

# Besieging the Truth

## Synopsis



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**October 2013**

# مركز القاهرة لدراسات حقوق الإنسان

## Besieging the Truth

Report on the violations and abuses against Media workers  
between 30 June and 30 August

### Synopsis

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## METHODOLOGY

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This report proceeds from the view that Freedom of Expression and Media Freedoms constitute a fundamental building block of democracy, as citizen participation —the essence of Democracy— is only possible when citizens are able to exercise their right to access and freely receive information in order to know about various opinions and ideas and choose freely among them. As such, the State has a responsibility to enable media professionals to carry out their work to enable citizens to exercise their right to know. This is particularly important in the context of the current political – and at times violent – conflict in Egypt, as this situation is characterized by a multitude of differing views and opinions. Indeed, some parties are attempting to intentionally mislead the public or to conceal aspects of the truth that damage their political interests.

This report seeks to highlight some of the legal and practical issues that hinder media workers' ability to carry out their professional duties and that obstruct protections for such workers in times of political turmoil. It analyzes the types of abuses faced by media workers from June 30 to August 30, 2013 and attempts to identify the parties responsible for these abuses. Such analysis requires linking these abuses with the political context in which they occur, as this context may indeed facilitate their commission.

## DOCUMENTATION AND ANALYTICAL FRAMEWORK —

The report relies on first-hand information gathered through over 100 interviews with media professionals who experienced assault or other abuses during the period under investigation while carrying out their work. The report also refers to testimonies of media professionals which were recorded immediately following assaults and published in social or traditional media. It also makes reference to a comprehensive survey of verified violations reported in various media outlets, cited in media reports similar to the current report, or documented by groups working on the issue of media rights.

The authors of the current report contacted the Journalists Syndicate<sup>1</sup> to learn more about its role, the nature and number of incidents it had verified, and the number of related police complaints or lawsuits it was involved in.<sup>2</sup> The authors further monitored all relevant comments and statements given by the syndicate chair to various media outlets.<sup>3</sup>

At the same time, the report tracks the activities organized by media workers to protest the assaults and other abuses they experienced in the course of their work. Most prominent among these activities was a protest in front of the Interior Ministry on September 5 which issued a statement containing several demands and resolutions related to protections for media workers when covering protests and demonstrations.<sup>4</sup>

Finally, the authors of this report followed the activities of the group Journalists against the Coup<sup>5</sup> and most of its official statements, which include testimonies and recordings from media workers who support

<sup>1</sup> See the statement issued by the Journalists Syndicate on attacks on journalists and media workers, issued on Aug. 20, at <http://www.ejs.org.eg/News/NewsDetails.aspx?NewsId=3600>

<sup>2</sup> The syndicate formed a four-person committee to monitor and document violations against journalists, headed by Khaled al-Balshi, a member of the syndicate board.

<sup>3</sup> For statements made by syndicate Chair Diaa Rashwan regarding attacks on journalists and media workers, see: ONTV, Aug. 13: <http://www.youtube.com/watch?v=6q49cuDCb8>

ON TV, August 13: <http://www.youtube.com/watch?v=SuvSIBpj208>

Al-Qahira al-Yom, August 12: <http://www.youtube.com/watch?v=uiMk8umdhaU>

Al-Qahira al-Yom, August 12: <http://www.youtube.com/watch?v=wS1s-KT4Oo0>

Yaqin News, August 26: <http://www.youtube.com/watch?v=22-WUa1IDCE>

<sup>4</sup> The invitation to the protest and the statement issued can be found at

<https://www.facebook.com/events/205886172906451/permalink/206213882873680/>

<sup>5</sup> The group's founding statement was issued on July 21 and signed by 68 media workers, most prominently Fahmi Howeidi, Wael Qandil, and Alaa Sadeq. See: <http://bit.ly/GzEFb9>; the group also maintains a Facebook page at: <https://www.facebook.com/groups/Journalistsagainstcoup1/>

deposed president Mohamed Morsi. These records reveal various types of abuses by police and army forces as well as groups opposed to the deposed president.

## CORE CONCEPTS IN THE REPORT: \_\_\_\_\_

The report uses a set of core terms with precisely defined meanings:

**Media workers (victims):** This includes all persons working for various media outlets, regardless of their role, from the Editors of newspapers, including Electronic Newspapers, to Television Correspondents and Radio and Television Anchors, as well as Photographers, Cameramen, Broadcast Technicians, and Crews, and all Newspaper, Television, and Radio Production' staff.

Where relevant, the report notes when media workers who were subjected to assaults while on the site of incidents were present in their personal, rather than professional and capacity.

**Violations (assaults):** The report considers any act that hinders a media worker from doing his or her job to be a violation that merits documentation and analysis. This includes prohibiting media workers from entering the area where clashes are taking place, the confiscation of equipment or images, verbal assault, degrading treatment, or any kind of physical assault, whether beating, dragging, detention, abduction, murder, or indiscriminate shelling to prevent photography or hinder broadcast.

**Assailant:** The report considers any party that hinders the media documentation of an event to be an assailant of media workers while on the job and to have committed a violation of citizens' right to know. The report documents all violations by police personnel, army forces, and their supporters, as well as by the Muslim Brotherhood and its allied groups. Further, the report does not omit assaults by local residents, ordinary citizens, or "thugs" whose affiliations and loyalties may be difficult to identify.

CIHRS stresses that the police and armed forces bear increased liability for abuses they commit against Media Workers, for it is the state's responsibility under international human rights law to secure the ability of Media workers to serve as eyewitnesses to events. Moreover, these forces are ostensibly familiar with the law and its

guarantees for the protection of Media workers. Targeting of media workers by security forces casts serious doubts on the state's compliance with international norms and standards for the dispersal of gatherings and for dealing with demonstrations and protests.



“How can I describe the Censor who has come to dwell within? He’s a strange mixture of Police Officer, fanatical Sheikh, and unyielding priest; of burly stick and lash. A censor with a thousand heads, thousand eyes, and thousand arms. He estranges me from myself and people and the land. A Censor who turns the beginning of the sentence against the end of it; a Censor made up of the eyes of friends who are no longer friends and colleagues who once shared my thought then differed with me without debate then, judging me, declared that I had changed.”

“A Pause before the Descent,” from the papers of Egyptian intellectual Alaa al-Dib, 1952-1982.

## INTRODUCTION

The 60 days following the popular uprising of June 30, 2013, which demanded the fall of the Morsi regime and stronger guarantees for Liberties and Democracy,<sup>6</sup> saw no end to the brutal assault on Freedom of Expression and Media Freedoms which had grown throughout the previous year under the rule of deposed president Mohamed Morsi and the Muslim Brotherhood. Indeed, under President Morsi, various media outlets had faced enormous pressure from the Presidency, the Brotherhood, and allied Islamist factions. Media Production City was effectively placed under siege, while Media Workers, Journalists, Anti-Brotherhood Artists, and critics of the president were frequently harassed. Numerous media workers, internet activists, and political activists were interrogated and prosecuted pursuant to articles of the Penal Code inimical to Freedom of Expression and a Free Media, particularly those related to the crimes of insulting the president and libel and slander of prominent Muslim Brotherhood members,<sup>7</sup> as well as clauses on blasphemy and defamation of religion.<sup>8</sup> Mubarak-era laws were used to strengthen the Muslim Brotherhood’s control of the State-owned

<sup>6</sup> For more information on rights groups’ stance on the June 30 uprising, see “To Resolve Current Political Crisis: Rule of Law Must Be the Basis of the State,” <http://www.cihrs.org/?p=6895&lang=en>

<sup>7</sup> For more information, see CIHRS intervention at the 28th session of the UN Human Rights Council on media freedoms under Mohamed Morsi, <http://www.cihrs.org/wp-content/uploads/2013/05/%D8%A7%D9%84%D8%AD%D8%B1%D9%8A%D8%A7%D8%AA-%D8%A7%D9%84%D8%A5%D8%B9%D9%84%D8%A7%D9%85%D9%8A%D8%A9-%D9%81%D9%8A-%D9%85%D8%B5%D8%B1.pdf>

<sup>8</sup> In one of the most prominent incidents, writer Karam Saber was sentenced to five years in prison on blasphemy charges in connection with a short-story collection titled *Where Is God*. See the statement from rights organizations, <http://www.cihrs.org/?p=6825&lang=en>

press, the Supreme Press Council, and the audiovisual media run by the Egyptian Radio and Television Union (ERTU), and anti-Brotherhood journalists and writers faced physical attacks, including assassination attempts and murder.<sup>9</sup>

The fall of the Brotherhood regime sent the country into a spiral of political violence that has been characterized by serious assaults on Freedom of Expression and the Media, with many different parties posing threats to media workers and numerous media workers being affected by serious violations.

Only two months after the fall of the Brotherhood and the ouster of President Morsi, the country has become a battleground. Media workers have paid a high price for attempting to perform their professional duty to expose the truth and report on the fallout of the political conflict. Assaults on Media Personnel have aimed to hide the truth and conceal evidence that might implicate the various parties in acts of violence and grave abuses, when all parties responsible for such acts should be held accountable. Some of these attacks, particularly those carried out by supporters of the deposed president, reflect a desire to wreak vengeance on certain media outlets that played important roles throughout Morsi's tenure in exposing abuses committed by his regime and that contributed to the erosion of Morsi's legitimacy and the decline of the Brotherhood's status and credibility among the public.<sup>10</sup>

On the other hand, the Transitional Authorities<sup>11</sup> sought to silence Brotherhood spokespersons<sup>12</sup> and prevent Pro-Brotherhood media outlets from working freely to document abuses by the security and armed forces,<sup>13</sup> particularly in cases where they used excessive force to suppress pro-Brotherhood assemblies. The detention of several

<sup>9</sup> For more information, see *Delivering Democracy*, CIHRS 2012 annual report on human rights in the Arab world, the section on increasing assaults on freedom of expression and media in Egypt, [http://www.cihrs.org/?page\\_id=6502](http://www.cihrs.org/?page_id=6502)

<sup>10</sup> The report documented 72 violations against Egyptian media opposed to the deposed president, 70 percent of which were committed by pro-Morsi groups.

<sup>11</sup> The report documented 41 violations against media workers committed by police and army personnel, most of them involving detention, the confiscation of equipment, and prohibitions on photography.

<sup>12</sup> On July 3, security forces raided several Islamist channels, confiscated their equipment, suspended broadcasts, and arrested several media workers. For more details, see "Closure of Islamist Media Channels and Arrest of Some of Its Staff," <http://www.cihrs.org/?p=6913&lang=en>

The report also documented 11 security raids on Islamist media offices in the period under review.

<sup>13</sup> The report documented 37 attacks on media workers with pro-Morsi and pro-Brotherhood media outlets, most of them by security forces or local residents opposed to the rule of the deposed president.

foreign journalists and correspondents for Arab satellite channels appeared to be punishment for their ongoing coverage of widespread abuses in Egypt.<sup>14</sup>

In this report, CIHRS seeks to contribute to the documentation and analysis of the types of abuses targeting Media Workers and Journalists from June 30, 2013 to August 30, 2013, a period that saw widespread, serious assaults on media workers<sup>15</sup> and outlets as well as grave violations in which protests and demonstrations by supporters of the deposed president accompanied by acts of violence, threats, intimidation, armed attacks on Police Stations, Security Directorates, Courts, and other Government facilities, and systematic assaults on Churches and Coptic citizens and their property. The same period also saw the Security and Armed Forces use excessive force to confront protestors, which resulted in the deaths of hundreds of Morsi supporters, particularly during clashes at the Republican Guard Club,<sup>16</sup> on the war memorial road in Nasr City,<sup>17</sup> and during the dispersal of sit-ins by supporters of the deposed president in Rabaa al-Adawiya in Cairo and Giza's al-Nahda Square.

A quantitative analysis of the violations documented by the report reveals that the Muslim Brotherhood and its supporters were responsible for most violations. In qualitative terms, however, the gravest abuses were perpetrated by security forces and the army, especially the killing of several foreign and Egyptian Journalists, Photographers, and Correspondents, as well as the detention of dozens more. Thirteen media workers remained in detention at the end of the period under review. No less serious is the fact that immediately following the removal of President Morsi, the Authorities raided the offices of several Brotherhood-affiliated and Islamist Satellite channels, suspending their broadcasts with total disregard for proper judicial procedure. Several Arab channels that had shown pro-Brotherhood bias in their coverage were later blocked and their licenses suspended.

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<sup>14</sup> The report documented 39 violations against foreign correspondents and media workers, most of them by police or army forces.

<sup>15</sup> The report documented 205 assaults on media workers and the media in this period. See the table on abuses in the appendices.

<sup>16</sup> See the statement by rights organizations, "Impartial Investigation Necessary before Egypt Spirals into Violence," <http://www.cihrs.org/?p=6934&lang=en>

<sup>17</sup> For more information, see the statement by rights organizations, "Rights Groups Demand Dismissal of Interior Minister," <http://www.cihrs.org/?p=7021&lang=en>

At the same time, supporters of the Muslim Brotherhood perpetrated serious violations, most significantly by commandeering broadcast vans owned by state television and physically and verbally assaulting Journalists and Photographers on a near daily basis. Indeed, these Brotherhood supporters confiscated Journalists' cameras, phones, and documents in their possession, and at times abducting the Journalists themselves. While Muslim Brotherhood supporters sought to portray their protests as a defense of Islam, they did not hesitate to subject some female Media Workers at protest sites to rough treatment, beatings, and sexual assaults—all on the pretext of searching them—as well as implicit and explicit threats to rape them as part of a “Sexual Jihad.”<sup>18</sup>

The report further documents distinctions made between Media workers based on their political leanings. Media personnel denied an al-Jazeera Cameraman the right to broadcast a press conference by the Military Spokesman held to discuss the events at the Republican Guard Club and demanded that he be expelled from the hall. Similarly, in the invitation to journalists to protest in front of the Interior Ministry on September 5, the protest organizers wrote, **“The movement that calls itself Journalists against the Coup is absolutely prohibited from attendance.”**

Finally, CIHRS notes with the utmost concern that the pressures on Freedom of Expression and the Media are likely to increase in the prevailing political climate of extreme polarization. Some members of the political elite and Anti-Brotherhood or Anti-Islamist Media workers are inciting against their Islamist counterparts, seeking revenge against them, and disregarding abuses directed at them. This may foster a political environment in which violations of Freedom of Opinion, Expression, and the Press are common. In time, the normalization of such abuses could make it more difficult to build the necessary alliances to confront broader assaults on these freedoms, and such future abuses may very well affect those who now remain silent about, are complicit in, or even encourage these violations.

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<sup>18</sup> See the video testimony of journalist Aya Hassan with al-Youm al-Sabia, in which she alleges she was told, “We’ll take you to our men for a sexual jihad,” <http://videoyoum7.com/?p=214663>

## FINDINGS OF FIELD RESEARCH REGARDING ATTACKS ON THE MEDIA

### ANALYSIS

Based on information collected and documented by the Cairo Institute for Human Rights Studies in this report, at least 205 violations of Media Freedoms took place in the period between the beginning of mass protests calling for the Removal of Ousted President Mohamed Morsi on June 28, 2013 and August 30, 2013.

Supporters of the deposed president were responsible for 41 percent of these recorded abuses (85 violations), targeting Media workers in the field who were present at the site of events in their professional capacity, while 20 percent of these abuses (42 violations) were perpetrated by the Security and Armed Forces.



Tamer Fayez, Photographer, Hokook websit. Photo: [HamadaElrasam](#)

Other violations targeting Media workers in the field were perpetrated by anti-Muslim Brotherhood and anti-Morsi political activists; those described by the official or anti-Brotherhood media as “local residents who rejected Brotherhood demonstrations in their neighborhoods”, popular committees defending their neighborhoods from Brotherhood attacks, or those labeled by the pro-Brotherhood media as “Thugs employed by the security apparatus” (6 violations). Although quantitatively speaking the Muslim Brotherhood and its supporters were responsible for the largest number of violations, the

gravest abuses were perpetrated by the Transitional Authorities and by the Security and Armed Forces.

The assaults documented by the report included the deaths of eight media workers, of whom at least six lost their lives while covering events.<sup>19</sup> The most publicized incident was the death of Ahmed Assem, Photographer of *al-Hurriya wa al-Adala*, who was shot by a Sniper as he attempted to film him on July 3 near the Republican Guard Club; Assem ended up filming his own death.<sup>20</sup> Two media workers were killed in the Rabaa al-Adawiya area when the Sit-in by supporters of the deposed president was forcibly dispersed, but the source of gunfire that killed them could not be determined.

“Female media professionals were targeted in 16% of all violations (34 incidents), while male journalists were targeted in 77% of cases (158 incidents).”

From testimonies it is apparent that the objective of all parties was to conceal the truth and obstruct coverage of abuses or crimes committed by the state or by the Muslim Brotherhood; as such, most violations against Media workers took place during the more violent clashes. This perhaps explains the nearly 45 assaults on Media workers in one day—the day on which excessive force was used to disperse the sit-ins at Rabaa al-Adawiya and al-Nahda and which also saw armed gatherings of Brotherhood supporters in front of Police Stations in the Capital and several Provinces and attempts to storm courts and other government facilities. It also helps explain why Greater Cairo was the site of the most violations against Media workers in the field (46 percent, or 95 incidents), as the city witnessed the most violent conflicts, including in Rabaa al-Adawiya, the environs of the Republican Guard Club, al-Nahda Square and the surrounding area of Giza, and Nasr Road near Rabaa al-Adawiya, as well as during the violent clashes in Ramses Square and the area of the Fatah Mosque.

<sup>19</sup> Two others were killed while on the scene of events in their personal capacity. Habiba Abd al-Aziz with Gulf News was killed in the environs of Rabaa al-Adawiya Square during her annual leave, while Ahmed Abd al-Gawad, a journalist with al-Akhbar, was killed in the same area, although he was not assigned to cover the events. See the table in Appendix 1 of the report.

<sup>20</sup> The video footage can be seen at <<http://www.youtube.com/watch?v=SfPQHN9as4I>>.

Since the Muslim Brotherhood mobilized its supporters in various Provinces to gather in the main Sit-ins in Rabaa al-Adawiya and al-Nahda, the group's supporters in the governorates had little impact, at least until the sit-ins were dispersed on August 14. As such, before this date, there are few assaults attributed to them in other Governorates.

Finally, the report finds that female Media Professionals were targeted in 16 percent of all violations (34 incidents), while male Journalists were targeted in 77% of cases (158 incidents). In many cases, however, female Media workers in particular were harassed while being searched near Brotherhood sit-ins and in extreme cases directly or indirectly threatened with assault and rape in the form of a "Sexual Jihad." Moreover, assaults on women Journalists were generally more violent than those faced by male journalists.

In all cases, it is clear that the Journalists Syndicate failed to provide means of support to victims of violations. Khaled al-Balshi,<sup>21</sup> a member of the Syndicate Board, affirmed that the Syndicate was attempting to monitor violations, forming a four-person committee to monitor them and pushing for an independent judicial committee to investigate assaults on journalists. Nevertheless, many Journalists criticized what they felt was the Syndicate's reluctance to defend them and protect the rights of Journalists on the job, accusing the Syndicate of ignoring what had happened to them.<sup>22</sup>



<sup>21</sup> Comments given for CIHRS in an interview

<sup>22</sup> For example, see the text of the complaint of Hassan Magdi, a journalist with Yom al-Sabia online, to the head of the Journalists Syndicate in connection with the assault on him on August 26 in the course of his work, <http://on.fb.me/GzL99M>.

## THE REPORT RECOMMENDATIONS

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### 1. Recommendations to the executive authority:

- Interim President Adly Mansour should issue a clear statement condemning all harassment and assaults of Media workers and the Media.
- Independent, fair and transparent investigations should be conducted into all incidents involving the killing of media workers. The findings should be made public and those responsible brought to trial.
- The status of currently detained Journalists and Media workers must be reviewed immediately. In cases where no evidence exists of involvement in criminal acts, media workers must be released.
- No administrative or security measures should be adopted that will lead to the closure of Newspapers or other Media Outlets, the revocation of broadcast licenses, or the incarceration of Media workers based on their professional or personal stances.

### 2. Legal recommendations:

- Apply the Penal Code as relates to assaults on Media workers carrying out their work – which is in the public interest - and hold those responsible for assaults accountable, regardless of their status or political affiliations.
- Review the legislations regulating the Press and Media to ensure that these laws offer genuine guarantees that permit Media workers to perform their roles while enjoying at least a minimum level of Personal Safety.
- Legislation should address the particularity of the current moment in the Arab region as a whole, as media coverage in unstable or violent contexts requires special and exceptional measures to protect Media workers.

### 3. Recommendations to the 50-person constituent assembly:

- Prioritize the protection of Freedom of Opinion and Expression in the Constitution while explicitly reaffirming

Egypt's international commitments under International Human Rights Law and other Conventions ratified by Egypt.

- Avoid overly broad, vague terminology that may give the legislator the freedom to later restrict rights enshrined in the constitution.
- Explicitly affirm in the constitution the right to information as a constitutional right protected by the state.

#### 4. Recommendations to the Journalists Syndicate and media institutions:

- The Journalists Syndicate should comply with its responsibility to provide full legal support for all detained or incarcerated Media workers, as well as to support Media workers in following up on complaints filed against their assailants, whether ordinary citizens or security personnel. The syndicate should make no distinctions between members and non-members or Journalists and other Media workers.
- The Syndicate should review its membership regulations to allow for the inclusion of more professional Journalists, particularly recent graduates from media colleges who typically work as field correspondents for press institutions without contracts and at times without pay and guarantees for their rights.
- The Syndicate and Media Institutions should offer the necessary training to Media workers in the field with regards to professional and medical safety and managing the coverage of violent events.
- The Syndicate must assume part of the financial burden resulting from work injuries to Journalists who are members of the Syndicate and pay compensation to families of Journalists killed during events, provided this compensation in cases of injury or death is stipulated by the syndicate bylaws. Media institutions must also compensate media workers injured while performing their work and offer material support to the families of Media workers who died while performing their work.

- The Syndicate should press for laws and legislative amendments that provide genuine protection for Media workers on the job, particularly in extraordinary circumstances that, even if they do not reach the level of armed conflict, nevertheless constitute a clear threat to the lives of Media workers, while clarifying the responsibilities of all parties for the enforcement of these laws.
- The Syndicate and Media experts should work closely with Media Institutions to adopt proposals and recommendations, many of which have been made both prior to and following the January 25 Revolution, to reform and the improve performance of both state-owned and private media, in order to guarantee compliance with professional standards of coverage such as avoiding mixing fact and opinion, misleading citizens, and sacrificing the truth for the sake of political and professional interests.

## 5. Recommendations for media workers

- Any Media worker who was subjected to a clear violation while in their professional capacity should file an incident report and follow the proper procedures for writing a legally valid statement, taking care to collect all evidence necessary to document the abuse (Medical Reports, Photos and Images, witness statements, etc.).
- Media workers should reach out to Civil Society organizations that offer training seminars on documenting abuses against Media workers as part of their work in documenting human rights violations. They should also contact organizations that document violations against media workers and offer legal support. Media workers should take the necessary preventive measures before covering violent or potentially violent events in the field. They should follow all safety, medical, and legal directives if subjected to any abuse.<sup>23</sup>

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<sup>23</sup> The safety handbook issued by the International Federation of Journalists may prove helpful in this regard, [http://www.ifj-arabic.org/dfiles/attach\\_files/2013-05-2-01-16-49\\_FINAL%20SAFETY%20HANDBOOK%20SMALL%20FILE.pdf](http://www.ifj-arabic.org/dfiles/attach_files/2013-05-2-01-16-49_FINAL%20SAFETY%20HANDBOOK%20SMALL%20FILE.pdf)