

EGYPT

“The Facebook Revolution” is a name popularly given to the Egyptian uprising of 25 January 2011. The use of the term ‘Facebook’ refers to the major role the Internet and social media played in the success of the revolution, the main slogan of which was “Bread, freedom, social justice”. Both before and after the uprising, it provided a vital opportunity for Egyptian youths to evade censorship and control and express themselves freely and independently.

Whilst these freedoms began in virtual space, they were quickly replicated in the real world at Tahrir Square in Cairo. However, freedoms of expression won after the revolution have not been immune to destructive setbacks for both political and religious reasons. It has been argued that the concept of ‘freedom’ has not yet been fully developed amongst Egyptians. This is due to historical political and faith-based conflicts, which have permitted a number of public and individual freedoms, including the freedom of expression, to be restricted and threatened by attacks and violations.

Following the revolution, Egypt has been going through a period of legal and constitutional vacuum.¹ The Supreme Council of the Armed Forces (SCAF) was in charge of governing the country after the toppling of the old Hosni Mubarak regime. On 19 March 2011, the SCAF

began a referendum on constitutional provisions, which in turn led to the Constitutional Declaration of the Republic of Egypt. This Declaration has since been amended four times: three under the rule of the SCAF and a fourth time under the rule of the current president Dr. Mohammed Morsi - candidate of the Freedom and Justice Party (FJP), the political arm of the Muslim Brothers. These amendments reflect the political, constitutional and legal chaos in Egypt during the democratic transition period and the construction of the so-called ‘Second Republic’.

Although freedom of expression is guaranteed by Articles 12 and 13, as amended on 17 August 2012² of the Constitutional Declaration, the Declaration also permits “constructive self-criticism to ensure the safe construction of the nation” and excludes the State of Emergency. This means that laws restricting freedom of publication are still in force. Freedom of expression is also subject to many restrictions in the Penal Code² and the Communication Code No. 10-2003.³

During the period of SCAF rule, with an Islamist majority in Parliament, many bloggers, journalists and freedom-of-expression activists were restricted and arrested. They were accused of disturbing public order, libel, defamation and

1. See statement by The Forum of Independent Human Rights Organizations <http://www.cihrs.org/?p=3004&lang=en>

2. Articles (80 ,95,98,171,179,181,182, and from 184 to 187, and from 189 to 198, 302,303, 308,309) The Egyptian Penal Code is also available at <http://goo.gl/AoiX>

3. Articles 44, 64, 65; 66. The laws regulating communication are available at the following link <http://right2know.afteegypt.org/index.php?newsid=32>

campaigning against the military forces. This situation did not change when the elected president took office. During the first 100 days of his rule accusations were made of insulting the president, Hisba cases (contempt for religion) were brought, whilst journalists and media professionals were also arrested. In addition, there have been restrictions on artists and the creative community, whilst sit-ins have been ended by force, and numerous assaults have been reported.⁴

INTERNET OPENNESS

According to the Egyptian Ministry of Communication and Information Technologies (MCIT) the estimated number of Internet users in 2000 was 450,000 with a growth rate of 16.93% per year. This number is now estimated at 31 million and reflects policies under the former regime which sought to benefit economically from expanding the Communications and Internet sector. Following the emergence of third generation GSM phones in 2005, Blackberry service and smart phone usage increased the number of mobile Internet users to 10,780,000 in 2013 – equating to 35.02% of Internet users in Egypt. The number of users employing USB modems has increased by the same amount and is today estimated at 3 million.⁵

After the political, economic and cultural effectiveness of the Internet and social networks became apparent, 2002 saw the ousted regime attempt to sharpen its profile in information and communication technologies by the Ministry of the Interior establishing a cybercrime office. Its role was to control Internet activists and to confiscate equipment in the absence of legal provisions. Many citizens were tried for deviance and the dissemination of false reports.⁶

When the revolutionists raided the State Security Police offices in March 2011, documents were found which revealed that the police cooperated with the American Company JAMA, using the spy software FinFisher. JAMA also trained police officers to use the software to tap phones and monitor VOIP Internet conversations. This spy software can use computer cameras and mobile phones for eavesdropping and control.⁷ In the absence of clear laws the government often censored sites without following judicial processes.

Internet Cafés complained about excessive police control when they were required to photocopy the IDs of Internet users, asked to monitor any sites used and submit reports. Another tactic was the use of prepaid cards in tourist-class cafés which would send a password to mobile phones.⁸ The number of Internet cafés

4. See the report of the Arab network for Human Rights -Freedom of Expression in Egypt: Expression after Election of a Civil President. <http://www.anhri.net/?p=60153>

5. Source: Ministry of Communication and Information technologies- Briefing on Communication and Information technologies Indicators, August, 2012. Monthly issue, at http://www.mcit.gov.eg/Upcont/Documents/Publications_1992012000_Eng%20Flyer-August2012-last.pdf

6. Study by the Arab Network for Human Rights, Internet in the Arab World : Implacable Adversaries: Arab Governments and the Internet' <http://www.anhri.net/en/wp-content/uploads/2012/02/Implacable-Adversaries.pdf>

7. Jamie Doward, « Crackdown on sale of UK spyware over fears of misuse by repressive regimes », the Guardian, available at <http://www.guardian.co.uk/world/2012/sep/09/block-on-exports-surveillance-equipment>

8. Study by the Arab network for Human Rights, Internet in the

decreased drastically because of the increased use of WiFi and USB Modems whilst many were turned into electronic games and entertainment rooms.

IMPORTANT ASPECTS OF THE INTERNET LEGISLATIONS AND POLICIES

Some of the major violations committed by the former Mubarak regime during the uprising included instructions to ICT operators and ISP's in Egypt to cut off all forms of communication.⁹ As a result there was no service for three days, no Internet connection for five days and none of the injured were able to contact medical rescue services for help.¹⁰ This action was based on articles 65 and 67 of the Sixth Part (National Security and General Mobilization) of the Telecommunication Regulation Law 10-2003).¹¹ The same law, in Part One, Article 1, Paragraph 20 (General Provisions) defines national security in the following terms: "It includes the Presidency of the Republic, the Ministry of Interior and the National Security Committee and the National Administrative Control Committee."

This definition involves many parties with

different responsibilities. It can be argued that it does not provide for restrictions on the decisions of such committees, although there should be a clear responsibility at the very top of State authority. On its website, the MCIT published that the fifth plan 2012-2017 is concerned with the development of a legal framework for ISP's and information technologies. It also proposes amendments to the existing laws including law 10-2003 which regulates communication. However, the proposed amendments to Article 55 of the law¹² came without review, nor was there a redefinition of the role of the national security apparatus in regulation. The proposed amendments also failed to include Articles 65 and 67 where provisions are related to the suspension of communication services. This is allowed entirely or partially in specific cases involving general mobilization such as a state of war or in the event of tensions with other States and crises threatening national security. The events of 25 January were considered a threat to national security.

MCIT included the legal environment regulating communication and information technologies in its five-year plan and raised the issue of regulating the communication sector. One law amended by the committee was the Telecommunication Regulation Law N° 10-2003 and the law on Electronic Signatures N°15-2004. It also submitted drafts for new laws such as the law on the Dissemination of Data and Information, the law on Cybercrime, and the law

Arab World : Implacable Adversaries: Arab Governments and the Internet' <http://www.anhri.net/en/wp-content/uploads/2012/02/Implacable-Adversaries.pdf>

9. <http://web.archive.org/web/20110324202228/http://www.renesys.com/blog/2011/01/egypt-leaves-the-internet.shtml>

10. See statement by the Arab Network for Human Rights against the minister of communication and the three GSM operators for the killing of protestors <http://qadaya.net/?p=918>

11. These provisions give broad powers which allow the security forces to control communication, the Internet and providers of such services in case of general mobilization and national security? These provisions are available at: http://www.tra.gov.eg/uploads/law/law_en.pdf

12. National Strategy for Communication and Information Technologies 2012-2017 (The Egyptian Digital Society and Knowledge Economy) pages 32 till 37 <http://www.mcit.gov.eg/Upcont/Documents/ICT%20Strategy%202012-2017.pdf>

on Electronic Trade.¹³ However, current drafts still require revision as well as consultation with stakeholder groups.

INTERNET FREEDOM OF EXPRESSION: CHALLENGES AND LIMITATIONS

Freedom of expression within societal and constitutional terms is subject to restrictions and challenges and still faces an uphill struggle. It is constantly being undermined both legally and socially. Despite the majority of provisions for freedom of expression being rather good, the current Constituent Committee with a majority from the Islamist Party is insisting on compliance with their interpretation of Islamic laws. This constitutes a significant threat to the liberties provided in the draft Constitution. Whilst the Egyptian Constitution defends followers of the revelation religions (ie, Islam, Christianity, and Judaism) it may represent a threat to other faiths. During the interim SCAF rule, military prosecution and court martial were used against civilians and it became clear that Egyptian criminal law can pose a potential setback when used to punish contempt for religions in Article (98v)¹⁴ and that it can also be used against Internet activists and users.

13. Op. Cit.

14. Article 89 of the Egyptian Penal Law, 'shall be imprisoned for no less than six months and no more five years and a fine of no less five hundred pounds and no more than one thousand pounds, anyone using religion for the dissemination for or campaigning for, in writing or any other means, radical ideas the aim of which is causing disputes, discontent to any of the revelation faiths or followers of any of their schools and which may affect national unity and social peace ».

INSULTS TO THE MILITARY INSTITUTION

The activist Michael Nabil, the first freedom-of-expression victim of the recent Egyptian revolution, was accused of insulting military forces through publications on his personal social media accounts (Facebook -Twitter). In his blogs "Son of Raa" and "The Army and the People wasn't ever one Hand"¹⁵ he rejected the excessive use of violence against protesters in Tahrir Square and opposed mandatory military service. He was detained in his house in Cairo on 28 March 2011, and sentenced to three years' imprisonment on 10 April 2011 following which he was subjected to extremely bad conditions in both legal and medical terms. On appeal, his sentence was reduced to two years and on 2 January 2012, the SCAF said it would offer him amnesty, together with over 2000 other detainees sentenced by military courts on the occasion of the first anniversary of the revolution.¹⁶

On 13 August 2011 the Egyptian activist Asmaa Mahfouz, the former woman leader of the *6 April* movement, was summoned for interrogation by the military prosecutor. She was interrogated for over three hours regarding comments she posted on Twitter and for the publication of interviews in which she criticized the army for failure to protect protestors. On 16 August an army official told the Middle East News Agency that the prosecutor referred Mahfouz's case to the court

15. See article 'The Army and the People wasn't ever one Hand' on the blog of Michael Nebil, available at: <http://www.maikelnabil.com/2011/03/army-and-people-wasnt-ever-one-hand.html>

16. See statement by Amnesty International on the liberation of Michael Nabil on 24 January 2011. <http://www.amnesty.org/en/news/egypt-release-blogger-maikel-nabil-end-cruel-ordeal-2012-01-24>

for prosecution because of accusations involving insults to the army, while other accusations were not held against her. Mahfouz told Human Rights Watch that the accusations were withdrawn on 18 August 2011.¹⁷ She also faced accusation for a Tweet stating “the Abassia people say that Rowini and Tarek Zaydan had been in the street in the morning and said there was a protest of rogues who would fight the army”. Tarek Zaydan, the president of the Revolution Party, accused her of false accusations but the court dismissed her case on 6 May 2012.¹⁸

INSULTS TO RELIGIONS

Since 25 January 2011 accusations for content involving religious insults published on private social network accounts have increasingly been used by Islamist movements against political activists and bloggers. These began with an accusation against the businessman Naguib Sawiris for a tweet on his Twitter account in which Mickey Mouse wears a long beard and Minnie Mouse a Niqab. Sawiris’ case was dismissed by the court.¹⁹

In the aftermath of the crisis engendered by the film “Innocence of Muslims”, the public prosecutor accused the activist and blogger Alber Saber Ayad of insulting religion when he published a link to the film on his Facebook

page. He was followed and physically assaulted in Cairo’s Marg police station, before being taken to court. His family were forced to leave their house following death threats and threats to burn down their house.²⁰ Ayad was sentenced to 3 years in prison and was presented with a 1000 L.E fine by El Marg court.²¹

ACCESS TO INFORMATION IN EGYPT

Article 47 of the 1971 Constitution²² states that:

“the right of access to information shall be guaranteed; every citizen shall have the right to freedom of expression, of speech, of opinion, in writing or photography or other forms of expression within what is permitted by the law, self-criticism and constructive criticism as a guarantee for the safe construction of the nation.”

Freedom of expression and opinion is regarded by both the Fiqh and the law as the mother of all freedoms. However, Article 47 does not provide for the freedom to disseminate information in an overt way.²³ The 2011 Constitutional Declaration also does not include the right of journalists to access information, as was the case in the 1971

17. See statement by Human Rights Watch ‘Egypt one Year of Aggression against Freedom of Expression’, at <http://www.hrw.org/news/2012/02/11/egypt-year-attacks-free-expression>

18. See statement of the Arab Network for Human Rights ‘Rule benefiting activist Asma Mahfoudhi in a Twitter case is a new victory for freedom of expression and an opportunity to review the Penal Law’ <http://www.anhri.net/?p=52826>

19. See statement by Human Rights Watch ‘Egypt one Year of Aggression against Freedom of Expression’, at <http://www.hrw.org/news/2012/02/11/egypt-year-attacks-free-expression>

20. See joint statement by the Association for Freedom of Thought and Expression and Center to Support Information Technologies <http://www.afteegypt.org/pressrelease/2012/09/30/718-afteegypt.html>

21. See the joint Statement by 11 Egyptian Human Rights defender organisations “ The prison sentence against Alber Saber: another nail in the coffin of democracy” at: <http://www.en.afteegypt.org/index.php?newsid=108>

22. See the Arab republic of Egypt 1971 constitution http://www.sis.gov.eg/en/LastPage.aspx?Category_ID=208

23. See study by Association for Freedom of Thought and Expression (AFTE) “legal study on freedom of exchange of information” <http://www.en.afteegypt.org/index.php?newsid=83>

Constitution. This is a regression, as the right to disseminate information must be protected in major legislation such as the Constitutional Declaration.²⁴

According to Article 41 of the draft published on the website of the Constituent Assembly on 14 October 2012:

“free access to information and data (statistics and documents), regardless of its place and origin, shall be a right guaranteed to all citizens, the state shall enable them in the practice of this right without impediments as far as this does not conflict with national security or breach privacy. The law shall provide the regulations for obtaining information, or in cases of complaints in case information is denied and providing the appropriate sanctions to anyone who denies such a right.”

In the absence of a clear law in previous Egyptian Constitutions, the recognition of this right is a positive step forward. However, despite the law being applicable to everyone in accordance with international laws on human rights, this Article appears to exclude foreigners.²⁵

MCIT promised to support “the law to provide information and data.” According to the ministry, it is a comprehensive law made up of seven chapters and fifty Articles. The Legislation and Laws Committee opted to follow the European school and established a ‘Higher Data and Information Council’.²⁶

24. Op.Cit.

25. See the draft constitution at http://dostour.eg/dostor_masr.pdf

26. Source, National Strategic Study on Communication and Information technologies 2012-2017 (The Egyptian Digital Society

TRANSPARENCY AND ACCOUNTABILITY

At governmental level, Egypt suffers from an absence of transparency and accountability. According to Transparency International, Egypt ranked 118 out 176 countries, scoring 2.9 out of 10 possible points where each point relates to a specific criterion.²⁷ According to the MCIT, the next five-year plan will include publication policies, making information accessible by providing appropriate legislation, improving the opportunity to provide public information and data on the Internet in electronic versions, and providing and developing mechanical means for the attribution of authorizations to use national data and information on the Internet.²⁸

Using private initiative, a website dubbed Morsi Meter was established to monitor the performance of the first post-revolution elected civil president during his first 100 days of office. Monitoring was based on what he himself had promised to achieve in that time and was conducted using media for all issues relating to Morsi’s declarations - namely security, food, property, traffic and energy, as well as statements and declarations made by the President.²⁹

Within the framework of contributions by civil society organizations, three NGOs submitted a draft law for the Dissemination of Information.³⁰

under the Knowledge Economy) July 2012 http://www.mcit.gov.eg/Publication/Publication_Summary/660/ICT_Strategy_2012-2017

27. See Transparency International, Corruption by country http://www.transparency.org/country#EGY_DataResearch_SurveysIndices

28. Source, National Strategic Study on Communication and Information technologies 2012-2017 (The Egyptian Digital Society under the Knowledge Economy) July 2012 http://www.mcit.gov.eg/Publication/Publication_Summary/663

29. See <http://www.morsimeter.com/en>

30. See draft law submitted by (Egyptian Personal Rights

They insisted that it is essential to improving both the performance of the State apparatus and government as stakeholders and the investment climate - to protect investment opportunities in a transparent environment so that appropriate decisions can be based on real facts. The project highlights the duty of government structures to spontaneously provide a maximum amount of information on the Internet in order to reduce applications to obtain it. It also highlights the possibility of obtaining information through searches on the Internet.

E-PARTICIPATION

It is possible to say that e-democracy in Egypt is better than e-participation and this will be clarified further in the following section. Egypt has e-participation tools such as websites, blogs, social networks and wikis. However, participation mechanisms and tools are still limited; for example, Egypt does not have an electronic voting system. Governmental e-services are either very limited or absent. They provide information but no services and most links are not fully functional. Such limited facilities have led to Egypt being ranked 107th globally in terms of e-governance.³¹

The MCIT is currently working on the amendment of laws involving issues such as e-signature. It is also working on a draft law regarding cyber security. Since it no longer faces past obstacles such as the lack of computer equipment, low

Internet usage and poor computer and Internet literacy, its five-year policy plan also aims to develop electronic identities and to connect government services, which would help improve the performance of e-governance.³² Connecting Ministries through a national Intranet would help provide data and information rapidly and develop large-scale mechanised and secure databases.

The logo of the website of the Constituent Assembly is “The people write their constitution”.³³ It provides a forum for the discussion of constitutional provisions through a website accessible to citizens. It also publishes minutes of the meetings and plenary meetings of the Assembly. This saw the withdrawal of a large number of representatives from civil society and most who remained came from religious backgrounds. The electronic committees - an arm of these movements - were able to orient discussions towards a single major goal. The blogger Kareem Amer complained on his personal Facebook page that his website comments had been removed. Discussions were chaotic as the material changed rapidly and the draft website Constitution was modified several times.

THE IMPACT OF SOCIAL MEDIA ON CIVIL LIBERTIES

E-democracy in Egypt developed in a very visible way, and has impacted heavily through social networks (Facebook and twitter) and live streaming websites (Bambuser, You Stream) as

Initiative, Freedom of Expression and Thinking Foundation, support to information technologies) <http://eipr.org/en/pressrelease/2012/03/01/1396>

31. See UN Report “E-government Survey 2012: E- Government for the people” <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan048065.pdf>

32. Source, National Strategic Study on Communication and Information technologies 2012-2017 (The Egyptian Digital Society under the Knowledge Economy) July 2012 http://www.mcit.gov.eg/Publication/Publication_Summary/663

33. See official Constitution Association website <http://dostour.eg/>

well as video and photo sharing sites (YouTube, Daily motion, Flickr). It is because of these networks that the revolution has been called the Facebook or Internet revolution.

In light of political restrictions on the right to peaceful protest and the tight grip of the State on established media outlets, blogs have increasingly focused on political discourse. The names of a number of bloggers soon became associated with their political activism and harsh criticism, while cultural, art and literary blogs regressed. In 2004, prior to the 2005 Constitutional amendments which led to presidential and parliamentary elections, the Kefaya movement emerged. It was behind blogs which supported political and human rights activists against the oppression they faced. “*Egyptian Awareness*,” a blog by Wael Abas and “Alaa and Manal,” emerged and started developing websites such as the *Kefaya* website. The first test of the new media was the call, on Facebook, for a strike on 6 April 2008. While the established media obscured events, both Facebook and Youtube covered the strike, and social and participative media were very successful in mobilizing the masses and organizing related events.

Well-established bloggers launched a youth training campaign on the use of the new media in such mobilisation and organization. A global campaign was put together and legal support made available with the emergence of the Front to Defend of Egypt Protestors, which developed its tools using the new media. A Campaign to Defend Egyptian Students and Campaign 21606 to fight low wages, were also launched. The opportunity to use live social media tools was seized upon, thus giving a new dimension to the democratic transition.

Social media also played a leading role in unveiling a number of cultural issues such as sexual harassment (Aid Fitr 2007), torture in police stations and prisons (Emad El Kabir) and corruption (the ferry case). This made possible the flow of information in an unprecedented way. Young people overcame the barriers of virtual transmission to meet on the ground, while the virtual world remained a support to their activities.

New media have been used in monitoring the first presidential and parliamentary elections in 2005 through bloggers taking photographs and videos involving alleged election-rigging, violence and militia action. News published on blogs and social networks was later used in the Referendum for the Amendment of the Constitution and the experience and skills acquired were later used in monitoring the 2010 elections. The emergence of new social networks had a huge impact on coverage of the elections as the concept of people’s watch gained momentum. Many civil society organizations (the Independent Alliance of Monitoring the Elections, the Egyptian Association for the Support to Democratic Development, and the Egyptian Democracy Institute) used social networks to monitor events. Electoral observers, who documented and monitored the elections, benefited from training on how to use the digital tools at their disposal, such as mobile phones, digital camcorders and laptops.

The emergence of Dr. Mohammed Baradei as a virtual presidential candidate gave huge impetus to Egyptian politics. He was supported by a large number of the youth population who mastered new information technologies. The new media were used to establish contact with Internet

users, on social networks such Facebook, Twitter and YouTube. Many of those involved in the campaign were subject to police harassment.

When a young man - Khaled Saeed - died from physical assaults by the police in the streets of Sidi Gaber in Alexandria, a Facebook page, "*We Are All Khaled Saeed*" was created. Its members numbered hundreds of thousands within a week and went on to exceed two and a half million. The page called for a protest to oppose torture on 25 January 2011 (Police Day in Egypt). The page also reported the death of Sayed Belal, the second death at the hands of Alexandria police - one of the sparks which ignited the 25 January revolution, and another reason why it has been called the Facebook revolution.³⁴

As it was aware of the role of the new media and social networks, SCAF created a Facebook page on which it published statements and declarations. Official media reported to the public from statements made on the page. With increasing violations and violence of the Council against protestors and rebels and the number of those put on trial by military courts, other pages emerged. "*No to Military Trials*" and "*Military Liars*" documented events and published on social networks. Documented violations formed part of a road show and protest events on the streets of Egyptian cities.

Just as new media contributed enormously to the consolidation of civil, economic, social and cultural liberties, they have also contributed to the polarization of Egyptian society in the light of an emerging democracy where difference is

still not tolerated. Electronic commission, made mainly by members of the dissolved part and the Muslim Brotherhood³⁵ has contributed radically to the polarization process.

FILTERING

The Internet is free in Egypt, but Internet users are not. The Egyptian governments have not forbidden or censored websites; they have simply blocked them before allowing them to resume, often on the same day. The only exception to this was the People's Party website in the 1990s. Since then the government has censored or filtered Internet content only during the revolution, precisely on 25 January 2011 when access to five sites was blocked (Facebook Twitter, Bambuser, and the sites of two newspapers Al Badil and the Dostour). The government lifted the ban on all sites except the Dostour newspaper on 26 January 2011.³⁶ However, Internet connection was not available again on the morning of the 28 January. Connection was suspended for five full days.

On 7 November 2012, the General Prosecutor ordered the censorship of Internet pornography sites and a regulation to filter immoral content which may be considered contrary to Egyptian traditions, values and the sovereign interests of the country.³⁷ The court ruled in May 2009 that

34. See Introduction of the National Coalition for Media Freedom 'The New media and its Role in supporting the Popular and Political Participation Mr. Mohammed Omrane <http://ncmf.info/?p=204>

35. Article on Jadaliyya website by authors Linda Harira and Mark Lotfi, "The Muslim Brothers' E-Militias: How to Upload Ideology on Facebook". http://arabic.jadaliyya.com/pages/index/7212/e-militias-of-the-muslim-brotherhood_how-to-upload

36. See press release of the Arab Human Rights Network, 'Continuous Censorship of Dostour Site. The Arab Human Rights Networks condemns the attempts of the government to censor protests demanding democracy,' 27 January 2011, at <http://www.anhri.net/?p=23294>

37. BBC at <http://www.bbc.co.uk/arabic/>

the MCIT censors such sites because of their impact on religious and moral values. However, this decision was not enforced because the Ministry found they were difficult to identify.

After the revolution, the Administrative Court issued a ruling on 30 March 2012 to 'censor pornographic sites'. The Court ordered the Minister of Communication and the President of the National Communication Commission to enact this censorship. The Lawyer Abulaziz Ibrahim Ourabi turned the Courts against the Prime minister and the Minister of Communication by asking for the censorship of such sites. The Transport and Communication Commission of the dissolved parliament submitted a request to censor pornographic websites in a request submitted by the Nour Party member, the Salafist Younes Makhion. The report mentions that "Egypt is facing assaults by these sites which are more dangerous than any enemy."³⁸

The US film 'Innocence of Muslims,' deemed by many to be a direct insult to Muslims and Islam, triggered a wave of global protests. These protests started in front of the American Embassy in Cairo, which was later invaded by protestors. That evening, protests spread to Benghazi in Libya where they escalated into an armed attack using heavy artillery against the American Consulate, thus leading to the death of the American ambassador to Libya. A number of embassies in Arab and Islamic states were subsequently attacked. In Egypt, protestors demanded the censorship of the film on YouTube; the demand was rejected by Google.

middleeast/2012/11/121107_egypt_porno_sites_web.shtml

38. CNN Arabic at http://arabic.cnn.com/2012/middle_east/3/30/Egypt_Enetnet/ accessed on 18 October 2012 at 03:18 p.m.

However, following popular protests and global lobbying, Google censored the film in several countries (Egypt, Libya, Saudi Arabia, Indonesia and Malaysia).³⁹

When the film was shared on Egyptian social networks, a lawsuit was filed in September 2012 by Egyptian attorney Hamed Salem. Hundreds were injured in Egypt and on 9 February the administrative Court ordered the ban of YouTube for a month for failing to remove the film. The Court verdict also applied to any website which aided in the sharing of the 13-minute film.⁴⁰ However, on 14 February 2013 MCIT announced that it would submit a Judicial Appeal to stop the ban issued by the Court, because of the impossibility of executing it.⁴¹ On 16 February 2013, the Association of Freedom of Thought and Expression (AFTE) submitted Judicial Appeal No. 10464 against the Court Order issued on 9 February 2013 by the Administrative Court and on 9 March 2013, the Egyptian Administrative Court halted the 9 February ban. The Court accepted an appeal by the National Telecommunications Regulatory Authority (NTRA) and AFTE, against the order.⁴²

39. France 24 Arabic at: <http://goo.gl/zh2uT> accessed on Wednesday 18 October 2012.

40. See Amenity press release YouTube ban in Egypt is a setback for freedom of expression <http://www.amnesty.org/en/news/youtube-ban-egypt-sends-dangerous-message-intolerance-2013-02-12>

41. See the MCIT press release http://www.mcit.gov.eg/Media_Center/Press_Room/Press_Releases/2561

42. See Ahram online <http://english.ahram.org.eg/NewsContentPrint/1/0/66452/Egypt/0/Egypt-court-halts-YouTube-ban.aspx>

CONCLUSION

Freedom of expression has a critical communications dimension. The Internet has become a major communications tool in Egypt - an aspect to be taken into consideration when drafting legislation. The protection of the freedom of expression and the right to knowledge are a joint responsibility to be observed by everyone, be them users, providers or the government.

Censorship policies are inadequate, and efforts deployed by the MCIT in developing e-governance structures under the ousted regime were important, but limited. Furthermore, multi-stakeholder policymaking processes are limited. This means that current legislative procedures do not provide an enabling environment which encourages innovative thinking, nor elaborate ways to develop service provider resources so that Internet development projects continue. State intervention must be limited to developing the infrastructure to enable broader use of the Internet.

Finally, differences of opinions are inevitable and an indicator which reflects freedom of opinion and expression. Political ideological shifts could pave the way for administrative intervention and over-regulation in Egypt. The Internet is part of this, even though it may have a negative impact on the Egyptian population.