

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the promotion and protection of human rights while countering terrorism

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the promotion and protection of human rights while countering terrorism, pursuant to Human Rights Council resolutions 34/18, 32/32 and 31/3.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **unlawful blocking of a large number of websites by the use of counter-terrorism legislation**.

According to information received:

On 24 May 2017, Egyptian authorities blocked access to the websites of 21 news agencies. The authorities did not make any official statement about the blocking, nor did they publish any kind of list of blocked websites and forewarn the websites about the blockings. The State-run agency MENA later announced that the blocking was decided on the ground that these websites were "spreading lies" and "supporting terrorism". On 6 August 2017, the websites of two human rights organizations were also reported to have been blocked. On 14 August 2017, it was reported that the website of Reporters Without Borders, one of the leading organizations protecting journalists worldwide, also got blocked. The following websites or part of these websites remain inaccessible from inside Egypt:

1. **Huffpost Arabi** – www.huffpostarabi.com
2. **Al Jazeera** – www.aljazeera.net
3. **RASSD**- www.rassd.com
4. **Al Arabi** – www.alaraby.co.uk
5. **Cairo Portal** – www.cairoportal.com
6. **Mada Masr** – www.madamasr.com/ar
7. **Hamas online** – www.hamas.ps
8. **Al Maseryoon** – www.almaseryoon.com
9. **Ikhwan online**- www.ikhwanonline.com
10. **Noon Post** – www.noonpost.org

11. **Al Sharq** – www.al-sharq.com
12. **Al Watan**- www.al-watan.com
13. **Al Raya** – www.raya.com
14. **Al Arab** – www.alarab.co.uk
15. **Qatar News Agency** – <https://twitter.com/QatarNewsAgency>
16. **El Shaab Newspaper**- www.elshaab.org
17. **Houriya Post**
18. **Ida2at** – <http://ida2at.com>
19. **Hamas Egypt** – www.hamasegypt.com
20. **Masr Al Arabiya** – www.masralarabia.com
21. **Arabi 21** – www.arabi21.com
22. **Alkarama Foundation** – <https://www.alkarama.org/en>
23. **Arabic Network for Human Rights Information (ANHRI)** - <http://anhri.net/?p=189185&lang=en>
24. **Reporters Without Borders (RSF)** – <https://rsf.org>

In the case of RASSD news agency, on the evening of 24 May 2017, their monitoring system received several complaints from users who could not access the website from inside Egypt. The RASSD webmaster team reported that while trying to solve what they believed to be a technical issue, they eventually discovered through Twitter that several other websites were facing the same issue.

On 31 May 2017, a list of 21 blocked websites was published on the website of Al Youm Al Saba'a news agency. According to other reports, the number of blocked websites between 24 May and 17 August 2017 may amount to above 130. This information is difficult to verify since there is no public record of the website blockings. The websites are reportedly blocked via all internet service providers.

Following the blocking of the websites, the authorities stated that they would take legal action against at least 21 websites. However, none of the above-mentioned news agencies has been informed of any complaint filed against them.

We express grave concern at the control and censorship of information in Egypt through the blocking of websites. These measures lack any form of transparency and appear to take place on the basis of overbroad counter-terrorism legislation in the absence of a judicial authorization. Therefore, they constitute unlawful restrictions on the right to freedom of expression and the right to freedom of association. These measures take place in a context of a deteriorating space for freedom of expression and association, including access to information, severely restraining civil society space and silencing individuals, organizations and media in their reporting on matters of public interest. We express particular concern that these measures take place in the months leading up to the 2018 Presidential elections, in a time where the public's right to information and the space for free exchange of ideas, including dissenting views, are of particular importance.

We appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of expression as well as the right to freedom of association in accordance with fundamental principles set forth in articles 19 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Egypt on 14 January 1982. We reiterate the principle enunciated in Human Rights Council Resolution 12/16 which calls on States to refrain from imposing restrictions which are not consistent with article 19(3) of the ICCPR, including on discussion of government policies and political debate, engaging in election campaign and expression of opinion and dissent. In particular, at its 32nd session, the Human Rights Council, "condemn[ed] unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law, and calls upon all States to refrain from and cease such measures" (Resolution 32/13).

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would therefore be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on the legal basis for the blocking of websites, and explain how these measures are compatible with Egypt's obligations under articles 19 and article 22 of the ICCPR.
3. Please provide information on the total number of websites that have been blocked in Egypt, and provide details about the allegations of legal actions that may be undertaken against some of the media outlets and organizations behind the websites.

We intend to publicly express our concerns as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issues in question.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

David Kaye

Special Rapporteur on the promotion and protection of the right to freedom of opinion
and expression

Annalisa Ciampi

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Fionnuala Ní Aoláin

Special Rapporteur on the promotion and protection of human rights while countering
terrorism