

# Threat to the press?

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A recent report from a higher judicial body has stirred controversy among journalists working for the country's independent press, writes [Mona El-Nahhas](#)

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In a step viewed as targeting the country's independent press, the State Jurisdiction Body stated in a report last week that the budgets of all private press organisations should be subject to the supervision of the Central Auditing Authority (CAA) -- a governmental body in charge of monitoring public money.

Moreover, the report did not limit the role of the CAA to the supervision of the financial affairs at such establishments, but also stressed that the CAA should supervise the legal and administrative affairs of independent newspapers and magazines.

In cases of financial or administrative irregularities, the CAA should refer these to the prosecutor-general, the report said.

The report, which was finally approved earlier this week, was issued in response to a memorandum submitted to the State Jurisdiction Body last month by Gawdat El-Malat, CAA Chairman, in which he asked if his authority had the right to supervise the independent press.

Some 58 publications are currently published by independent press organisations.

Many journalists view the report as a new attempt on the part of the government to undermine press freedom. "Maybe the government found that sending journalists to jail was not enough. So, they thought it would be better to shut down the independent newspapers altogether," Nasserist journalist Gamal Fahmi told *Al-Ahram Weekly*.

Last September, nine journalists working for independent and opposition publications got harsh jail sentences on charges of libelling senior members of the ruling National Democratic Party (NDP), headed by President Hosni Mubarak.

Ibrahim Eissa, chief editor of the independent newspaper *Al-Dostour*, was sent to trial for publishing rumours about Mubarak's health.

"If this report aims at achieving transparency at independent newspapers, as they claim it does, why didn't they audit the state-owned press for years," Fahmi demanded.

Salah Abdel-Maqsoud, a member of the newly-elected Council of the Press Syndicate, also expressed his concern at the report, which he said came at a time of a campaign launched by the state against the country's independent press.

Abdel-Maqsoud warned that the report could give the state the right to place independent newspapers under judicial sequestration.

Asked what the syndicate's reply to the report might be, Abdel-Maqsoud said that the syndicate council had not yet decided on a strategy.

However, sources close to the council revealed that a majority of members who work for state-owned newspapers have pressed for the closure of discussions on the matter during council meetings.

Besides angering journalists, the report has also been subject to criticism from legal experts, who view it as being void of any legal or constitutional basis.

A group of lawyers representing the weekly independent *Al-Khamis* newspaper has filed a lawsuit before the Administrative Court contesting the legality and constitutionality of the report and asking for its annulment.

"This report constitutes a flagrant violation of press freedom," said lawyer Essam El-Islamboli, head of the legal committee in charge of the lawsuit.

Meanwhile in an attempt to find legal ground for their report, its authors have argued that it is based on Article 33 of the 1996 press law, which stipulates that all press institutions should send their annual budgets to the CAA.

Replying to this, El-Islamboli noted that at the time when the press law was passed the independent press had little presence in the marketplace.

" *Sawt Al-Umma*, launched in 1997, was the first independent publication to appear," El-Islamboli said. "That's why Article 33 of the press law should not be applied to independent newspapers and magazines" set up since 1996.

El-Islamboli also referred to articles 32 and 34 of the constitution, which stress the sanctity of private property.

Legal experts also agree that independent publications owned by private individuals should be subject to the law regulating joint-stock companies, which gives the general assemblies of such companies the sole right to monitor their financial, administrative and legal affairs.