



## Egypt

**Joint Submission to the United Nations Universal Periodic Review**  
for the 48th Session of the UPR Working Group  
Submitted 27 June 2024

by

**International Federation for Human Rights**

a non-governmental organization in special consultative status

**Cairo Institute for Human Rights Studies**

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**Egyptian Initiative for Personal Rights**

1. This submission was drafted jointly by the **International Federation for Human Rights (FIDH)**<sup>1</sup>, the **Cairo Institute for Human Rights Studies (CIHRS)**,<sup>2</sup> and the **Egyptian Initiative for Personal Rights (EIPR)**.<sup>3</sup>
2. This submission examines the Government of Egypt's compliance with its international human rights obligations, in particular the International Covenant on Civil and Political Rights (ICCPR) and the UN Declaration on Human Rights Defenders, adopted by the United Nations in 1998, to create and maintain a safe and enabling environment for human rights defenders (HRDs).
3. During the 3rd UPR cycle, the Government of Egypt fully accepted 270 of the 373 recommendations received, accepted partially 32 recommendations, rejected 30 recommendations and considered 15 recommendations as factually incorrect, 24 recommendations as already implemented and 2 recommendations as aggressive.
4. While the Egyptian government tried to whitewash the horrific human rights record by conducting cosmetic measures such as the revival of the National Council for Human Rights and the Presidential Pardoning Committee, adopting the National Human Rights Strategy and announcing a National Dialogue, the human rights situation is still deteriorating.
5. The unjustified restrictions imposed on freedom of expression and association were not addressed, but instead consolidated through new draconian laws. The repression of human rights defenders has increased using a plethora of crimes and human rights violations.

## **I- THE WEAPONIZATION OF DRACONIAN LAW AGAINST HUMAN RIGHTS DEFENDERS**

6. Even though the Egyptian government has accepted recommendations<sup>4</sup> to ensure a safe and enabling environment for defenders and protecting civic space, human rights defenders, journalists and activists have been attacked by the Egyptian government as part of its systematic repression through the adoption of numerous repressive laws:

### **The new Civic Work Law of 2019: a key tool to suppress independent civil society organizations:**

7. The government received 11 recommendations regarding freedom of association and peaceful assembly.<sup>5</sup> The government accepted 8 of them, related to amending the Civic Work Law of 2017.

<sup>1</sup> FIDH is an international human rights organization federating 188 member organizations from 116 countries. Since its foundation in 1922, FIDH has been defending all civil, political, economic, social, and cultural rights set out in the Universal Declaration of Human Rights (UDHR).

<sup>2</sup> The Cairo Institute for Human Rights Studies is a regional human rights organization with special consultative status with the Economic and Social Council of the United Nations (ECOSOC), promoting and protecting human rights in the Middle East and North Africa (MENA) since 1993.

<sup>3</sup> EIPR is an Egyptian non-governmental organization that works since 2002 to strengthen and protect basic rights and freedoms in Egypt, through research, advocacy and litigation in the fields of civil liberties, economic and social rights, and criminal justice.

<sup>4</sup> For example, see recommendations 31.163;31.193; 31.194; 31.195; 31.196; 31.197; 31.198; 31.200; 31.202; 31.205; 31.206; and 31.207 of Egypt's 3rd cycle, matrix of recommendations, available at: [Universal Periodic Review - Egypt | OHCHR](#)

<sup>5</sup> See recommendations No 31.87; 31.172; 31. 174; 31. 180; 31.194 of Egypt's 3rd cycle, matrix of recommendations, available at: [Universal Periodic Review - Egypt | OHCHR](#)

8. Although the Law Regulating the Exercise of Civil Work (commonly known as the NGO Law), ratified in August 2019, removed imprisonment penalties mentioned in the previous NGO law N°70-2017, it maintained tough restrictions on the right to freedom of association.<sup>6</sup> The new law establishes state monitoring over domestic civil society organizations (ministry of social solidarity), it also restrained the scope of action of civil society to “societal development”, a vaguely outlined notion that could potentially be exploited to hinder human rights advocacy efforts. The Law also prohibits essential activities and practices for independent organizations such as conducting opinion polls and surveys; conducting field research or publishing their results, and cooperation with foreign organizations or experts without government approval. It also uses abstract definitions for prohibited activities such as activities that violate “public order”, “public morals” or “national unity”. Additionally, the law places severe restrictions on foreign funding, granting authorities arbitrary powers to block the funding, and the Law’s Implementing Statutes, gives associations only five days to return it if rejected by the ministry, effectively depriving associations of the right to appeal the decision.
9. Egypt has worked on the Implementing Statutes (Bylaws) of NGO Law in the greatest secrecy in order to avoid national and international criticism. The bylaws, issued by the Prime Ministerial Decree in January 2021, furthered the restrictions by imposing a one-year time frame for associations to comply with the new legal provisions and renew their registration.<sup>7</sup>
10. These provisions aim to eradicate any independent association or organization, by making all the organizations which do not apply to this repressive law illegal.
11. Even organizations that have registered or attempted to register under the new 2019 law report that administrative and security authorities exercise control and harassment measures that exceed even the restrictive measures stipulated in the law. Although the Constitution (art 75) and the NGO law emphasize the right to establish a civil association by notification, authorities in practice fail to register new associations without prior approval. In January 2024, the Egyptian Initiative for Personal Rights brought a lawsuit against the Minister of Social Solidarity (in charge of NGO law applications) for unlawfully demanding the dismissal of two board members of Al Midan Association for Development and Human Rights, a registered NGO.<sup>8</sup>

**Cybercrimes and Media Regulation Laws used to legalize censorship:**

12. After promulgating measures and laws to prevent civil society organizations and human rights defenders from working on the field, Egyptian authorities attacked a key tool for journalists and human rights defenders' work, the internet. In August 2018, Egypt issued Law No. 175 on Cybercrimes, in order to legalize censorship and crack down on digital freedoms.<sup>9</sup> This law uses vaguely worded concepts like “national security” to legitimize the right to monitor and block websites, establish mass surveillance on internet users, and file criminal complaints against digital media platforms and individuals. In November 2019, security agencies arrested and forcibly disappeared for two days Shady Zalut, news editor of the independent website

<sup>6</sup> CIHRS, Egypt: Authorities must repeal the outrageous NGO law - Cairo Institute for Human Rights Studies (CIHRS), January 2022

<sup>7</sup> HRW, Q&A: Legal Framework and Environment for Nongovernmental Groups (NGOs) in Egypt | Human Rights Watch, July 2021

<sup>8</sup> EIPR: First hearing in EIPR lawsuit challenging the exclusion of two board members of a civil society organization based on “security objection, January 2024

<sup>9</sup> Article 19, Egypt: NGOs call for full repeal of “cybercrime” law and reform of dangerous law regulating media - ARTICLE 19, September 2018

Mada Masr, raided the offices of the media organization and briefly detained its editor-in-chief and two other editors before they were all released following the publication of a report about the president's son. In March 2023, **Bissan Kassab**, **Rana Mamdouh**, and **Sarah Seif Eldin**, journalists from the same website, were indicted for spreading false information, misusing communication channels to violate the privacy of others, and using information technology to commit the crime of slander and defamation. The Public Prosecution charged **Lina Atallah**, the editor-in-chief of the website, with managing a website without a license and violating the cybercrime law on two other occasions in 2023 and the charges, which carry possible prison sentences, remain pending.<sup>10</sup>

13. Article 19 of the Press and Media Regulation Law includes ambiguous terminology such as “fake news,” facilitating decisions by the Supreme Council for Media Regulation to suspend and block websites of civil society organizations and independent media outlets. It should be noted that Egypt considered Recommendation No. 31.126, recommending the unblocking of news and social media sites<sup>11</sup>, to be “factually incorrect” as the government “was not blocking websites of its own accord”. However, the Egyptian government continued to block news websites. More than 600 websites, including information and human rights sites, are still blocked.<sup>12</sup> Al Manassa and Mada Masr, two of Egypt's most prominent independent news websites and among a handful of such outlets left in Egypt, have not only both been unlawfully blocked, but have also had their application of license denied or blocked since 2018, forcing them to operate in apparent violation of the Media Regulation Law and face consequent penalties. In January 2023, the authorities blocked the website of the Cairo Institute for Human Rights Studies, in reprisal for submitting a joint midterm UPR report, and it remained blocked through 2023<sup>13</sup> Authorities also blocked news websites Soult4 and Masr360 in June 2023.<sup>14</sup> The latter was only unblocked without explanation in 2024.
14. Based on the Penal Code, **Hossam Bahgat**, a prominent Egyptian advocate for freedom of expression and executive director of the Egyptian Initiative for Personal Rights (EIPR) was convicted and sentenced in 2021, for “insulting the Elections Authority,” “spreading false news,” and “using a social media account to commit these crimes” in response to a tweet he posted criticizing the former head of Egypt's National Elections Authority.<sup>15</sup>
15. On August 25, 2020, Cairo's 5th Circuit Terrorism Court sentenced the veteran human rights defender and the director of Cairo Institute for Human Rights Studies, **Bahey-Eddin Hassan**, in absentia, to 15 years of prison. Hassan was convicted of “spreading fake news”, “inciting hatred against the state” and “defaming the judiciary” under Articles 80, 102 bis, 171/5 and 184 of the Penal Code, and Articles 27 and 34 of the Cybercrimes Law.<sup>16</sup>

<sup>10</sup> Mada Masr, [Mada journalists charged with spreading false news, insulting Nation's Future Party, chief editor faces charge of operating unlicensed news site | MadaMasr](#), September 2022

<sup>11</sup> Recommendation No. 31.126 Release those detained for exercising their right to freedom of expression, including all journalists, activists and human rights defenders, and unblock news and social media websites (United Kingdom of Great Britain and Northern Ireland);

<sup>12</sup> Cairo Institute for Human rights studies, [Egypt: Authorities must stop targeting independent news website Mada Masr](#), December 5, 2023.

<sup>13</sup> The block was removed in March 2024. Cairo Institute for Human rights studies, [Egypt: CIHRS Website Blocked in Reprisal for Joint Report to UN Human Rights Council](#), February , 2023.

<sup>14</sup> Cairo Institute for Human rights studies, [Egypt: Authorities must stop targeting independent news website Mada Masr](#), December , 2023.

<sup>15</sup> FIDH, [Egypt: Judicial harassment of Hossam Bahgat, Executive Director of EIPR](#), November 2021.

<sup>16</sup> FIDH, <https://www.fidh.org/en/issues/human-rights-defenders/egypt-cihrs-director-bahey-eldin-hassan-sentenced-to-15-years-in>, August 2020.

## **Misuse of counterterrorism laws to prosecute and target human rights defenders:**

16. Despite international condemnation<sup>17</sup> addressed to the counter-terrorism law 94/2015, and the recommendations<sup>18</sup> received to align counter-terrorism legislation with international standards and repeal repressive legislation<sup>19</sup>, Egyptian authorities amended the counter-terrorism law in 2021. The amendments expanded the definitions of “terrorist entities” and “funding terrorism” and the measures resulting from adding individuals to the “terrorist list”. These amendments use vague and broad definitions intentionally to further erode fundamental human rights and to enable wider crackdown on human rights defenders, according to UN experts.<sup>20</sup>
17. Counter-terrorism legislation that government misuse to attack human rights defenders and to enable enforced disappearances<sup>21</sup>, also includes the law 8/2015<sup>22</sup> on the designation of terrorist entities and terrorists, and some articles of the criminal code.
18. The UN Human Rights committee expressed concerns about the excessively broad definitions in these legislations, and reports that these “laws are used, in combination with restrictive legislation on fundamental freedoms, to silence actual or perceived critics of the Government, including peaceful protesters, lawyers, journalists, political opponents and human rights defenders”.<sup>23</sup>
19. Accusing human rights defenders of trumped-up terrorism charges allows the authorities to transfer the investigations to the Supreme State Security Prosecution (SSSP). The SSSP widely practices arbitrary arrests<sup>24</sup>, prolonged pretrial detention<sup>25</sup>, enforced disappearances and disregards complaints of detainees about the abuses of law enforcement agents.<sup>26</sup>
20. After the investigation by the SSSP, human rights defenders accused of bogus charges of “terrorism” are judged by extraordinary courts: the Emergency State Security Court (ESSC). These courts, established under Egypt’s 1958 Emergency Law, are impartial since the judges are appointed by the President. This impartiality undermines the principles of fair trial, especially that the decisions of the ESSC are not subject to appeal and the law grants the president of the republic the right to ratify or reduce the sentence or order a retrial in flagrant violation of due process. The president declared a nationwide State of Emergency automatically activating these extraordinary courts for all “national security” cases between 2017 and late 2021.<sup>27</sup>

<sup>17</sup> Human Rights Watch, [Egypt: Intensifying Crackdown Under Counterterrorism Guise | Human Rights Watch](#), July 2018

<sup>18</sup> For example, see recommendations 31.134; 31.136; 31.137 and 31.138, of Egypt’s 3rd cycle, matrix of recommendations available at: [Universal Periodic Review - Egypt | OHCHR](#)

<sup>19</sup> For example, see recommendations 31.136 and 31.203, Matrix of recommendations, available at: [Universal Periodic Review - Egypt | OHCHR](#)

<sup>20</sup> OHCHR, [Egypt’s updated terrorism law opens the door to more rights abuses, says UN expert](#), April 2021, available at: [Egypt’s updated terrorism law opens the door to more rights abuses, says UN expert | OHCHR](#)

<sup>21</sup> Articles 40 and 41 of Counter-Terrorism Law 94 of 2015 have enabled enforced disappearances by providing legal cover for holding individuals incommunicado for up to 28 days.

<sup>22</sup> An English translation of the law is provided by MENA Rights group: : [Terrorist Entities Law-English](#)

<sup>23</sup> Human Rights Committee, Concluding observations on the fifth periodic report of Egypt, CCPR/C/EGYPT/CO/05, April 2023, available at: <https://www.ecoi.net/en/file/local/2091099/G2306032.pdf>

<sup>24</sup> Amnesty international, [Egypt: State Security prosecution operating as a ‘sinister tool of repression’ - Amnesty International](#), November 2019

<sup>25</sup> The SSSP doesn’t respect the legal duration of 2 years pretrial detention, for example see the case of Seif Fateen, [Seif Fateen - Cop Civics Space](#) and Hisham Jaafar, [Egypt: Journalist Hisham Jaafar released after 41 months in prison | Alkarama](#)

<sup>26</sup> Amnesty International, [Egypt: State Security prosecution operating as a ‘sinister tool of repression’ - Amnesty International](#), November 2019

<sup>27</sup> International Commission of Jurists, [Egypt: Abolish the Emergency State Security Courts and End Miscarriages of Justice | International Commission of Jurists](#), January 2023, and Amnesty International: [Egypt: Stop trials by emergency courts - Amnesty International](#), October 2021.

21. Human rights lawyers, **Zyad el-Elaimy**<sup>28</sup> (also former member of parliament) and **Mohammad Al Baqer**<sup>29</sup>, were arrested in June and September 2019 respectively.<sup>30</sup> After spending more than 3 years in pre-trial detention they were tried before an Emergency State Security Court and sentenced to 5 years for Zyad and 4 years for Al Baqer in prison at the end of 2021 on bogus terrorism charges.<sup>31</sup> They were later placed on a terrorism entities list, which entails freezing their property and financial assets, prohibiting them from traveling abroad as well as from assuming a public or official function for a period of five years. Although they were released in a presidential pardon more than a year ago, and while el-Elaimy's terrorist designation was lifted in October 2023; Al Baqer continues to be designated per the Terrorist Entities Law (Law No.8/ 2015).
22. The harshest sentences on record against human rights defenders in Egypt were handed out in March 2023 by an Emergency State Security Court against four leaders of the Egyptian Coordination for Rights and Freedoms: the group's executive director **Ezzat Ghoneim**, lawyers **Mohamed Abu-Huraira** and **Hoda Abdelmoneim** (former member of the state-affiliated National Council for Human Rights) and **Aisha Al Shatir**. The four were sentenced to prison terms ranging from five to 15 years, to be followed by five years under police probation, in addition to their designation on the "terrorists' list" and the closure of the organization's website and social media accounts. They were solely indicted and prosecuted for their work on documenting and disseminating human rights violations as part of the Coordination.<sup>32</sup> Hoda Abdelmoneim completed her five-year prison term in September 2023, only to be rearrested on the last day of her sentence and placed in pretrial detention pending politically motivated charges in a new case.<sup>33</sup> She remains in prison as of this submission.
23. In November 2020, the Egyptian Initiative for Personal Rights (EIPR) was the subject of a crackdown that followed a visit to its premises by a group of 14 foreign ambassadors. The group's executive director **Gasser Abdel Razek**, administrative manager **Mohamed Basheer** and criminal justice director **Karim Ennarah** were detained from their homes and presented to the SSSP which interrogated them solely about EIPR's research and advocacy and charged them under the terrorism law with membership of an illegal organization.<sup>34</sup> Although released the following month, the authorities imposed asset freezes and travel bans on them that remain in place.
24. In June 2023, **Mohamed Issa Rajeh** and **Mahmoud Adel**, two lawyers at the Egyptian Front for Human Rights (EFHR), were subjected to criminal investigation by the SSSP over bogus charges stemming solely from their legitimate work, including documenting human rights violations, providing of legal aid, and cooperating with UN mechanisms.<sup>35</sup>

<sup>28</sup> FIDH, [Grave concerns over prominent activists Ramy Shaath and Zyad al-Elaimy being added to Egypt's "terrorists list"](#), April 2020

<sup>29</sup> FIDH, [Egypt: Mohamed El-Baqer, 1000 days of arbitrary detention](#), June 2021

<sup>30</sup> EIPR, [New EIPR Report: Emergency court should acquit ECRF members | Egyptian Initiative for Personal Rights](#), March 2023.

<sup>31</sup> For more info, see: FIDH, [Egypt: Quash Verdicts and Stop Unfair Trials by Emergency Courts](#), January 2022, and Egyptian Front for Human Rights, "A judiciary president", December 2022, [A Judiciary President: Using Emergency State Security Courts to Prosecute Political Activists and Human Rights Defenders](#)

<sup>32</sup> EIPR, [Dismiss charges against members of the Egyptian Coordination for Rights and Freedoms](#), March 2023.

<sup>33</sup> Amnesty International, [Unjustly jailed lawyer faces new charges: Hoda Abdelmoneim](#), January 2024.

<sup>34</sup> EIPR, [Over 50 organizations from across the world stand in solidarity with the Egyptian Initiative for Personal Rights](#), November 2020.

<sup>35</sup> EFHR, [UN experts call on government to stop targeting and retaliating against human rights lawyers](#), June 2024.

## II- A PLETHORA OF VIOLATIONS TARGETING HUMAN RIGHTS DEFENDERS

25. Despite the denial of the Egyptian authorities, human rights violations remain widespread and systemic. Certain forms of repression aim at silencing all dissident voices and annihilating rights organizations and eradicating the human rights movement.<sup>36</sup>

### Enforced disappearances:

26. UN experts described enforced disappearances in Egypt as a systemic pattern of violations that affects particularly human rights defenders and political opponents. In 2022, 300 enforced disappearances cases were documented.<sup>37</sup>
27. An illustrative case of this practice is that of **Mr. Ibrahim Ezz-Eddin**, an urban planning engineer and a human rights defender who was working as a researcher at the Egyptian Commission for Rights and Freedoms at the time when he was arbitrarily arrested on June 11, 2019. For 167 days, Ezz-Eddin's whereabouts were unknown to his family and colleagues, as the authorities consistently denied his detention. He at last reappeared at Supreme State Security Prosecution (SSSP) on November 26, 2019, where he was informed he was being investigated on accusations of "contributing to the achievement of the objectives of a terrorist group" and "publication of false information undermining national security" under Case 488 of 2019.<sup>38</sup>
28. On 11 May 2023, a security force abducted former vice president of the Tanta Student Union and member of the Egyptian Students' Union, **Moaz al-Sharqawi**, from his home in the Mokattam neighborhood of Cairo during daytime hours. His location remained unknown and his family or lawyers were not able to communicate with him for 29 days. Al-Sharqawi reappeared later and was accused by SSSP by bogus charges of terrorism<sup>39</sup> and he was disclosed to have been kept in exceptional preventive detention under the terrorism law for two consecutive 14-day periods.<sup>40</sup> Al-Sharqawi had already been sentenced in 2022 by an Emergency Court to ten years in prison following a grossly unfair trial related solely to his student activism. In January 2024, al-Sharqawi was referred to a new criminal trial on terror charges which remains pending.<sup>41</sup>
29. In August 2023, Egypt security forces raided the home of **Karim Asaad**, a journalist with Egyptian fact-checking media platform Matsadaash, and arrested him. They assaulted Asaad and his wife, threatening to harm their two-and-a-half-year-old son; logged into the Matsadaash platform and deleted two Facebook posts; and seized all phones and computers from the home.

<sup>36</sup> FIDH, Des États brisent le silence pour condamner les abus de l'Égypte au sein d'un organe de protection des droits de l'ONU, March 2021

<sup>37</sup> General allegations, 131st session, (18-27 September) Egypt, The working group on enforced disappearance

<sup>38</sup> FIDH, <https://www.fidh.org/en/region/north-africa-middle-east/egypt/egypt-standing-in-solidarity-with-ibrahim-ezz-el-din>, June 2021

<sup>39</sup> EIPR, <https://eipr.org/en/press/2023/06/renewal-moaz-al-sharqawi%E2%80%99s-detention-15-days-and-egyptian-initiative-requests-visit>, June 2023

<sup>40</sup> EIPR, [EIPR calls for the abolition of the emergency court ruling against Moaz Al-Sharqawi, Abu Al-Fotouh and Al-Qassas](#), May 2022.

<sup>41</sup> EIPR, [Student leader Moaz al-Sharqawi and others referred to a new trial before the terrorism court](#), January 2024.

The raid came hours after the platform had published reports implicating the government in corruption allegations linked to gold smuggling. Assad was held illegally in a security facility for two days, during which he was subjected to physical and psychological abuse.<sup>42</sup>

### **Physical and psychological torture and ill-treatment in detention and prisons:**

30. In 2017, UNCAT reached the inescapable conclusion that “torture is a systematic practice in Egypt”. The United States Department of State’s report on the human rights situation in Egypt for the year 2023 acknowledged the routine practice of torture in police stations and other detention centers under the Ministry of Interior, noting that impunity is pervasive among the security forces.<sup>43</sup>
31. Although prohibited by the constitution (Article 52<sup>44</sup> and Article 55<sup>45</sup>) the government continues to use torture as a coercive method to obtain information, extract confessions, intimidate, discriminate, and punish<sup>46</sup> human rights defenders.
32. The use of psychological and physical torture is systematic when it comes to LGBTQI+ leaders and members.<sup>47</sup> In 2017, Egyptian authorities led a harsh campaign on LGBTQI+ community after individuals raised the rainbow flag during a concert. 57 concertgoers were arrested and among them **Sarah Hegazy**, a queer activist. Hegazy was accused of “joining a banned group aimed at interfering with the constitution”. While in custody, Hegazy was tortured by members of the Egyptian police in detention, including the use of electric shocks, and solitary confinement. Police incited other detainees to sexually assault and verbally abuse her. After being released, Hegazy was forced to exile in Canada. She never recovered<sup>48</sup> from the impacts of torture and defamation campaigns, she took her own life in 2020.<sup>49</sup>
33. Detained and imprisoned human rights defenders suffer from inhumane detention conditions. They are usually deprived of urgent medical care, family and lawyers visits. They are held in cramped cells with dozens of other detainees and prisoners. The Committee for Justice has recorded 390 deaths in detention between January 2019 and the time of this submission.<sup>50</sup>

### **Intimidation and judicial harassment:**

34. Egypt fully accepted Finland's recommendation No 31. 207 to “allow human rights defenders and all other civil society actors to exercise freedom of expression and their professions without fear of being persecuted, intimidated or detained”. Although Egypt has stated that "no one faces

<sup>42</sup> EIPR, In Solidarity with Egyptian Fact-Checking and Independent Media Platform Matsadaash, August 2023.

<sup>43</sup> US Department of State, 2023 Country Reports on Human Rights Practices: Egypt.

<sup>44</sup> Egyptian Constitution, 2014 (English translation), Article 52: “All forms of torture are a crime with no statute of limitations.”

<sup>45</sup> Egyptian Constitution, 2014 (English translation), sub-Articles 55(1) – (3): “(1) All those who are apprehended, detained or have their freedom restricted shall be treated in a way that preserves their dignity. They may not be tortured, terrorized, or coerced. They may not be physically or mentally harmed, or arrested and confined in designated locations that are appropriate according to humanitarian and health standards. The state shall provide means of access for those with disabilities. (2) Any violation of the above is a crime and the perpetrator shall be punished under the law. (3) The accused possesses the right to remain silent. Any statement that is proven to have been given by the detainee under pressure of any of that which is stated above, or the threat of such, shall be considered null and void.”

<sup>46</sup> Human Rights Committee, Concluding observations on the fifth periodic report of Egypt, April 14, 2023, CCPR/C/EGY/CO/5, Point. 27.

<sup>47</sup> Human Rights Watch, <https://www.hrw.org/news/2020/10/01/egypt-security-forces-abuse-torture-lgbt-people>, October 2020

<sup>48</sup> Sarah Hegazy for Mada Masr, عام على موقعة «الر بينو»: نظام يعتقل، وإسلاميون يصفقون, September 2018

<sup>49</sup> Amnesty International, <https://www.amnesty.ie/a-rainbow-coloured-thread-sarah-hegazy/>, June 2020

<sup>50</sup> Committee for Justice, Justice Watch Archive Database, accessed in July 2024.



imprisonment in Egypt for exercising the right to freedom of expression”, in the last four years, many human rights defenders were legally prosecuted solely for exercising their fundamental rights.

35. **Ahmed Samir Santawy**<sup>51</sup> a researcher focusing on women’s rights in Egypt, particularly on the history of reproductive rights, and **Patrick Zaki**<sup>52</sup> a researcher at Egyptian Initiative for Personal Rights focusing on discrimination against Coptic Christians in Egypt, were both prosecuted for “spreading false news”, and tried and sentenced by Emergency Courts before being pardoned. **Amal Fathi**, a woman human rights defender, was subjected to judicial harassment through years and was prosecuted and detained for more than six months only for denouncing sexual harassment and criticizing the failure of Egyptian authorities in protecting women.<sup>53</sup>
36. Women human rights defenders continue to face severe forms of reprisals. **Mahienour el Masry**<sup>54</sup> was subject to 22 months of arbitrary detention in 2019, solely for peacefully exercising her right to protest, while **Sanaa Seif**<sup>55</sup> was abducted in 2020 and sentenced to 18 months imprisonment for speaking up about prison conditions in the context of Covid-19.

#### *The decade-long foreign funding case*

37. The most emblematic example of prolonged judicial harassment is the Case 173, known as “foreign funding case”.<sup>56</sup> This case emanated from a 2011 decision by the Egyptian Cabinet delegating the Ministry of Justice to initiate an investigation on the foreign funding of civil society organizations. In June 2013, 43 international NGO workers, including US and foreign nationals, were sentenced in absentia to prison terms ranging from one to five years, and were later acquitted in a retrial in 2018 after pressure from the United States. In late 2014, Case 173 was expanded to include Egyptian civil society organizations, and subsequently more than 30 Egyptian human rights defenders were banned from traveling and subjected to asset freezes. In March 2024, the investigative judges announced case 173 closed citing “insufficient evidence to initiate criminal proceedings”, a decision that failed to offer any remedy for the injustices suffered by the dozens of human rights defenders targeted by the case over the course of the previous decade. While travel bans under case 173 have been lifted, asset freeze orders issued as part of the case remain in place, including for **Azza Soleiman** of the Center for Egyptian Women’s Legal Assistance, **Mostafa Al Hassan** of the Hisham Mubarak Law Center, and **Hossam Bahgat** of EIPR.<sup>57</sup> The decision to close the case also did not include human rights lawyers **Nasser Amin** and **Hoda Abdeltawab** of the Arab Center for Independence of Judiciary, who remain under criminal investigation and travel bans under case 1022/2017 (State Security) which is related to case 173/2011.

<sup>51</sup> FIDH, [Egypt: Sentencing of Ahmed Samir Santawy](#), July 2021

<sup>52</sup> CIHRS, [Civil Society Organizations Condemn Sentencing of Egyptian Academic and Researcher Patrick George Zaki - Cairo Institute for Human Rights Studies \(CIHRS\)](#)

<sup>53</sup> FIDH, [Egypt: Sentencing and ongoing judicial harassment against Amal Fathy](#), January 2022.

<sup>54</sup> Frontline defenders, <https://www.frontlinedefenders.org/en/case/mahienour-el-masry-released-bail>, July 2021

<sup>55</sup> Frontline defenders, <https://www.frontlinedefenders.org/en/case/sanaa-seif-sentenced-18-months-imprisonment>, March 2021

<sup>56</sup> CIHRS, [Egypt: Imminent Risk of Prosecution of HRDs accused of committing human rights work- Joint background info on Case No. 173](#), September 2016

<sup>57</sup> CIHRS, [Egypt: Recent Decision on Case 173 Does Not Mean that the Human Rights Crisis is Over](#), March 2024

*“Rotation” as a tactic for prolonged pretrial detention*

38. Authorities often resort to “rotation” when a prisoner’s legal remand detention period ends, or they are acquitted or ordered released by a court or by the prosecuting authority. The prosecution then immediately issues orders for the prisoner to be “rotated” back into detention pending a new investigation into similar charges, most commonly “joining a terrorist group”.
39. According to a report by the Transparency Center for Research<sup>58</sup>, between 2018 and 2022 at least 1,764 prisoners were subject to “rotation,” an abusive practice commonly used by Egyptian authorities to circumvent the legal limits on the duration for which detainees may be held without trial.
40. The Supreme State Security Prosecution’s illegitimate practice of “rotation of detainees,” is still widely deployed against human rights defenders, journalists, and political opponents.<sup>59</sup> In April 2023, the UN Human Rights Committee identified the “*practice known as “rotation” in which detainees are added to new cases under similar charges repeatedly*” and expressed its concerns about its use “*as a punitive measure against dissenting voices, journalists, human rights defenders*”.<sup>60</sup>
41. **Solafa Magdy**, and her husband **Hossam El-Sayed**<sup>61</sup>, a photojournalist, were arrested in November 2019 in a cafe in Cairo along with one of their friends. All three were accused of joining a terrorist group and publishing false information. However, in August 2020, Ms. Magdy received a new charge keeping her in prison: misuse of social networks, while she was in prison without access to a telephone.

*Misuse of probation measures to humiliate and abuse human rights defenders*

42. Egyptian authorities often use security measures as a tactic to harass and intimidate human rights defenders.<sup>62</sup> For instance, authorities have used the “police probation measures” to abuse human rights defenders that were released from prison. The Decree-Law no. 99 of 1945 states that probation periods are ordered by judges, and that individuals must spend the assigned probation hours at home, or in a police station if security agents believe that monitoring the concerned person at home is difficult.
43. The number of hours under probation and the location is left at the discretion of the police. The broad powers and unchecked discretion given to the police has, in the cases of human rights defenders<sup>63</sup>, transformed the probation measures to a punishment tool.<sup>64</sup> The probation measure prevents the released prisoners from rebuilding a personal and professional life, as they are half-time prisoners, forced to spend 12 hours a day in police custody. This was the case of the activist **Ahmed Maher**<sup>65</sup>, a prominent pro-democracy activist who was sentenced to three

<sup>58</sup> Transparency center for research, [تقرير رصدي لوقائع التدوير حتى ديسمبر 2021](#), December 2021

<sup>59</sup> MENA Rights Group, [The practice of “rotation”: how Egypt keeps its dissidents in indefinite detention | MENA Rights Group](#), December 2021

<sup>60</sup> Human Rights Committee, [Concluding observations on the fifth periodic report of Egypt\\*](#) April 2023, CCPR/C/EGY/CO/5, Point.31.

<sup>61</sup> Mada Masr, <https://www.madamasr.com/en/2021/01/30/feature/politics/solafa-and-hossam-once-inseparable-journalist-couple-languish-in-prison-away-from-their-son/>, January 2021

<sup>62</sup> The Tahrir Institute for Middle East Policy, [Probation as Compounded Punishment in Egypt - The Tahrir Institute for Middle East Policy](#), April 2019

<sup>63</sup> The Legal Agenda, [Probation in Egypt: A Means of Political Retaliation? - Legal Agenda](#), September 2019

<sup>64</sup> Egyptian Front for Human Rights, <https://egyptianfront.org/2019/11/dual-punishment%e2%80%8c-police-probation-punishment-in-egypt-enforcing-it-on-political-opposition-and-associated-violations/>, November 2019

<sup>65</sup> <https://www.facebook.com/photo/?fbid=716387332101234&set=a.291148347958470>

years of prison in 2013, and then three years of police probation, and the award-winning photojournalist **Mahmoud Abu Zeid (Shakwan)**, who was released in March 2019, after spending more than five years in prison following his reporting on a deadly crackdown on protesters by Egyptian security forces in 2013, and sentenced to five years of police probation.<sup>66</sup>

44. In September 2019, Egyptian authorities took advantage of the police probation measure to re-arrest prominent human rights defender **Alaa Abdel Fattah**<sup>67</sup> from his probation cell in Dokki police station. The same pattern applies to the case of human rights defender **Abdulrahmen Tarek (Moka)**, who was abducted in September 2019 from the street on his way to the police station, while serving a three-year probationary period.
45. It is worth mentioning that the National Security Agency (NSA) practices unlawful “monitoring” on human rights defenders and activists, in the form of regular unwarranted summons to security offices, in order to punish them and prevent them from exercising their fundamental rights.

#### *Other forms of retaliatory measures against human rights defenders*

46. The practice of proxy arrests means the arrest and detention of defenders’ family members and relatives in order to blackmail them. This practice against family members of human rights defenders living inside the country and especially abroad appears to be widespread and growing according to Egyptian organizations.
47. In November 2019, Egyptian authorities targeted the family of **Ahmed Saïd**<sup>68</sup>, ECRF Coordinator in Germany, and threatened to arrest his 13-year-old son who still lives in Egypt. In June 2020, the authorities arrested five male cousins of human rights defender and co-founder of the Freedom Initiative (now the Middle East Democracy Center- MEDC) **Mohamed Soltan**, and detained them for five months.<sup>69</sup> In February 2021, Egyptian authorities raided the homes of six extended family members. The father of Soltan, who has been detained since 2013, was deprived of medical care as part of a retaliatory campaign against his son.<sup>70</sup> In July 2022, the father of **Abdulrahmen Ayyash**, a researcher at the MEDC was questioned and detained for charges related to “joining a terrorist group”. This intimidation appears to be directly linked to the work of Ayyash with international human rights organizations according to UN experts.<sup>71</sup> In August 2023, security forces arrested the father of Belgium-based Egyptian journalist Ahmed Gamal Ziada and he was detained for several weeks pending charges of “misusing social media, spreading false news, and belonging to a banned group”.<sup>72</sup>
48. Egyptian authorities created another form of punishment and retaliatory measures for human rights defenders who were forced into exile through the denial of issuing their identity documents without any legal or constitutional justification.<sup>73</sup> The identity documents for

<sup>66</sup> Committee to protect Journalists, [Egyptian photojournalist Shawkan finally free after over 5 years in jail - Committee to Protect Journalists](#), March 2019

<sup>67</sup> FIDH, <https://www.fidh.org/en/region/north-africa-middle-east/egypt/egypt-ala-a-abdel-fattah-s-life-at-serious-risk>, November 2022

<sup>68</sup> FIDH, [Egypt: Threats against Mr. Ahmed Saïd family members](#), November 2019

<sup>69</sup> OMCT, [Egypt: Reprisals against relatives of human rights defender Mohamed Soltan](#), November 2021

<sup>70</sup> FIDH, [Egypt: Detained academic Salah Soltan at risk of death](#), June 2023

<sup>71</sup> Special Rapporteur on the situation of HRDs, <https://srdefenders.org/4972-2/> November 2022

<sup>72</sup> Committee to Protect Journalists, [Egyptian authorities arrest father of freelance journalist Ahmed Gamal Ziada](#), August 2023.

<sup>73</sup> Raseef 22, [Depriving dissidents of identity documents: Egypt's latest chapter in rights violations - Raseef22](#), March 2023,

defenders and migrants in general are essential to regularize their stay in host countries, to access basic services such as health care and education, and to work legally.<sup>74</sup>

### **Smear Campaigns:**

49. Smear campaigns and hate speech against human rights defenders, lawyers, and independent journalists by state-controlled media and online is a systemic pattern of repression in Egypt. Smearing usually revolves around accusations of treason, foreign plots against Egypt, undermining national security and unity, debauchery, and collaboration with the Muslim Brotherhood.<sup>75</sup>
50. In June 2020, Arab Network for Human Rights Information published a research paper on Gamassa prison, detailing its construction, structure and capacity, as well as reports of ill-treatment, extremism, drug trafficking and medical neglect, for which it cites credible sources of information such as decisions by the Ministry of Interior and news articles. Following this publication ANHRI and its director **Gamal Eid** faced accusations of false news and a harsh smear campaign in the media.<sup>76</sup> Smear campaigns, along with physical assaults and repression, led ANHRI to suspending its operations in Egypt in 2022.<sup>77</sup>
51. After the publication by the Sinai Foundation for Human Rights of a report on February 2024 on how Egyptian authorities are building a fortified zone for the possibility of receiving refugees from Gaza in case of a collective displacement, Egyptian pro-government figures engaged in a violent and unprecedented smear campaign against the NGO and threatened the safety and security of its director **Ahmed Salem**.<sup>78</sup> In February 2024, a prominent pro-government television anchor described Salem as an “agent linked to terrorist groups, to Muslim Brotherhood, and the Israeli Mossad” among other allegations presented without evidence.<sup>79</sup> Several pro-government<sup>80</sup> pages on Twitter and Facebook published similar allegations.

<sup>74</sup> HRW, Egypt: Dissidents Abroad Denied Identity Documents | Human Rights Watch, March 2023

<sup>75</sup> Euromed rights, Egypt - Finding Scapegoats, February 2018.

<sup>76</sup> FIDH, Egypt: the campaign against Gamal Eid must stop!, June 2020

<sup>77</sup> ANHRI, In the absence of the bare minimum of the rule of law and respect for human rights The Arabic Network for Human Rights Information decides to suspend its activities , January 2022.

<sup>78</sup> SR on the situation of human rights defenders, <https://x.com/MaryLawlorhrds/status/1760659936806121669>, February 2024

<sup>79</sup> Ten TV, بعد تقريرها المشبوه.. الديهي يفضح علاقة الإخواني أحمد سالم صاحب منظمة سيناء لحقوق الإنسان بالموساد, February 2024

<sup>80</sup> كتيبة الرئيس عبدالفتاح السيسي | Facebook, <https://x.com/SinaiTribes/status/1758283650431623173>

### **III- RECOMMENDATIONS**

The Government of Egypt must take immediate and concrete measures to:

52. Immediately and unconditionally release all those detained for exercising their legitimate rights, including human rights defenders, lawyers and journalists;
53. Repeal the NGO law and work with independent human rights organizations to adopt a new legislative framework upholding the right to freedom of association;
54. Repeal the counterterrorism and terrorist entities laws and align other legislation such as the cybercrimes law with international standards;
55. End all acts of harassment - including at security and judicial level - against all human rights defenders, and ensure in all circumstances that they are able to carry out their legitimate activities without hindrance or fear of reprisals;
56. End practices of torture or ill-treatment, and guarantee access to medical care for all persons deprived of their liberty;
57. Hold perpetrators of human rights violations accountable and ensure reparation and redress for all victims of human rights abuses;
58. End censorship, mass surveillance, and all acts of harassment against all human rights defenders, including those using the Internet and communication technologies for their human rights work;
59. Take all necessary and effective measures to provide human rights defenders with an environment conducive to their legitimate and peaceful work and activities in defense of human rights without fear of reprisals.