Explicit message: Repression continues

A report on seven state security cases where journalists, human rights defenders, and activists are held pending trial in conjunction with el-Sisi's second presidential term.

EFHR
EGYPTIAN FRONT FOR HUMAN RIGHTS

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A report on seven state security cases where journalists human rights defenders, and activists are held pending trial in conjunction with el-Sisi's second presidential term.

An analytical report by the research unit in the **Egyptian Front for Human Rights** organaization.

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Introduction

The first half of year 2018 has witnessed exacerbating apprehension and detention of politicians, journalists, bloggers, and human rights activists against the backdrop of their political activism as well as expressing their opinions freely. This came in conjunction with el-Sisi's second presidential term.

Egyptian Front was able to monitor the arrest of 144 person distributed over 7 cases where they were interrogated and accused by State Security Prosecution of publishing false news and joining a group established against the law. These charges are widely known to be loose and subject to the discretion of the investigation authorities.

This occurred during when the House of Representatives passed a number of media and press regulation laws among which is the Cybercrime law. This law faced objections as it included a number of articles that restrict freedom of opinion and expression. Earlier, on the 28th of February, 2018, the public prosecutor assigned attorney generals and directors of public prosecution, each in their own area of specialization, to monitor false news published on social media by "Evil people who wants to jeopardize the security and safety of the country", according to the statement issued by the public prosecution.

In response to these actions that reflect the authorities 'pursuit of activists, the Spokesperson of the European External Action Service issued a statement on the 30th of May 2018 stating that the increase in the arrest of human rights defenders, political activists, and bloggers in Egypt is a worrying development.
Egyptian Front has monitored the arrest of 13 political activists, 2 bloggers, 9 journalists, 5 photojournalists, 2 film crew members, 2 lawyers, one researcher, 5 students, 3 among those who were shooting in a polling station, 4 among those who participated in Al Quds demonstrations in December 2017, 23 among those who protested against the increase in Metro tickets prices in May 2018. This in addition to others whom the organization was unable to identify their work as well as reasons of their arrest.

This report aims to examine the nature of these recent arrests through shedding the light on these 7 cases investigated by Supreme State Security Prosecution. The cases, in a chronological order, are as following: Case no. 977 for the year 2017 and cases no. 441, 467,482,621,718,734 for the year 2018. Also, Egyptian front was able to collect and present information related to the detainees -activists, journalists, and human rights defenders- held in pre-trial detention in the aforementioned cases. This in addition to examining the legislative context that accompanied the arrests as well as violations that jeopardized the rights of the accused as guaranteed by the constitution and international conventions.

First: An overview on legislations and policies that restrict freedom of opinion and expression

It can be said that the Egyptian government first legislation to restrict political activism and freedom of expression was issued by interim president Adly Mansour in November 2013 known as Protest law no. 107 for the year 2013. This law grants the Ministry of Interior (MOI) the right not only to ban public demonstrations but also to use violence in case any of the protestors infringed the standards of a peaceful protest. Also, in December 2013 the government declared the Muslim Brotherhood a terrorist group and followed it with a verdict in April 2014 banning 6th of April movement. This widely jeopardized the right to assemble as it abruptly subjected thousands of citizens to arbitrary arrests facing charges of "joining a group that was established against the law"

In the same context, the regime has criminalized a wide number of actions. In absence of the Parliament, some articles related to the fight against terrorism were amended in April 2014. For example, article no. 92 stipulated that he who launches a website with the attempt to incite for terrorist acts shall be sentenced to prison for a period that might reach to 15 years. This amendment was assured in article no. 29 of fight against terrorism law issued in August 2015.

In continuation of tightening the work of human rights and research in Egypt under the pretext of protecting National security, Abdel

Fatah al-Sisi issued law no. 70 of year 2017 regulating the work of Associations and Other Institutions Working in the Field of Civil Work. This law included repressive, unclear, and lose provisions. This law bans NGOs from conducting research without a permit from the state, also, for the NGO to receive funds it has to get the approval of security apparatuses, military, and other government bodies.
Earlier in June 2018, the parliament passed a bill on combating cybercrimes. According to this law, investigation bodies are obliged to submit a censorship order before the competent court to ban infringing websites and digital newspapers. Also, this law obliges telecommunication companies to store and maintain confidential information of the user for 180 days including data that reveals the identity of the user. This law provides security bodies the right to access such information. On July 16th, 2018, the parliament passed three laws on press and media regulation where it provided the Supreme Council of Media absolute authority to ban, interdict, and withdraw license of infringing media institutions.

Second: The events of the arrest of defendants pending seven State Security cases

In conjunction with the presidential elections, Egyptian authorities expanded the pursuit and arrest of citizens against the backdrop of their political and human rights activism. Those arrested are held in pre-trial detention where they were interrogated by National Security prosecution and were accused of a number charges among which are joining a group that was established against the law and publishing false news.

Examining these cases and the charges the detainees face, it is hard to determine whether detainees were arrested because they committed actions criminalized by authorities or were arrested because their names were stated in the investigation report of these cases or for both reasons.

Tracking the investigation sessions of the seven cases, we were able to monitor the arrest of 144 citizens among them are journalists, photojournalists, researchers, political activists, and human rights defenders held in the period between October 2017 and June 2018 as illustrated in the following infograph

An infograph illustrating the distribution of the arrested on the cases.

6
defender / case
No. 482 of 2018

1
defender / case
No. 467 of 2018

35
defenders / case
No. 441 of 2018

54
defenders / case
No. 977 of 2017

1
defender / case
No. 734 of 2018

24
defenders / case
No. 718 of 2018

23
defenders / case
No. 621 of 2018

Case no. 441 for the year 2018, State Security Prosecution

This case was first opened when National Security Prosecution started investigating both Mostafa al-A'sar, journalist and researcher at Regional Center for Rights and Liberties, and Hassan ElBanna, intern journalist at el-Shrouk newspaper on February 14, 2018 after they forcibly disappeared for 11 days. The prosecution accused them and other defendants of joining a group that was established against the law and publishing false news. Security forces also arrested 35 defendants and added them to this case including journalists, photographers, researchers and human rights activists in the period between February 2018 and July 2018.

Prominent defendants pending in this case:

Wael Abbas
Journalist and blogger.

Moataz Wadnan
Journalist at Huffington Post

Shrouk Amgad
journalist and fiancé of Ahmed el-Sakhawy detained pending case 977/2017.

Ezzat Ghoniem
Executive Director of the Egyptian Coordination for Rights and Freedoms.

Mervat Hussein Mohamed Ali
Photojournalist

Azoz Mahgoub Azoz Salem
the lawyer of Zubeida's mother.

Mo'men Hassan
Documentary films producer.

Hussein Ibrahim Husseini
Thanaweya A'ama student (hight school student).

Walid Shobaky
Researcher and doctoral student at Washington University.

Fatma Diaa Mousa
The wife of journalist Abdullah Modar held pending case 828/2017.

Adel Sabry
Masr el Arabeya Editor in chief.

Hagar Abdullah Abd al-Mone'im
Journalist at al-Watan Newspaper.

Case no. 977 for the year 2017, Supreme State Security Prosecution.

These case, known in the media as "Mekameleen 2", was first opened after Al Masryoon newspaper Journalist Ahmed el Sakhawy appeared in Supreme State Security Prosecution in October 2017 26 days after he was arrested. Ahmed forcily disappeared and was accused of joining the media and digital committee of the Muslim Brotherhood. Since October 2017 and until February 2018, security forces have arrested 54 defendants pending this case, among them are journalists and activists

including

Nesreen Antar Abd al-Lateef
was arrested from al-Quds demonstrations in December 2017.

Mohamed Moustafa Mo'awad
was arrested from al-Quds demonstrations in December 2017.

Ahmed Ali Abu al-Wafa
Student

Mohamed Adel Abd al-Moati
Student

Mohamed el Qasas
Deputy president of Strong Egypt party.

Islam Zakareya "Khorm"
Blogger

Islam Abd el-Megeed
Journalist

Ahmed Abd el-Aziz Ibrahim
Journalist

Ahmed Mohamed Ali
Photographer

Case no. 467 for the year 2018, Supreme State Security Prosecution:

On the grounds of his work as a video editor of a political documentary film *"-1095"*, Ahmed Tarek Zeyada was arrested on February 18, 2018. He forcibly disappeared for three days and then appeared before Supreme State Security Prosecution on February 21, 2018. So far, Tarek is the only defendant in this case where he is accused of joining a group established against the law and disseminating false news.

Case no. 482 for the year 2018, Supreme State Security Prosecution

The 6 Defendants of this case were arrested in conjunction with el-Sisi's second presidential elections. Activist Islam Khalil is among the prominent defendants held pending investigations in this case in addition to former activists of "Kefaya" movement such as Gamal Abd el-Fattah, Hassan Hussein Tawfik, and law student Ahmed Gamal Manna. Prosecution accused them of a number of charges among which are publishing false news and joining a group established against the law with the aim to disrupt the presidential elections.

Case no. 621 for the year 2018, Supreme State Security Prosecution

This case was first opened in conjunction with the State Security Prosecution investigation with 6th of Apil movement activist Sherif al-Roubi and journalist Mohamed Radwan, aka Mohamed oxygen, on the 16th of April, 2018. They were accused of joining a group established against the law and disseminating false news. In less than a month, activist Amal Fathy Abd al-Wahab, activist and former leader in al-Dostor party Shady al-Ghazali Harb, satirical blogger Shady Abu Zaid were arrested and added to this case. 23 people were arrested and held in pre-trial detention in this case since April and until June 2018.

Rest of prominent defendants in this case:

Mohamed Khaled Mohamed
was shooting inside a polling station.

Mona Mahmoud Abd el-Gawwad
was shooting inside a polling station.

Negm el-Din Sadeq
was shooting inside a polling station.

Case no. 718 for the year 2018, Supreme State Security Prosecution

Against the backdrop of the protests that erupted after the increase of the metro ticket price in February 10, 2018, security forces arrested 24 person pending this case known in the media as "the metro case". International activist Haytham Mohamadeen and three other activists from Bread and Freedom party: Asmaa Abd el-Hameed, Abeer el-Safti, Youssef Ahmed are the most prominent detainees of this case. Prosecution has pressed charges of aiding a terrorist group in jeopardizing national security, disrupting the provisions of the constitution and the law, participating in a protest to disrupt public transportation, and using social media websites to incite terrorism on the defendants.

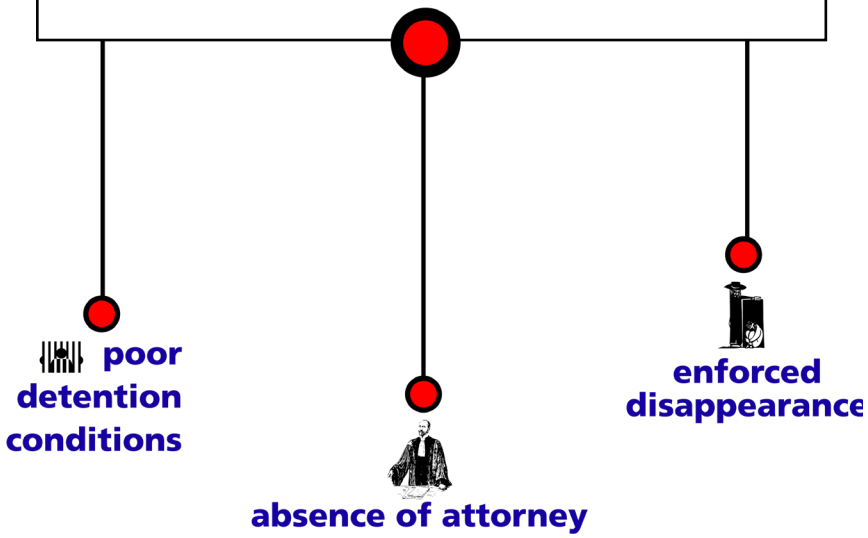
Rest of prominent defendants in this case:

Shahenda Ahmed Abd el-Hameed	Hatem Mohamed Bastawy
Ali Moustafa Hassan Abd al-A'al	Basma AlAhmed Abdal-Rahman
Mohamed Ahmed Ismail	Wagih Galal Ibrahim
Mohamed Samir Mohamed Galal	Mohamed Abdel-Mageed Labib
Mahmoud Abd el-Ghany Mekhemar	Adel Mohamed Ahmed Au-Zayd
Nefesa Abd el-Wahhab Morsi	Farida Atef Abd el-Aty Mohamed
Moustafa Mohamed Rizk	Mohamed Abd el-Hameed Khali
Ahmed Abd el-Rahman Ahmed	Karim Hussein Rabei' Moghamed
Fawzy Saeed Saleh Mohamed	Adhan Shaheed Abd el-Raheem
Beshoy Samir Youssef	Ashraf Salah Farahat Mohamed

Case no. 734 for the year 2018, Supreme State Security Prosecution

Authorities arrested political activist and former al-Sisi campaigner Hazem Abd al-Azeem on May 27 2018 where the prosecution accused him of joining a group that was established against the law in addition to publishing false news and statements about the political and economic situation in Egypt in order to disrupt the public order.

Third: Prominent violations inflicted upon defendants in these cases

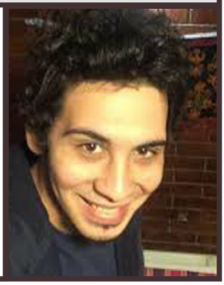


Defendants detained pending these 7 cases were subjected to a number of violations that infringed their rights granted by the constitution and international conventions. Defendants faced enforced disappearance, absence of lawyers during primary investigation sessions, and poor conditions inside detention places. These violations, when proven to be valid, nullifies the seizure and detention processes of defendants

Following are the significant violations inflicted upon detainees in the aforementioned seven cases:

Case no. 977 — Ahmed al-Sakhawy

Security forces arrested al-Sakhawy on the 25th of September 2017 from his home in downtown and was taken to an undisclosed place to later appear on the 21st of October in State Security prosecution. He was interrogated and was accused of joining a banned group as well as working for a broadcasting channel affiliated with the Muslim Brotherhood. His family sent a telegraph to the attorney general indicating that he was subjected to enforced disappearance. After he appeared in State Security prosecution, his family requested his transfer to another cell in the Scorpion prison as he was detained with radical Islamists.



Case no. 977 — Mohamed al-Qasas

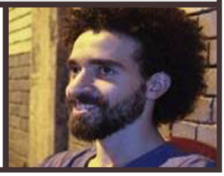
Security forces arrested activist Mohamed al-Qasas on the 8th of February and was interrogated in State Security prosecution on the 9th and 10th of April in absence of a defense attorney. According to his lawyers, al-Qasas was held in solitary confinement and was stripped of his right to exercise. Also, his wife was not able to visit him in maximum security prison 2 except after 70 days of his imprisonment.

Case no. 977 — Islam el-Refa'y

Blogger Islam el-Refa'y aka "Khorm" was arrested on the 16th of November 2017 from Bab al-loq, downtown. He disappeared for four days and then appeared on the 21st of February where he was interrogated in State Security prosecution in absence of an attorney and without allowing him to call his family.

Case no. 441 — Moustafa Al- A'sar

Moustafa al-A'sar and Hassan el-Banna were the first to be arrested and held pending investigations in this case. Security forces arrested Moustafa al-A'sar, a blogger and journalist in "Altra Sout" website along with Hassan el-Banna on the 4th of February where he forcibly disappeared for 11 days to appear in prosecution on the 14th of February 2018.

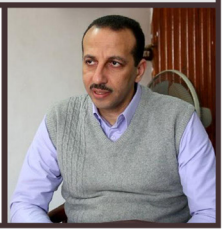


Case no. 441 — Hassan el-Banna

Police arrested el-Banna, an intern at al-Shorouq newspapaer, on the 4th of February while heading to work with his housemate Mostafa al- A'sar where he forcibly disappeared for 11 days. Meanwhile, his family sent a number of telegraphs reporting him missing to the public prosecutor, Giza prosecutor, National Council for Human Rights, Minister of Interior, and Giza security chief.

Case no. 441 — Ezzat Ghoneim

Executive director of Egyptian Coordination for Rights and Freedoms Ezzat Ghoneim was arrested on the 1st of March 2018 against the backdrop of coordinating a meeting between Zubeida Ibrahim's mother and the BBC which the authorities regarded as an attempt to "distort the image of Egypt. Earlier, Zubeida was suspected to have forcefully disappeared. Ghoneim disappeared until the 3rd of March where he was interrogated before the State Securty Prosecution in absence of a lawyer.



Case no. 441 — Moataz Wadnan

Huffington Post Arabic journalist Moataz Wadnan was arrested from above al-Mounib bridge on the 16th of February 2018 after he interview Former head of Egypt's Central Auditing Organization Hesham Geniena. Moataz is subjected to a number of violations in Maximum Security prison 2 where he is detained. According to his sister, Wadnan is denied of visitation, exercising, and visiting the prison hospital.

Case no. 441 — Fatma Mohamed Diaa Mousa

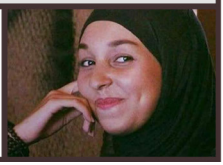
Fatma Mohamed, her 14-month old daughter, husband Abdullah Modar, and brother Omar Diaa Mousa were arrested from Giza train station as they were heading to Asyut governorate on the 24th of May. According to Fatma's lawyer, they were taken to State Security Headquarter in el-Sheikh Zayed where she was interrogated in absence of a lawyer.

Case no. 441 — Hager Abdullah Abd el-Moniem

On the 2nd of April 2018, Hager Abdullah Abd el-Moniem, a commerce student and journalist at al-Watan newspaper was arrested while covering the results of Egyptian presidential elections in Tahrir Square, downtown. According to her lawyer, State Security Prosecution started interrogating her in absence of a lawyer.

Case no. 441 — Shrouk Amgad Ahmed

On the 25th of April 2018, Security forces arrested photojournalist Shrouk Amgad Ahmed the fiancé of Ahmed el-Sakhawy who is detained in the case no. 977 for the year 2017. At that time, Shrouk was communicating with Human rights organization to document violations inflicted upon Ahmed since he was detained.



Case no. 441 — Abd el-Rahman al-Ansary

After disappearing for 12 days, photojournalist and French university student Abd el-Rahman al-Ansary appeared in State Security prosecution and was held pending further investigations in case no. 441. Abd el-Rahman was arrested in Dokki, Giza on the 8th of May 2018. His family sent a telegraph to the attorney general holding the number 528805 indicating his disappearance.

Case no. 441 — Wael Abbas

Political activist and blogger Wael Abbas was arrested on the 24th of May 2016 from his house in Fifth Settlement in New Cairo in way that his lawyer described as "a kidnapping not an arrest". He appeared the following day where he was added to Case no. 441 for the year 2018. Abbas' family issued a statement condemning violations inflicted upon him in detention such as tying with chains, blindfolding before the transfer to prosecution and sleeping on the floor of the detention place.

Case no. 441 — Walid al-Shobaky

Researcher and Doctoral student at the University of Washington, Seattle was arrested on the 23rd of May 2018. He forcefully disappeared for four days and then appeared in State Security prosecution where he was held in pre-trial detention for 15 days in the same case. Law professor Mohamed Nour Farahat said he met Walid on the 23rd in order to help him with the research he is conducting on the Egyptian Judiciary system.

Case no. 482 — Gamal Abd al-fattah

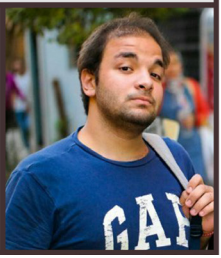
Gamal was arrested on the 28th of February 2018 from his house in Hadayeq al-Ahram and appeared on the 6th of March in State Security prosecution where his lawyers were prevented from attending the investigation session with him. According to his lawyers, the prosecution isn't responding to the detainee's and lawyers' requests to requests to refer him to prison hospital.

Case no. 482 — Islam Khalil

Security forces arrested Islam on March 10, 2018, from Aswan governorate and didn't appear in either Aswan police station, Hurghada prosecution, Aswan prosecution, or Qena military prosecution. Islam's family sent a telegraph to the attorney general on the 15th of March holding the number 259232678 indicating his disappearance. On April 2, Islam appeared in Tora Istiqbal prison, and was interrogated on April 1 in National Security prosecution.

Case no. 467 — Ahmed Tarek

A group of men, some in police uniforms and others in civilian clothes, raided the house of Ahmed Tarek on February 18, 2018, in Nahya village, Giza, confiscated his laptop and mobile phone, and interrogated him for an hour before taking him to an undisclosed place. He forcefully disappeared for four days in one of State Security Prosecution headquarters. Tarek's family filed a report to the attorney general holding the number 2253 for the year 20178 inquiring about his whereabouts. Tarek then appeared on February 21 in State Security Prosecution where he was interrogated in absence of a lawyer.



Case no. 621 — Sherif al-Roubi

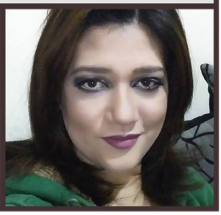
Police arrested 6th of April movement activist Sherif al-Roubi during his visit to Alexandria on the 8th of April 2018. He forcibly disappeared for 8 days in one of National Security headquarters and then appeared on the 16th of April where he was interrogated in absence of an attorney defense.

Case no. 621 — Mohamed Radwan- aka Oxygen

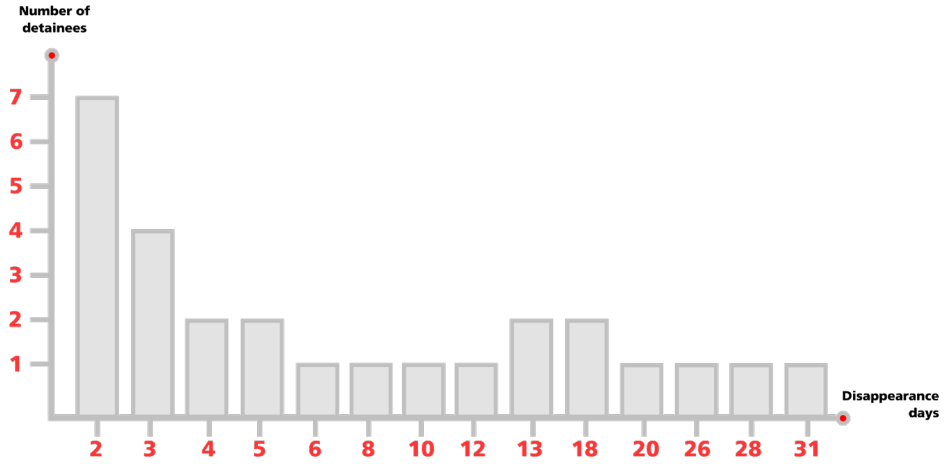
Security forces arrested blogger and journalist Mohamed Radwan, aka Oxygen, from his house on 7th of April, forcibly disappeared for 9 days and appeared in State Security prosecution on April 16th.

Case no. 621 — Amal Fathy Ad-Altawwab

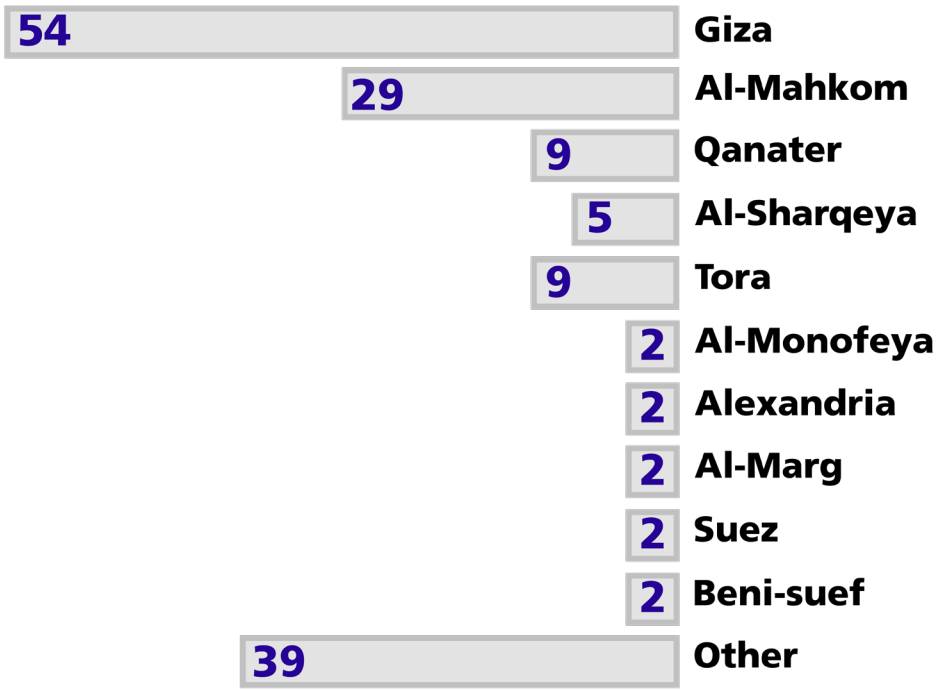
On May 11th 2018, security forces arrested Amal after she posted a video of herself on Facebook criticizing the performance of state institutions. She was held on remand in case no. 7991 for the year 2018- a misdemeanor of Maadi until she was brought to interrogation for another case holding the number 621. Human Rights organizations regarded this as a reprisal action to get back at her husband the executive director of Egyptian Commission for Rights and Freedoms.

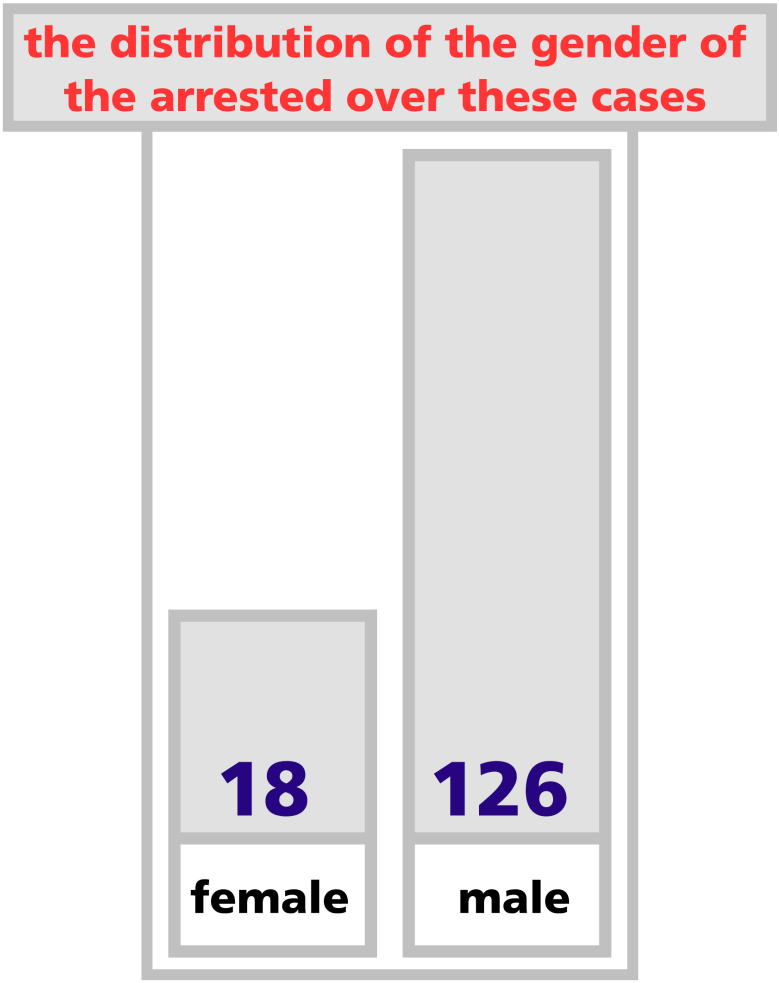


25 were monitored to have been subjected to enforced disappearane



the detention places of a number of defendants.




the distribution of the gender of the arrested over these cases
18
female
126
male

Conclusion and recommendations

In recent months, Security bodies have expanded its campaign to silence the voices that oppose the policies of the current regime. This is done through detaining citizens on the grounds of their peaceful expression of opinion as well as accusing them of disseminating false news and joining banned groups such as the Muslim Brotherhood. This came in conjunction with House of Representatives issuing a number of media regulating laws which human rights activists regarded as a threat to the freedom of media and press as these laws will legalize the pursuit of those working in the field.

In the course of el-Sis's second presidential term, Egyptian authorities is striving to maintain control over the public domain. This raise questions around the continuation of political, press, and human rights work amid repressive practices, restrictive laws, and the domination of the one voice of the state after a revolution that called for the freedom of all voices.

Recommendation of Egyptian Front to the executive, legislative, and judicial authorities:

1-Attorney General should immediately release all the detainees held on remand in the aforementioned cases against the backdrop of their media, political, and human rights activism, also, immediately stop the pursuit of journalists and activists.
2-We call upon the House of Representatives to review laws passed on Press and Media Freedom, consider the opinions, fears, and objections of journalists, and stop the issuance of freedom and rights restrictive laws.
3-We call on the competent judicial authorities to investigate the allegations of the defendants held pending the aforementioned cases as they were subjected to violations during their arrest and in their detention places.
4-We call upon the executive authorities to uphold the principal of rule of law, and immediately stop practices that restrict freedoms and rights under the pretext of war against terrorism and protecting national security.

The first half of year 2018 has witnessed exacerbating apprehension and detention of politicians, journalists, bloggers, and human rights activists against the backdrop of their political activism as well as expressing their opinions freely. This came in conjunction with el-Sisi's second presidential term. Egyptian Front was able to monitor the arrest of 144 person distributed over 7 cases where they were interrogated and accused by State Security Prosecution of publishing false news and joining a group established against the law. These charges are widely known to be loose and subject to the discretion of the investigation authorities. This report aims to examine the nature of these recent arrests through shedding the light on these 7 cases investigated by Supreme State Security Prosecution. The cases, in a chronological order, are as following: Case no. 977 for the year 2017 and cases no. 441, 467,482,621,718,734 for the year 2018. and examining the legislative context that accompanied the arrests as well as violations that jeopardized the rights of the accused as guaranteed by the constitution and international conventions.

Egyptian Front for Human rights is a European Organization established in Czech Republic in 2017. The front works to improve the status of human rights in Egypt through research, advocacy and legal work in areas such as criminal justice.