



The Right to Freedom of Assembly in Egypt

Joint Submission by:

1. The Association for Freedom of Thought and Expression (AFTE)
2. The Egyptian Initiative for Personal Rights (EIPR)
3. The Cairo Institute for Human Rights Studies (CIHRS)

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I. Introduction

1. The Association for Freedom of Thought and Expression (AFTE), the Egyptian Initiative for Personal Rights (EIPR) and the Cairo Institute for Human Rights Studies (CIHRS) submit this report on the status of the right of peaceful assembly in Egypt since the first UPR in 2010 and Egypt's compliance with its international obligations pursuant to international conventions to which it is a party and pledges made by Egypt in the first UPR. This report will address the legislative and constitutional framework relating to the right to peaceful assembly, as well as violations of that right in practice.

II. General framework for the status of the right of peaceful assembly in Egypt

2. Egypt is under an obligation to respect, protect and fulfill the right to freedom of assembly as a party to the International Covenant on Civil and Political Rights¹ and the African Charter on Human and Peoples' Rights.² In its last UPR review, Egypt accepted a recommendation on the right to demonstrate that urged security forces to exercise restraint in the absence of a direct threat, declaring that the recommendation was in the process of implementation. In addition, Egypt should abide by the guidelines set out in the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which set standards for the use of force and firearms by security forces. Unfortunately, the past years have highlighted the gulf between Egypt's obligations and the reality of the right to peaceful assembly in Egypt, both in legislation and practice.
3. The past four years have frequently seen Egyptians exercise their right to peaceful assembly as a tool to advocate for social and political change, which has led to immense political transformation in Egypt. Since Egypt's last UPR review, the exercise by citizens of the right to free assembly has played a major role in bringing successive governments to power. Despite this, those same successive governments have consistently taken strong steps to limit and violate the right to freedom of assembly, both in legislation and in practice. Instead of viewing demonstrations as a legitimate form of the expression of popular will, and looking at them favorably due to their role in bringing those governments to power, these governments have seen demonstrations as the means that they in turn might be brought down, and as such a danger that they have endeavored to prevent and suppress with violence.
4. The practices of successive governments over the last four years have led to a situation in which individuals must accept grave risks should they wish to exercise their right to peaceful assembly, including the risk they may be killed. Prior to 25 January 2011, governments under former President Hosni Mubarak repressed

¹ Article 21 of the ICCPR.

² Article 11 of the ACHPR.



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demonstrations, which were not as widespread as they became after that date. Since 2011, demonstrations have led to the fall of former presidents Hosni Mubarak and Mohamed Morsi. Successive governments, starting with the government of the Supreme Council of the Armed Forces (SCAF) and including the Muslim Brotherhood government and the current government, have responded by seeking to codify the repression of assemblies in law, and with violent dispersal of assemblies in practice, which has led to the deaths of more than 2,000 people, the overwhelming majority of them killed through the use of excessive force.

A. Legislative framework

5. Although the 2014 constitution guarantees the right to peaceful assembly, it requires notice to be given prior to public assembly, which conflicts with the right to peaceful assembly by denying legal status to spontaneous assemblies. Like previous constitutions, the relevant provision in the current charter includes the caveat “as regulated by law,” which has been read in the past to mean that the right otherwise guaranteed may be violated.
6. In late November 2013 a new demonstration law was issued by the government and ratified by the interim president, Judge Adli Mansour, as Law 107/2013 regulating the right to public meetings, processions and peaceful demonstrations. The law violates the right to freedom of assembly in numerous ways. Assemblies within a certain proximity to many government buildings are prohibited, a blanket prohibition which creates a virtual cordon. The law gives security forces free rein to break up “unlawful” assemblies and demonstrations, and permits them to use violence up to and including lethal force without placing adequate restrictions on the use of such force. Instead of a notification system, as demanded by the constitution, the law sets up an authorization regime. The law also sets excessive penalties for violations of its provisions, effectively turning the act of demonstrating into a crime. Campaign rallies are not exempt from the restrictions in the law. The most significant problems with Law 107/2013 are as follows:
 - a. Although the law specifies that organizers must give advance ‘notice’ of assemblies, in reality the law sets up an authorization system – assemblies are only able to proceed following notice and in the absence of any objections from the authorities. The Interior Ministry may prohibit any assembly if it has serious information that it would threaten security and peace. Instead of requiring automatic court review in order to obtain such a prohibition, the law leaves the onus of appealing to the courts on demonstration organizers. In practice, this creates an unnecessarily complex bureaucratic procedure and makes organizing a “legal” assembly an extremely difficult process. The law sets a fine of up to LE30,000 (\$4,350) for persons organizing an assembly of



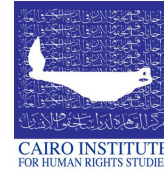
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more than ten people without notice. The law therefore fails to recognize that the right to freedom of assembly encompasses spontaneous assemblies. The purpose and meaning of the right to freedom of assembly and the implementation of a notification regime is to facilitate the people's right to assemble, while addressing other concerns such as public safety. Where assemblies of which the authorities have not been informed are not allowed and penalized as such, as under law 107/2013, the regime set up is not one of notice but one of authorization, even where the word 'notice' is used. Such regimes reveal an intent to repress, rather than enable, the right.

b. In flagrant disregard of the recommendation on the right to demonstrate accepted by Egypt in 2010, the law allows the police to use force against demonstrations, and fails to place any meaningful constraints on such use of force. Article 11 gives security forces the right to disperse non-peaceful demonstrations without defining the limits of peacefulness, leaving this to the discretion of security forces. The same article makes a crime committed by one participant in the demonstration sufficient grounds to disperse the assembly. This clause restricts the right to demonstrate in two ways. First, where individual participants engage in non-peaceful conduct, the authorities should address those participants individually; their actions should not be imputed to the assembly as a whole. Using an infraction by one demonstrator as grounds to break up a demonstration is a form of collective punishment, which contravenes the fundamental legal principle that crime and punishment are individual. Second, the law makes reference to crimes without specifying that the crimes in question must be of sufficient severity, allowing the authorities to break up demonstrations even due to extremely minor offenses.

c. The law allows the police to use shot guns to disperse assemblies, a lethal weapon that has in fact killed numerous demonstrators. The absence of an explicit, absolute prohibition on the use of firearms except in cases of self-defense or a serious threat to life is a violation of the most fundamental human rights principles. The law as such gives Egyptian police forces the freedom to act at will, despite their long record of violating the right to demonstrate and their excessive use of force.

d. The law expands the list of acts that are prohibited during demonstrations. Article 6 of the law prohibits demonstrators from wearing masks or face coverings during demonstrations, which impacts on participants' safety and right to freedom of expression. Article 7 prohibits demonstrators from obstructing or advocating the obstruction of production, impeding citizens' interests, cutting off roads or transportation and influencing the course of justice. In addition, the law stiffens penalties for these acts. This language is



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extremely broad and vague, and appears designed to provide a pretext for the authorities to disallow assemblies of which they disapprove. In addition, none of the prohibitions listed are appropriate. The first disallows strikes, a legitimate form of protest action. The second, referring to ‘citizens’ interests,’ has no concrete content at all. The third prohibits obstructing traffic, whereas international law is clear that this factor should not take priority over the right to freedom of assembly. Indeed, a main objective of advance notification by demonstration organizers should be to enable the authorities to provide alternate traffic routes as necessary. Finally, the language on influencing the course of justice seems designed to prevent citizens from expressing their views as to ongoing court cases, which in contrast falls under their right to freedom of expression, though of course the law should at the same time protect the independence of the courts.

e. In addition to adding new restrictions, the law stiffens penalties. The penalty for violating procedures or disturbing public order is jail time and a fine of up to LE100,000 (\$14,500). This penalty is applicable regardless of whether the procedural violation is accompanied by acts of violence.

7. The law was adopted despite objections from independent Egyptian rights groups, which described the law as imposing comprehensive, stringent restrictions on Egyptians’ freedom to exercise all forms of peaceful assembly.³ The National Council for Human Rights urged a reconsideration of the law and supported amendments to it based on international standards for peaceful assembly.⁴ According to the council’s press center, the new law should cease to have force with the adoption of the new constitution.⁵
8. The UN secretary-general urged the Egyptian authorities to review the law to ensure that it was constituent with international human rights standards, respect for demonstrations and peaceful assemblies, and limitations on the use of force.⁶ The Office of the High Commissioner for Human Rights described the law as “could lead to serious breaches of the right to freedom of peaceful assembly” and called for its amendment.⁷ Despite these calls, the Egyptian government has taken no action to amend the law to comply with minimum international standards and the Egyptian constitution.

³ “New peaceful assembly bill undermines Egyptians’ right to meet, strike, stage sit-ins, and demonstrate,” <http://www.cihrs.org/?p=7416&lang=en>

⁴ See <http://www.ahram.org.eg/NewsPrint/239874.aspx>

⁵ See www.facebook.com/permalink.php?story_fbid=557077404380063&id=332771720143967&stream_ref=10

⁶ Statement of the spokesperson for the UN secretariat, 27 Nov. 2013,

<http://www.un.org/sg/statements/index.asp?nid=7312>

⁷ See <http://www.ohchr.org/ar/NewsEvents/Pages/DisplayNews.aspx?NewsID=14029&LangID=F>.



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9. In addition to Law 107/2013, other laws act as an impediment to peaceful assembly. Law 10/1914 on gatherings, the oldest statute still in force in Egypt, carries stiff penalties for peaceful assembly in the event that certain vaguely defined crimes are committed during the demonstration, such as infringement of public order or disturbance of the peace.
10. The Egyptian Penal Code, promulgated by Law 58/1937, contains numerous provisions that violate the right to peaceful assembly. Its overly broad articles are used to punish those who take part in peaceful assemblies, endanger the safety of citizens and disturb the public peace. A term of imprisonment not to exceed one year is mandated for anyone who infringes on another's right to work (Article 375). All of these charges are typically filed against demonstrators, as illustrated by past cases in which persons were accused of demonstrating.

B. Security forces' response to the right to peaceful assembly

11. From 2010 to 2014 Egypt has witnessed the greatest number of violations of the right to peaceful assembly and of the killing of individuals since the establishment of the republic in 1952, in the context of repeated attempts to crackdown on public assemblies and protest. Egypt in these years has witnessed political unrest, a proliferation of protests demanding political, social and economic rights, and the rapid turnover of governments and heads of state.
12. Between 25 January and 3 February 2011 at least 846 people were killed in public squares and in the vicinity of various government buildings.⁸ These killings took place predominantly on 28 January, when protesters took to the streets in massive numbers and clashes broke out with the police. The killings were carried out by the police, the army and civilians acting on behalf of the state.
13. In several other incidents since then the state has used excessive force to disperse peaceful protests. Excessive force was used, for example, in the dispersal of sit-ins by activists on 26 February, 9 March and 8 April 2011. At least two persons were killed by army gunfire on 8 April. In addition to the use of excessive force to disperse

⁸This figure comes from the official fact-finding committee established by Ex-Prime Minister Ahmed Shafik's cabinet, which delivered its report in April 2011. The final report of the commission has never been made public, and there are other, higher estimates of the number of people killed on these days due to state violence. Reports of missing people and information leaked from the report of the second fact-finding commission established in July 2012 indicate a higher death toll and point to the disappearance of citizens arrested by the security forces. An accurate estimate of the number of casualties in the early days of the revolution, especially following 28 January, is difficult to obtain, considering that most state services, including hospitals, broke down on 28 January.



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demonstrations, thousands of activists were arrested and prosecuted in military trials for participating in peaceful protests following the overthrow of Mubarak.

14. On 8 April, following their arrest by the military police in Tahrir Square, female protesters were subjected to virginity tests while in military detention. When knowledge of the virginity tests became public, one army doctor was tried, but he was later acquitted by a military tribunal in a procedure that did not meet the minimum standards of due process and judicial independence.
15. In October 2011, 27 Coptic protesters were killed while participating in a peaceful protest outside Maspero, the state television building. The military units stationed outside Maspero responded to a peaceful march of thousands of protesters by shooting live ammunition into the crowds and running over protestors with armored personnel carriers (APCs), resulting in the deaths of 27 protesters. Three army conscripts were given sentences of 2-3 years for driving the APCs that killed at least 14 people. No investigation into the shooting of the remaining casualties was conducted. In addition to these penalties being woefully lenient, no one in a position of authority was held accountable.
16. In November and December 2011, two peaceful sit-ins were dispersed by the police and the army respectively, sparking clashes between protesters and security forces that lasted for days. During the November clashes the police fired tear gas continuously and indiscriminately for six full days, in addition to using shotgun pellets and live ammunition, leaving 51 protesters dead. In the December clashes the military used live ammunition to disperse the protests; 17 were killed as a result. Only one police officer was tried and convicted for the deliberate injury of protesters during the November protests, after he was caught on video aiming his shotgun at protesters heads.
17. In May 2012 protests erupted around the Ministry of Defense in Cairo, leading to clashes between Islamist protesters and local residents in which firearms were used. At least 12 people were killed in the exchange of fire, which took place over several hours. The security forces failed to intervene and stop the loss of civilian life; the military only intervened later, when the protests started surrounding the Ministry of Defense, at which point they dispersed the protest by force. No one was killed as a result of the military force's intervention; one army officer was killed by gunfire, but the perpetrator remains unknown.
18. In December 2012, following the issuing of the November 2012 constitutional declaration and huge protests and clashes with the police that left three peaceful protesters dead in the vicinity of Tahrir Square, protests moved to the presidential palace area. While the protest was entirely peaceful, supporters of former President



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Morsi staged a counter-protest and attacked protesters, forcibly dispersing a peaceful sit-in. During the street battles between protesters that ensued, eleven protesters were killed. In addition, pro-government protesters detained and tortured opposition protesters. The police failed to intervene to protect lives or de-escalate the violence, and were filmed providing protection for pro-government protesters while they tortured and questioned detained opposition protesters.

19. During the months of January and February 2013 the police killed at least 60 protesters in Cairo, Suez, Ismailia and Port Said. In Port Said alone 46 were killed in response to a protest that erupted around the Port Said Prison, following a court verdict in the case of 74 people who were killed a year earlier at the Port Said Stadium. During the initial protest two police officers were shot dead. The police responded by shooting randomly at bystanders and killing 46 people over three days, mostly with live fire, demonstrating what appeared to be a desire to exact vengeance on the city's populace. A judicial investigation into the events is underway but the conduct of the prison guards has not been investigated. No police officer has been prosecuted for the killings. The nature of the killing in Port Said marked an escalation in the excessive and indiscriminate use of live ammunition.
20. Since the summer of 2013 and specifically in the wake of the ouster of President Morsi hundreds have been killed in several incidents, either by the security forces or in clashes between opposing groups of protesters. In July security forces killed at least 61 protesters outside the Republican Guards Club in Cairo. Later in the same month, police killed 95 protesters in clashes that took place on Nasr Street. Three army and police personnel were killed in these clashes. The security forces used live ammunition almost exclusively to disperse these protests.
21. On 14 August 2013, police dispersed the 45-day-long sit-ins staged by supporters of the ousted president in Raba'a and al-Nahda squares. There are no accurate figures available for the total number of casualties, but it is estimated to be somewhere between 800 and 1000. In November 2014 the Forensic Medicine Authority said the number of bodies autopsied in the morgue was 726, a figure that does not include bodies that were not registered in the morgue; others, such the Egyptian Center for Economic and Social Rights, estimated the number of those killed in Raba'a alone to be higher than 900.
22. The events on 14 August were unprecedented in scale and in the level of lethal force used by the police. According to the Ministry of Interior, which claims the sit-ins were not peaceful and protesters were armed, nine police officers were killed in Raba'a Square. This, however, does not explain the unprecedented excessive use of unlawful lethal force that left hundreds dead. The government has spoken unapologetically about the level of force used, and not a single security official or agent has been



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investigated for this or subsequent events where unlawful force was deployed. An official fact-finding committee that was tasked with investigating violent events since 30 June 2013 was established in January 2014.

23. The period following 14 August saw the biggest crackdown on the right to assembly attempted by the state since the 2011 revolution, which came at a very high human cost since the rate of political mobilization is still quite high. Protest has been de facto forbidden; at times, the police resort to lethal force at the mere sight of protest, and thousands have been arrested for participating in peaceful protests and have faced false charges, at times including the charge of using lethal force against fellow protesters who were killed by the police. Since the promulgation of the new protest law, many people have been prosecuted (and a few have been sentenced) for protesting peacefully. Two more incidents of large-scale, unlawful use of force by the state were documented: on 6 October 2013, at least 57 protesters were killed in clashes by the police and pro-government protesters. On 25 January 2014, at least 103 protesters were killed by the police in a crackdown on protest in various locations all over the country.
24. The Egyptian state continues to criminalize protest in law and deploy its security forces to disperse gatherings of citizens that are deemed to be in opposition to the government. Prisons are currently overcrowded because of the high number of protesters in pre-trial detention. The police, over the last four years, have used both less-lethal and extremely lethal weapons indiscriminately, in some cases aiming to inflict maximum damage. The state of accountability for unlawful killings and other violations that took place in the context of protests is negligible. In many cases, the government has made no acknowledgment of wrongdoing.

C. Infringing on demonstrators' right to a fair trial

25. There has always been a strong link between the performance of courts and other judicial authorities, such as the Public Prosecution, and violations involving the right to peaceful assembly. With the surge in opposition to the Mubarak regime in 2010, in protest at the state of emergency and other authoritarian practices—one symptom of which was the death of Khaled Said in Alexandria at the hands of the police—repressive measures were stepped up. More demonstrators were arrested and referred to the Public Prosecution on charges of assembly pursuant to Law 10/1914. Although in some cases the prosecution ordered the release of peaceful protesters, often they were detained pending investigation for a minimum of four days before being released. For example, activist Ahmed Douma was held for four days pending investigation into case no. 4222/2010 after he participated in a demonstration



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demanding the end of the state of emergency in early May 2010. The Public Prosecution charged him with unlawful assembly under Law 10/1914, as well as with other charges including assaulting security personnel, obstructing transportation and disturbing the peace (charges commonly employed against those utilizing their right to peaceful assembly), despite the lack of any serious evidence for these charges. Douma was referred to the Qasr al-Nil Misdemeanor Court on 8 May 2010. The court did not grant his attorney's motion for release despite the lack of any grounds for pretrial detention. Exercising full control over the courtroom, security forces denied entry to exculpatory witnesses called on Douma's behalf to refute the charges against him, while the court took no action to enable the defendant to exercise his right to call witnesses.

26. Only a few weeks before 25 January 2011, the Public Prosecution charged eight activists with the crime of unlawful assembly as well as the other charges mentioned above, after they were arrested on 3 January 2011 for taking part in a peaceful demonstration in Cairo to protest the terrorist bombing of the Two Saints Church in Alexandria. The Public Prosecution refused to allow lawyers to view the incident file, after which the lawyers refused to attend the formal interrogation and the arrestees refused to respond to interrogators' questions in their attorneys' absence. The activists sustained injuries during their arrest after policemen assaulted them, but the prosecution did not refer them to the medical examiner to identify their injuries, the implements used and the cause of injury. After the interrogations, the Public Prosecution referred the activists to trial in the Rod al-Farag Misdemeanor Court in case no. 72/2010. The court sentenced them to two years in prison despite the lack of any material evidence against them. The activists appealed the judgment to the Appellate Misdemeanor Court, which ruled on 28 May 2012 to acquit them of all charges, demonstrating the legal violations committed by the Public Prosecution and the court of first instance.
27. After the call went out to demonstrate on 25 January 2011, police forces arrested a large number of peaceful demonstrators (the precise number remains unknown). They were referred to the Public Prosecution, which ordered them detained in camps used for training the Central Security Forces, which are not designated sites for detention or imprisonment. The demonstrators were detained until 27 January 2011.⁹
28. In March 2011, after the SCAF assumed power, the judicial treatment of peaceful assemblies and demonstrations shifted. Peaceful demonstrators began to be prosecuted in military courts, contravening their right to appear before a civil judge. Numerous

⁹ The Front for the Defense of Egyptian Demonstrators documented this violation in Cairo and several other governorates, in addition to the arrest and forcible disappearance of many peaceful demonstrators in February without trial.



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Egyptian advocacy organizations condemned the practice, as military courts lack guarantees for a fair trial and are entirely subject to the armed forces.

29. Military trials were used relative to the Maspero incident, discussed in paragraph 12 above, even though the victims and arrestees were civilians.
30. During the clashes on Mohammed Mahmoud street, discussed in paragraph 13 above, hundreds of peaceful demonstrators were arrested, and charges brought against 379. Hundreds more were arrested during clashes at the Cabinet building, discussed in the same paragraph above, and charges brought against 269. In neither case was any evidence provided linking the individuals detained to violent acts, in contravention of the most basic rules of criminal justice. No members of the security forces were prosecuted for killing demonstrators in either of these incidents. The Mohammed Mahmoud case was closed after former President Morsi issued an amnesty for the defendants; the Cabinet building case is still pending in felony court at time of writing, more than two years later.
31. The same pattern of political protest and response by the authorities, including referral to military trials, continued in the first half of 2012. For instance, several demonstrators were arrested for their participation a sit-in protesting SCAF policies that was held in Abbasiya Square, near the Ministry of Defense, and subsequently referred to the Military Prosecution.
32. In 2013 the practice of referral to military trials diminished, but violations of the right to a fair trial and due process continued, both during the tenure of former President Morsi and after he was deposed. These violations included unlawful and arbitrary charges,¹⁰ the extensive, unwarranted use of pretrial detention and overly harsh prison sentences and fines issued by courts.
33. A large number of individuals were arrested during demonstrators marking the anniversary of 25 January in 2013. The Public Prosecution detained them on charges of assaulting security forces, using force, illegal assembly and obstructing traffic. They were later referred to the competent court, which acquitted the demonstrators of these charges.
34. With the approach of the anniversary of former President Hosni Mubarak's overthrow political forces called for demonstrations in front of the Ittihadiya Presidential Palace to protest the policies of President Morsi and his government. In the wake of the demonstrations, police forces arrested many demonstrators in the palace area and referred them to the Public Prosecution, which detained them pending investigation.

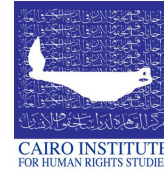
¹⁰ Including the use of provisions of the penal code that violate human rights standards and basic standards of legality as well as the pursuit of unfounded charges.



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They were ultimately prosecuted on charges of assaulting security forces, using force, illegal assembly, destruction of public property and the possession of firearms; the court acquitted them of all charges.

35. After demonstrations on 11 February 2013 were dispersed through the use of excessive force by police forces, political activists staged a sit-in in Tahrir Square to protest police actions and demand the release of arrested demonstrators. Police forces forcibly broke up this sit-in as well, arresting several demonstrators and referring them to the Public Prosecution, which detained them on charges similar to those listed above. Courts acquitted defendants in all but one case, in which the defendants were sentenced to two years imprisonment.
36. President Morsi's removal from office in July 2013 sparked widespread protests by his supporters. Police arrested many pro-Morsi demonstrators on 16 July 2013 in Ramsis Square and referred them to the Public Prosecution, which charged them with illegal assembly, assaulting the authorities, blocking roads and membership in a group whose purpose is to obstruct the law and overthrow the regime, and detained them pending investigation.
37. On 14 August 2013, following dispersal of the Raba'a and al-Nahda sit-ins, hundreds of participants were arrested and referred to the Public Prosecution, which charged them with illegal assembly, assaulting the authorities, murder, attempted murder, membership in a group whose purpose is to obstruct the law and resisting the authorities. Police also arrested several participants in protests in Ramsis Square in front of the Fateh Mosque on 19 August 2013, who the Public Prosecution charged with illegal assembly, assaulting the authorities and membership in a group whose purpose is to obstruct the law. Several pro-Morsi demonstrators were also arrested during various demonstrations on 6 October 2013 and charged with illegal assembly, assaulting the authorities and destruction of moveable property.
38. Political activists called for a demonstration in front of the Shura Council on 26 November 2013 to protest a law restricting the right to peaceful assembly. Police arrested dozens of participants in the demonstration before releasing some and referring others to the Public Prosecution. The prosecution detained them pending investigation on charges of illegal assembly, demonstrating without notifying the bodies required by Law 107/2013 and resisting the authorities. The court considering the renewal of pretrial detention ordered the release of all but two of the demonstrators, activists Alaa Abd al-Fattah and Ahmed Abd al-Rahman. The Public Prosecution referred that case to felony court, but no trial date has yet been set, even though the two activists have spent more than 100 days in detention.



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39. On 25 January 2014 police arrested hundreds of peaceful demonstrators and referred them to the Public Prosecution in various governorates. Prosecutors ordered the demonstrators detained for varying periods pending investigation. On 5 March 2014, the Maadi Misdemeanor Court convicted demonstrators arrested in Maadi on 25 January and sentenced them to two years in prison and a fine of LE50,000 (approximately 7,184 USD).
40. On 16 February 2014 the Manshiya Appellate Misdemeanor Court in Alexandria denied an appeal filed by four Alexandrian activists, upholding their conviction and sentence of two years in prison and a fine of LE50,000. The four were arrested for demonstrating in front of the Alexandria Felony Court during the trial of defendants charged in the murder of Khaled Said. The felony court convicted nine activists in all, five of them in absentia.

D. Conclusion

41. The right to peaceful assembly has been one of the most frequently infringed rights in Egypt in recent years, even though successive governments have come to power following large-scale protests. The legal framework relative to assemblies in Egypt appears designed to repress, rather than facilitate, assemblies. In practice, more than 2,000 people have been killed over the last four years as a result of security forces' use of excessive force. There has been no real accountability for these crimes; in many cases, investigations were never even opened. On the contrary, the investigating authorities instead questioned demonstrators and brought charges with no sound legal basis, including charging demonstrators with killings in cases where the evidence suggests the security forces were responsible. Unfortunately, we fear that the right to freedom of assembly will continue to be severely violated in Egypt for the foreseeable future.