, officials published the SCMR's list of sanctions, which included potential penalties for violations of the media regulation law, such as suspensions, fines, and other disciplinary actions.71 Additionally, Egypt's criminal code includes provisions regarding the dissemination of "blasphemous or defamatory material," which could be used to legally compel service providers to block such materials.72 The broadly worded 2015 antiterrorism law allows the authorities to block content or websites that promote terrorism.73

In September 2022, the SCMR published a statement on its website noting that streaming platforms such as Netflix and Disney must adhere to "the customs and values of the Egyptian state." It is unclear if this vaguely worded statement will be used to justify the removal of streaming content or if it is expanding upon licensing regulations (see B2 and B6).74

#### B4 0-4 pts

Do online journalists, commentators, and ordinary users practice 1 / self-censorship?

Repressive criminal laws and the rising number of arrests for social media posts have had a chilling effect on online speech. Advanced censorship and surveillance also incentivize users to self-censor and curtail political opposition on digital platforms.75 Online journalists are often reluctant to publish on sensitive topics, including sectarian tensions, sexuality, the Muslim Brotherhood, political detainees, military operations in the Sinai, and the military's outsized role in the national economy.

More recently, self-censorship has been practiced by everyday internet users, not just activists. Academics have refrained from sharing their critical opinions on social media for fear of digital surveillance or intimidation. As a result, some university professors have started educating their students on the risks of tackling certain topics on social media.76

Harassment also leads people to self-censor. In July 2020, a gay man was harassed on Facebook for his sexual orientation and was later assaulted offline. He temporarily closed his account after receiving intimidating messages and death threats (see C7).77

A study published by the Association for Freedom of Thought and Expression (AFTE) in June 2020 found that news outlets refrain from publishing content critical of the government for fear of website blocks or further retaliation if they are already blocked.78

## B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

State officials actively manipulate information online, and the media landscape is dominated by the online versions of state-owned newspapers or outlets that are backed by government-connected businessmen.79 Journalists and bloggers face intimidation and smear campaigns from progovernment outlets. In recent years, pro-Sisi influencers have promoted government actions and policies on social media.80

A study published in 2022 found that Egyptian authorities have launched several social media operations that used "semi-organic strategies" to attack and slander foreign adversaries.81 In July 2021, amid Tunisia's political crisis, Egyptian media outlets, commentators, and social media influencers praised Tunisian president Kaïs Saïed's "triumph" over Ennahda—a political party in Tunisia that its opponents have linked to the Muslim Brotherhood, despite objections from Ennahda members. In Egypt, these commentators used the opportunity to launch unfounded accusations against the Muslim Brotherhood.82

Twitter and Facebook have reported multiple incidents of coordinated inauthentic behavior in Egypt. In November 2020, Facebook removed 14 accounts, pages, and groups belonging to a network that targeted Egyptian and other audiences. Some accounts associated with the Muslim Brotherhood were also removed.83 Twitter disclosed that "state-backed actors" were inauthentically disrupting conversations between January and June 2020. Twitter reported actions taken against 52,000 accounts ascribed to information operations in Egypt and several other countries.84 In April 2020, Twitter reported the removal of 2,541 government-linked accounts.

Government agencies have sought to improve public opinion about them in the media by recruiting young Instagram influencers to their new media ambassadors program. While it is unclear whether the government is paying the influencers, the influencers have been told that the program will help boost their platforms and increase their follower counts.85 Most of these influencers are appointed either directly by the Ministry of Defense or indirectly as "state cheerleaders" to promote state narratives on social media.86

The authorities have created two WhatsApp groups to convey instructions to media outlets on what to report and what the red lines are. The first group, "Editors," is administered by the General Intelligence Service (GIS) and the second is administered by the Interior Ministry. In January 2020, directions were issued to refrain from covering former US president Donald Trump's Middle East plan and not to touch upon its "violations of Egyptian and Arab principles regarding the Palestinian issue."87

### B6 0-3 pts

Are there economic or regulatory constraints that negatively 0 / affect users' ability to publish content online? 3

The economic viability of independent news sites is constantly under threat. Many such outlets have closed, and others face financial troubles. Those subjected to blocking have suffered revenue losses, leading some to suspend their operations.88 The SCMR was created in 2016, with the power to fine and suspend media organizations.89

In June 2018, the parliament approved three laws regulating the media.90 The laws, which replaced existing legislation and were all signed by the president in August 2018, govern three official bodies: the National Press Authority, which mainly oversees state-owned print outlets; the National Media Authority, which is primarily responsible for state-owned broadcast outlets; and the SCMR, which supervises the media more broadly, including online media. The legislation concerning the SCMR, Law No. 180 of 2018, contained a number of new restrictions, stipulating that no media outlets could be established or managed in Egypt without an SCMR license. Moreover, the law defines media outlets to include blogs and personal social media accounts with at least 5,000 followers,

subjecting the individuals behind them to account removal, fines, and imprisonment if they are found to be spreading purportedly false news (see B3 and B6).91 In addition, the law requires media outlets to pay a fee of 50,000 Egyptian pounds (\$3,200) to obtain a license from the SCMR and gain legal status.92 Outlets must also have at least 100,000 Egyptian pounds (\$6,400) in capital. The law allows sites to be blocked on several grounds, including spreading purportedly false news (see B3).93

In November 2020, the SCMR amended licensing regulations to pressure streaming platforms to obtain a certificate of approval for operation. The amendments were condemned by rights groups for being ambiguous and not specifying the fees or forms required to obtain the accreditation certificate.94 During the coverage period, there was no evidence that any streaming platforms had received certificates and thus are not beholden to the content removal requirements.

As of September 2021, social media influencers who earn over 500,000 Egyptian pounds (\$32,000) annually are required to pay a tax to the Egyptian government. Authorities have begun reaching out to social media platforms like YouTube and Meta to get information on bloggers, influencers, and content creators who fall within this bracket.95

Registering a web address using Egypt's .eg domain requires the submission of personal data and copies of the applicant's national identification document (see C4), which may inhibit local sites from publishing criticism of the government.

#### B7 0-4 pts

Does the online information landscape lack diversity and 2 / reliability?

Online media have struggled to maintain their independence and diversity of views given the arduous conditions of, and sweeping restrictions imposed by, new regulations and local practices. Egyptians resort to social media as the main source of information despite it also being monitored and censored.

In 2022, the most widely read news outlets, according to Alexa rankings, were primarily tabloids, news portals aligned with the government, and sports websites.96

The blocking of hundreds of websites has negatively affected the diversity of media and consequently of critical opinions (see B1). According to a 2018 survey conducted by Northwestern University in Qatar, only 3 percent of internet users in Egypt used VPNs, which can be employed to bypass blocking and reach obstructed sites.97 Furthermore, 54 percent of respondents in 2019 said that they feel comfortable speaking about politics, compared to 79 percent reported in 2018. Only 42 percent of

respondents believed that Egyptians should be able to express ideas online even if they are unpopular.98

The dissemination of fake news and misinformation adversely impacts internet users' trust of online content. During the COVID-19 crisis, fake news and false information regarding the pandemic was rampant, making it difficult for online users to access evidence-based information.99

#### B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social 6 issues?

Score change: The score declined from 3 to 2 because authorities hindered online mobilization activities, not only those of a political nature but also social gatherings.

Digital activism and political organizing are highly restricted. A law passed in 2013 effectively banned protests and gave the police broad powers to crack down on unauthorized assemblies.100 During the coverage period, authorities arrested online users seeking to mobilize non-political social gatherings.101

Against the backdrop of COP27, more than 150 people were detained and investigated by the SSSP, often under "counterterrorism" charges, for using social media to organize protests.102 The exact number of detainees remains unknown given the lack of transparency from the authorities. In addition to fines, arrests, and prison sentences, some civil society leaders have faced travel bans and asset freezes.103

Authorities preemptively and arbitrarily detained several Egyptians who called for protests ahead of the climate conference. In November 2022, Mohamed Ali, an exiled former construction contractor and actor, called for antigovernment protests on social media. In response, the authorities detained dozens of activists to prevent the protest from taking place.104 In September 2022, Abdel-Salam Abdel-Ghani Abdel-Salam was questioned, detained, and tried for joining "Haqqina" (Our Right), a Facebook group that called for demonstrations. In October 2022, he was charged with joining a terrorist group and spreading false news and remanded into custody for 15 days pending investigation. 105 The same month, Gaber Mahmoud Mahmoud Badawy was detained and held for 15 days by the security forces after calling for protests in the "11/11 Revolution - Climate Summit" Facebook group. He was accused of associating with and supporting a terrorist organization, disseminating false information, participating in a criminal conspiracy to conduct a terrorist attack, and inciting a terrorist act. 106

In August 2022, social media users organized a Batman-inspired gathering in Cairo. Although the event was not political in nature, security forces

arrested four people for their role in creating the event page and sharing invitations on social media. They faced political charges including joining a terrorist group, spreading false news, and inciting a terrorist act.107

Authorities frequently disrupt the work of organizations or individuals who campaign on human rights issues online. In January 2022, the Arabic Network for Human Rights Information (ANHRI) revealed that it would suspend its activities after its staff experienced "thefts, violent physical assaults, and illegal summons" following the hostile campaign by the security forces to hinder the operation of the network and its staff.108 The ANHRI led multiple online campaigns on issues such as police reform and free expression.

In April 2022, a group of antigovernment expatriates created an online petition calling for the suspension of the Egyptian parliament and expressing a lack of confidence in President Sisi. The petition garnered major attention on social media, and authorities responded by launching a "state of high cyber security alert." According to a government source, authorities debated hacking the online accounts of those sharing the petition, reporting them to social media platforms, and sending online trolls loyal to Sisi to target those sharing the petition.109

In September 2019, social media users called for protests against President Sisi after corruption allegations involving the president surfaced.110 Thousands of citizens demonstrated across Egypt, and security agents responded violently, arresting almost 2,000 people.111 During the demonstrations, police and plainclothes security officers seized and searched the mobile devices of citizens to check for evidence of antigovernment sentiments.112 Most of the arrested protestors were detained for being highly critical of the government online and offline.113 Following the protests, many dissenting social media platforms were blocked online (see B1).114

# C Violations of User Rights

#### C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, 0 / including on the internet, and are they enforced by a judiciary 6 that lacks independence?

The constitution contains language that nominally guarantees freedom of the media, stating that Egyptians "have the right to own and issue newspapers and establish visual, audio, and digital media outlets."115 Under Article 34, the government is given the role of preserving online security, and under Article 70 the government is responsible for regulating online newspapers and visual and radio broadcast stations. Article 71 forbids censorship and states that no individuals should be jailed for crimes committed through publication.

However, exceptions are made for censorship in "times of war or general mobilization," and penalties for "incitement to violence" and "discrimination amongst citizens or impugning the honor of individuals" are to be specified by law. Article 211 outlines the establishment of a national media council tasked with regulating "the affairs of radio, television, and printed and digital press" and ensuring that the press maintains a commitment to "professional and ethical standards, as well as national security needs."116

In April 2019, the parliament approved amendments to the constitution that would allow President Sisi to stay in power until 2030, extending his current four-year term to six years and permitting him to seek an additional six-year term in 2024. Among other changes, the amendments granted the president greater control over the judiciary and expanded the political and judicial authority of the military.117

In October 2021, President Sisi terminated the state of emergency,118 which was first introduced in April 2017 and renewed 11 times.119 However, numerous laws that threaten the freedom of expression, such as the 2015 antiterrorism law (see C2), remain in effect.120 Furthermore, the government passed a number of amendments to existing legislation that permanently codify many of the provisions from the emergency law.121

In November 2019, a Ministry of Foreign Affairs spokesperson declared that freedom of expression is protected in Egypt, except when it targets state institutions, transcends the constitution or the law, or violates international obligations. Finally, he asserted that only the judiciary can investigate these cases and that defendants have the rights and necessary safeguards to defend themselves.122

In September 2021, President Sisi launched the first national human rights strategy, which includes freedom of expression as a priority issue. The strategy further calls for a comprehensive code of conduct to tackle all aspects of the media, including digital and social media, while ensuring that freedom of expression can be exercised without violating others' freedoms and is consistent with Egypt's constitution and international obligations.123

The constitution permits the trial of civilians in military courts, despite objections from political activists.124

#### C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under  $\frac{0}{4}$  international human rights standards?

The legal framework that governs online activity restricts freedom of expression in a variety of ways. Defamation is considered a criminal

The 2015 antiterrorism law broadened the scope of crimes that are considered terrorism and prescribed harsh penalties for nonviolent acts.126 Article 27 establishes a minimum five-year prison sentence for creating a website that incites violence, hosts content that misleads the authorities on terrorism cases, or communicates with or organizes terrorist groups.127 Activists argued that the broad language of the law could apply to any peaceful political party or advocacy group.128 Finally, journalists face heavy fines for disputing official accounts of militant attacks. In March 2020, amendments to the antiterrorism law were passed, which prescribe severe penalties for expressing opinions online.129 Promoting extremist ideology can carry a 10-year prison sentence, while promoting terrorist acts, extremist ideology, or ideas and beliefs that advocate violence can result in imprisonment for up to 15 years.130

In 2015, President Sisi issued a separate law broadening the definition of "terrorist entities" to include anyone who threatens public order "by any means," allowing the state to draw up lists of alleged terrorists or terrorist organizations.131 The law was met with skepticism from legal experts and human rights activists, who said that its vague wording could allow the state to designate political parties, student unions, or human rights organizations as terrorist groups.132 In February 2020, the parliament approved amendments to the definition of "a terrorist entity" and removed satellite channels, radio stations, and social media from the list of alleged terrorist groups in response to internal government backlash.133

Amendments to the law on states of emergency, the antiterrorism law, and the criminal code were rushed through in 2017 after terrorist attacks on three Coptic Christian churches. The amendments allowed for the indefinite detention of individuals suspected of threatening national security through the use of special emergency courts. The right to appeal the decisions of such courts and obtain a fair trial were curtailed. Police may also detain individuals for seven days without bringing them before a judge or prosecutor.134

In August 2018, the president signed the Anti-Cyber and Information Technology Crimes Law, or Law No. 175 of 2018.135 It authorizes the blocking of websites that are deemed to be a threat to national security and punishes individuals who visit banned websites with up to one year in prison. Creators or managers of websites that are later banned could face up to two years in prison.136

In November 2021, the Egyptian parliament approved a bill that would criminalize the publication of fake news during a health crisis. The law, presumably a result of the spread of disinformation during the COVID-19

pandemic, would include a yearlong prison sentence and a fine of 10,000 Egyptian pounds (\$635) for "anyone who deliberately publishes or spreads false news or tendentious rumors related to the situation of an epidemic." As the bill stands, only journalists would be exempt from prosecution.137

#### C3 0-6 pts

Are individuals penalized for online activities, particularly those 0 / that are protected under international human rights standards? 6

Internet users in Egypt operate in a highly repressive environment.138 Internet users who are arrested for their online content frequently spend weeks, if not months, in pretrial detention. In an effort to bypass the Criminal Procedures Law, which outlaws the extension of pretrial detention for more than four years, authorities have embarked on a practice of "recycling defendants."139 Many human rights activists receive renewed detentions on old or new cases.140

Internet users can receive long prison sentences for their online activities in cases that do ultimately proceed to trial. During the coverage period, in January 2023, Mohamed Ali, an exiled activist whose social media posts helped fuel the 2019 antigovernment protests, was handed a life sentence in absentia for his online mobilization efforts.141

In recent years, authorities have embarked on a sustained crackdown on TikTok users. In 2022, the AFTE reported 101 violations of online rights, 22 of which were related to content posted on TikTok.142 In April 2023, Salma El-Shimy, a TikTok influencer with 3.4 million followers, was sentenced to two years in prison and a fine of \$3,230 in response to her social media content, which promoted body positivity.143 In October 2022, a man was detained after posting a TikTok video showing a noncommissioned police officer kicking someone. The man was held in pretrial detention for 15 days and charged with spreading false news.144 In June 2022, six men were detained by the Alexandria police for their involvement in a TikTok video mocking President Sisi that received more than 6 million views. Prior to standing trial, the men were forcibly disappeared for over three weeks and remanded into custody after the prosecution accused them of distributing false information and joining a terrorist organization.145

Internet users are frequently charged under the antiterrorism law in retaliation for their political or social speech. In November 2022, Ahmed Abdel Mageed Oraby was arrested and charged with spreading false information and using the internet to commit terrorism, among other charges. Oraby's arrest was a response to several Facebook posts where he shared his political views. In December 2022, his detention was renewed for 15 days, pending investigation.146 In November 2022, journalist Ahmed Fayez was arrested, detained, and charged with spreading false news, misusing social media to incite terrorism, and belonging to a terrorist group. He was arrested after citing a Facebook

post, which claimed that journalist Alaa Abdel Fattah was force-fed by prison authorities during his prolonged hunger strike.147 In September 2022, artist Amir Abdel-Ghani was forcibly disappeared for nine days before being formally detained by the SSSP. He was charged with joining a terrorist group, misusing social media, and spreading false news. The charges are linked to Facebook posts over the last decade, some of which were about high gas prices.148

Independent journalists who work online were also investigated during the coverage period. In November 2022, Mostafa Moussa, a freelance journalist who writes for independent news websites Masr al-Arabia and Al-Bawabh News was arrested in Alexandria. His whereabouts remain unknown, although he is likely held in pretrial detention.149 In October 2022, online journalist Ahmed Montasir was arrested and charged with spreading false news. His pretrial detention was repeatedly renewed every 15 days and his appeal was rejected in January 2023.150 In September 2022, four journalists from the independent news website Mada Masr were summoned for interrogation after reporting about an unannounced corruption investigation that the government authorities are allegedly carrying out against senior members of the ruling Nation's Future Party. They were later released on bail.151

Academics and researchers were subject to administrative, security, and judicial harassment in response to their social media content. For example, three months after being released from prison, academic and political activist Sherif al-Rouby was re-arrested after using social media to denounce the financial and psychological hardship he and other detainees encountered while in prison.152 In July 2022, an assistant professor at the Higher Technological Institute received a 15-day salary deduction after being charged with insulting the institute on social media. She was also dismissed from her position as the head of the mechanical engineering department.153 In September 2022, Osama Rizk Rizk Amer, a teacher and YouTuber, was detained after he uploaded a video to his educational YouTube channel criticising the process of collecting donations for both private and state schools. Amer was held in detention for 18 days before standing trial and was charged with joining and financing a terrorist organization.154

Authorities continued their practice of recycling detainees by adding changes to political prisoners' cases and extending their prison sentences. In 2021, Ahmed Samir Santawy, an Egyptian researcher and anthropology student, was sentenced to four years in prison on charges of publishing "false news" on social media.155 In July 2022, he received a new three-year sentence on charges of spreading false news after using social media to highlight the deteriorating situation in Egyptian prisons.156 Also in 2021, Mohamed Mamdouh Abdel Halim was arrested and charged with joining a terrorist group and using social media to spread false information. He was issued a release order with precautionary measures,

but the release was never carried out.157 In December 2022, his detention was renewed by the Criminal Court for 45 days pending a second case.158

Blogger Mohamed Ibrahim "Oxygen," who was initially arrested in 2018, was sentenced to four years in prison on charges of "spreading false news undermining national security" in December 2021.159 In September 2022, Oxygen completed three years in detention, most of which was spent in solitary confinement.160

Alaa Abdel Fattah, a prominent activist and blogger, was jailed for five years in 2015 and rearrested shortly after his release in March 2019.161 In December 2021, the Misdemeanors Emergency State Security Court in Cairo sentenced him to five years in prison on charges of "spreading false news undermining national security."162 In November 2022, after an extended hunger strike, Abdel Fattah announced he would eliminate water from this diet.163 He has been held in detention for more than nine years by the end of 2022.

In September 2019, human rights lawyer and founder of the Adalah Center for Rights and Freedoms, Mohamed el-Baqer, was arrested on charges of spreading false news and misusing social media. Later, he was charged on a second case for which he was never questioned or given the right to defend himself.164 After spending nearly 5 years in detention, he was released in July 2023.165

#### C4 0-4 pts

Does the government place restrictions on anonymous 1 / communication or encryption?

Certain laws undermine the anonymity of communication in Egypt. In 2010, the NTRA issued a regulation that requires distributors of SIM cards to collect personal data from users before the cards can be activated.166 In recent years, the NTRA has sought to remove dormant and unregistered SIM cards to promote the credibility of the Egyptian market.167

Individuals seeking to register a web address using Egypt's .eg domain must submit their personal data and copies of their national identification document.

Encryption remains restricted. Article 64 of the Telecommunication Regulation Law outlaws the use of any encryption equipment by telecommunications companies, their employees, or their customers without written consent from the NTRA and security agencies.168 Article 72 of Law No. 180 has been criticized for granting the SCMR exclusive control over the establishment of encrypted platforms and requiring government approval for any other usage of such platforms.169

Encrypted messaging apps and private-chat applications are widely used in Egypt.170 A recent study found that while Egyptian activists trust Signal and Telegram because of their levels of encryption, most internet users rely on WhatsApp for daily communication.171 According to reports, Egypt's mobile app for COP27 allowed the authorities to access encrypted messages from users' mobile phones after they had registered on the app. The app also provided the MCIT with other backdoor privileges, such as the ability to scan people's devices (see C5).172

## C5 0-6 pts

# Does state surveillance of internet activities infringe on users' 1 / right to privacy? 6

Surveillance is a significant concern for internet users in Egypt. Article 57 of the constitution states that private communications may be monitored or confiscated by judicial order. In practice, surveillance operations lack transparency, potentially violating the constitution's privacy protections. Additionally, Article 95 of the criminal code provides legal authority to law enforcement agencies to request the disclosure of communications data.173

Egypt's cybercrime law (see C2) provides national security agencies access to the electronic data of internet and communications platforms users without judicial oversight or clear regulation. Additionally, it does not include any substantial means to mitigate privacy violations or provide for any compensation for those affected by these violations.174

A provision of the antiterrorism law allows the police to monitor internet traffic and social media activity to "prevent their use for terrorist purposes."175 A committee established by the NTRA tracks communications over VoIP services (see A3). The 2018 cybercrime law also facilitates surveillance by state authorities (see C6).

Privacy and surveillance concerns have been flagged around plans for the New Administrative Capital (NAC), which will be equipped with advanced surveillance systems, including facial recognition technology. Furthermore, the city's mobile app, which will allow residents "to make utility payments, access public services, and register complaints with the authorities," could infringe upon the privacy of residents given the lack of data protection safeguards.176

Egypt's mobile app for COP27, which was meant to provide participants with information about the conference, had concerning privacy implications. According to cybersecurity experts, the app could listen in to conversations, read private emails, track texts, and bypass encryption (see C4).177 The app requested users to register using personal information, such as their email, mobile number, nationality, and passport number, and required location tracking to be turned on. While such allegations

were denied by Egypt's COP27 special envoy, Western security advisors warned their delegates not to download the app.178

Egyptian authorities have access to spyware technology. In December 2021, Citizen Lab, a Canadian internet watchdog, reported that while living in exile, both opposition politician Ayman Nour and a well-known Egyptian journalist were targeted by Cytrox's Predator Spyware. According to Citizen Lab, there is medium-high confidence that the hack was carried out by the Egyptian government, which is a confirmed Cytrox customer.179

In November 2021, investigative website Disclose reported that French companies Nexa Technologies, Ercom-Suneris, and Dassault Systèmes supplied the Egyptian government with a cyber surveillance system that was deployed to monitor the electronic devices of human rights organizations and activists.180

Other reported instances of government-linked spyware use in recent years have included the use of Sandvine devices to block websites and monitor, prevent, or tamper with connections;181 FinSpy attacks against human rights activists;182 and the use of other sophisticated spyware that enabled attackers to read emails, log contacts, and record locations of citizens (see C8).183

As early as 2013, Egyptian authorities were reported to be using software that allows service providers to monitor the behavior of internet users as well as a wide range of communications, including voice calls, text messages, emails, instant messages, social media platforms, and search engines.184

Police and plainclothes security agents have also searched and seized mobile devices (see B8).185 Amid the call for protests in November 2022, checkpoints were set up where people had to unlock their phones and allow the authorities to inspect their social media apps for any political content. It was reported that some officers used advanced digital tools when searching mobile phones, including to detect hidden applications.186

In 2019, the Public Prosecution established the Communication, Guidance, and Social Media Department (CGSMD), which has a Monitoring and Analysis Unit (MAU) dedicated to monitoring social media users. The MAU has filed several lawsuits against social media users (see C3).187

#### C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users' right to  $\frac{0}{6}$  privacy?

The government can obtain user information from companies without due process. Article 64 of the Telecommunication Regulation Law allows service providers, as well as their marketing agents, to collect personal data from users. It also compels providers to give security agencies access to their "equipment, systems, software, and communication."188

The 2018 cybercrime law requires telecommunications providers to assist law enforcement with surveillance operations. The law also compels providers to collect personal data and store it for 180 days.189 Failure to retain data for this amount of time could result in a fine of up to 10 million Egyptian pounds (\$634,000); a second violation can lead to a fine of 20 million pounds (\$1.3 million) and revocation of the company's license.190 State agencies can request stored data without a judicial order,191 an apparent violation of Article 57 of the constitution.192

A data protection law ratified by the president in July 2020 is the first legal safeguard for individual data privacy, and contains some data protection principles.193 However, the law stipulated that service providers should retain users' data for 180 days and provide access to state authorities upon request. 194 Furthermore, it exempts national security authorities from user data protection obligations. It also fails to guarantee the independence of the Personal Data Protection Center, which will serve as the regulatory authority.195 The law remained suspended at the end of the coverage period due to the absence of executive regulations.196

In May 2018, the parliament passed a law to regulate ride-sharing apps,197 which includes requiring companies to retain user data for 180 days and share it with authorities "on request" and "according to the law."198 Requests for data do not need to be accompanied by a warrant, though a decree from the prime minister is required.199

From January to June 2022, Google's transparency report revealed that Egypt made five emergency disclosure requests and two legal requests for user information. Four requests for user information were also issued through diplomatic procedures.200 Facebook also reported three requests from the government for user data from five accounts during the same period.201

## C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?

Imprisoned activists, bloggers, and journalists frequently experience abuse and torture while in detention. Enforced disappearances and kidnappings of online activists and journalists are not uncommon.202 Prison authorities and security forces operate with impunity and often face no repercussions for these abuses.203

During the coverage period, at least one social media user was forcibly disappeared by security forces. In June 2022, a student, Al-Amir Fahim Ahmed, posted a video on TikTok where he performed a political song called "Theaters and Cinemas." After posting the video, he was forcedly disappeared for more than a week before being formally arrested and investigated by the SSSP (see C3).204 In January 2022, Ihab Saeed Ahmed Saafan, an accountant, was forcibly disappeared for around three weeks. Saafan, who was accused of "joining and financing a terrorist group" and "spreading false news," reported being beaten and subjected to electric shocks while security forces interrogated him about his Facebook and Twitter posts.205

Torture in prisons is not uncommon. In February 2020, Patrick George Zaki was detained and held for 24 hours by Egyptian authorities and was subjected to torture, including electric shocks. Zaki, a researcher and activist, was accused of "calling for protests without permission" and for "spreading false news and inciting violence and terrorism" after posting to his Facebook page.206

Online harassment and doxxing of LGBT+ people is common.207 Evidence shows that authorities have relied on cyber informants to identify and arrest sex workers and members of the queer community since the early 2000s.208 Throughout 2022, Human Rights Watch (HRW) observed a trend of digital repression by security forces against LGBT+ people.209 Specifically, they used the cybercrime law to arrest LGBT+ people, allegedly due to digital evidence found on their personal devices. Detainees also reported ill treatment while in police custody.210 During the coverage period, and anti-LGBT+ online campaign spread hate speech against Egyptian members of this community on X, formerly known as Twitter.211

During the coverage period, National Media Authority (NMA) staff members were threatened by officials in response to their critical social media posts. One staff member had his salary suspended for five days after using social media to condemn a 2006 proposal by a parliamentarian to halt broadcasting of various regional channels. Other staff were reportedly suspended from work and their salaries were suspended without any legal or administrative investigations.212

In November 2019, after Mada Masr published an article about President Sisi's eldest son, plainclothes security officers raided the outlet's office. They confiscated laptops and phones and took three staff members in for interrogation; all three individuals were later released.213 A foreign ministry spokesperson noted that the Mada Masr raid had been conducted legally and that the outlet did not have the required license to operate. He further denied detaining any staff and claimed that security

agents did nothing beyond inspection, interrogation, and investigation.214

#### C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and 3 other forms of cyberattack?

Score Change: The score improved from 1 to 2 because fewer technical attacks targeting human rights defenders and journalists have been reported in recent years.

Internet users in Egypt have been subject to several internal and external cyberattacks in recent years.215

Government institutions were targeted by cyberattacks during the coverage period. According to a May 2023 report from Kaspersky, international hacking teams who specialize in advanced cyberattacks targeted Egyptian government institutions with the intent of espionage and data theft.216

Private companies and individuals were targeted by cyberattacks or with malware in recent years. In November 2022, hackers obtained the WhatsApp numbers of 45 million Egyptian citizens, which were then sold online.217 In early 2022, reports emerged that thousands of Egyptian internet users had been infected with RedLine Stealer malware. The malware is used to steal passwords, credit card information, and other sensitive data.218

In addition, a 2018 Citizen Lab report found that Telecom Egypt had been redirecting Egyptian internet users to malware that mines cryptocurrency or displays advertisements, apparently to generate revenue using Sandvine equipment.219

In March 2019, Amnesty International reported "OAuth" phishing attacks using third-party applications against journalists and human rights activists that were most probably conducted by or on behalf of the Egyptian authorities and linked to the NilePhish attacker group.220

In October 2019, Check Point published a report revealing that 33 Egyptian citizens—including journalists, politicians, activists, and lawyers—were targeted with spyware that allowed attackers to read emails, log contacts, and record locations through downloaded mobile phone apps. Check Point suggested that such operations were linked to the Egyptian government given the groups that were targeted, the government's investment of human and financial resources, the structures and data downloaded, the use of a registered server belonging to the MCIT, and geographic coordinates corresponding to GIS headquarters.221

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