A Continued Isolation

The Annual Report on The State of Freedom of Expression in Egypt in 2020
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Executive summary

The Egyptian government’s first reaction to the outbreak of the 25 January 2011 revolution was represented in blocking. There were huge demonstrations in the street, and the scenario of the Tunisian revolution that ousted Zine El Abidine Ben Ali from power was about to be repeated in Egypt. The best solution from the authorities’ point of view at the time was to isolate people from what was happening abroad and isolate them from each other at home, by blocking social media platforms and cutting off the internet and communication networks.

The regime of late President Hosni Mubarak imposed various forms of blocking during the eighteen days that preceded its ouster, not all of which succeeded in averting his departure. Despite Mubarak’s departure, blocking has continued under the successive regimes, albeit at different degrees and under different pretexts.

The year 2020 witnessed the outbreak of the Covid-19 pandemic, which spread in almost all countries of the world. The pandemic constituted a new test for the Egyptian government on several levels, the most important of which was the increasing importance of transparency and information availability. Despite the steps taken to provide information about the numbers of Covid-19 infects and fatalities, the systematic withholding of information continued and its danger increased during the pandemic.

Ten years after the Egyptian revolution, and a year after the outbreak of the global pandemic, blocking has continued to exit. It included the blocking of websites and the withholding of information, which has clearly been evident in the way the government handled the pandemic crisis. The Egyptian authorities, represented by the Supreme State Security Prosecution, the Supreme Council for Media Regulation (SCMR), the National Press Authority (NPA) and the State Information Service (SIS), continued to ban the work of journalists, detain political activists, social media users, doctors and researchers, and block websites for allegedly publishing “false” information about the Covid-19 situation, including infection rates in Egypt, or for criticizing the policies adopted by the government and the health ministry to combat the pandemic. The authorities also continued to monopolize official data and statistics, if any, in a clear absence of transparency. Thus, the authorities took the pandemic as another pretext for violating many rights and freedoms.

Confronting a crisis like this requires transparency and communication, as both represent a safety valve for society and the government during the pandemic. Transparency has to do with real and free circulation of information from official sources and supporting the role of the media as
a key factor in confronting the crisis, and not a party to the crisis that should be besieged and suppressed. This requires an open and competitive media space, and a free internet space that is not restricted or blocked, as part of better procedures to govern the media scene.

AFTE's position in this regard is based on Article 68 of the Egyptian Constitution which stipulates that the state shall provide information and make it available to citizens with transparency, which is crucial for individuals and societies to protect themselves from the virus. Despite the SCMR's approval of a draft law on information circulation in 2017, the Egyptian parliament has since continued to postpone discussion and endorsement of the law, thus affecting the right to access to information, which is one of the main pillars of maintaining public health during the pandemic.

In its annual report for 2020, AFTE reviews the state of digital rights, media freedom, creativity, academic freedom and student rights during the pandemic, highlighting the features of withholding information and how the pandemic has turned into another pretext for violating rights and freedoms.

The report includes two main sections, the first focuses on the Covid-19 impacts on freedom of expression in Egypt, by examining the conditions of information circulation, higher education, creativity, as well as the conditions of those detained in cases related to freedom of expression during the pandemic in 2020. The second section provides a review and analysis of the key patterns of violation of digital rights, freedom of creativity, media freedom, academic freedom and student rights, as well as the right to peaceful assembly.

The report concludes by presenting a set of recommendations to decision-makers in Egypt in order to move towards ensuring freedom of expression and information circulation. AFTE asserts that disclosure of information is a basic right for citizens, and it has become more important in the fight against Covid-19. Disclosure of information contributes to raising citizens’ awareness and mobilizing the capabilities of the health sector and civil society, in addition to organizing the work of state institutions and the private sector under appropriate measures.
Methodology

The report analyses the government policies towards the right to freedom of expression, specifically media freedom, the right to access to information, freedom of creativity and artistic expression, academic freedom, student rights and the right to peaceful assembly. It reviews the legislative developments and administrative decisions related to each of the aforementioned freedoms and rights, and analyses their direct and indirect impact on the state of freedom of expression in general and on each of the aforementioned domains in particular.

The report also relies on AFTE’s database, the cases that its legal unit took up during 2020, in addition to testimonials of non-staff lawyers who worked on other cases.

The report provides an analysis of the violations that occurred in 2020 through intensive follow-up, research scrutiny, and extraction of the new patterns of violation in each domain of freedom of expression in comparison to the traditional patterns that AFTE observed in recent years. It is important to deal with the figures and cases mentioned in this report as an indication of how the state of freedom of expression has looked. These cases do not reflect all violations that took place in 2020, but rather represent the minimum.
First section: Freedom of expression during the Covid-19 pandemic in Egypt

The outbreak of the Covid-19 pandemic was the focal point in 2020, as matters have been assessed only by taking the emerging health situation into account, either directly or indirectly. The first section of this report reviews three main issues: Firstly, the current state of information circulation in Egypt and the need for a clear legislative structure that supports transparency; secondly, the state of culture, creativity and digital rights during the pandemic; and finally, the report traces the impacts of the pandemic on the conditions of pretrial detainees in cases related to freedom of thought and expression.

The first section of the report tries to determine whether the authorities dealt fairly and transparently with issues related to freedom of expression during the pandemic or they took the exceptional health situation as a pretext to further restrict freedoms. In this regard, the report reviews key developments during the year which can give an overview of the official performance at the legislative, judicial and executive levels.

First: Information circulation during the pandemic

The pandemic and its repercussions reflected the increasing need for the right to access to information and the need to have professional press that exercises its work freely in tackling public issues and presenting them to the public. They also reflected the need to establish popular oversight and accountability of the executive authority, transparency and communication as a basic guarantee to enable citizens to know the health challenges they face, as well as to facilitate cooperation between the government and civil society in order to strengthen and mobilize their joint efforts to protect the public health from a global pandemic that has threatened and still threatens the lives of millions of people.

Nevertheless, restriction, prevention, and blackout continued as a prevailing pattern in the state's policy in dealing with information, rather than making it available and circulating in a transparent manner, and promoting the citizens’ right to knowledge. This can be demonstrated by the following four indicators:

- **At the legislative level:** The year 2020 ended without issuing a law to protect citizens’ right to access, circulate and publish information, although the SCMR has finalized a
relevant draft law since October 2017.\(^1\) This draft law has been debated since 2011. The call for issuing a law that is consistent with international standards and allows real and unrestricted circulation of information was one of the recommendations included in the report of the fact-finding committee established by the National Council for Human Rights to investigate the January 2011 events.\(^2\) The absence of any legislation protecting the right of citizens in general and journalists in particular to access and circulate information gave the authorities an opportunity to arrest journalists and punish them for allegations of spreading false news and rumours and causing harm to the public interest should they address any issues or information related to the pandemic in Egypt. This has greatly affected the citizens’ right to access information.

- **At the level of the work of the Minister of State for Information**: The appointment of a minister of state for information was not sufficient for the state's media performance to be up to the level of the pandemic. The state did not provide the necessary, sufficient and appropriate information about its policies to confront the pandemic or the developments of the Covid-19 situation in the country. It did not even facilitate the work of journalists to investigate that information and bring it to the public. Moreover, the state did not succeed in educating the citizens adequately on the crisis and the strategy to confront it.\(^3\)

- **Lack of official information on the pandemic**: The disclosure of information by the concerned authorities (the Cabinet and the Ministry of Health) was marred by many anomalies. This was reflected in the lack of information or the failure to provide it properly, which limited the ability of journalists and specialists to analyse figures and data, in addition to restricting the role of newspapers and the media in uncovering the facts and holding those responsible accountable.

The Ministry of Health launched a website\(^4\) that contains daily statistics on the number of Covid-19 infections, fatalities and recoveries, as well as instructions on how to avoid infection and how to act in the event of having symptoms of the disease. However, the information available on the website does not show the actual number of PCR tests nor does it clarify the age categories, the geographical scope, or the gender of the infection and death cases, in addition to other important data.

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1. Draft law on freedom of information circulation, the official website of the Supreme Council for Media Regulation, link: [https://bit.ly/2z64Hnk](https://bit.ly/2z64Hnk)
4. Egypt Care website, [https://www.care.gov.eg/EgyptCare/index.aspx](https://www.care.gov.eg/EgyptCare/index.aspx)
Availability of such information would make it easier to analyse data and take appropriate measures to contain the spread of the virus in specific areas, so that the procedures will be flexible and decentralized, according to the risk situation, instead of generalizing the procedures nationwide amid the significant increase in the number of infections. What if the majority of infections are reported in one city or governorate? Is it not more useful for policies to be based on detailed data, and for this data to be made available in a transparent manner so that the public can participate freely in and bear more responsibility for adhering to the social distancing measures? Adherence to precautionary measures would be then based on positive awareness and the sharing of detailed data with transparency. Thus, free participation and democratic practice would be enhanced as part of the Covid-19 precautionary measures, instead of enhancing repression – this time in the name of public health rather than public security or war on terror.

- Preventing the circulation of information related to the pandemic: The Egyptian authorities shared the least amount of information with citizens. Moreover, official bodies, including the Public Prosecution, the SCMR, and the Cabinet, directly threatened the media and the press with disciplinary measures and legal prosecution if they try to find facts or publish information other than that which is issued by official authorities, despite its scarcity.

At the beginning of the pandemic, Prime Minister Mostafa Madbouly ordered the concerned authorities to take legal action against “anyone who broadcasts false news or rumours related to Covid-19”. The SIS also issued a statement announcing that the press accreditation of The Guardian's correspondent was revoked after she reported on a scientific study about the spread of the virus in Egypt. Moreover, The New York Times’ correspondent was warned after he posted a series of tweets containing figures mentioned in the same study, which the SIS considered “incorrect”. As a result of this crisis, The Guardian correspondent Ruth Michaelson, who had lived in and reported from Egypt since 2014, was forced to leave the country.

The ban on the circulation of information related to the pandemic affected artistic and cultural works created by students. For example, on 15 September 2020, a police force raided the Contemporary Image Collective in downtown Cairo and arrested two staff

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members. One of them was released hours later, while the other – the head of the photo lab – was referred to the Qasr al-Nil prosecution for investigation on charges of distributing the “Covid Cairo” magazine\(^8\) without obtaining permission from the SCMR. She was released the next day pending investigation.

The “Covid Cairo” magazine features a group of anecdotal pictures and topics related to the Covid-19 situation in the country as well as self-isolation. The magazine was a graduation project for a group of students of the Faculty of Applied Arts at the German University.\(^9\)

Websites continued to be blocked, as three more news websites were blocked for tackling issues related to the pandemic, bringing the total number of websites blocked in Egypt since May 2017 to 553, including 124 news websites, an increase of 7 websites during 2020, according to AFTE.

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Classification of websites and links that were blocked or decided to be blocked during the period from May 2017 until 31 December 2020 (according to AFTE)

- Wiki: 2
- News and TV websites and links: 124
- Armed groups: 1
- Watch online: 9
- Social media platforms: 5
- Company websites: 2
- Cinema: 1
- VPN: 95
- Personal websites: 1
- Religion: 1
- Proxy: 235
- Advertisements: 1
- Technical guides and websites: 23
- Human rights: 11
- Political movements: 13
- Instant messaging: 14
- Torrent: 2
- Blogs: 6
- Intellectual magazines: 2
- Parody websites: 1
The SCMR played a key role in besieging the news and data circulated about the pandemic. It decided to “draw the attention” of 16 websites and pages on social media for “publishing false news about the discovery of a Covid-19 infection in Tanta”. It banned the broadcast of “any news except through official statements of the Ministry of Health”. It also sent a warning to a website and asked another to publish an apology.

**Targeting doctors and journalists:** AFTE documented the arrest of at least 8 medical personnel for expressing their views on government policies towards the Covid-19 pandemic, and criticizing the lack of medical and preventive supplies in hospitals.

On 10 April 2020, a police force arrested Dr. Hany Bakr Ali Kahil from his home in Toukh, Qalyubiya Governorate, for a “Facebook” post in which he criticized the Egyptian government for dispatching medical aid to Italy, despite the lack of protective supplies in Egyptian hospitals. Kahil was forcibly disappeared for 18 days, until he appeared before the State Security Prosecution as a defendant in Case No. 558 of 2020. The prosecution charged him with joining a terrorist group, publishing false news, and using a social media account for the purpose of committing a crime. He was remanded in custody pending investigation.

The Egyptian authorities continued to target journalists, especially for their reports on the Covid-19 pandemic. Of the 62 media freedom violations documented by AFTE in 2020, approximately 30% were committed against journalists for their reports on the pandemic.

AFTE observed a marked increase in violations of freedom of the press during April and May, when the number of infections began to increase significantly during the first wave. Security forces arrested three journalists for their coverage of the Covid-19 crisis.
Second: Culture and creativity between digitization and impacts of the pandemic

The pandemic has kept most people at home, leading them to take to social media platforms to share videos, especially during the nationwide lockdown and curfew in March 2020. These conditions allowed for the emergence of various forms of digital expression of personal and institutional, as well as official and unofficial, cultural and entertainment products.

AFTE observed positive efforts by the Ministry of Culture in making various publications available to the public and organizing virtual visits to various museums, through its campaign “Stay at
home … Culture is in your hands”, which was launched in March 2020\textsuperscript{10}. However, the way the security apparatuses and the Public Prosecution dealt with entertainment products and forms of expression of opinion was a step in the opposite direction. They tightened the security grip and increased arrests related to expression of opinion or provision of entertainment products online, such as dance videos on the video-sharing app TikTok.

The following is a review of the most prominent patterns of violation and their impact on culture, creativity and digital rights in Egypt during 2020:

• **Sharing entertainment videos online as a crime**: The Public Prosecution led a security campaign against TikTok users, especially girls and women, in 2020. AFTE documented the trial and imprisonment of nine women, who received jail terms ranging between two and six years, in such cases in 2020.

The campaign against freedom of expression and online privacy was based on the Law on Combating Information Technology Crimes No. 175 of 2018. Articles 25 and 26 of this law criminalize “assault” on vague “family principles and values of the Egyptian society” and “public morals”. This campaign reveals the Egyptian authorities’ patriarchal and authoritarian understanding of morals, thus suppressing freedoms on this basis.

The aforementioned law does not only violate Article 65 of the Egyptian constitution, which guarantees freedom of expression, but it also contradicts Egypt's obligations under international human rights law, including the right to freedom of expression, the right to privacy, and the right not to be subjected to arbitrary arrest or detention. On a related note, Article 178 of the Egyptian Penal Code which penalizes “violation of public morals” shares the same problematic aspects of Articles 25 and 26 of Law No. 175 of 2018.

• **Digital transformation of the Ministry of Culture’s publications**: Keeping pace with the pandemic, the Ministry of Culture intensified its online presence. It took serious steps to contain the spread of the virus, launching the “Online Culture” campaign which made official cultural production available for free on the ministry’s platforms, based on its role in spreading culture in general and the culture of facing a global pandemic in particular.

The ministry took the initiative for the first time to digitize its artistic works, including concerts, plays, paintings and sculptures, and make them available to the public on its various online platforms within the framework its project “Stay at home … Culture is in your hands”, which was launched in March 2020. The project aimed to encourage citizens

\textsuperscript{10} The Ministry of Culture launches the online initiative "Stay at home .. Culture is in your hands", the Ministry of Culture's website, 22 March 2020, last visited on 10 February 2021, link: https://bit.ly/2Y6la46
to adhere to the lockdown measures to contain the spread of the pandemic. The ministry reactivated its YouTube channel, which was launched in 2013 and has not been updated for years. The channel’s viewership has reached 2,357,250 views and 110,000 subscribers since March, after it used to be viewed by only dozens.

**Film production continued at the expense of public health:** A crisis erupted as the filming of TV drama and advertisements continued during 2020. Production companies called for the continuation of filming, but people who work in film-making rejected the call, asking unions to intervene to stop film production like in other sectors in order to protect the public health and the safety of workers.

According to law No. 35 of 1978 that regulates the work of unions in Egypt, artistic unions have the right to review the contracts signed by their members. According to Article 3 of the same law, the unions shall take care of the interests of union members, provide economic and cultural services and aid, and provide old-age, disability and death pensions, as well as health insurance and insurance against work-related hazards. Unions supported the continuation of film production at the expense of members’ rights and public health during the first wave of Covid-19 in March 2020.

Head of the actors’ syndicate Ashraf Zaki stated after his meeting with drama makers that “when life stops completely in many fields, then we can ask all actors and artists to stop working”.

**Third: The pandemic’s impact on the conditions of those detained in cases related to freedom of expression**

The World Health Organization has published a number of precautions that everyone should abide by to avoid infection, among which are keeping hands clean by using disinfectants and maintaining a distance of at least a meter between one individual and another. Although these precautions are easy to apply, their implementation in prisons has become more difficult, according to the International Committee of the Red Cross, which stated that places of detention provide higher chances for the transmission and exacerbation of infectious diseases, bearing in mind that

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the health system in prisons is weaker than outside.\textsuperscript{13}

Instead of releasing non-dangerous prisoners and those held in pretrial detention to avoid the spread of infection, as is the case in various countries, and to meet the call of the United Nations High Commissioner for Human Rights\textsuperscript{14}, the Ministry of Interior suspended visits to prisons as of 10 March “to preserve the public health and the safety of inmates”.\textsuperscript{15}

Before looking into the changes that occurred in the Egyptian criminal justice system in 2020 and the rise in Covid-19 infections and fatalities, it should be noted that President Abdel Fattah al-Sisi said in 2019 that there were no political prisoners in the country. He denied human rights reports that estimated the number of political prisoners at 60,000\textsuperscript{16}. Meanwhile, the Egyptian government does not disclose the number of detainees, in violation of Article 68 of the Constitution which affirms that official statistics are owned by the people.

Despite the various calls for the release of detainees in order to avoid the spread of the pandemic in prisons, the number of pretrial detainees increased due to the exercise of their right to freedom of expression. A number of journalists and researchers, as well as other citizens, were arrested for participating in sit-ins or demonstrations, or for using social media platforms.

The Ministry of Interior has not responded to the numerous rights calls throughout 2020. These calls mainly demanded transparency, disclosure of the numbers and locations of the detainees infected with Covid-19, as well as enabling detainees to communicate with the outside world, in compliance with Egyptian and international laws. The situation, however, remains unclear, raising concerns about the lives of all detainees in Egypt\textsuperscript{17}. The government took advantage of the pandemic to make changes to the mechanisms of renewing the detention of detainees. It denied them their legal right to communicate with the outside world, under the pretext of applying precautionary measures to confront the pandemic.

- **Cutting off communication between thousands of detainees and their families and lawyers**: The Ministry of Interior has insisted on keeping detainees inside prisons amid


\textsuperscript{15} Mahmoud Abdel Radi, Youm7, prison visits suspended for 10 days to preserve public health and the safety of inmates, 9 March 2020, last visited on 23 January 2021, link: https://cutt.ly/AjC7Xos


\textsuperscript{17} Joint statement, human rights organizations call on the Public Prosecutor and the Minister of Interior to disclose the numbers and locations of detainees infected with Covid-19, 11 June 2020, last visited on 23 January 2021, link: https://cutt.ly/qfC5bp4
poor living conditions and the acceleration of Covid-19. Four women, namely Dr. Laila Soueif, Ahdaf Soueif, Mona Seif, and Dr. Rabab al-Mahdi, stood in front of the House of Representatives building to express their fear for their imprisoned relatives and other prisoners to be infected. The Ministry of Interior responded to this peaceful expression of opinion by arresting and detaining them on charges of “inciting demonstration, spreading false news, and possessing materials containing false information”. The four were later released on bail, but that was after they were detained in a police station. The Ministry of Interior did not take into account that police stations are overcrowded places of detention and potential hotbeds of the disease. Laila Soueif was not released immediately, but she was transferred to the State Security Prosecution headquarters in New Cairo for investigation in connection with another case, before being released on another bail.  

The Prisons Authority did not provide any alternative to the banned visits to preserve the right of detainees and their families to communicate, despite the fact that Article 38 of the Prisons Organization Law provides for the right to correspondence and telephone calls for a fee for all detainees, regardless of their legal statuses.

After more than three months of lack of news about imprisoned activist and blogger Alaa Abdel Fattah, the administration of the high-security Tora Prison insisted on preventing Soueif from handing medical supplies to her son or receiving a letter from him. This led her to stage a sit-in in front of the prison gate. Mona and Sanaa Seif joined the sit-in later. They wanted to inquire after Alaa’s health, as he was on a hunger strike in protest against the Ministry of Interior’s decision not to allow him to attend court sessions to renew his pretrial detention, in violation of the Criminal Procedures Law.

The sit-in ended after the three women were beaten, dragged, and their personal belongings were stolen, in full view and at the instigation of the prison guards. When the ladies went to the Public Prosecutor’s office to file a complaint about what they had been subjected to, activist Sanaa Seif was kidnapped. She was later referred to the State Security Prosecution for questioning in connection with Case No. 659 of 2020.

Since the Ministry of Interior announced its precautionary measures to confront the outbreak of Covid-19 in prisons, which included a five-month ban on visits, the visitation system has taken a form different from that stipulated in the Prisons Organization Law. Most of the detainees rely on visits to obtain their personal belongings, such as clothes and

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toiletries. However, since visits were banned, concerns about the health of detainees have increased, especially after some prison workers were reportedly infected and some inmates died. Some detainees resorted to the judiciary in order to get disinfectants and detergents.

- **Extending pretrial detention and increasing the number of detainees**: It is assumed that pretrial detention is a precautionary measure and not a punishment. According to Article 201 of the Criminal Procedures Law, there are several alternatives to pretrial detention, such as: obligating the accused not to leave his residence or domicile, obligating him to go to the police headquarters at specific times, or prohibiting him from going to certain places. Nevertheless, the judicial authorities in Egypt insist on keeping detainees in pretrial detention, and rarely resort to other alternatives.

On 4 April 2020, the chief judge of the court of appeal issued decision No. 131 of 2020 to postpone the hearings of the current cases, while the sessions of renewing the detention of defendants continued, without any decisions being issued regarding those sessions. Thus, the detention of defendants was extended in violation of the law. The prosecution relied on the security excuses submitted by the Prisons Authority regarding the detainees’ transport to courts. So, the detainees remained in prisons. In May 2020, the judiciary gave a legal nature to the renewal of the detention of defendants without their presence. The courts of appeal ordered the renewal of detention without the presence of the defendants or hearing their statements, in clear violation of Article 142 of the Criminal Procedures Law.

- **The continued recycling of defendants by charging them in new cases**: This practice has continued and increased. It is often associated with the enforced disappearance of defendants before they appear at the prosecution office to face the same charges they faced in the previous cases in which they were released. This shows how the prosecution insists on keeping certain individuals in detention and imposing pre-emptive penalties against them by holding them amid the pandemic without referring them to trial.

Case No. 855 of 2020 is an example. It involved rights lawyers Mohamed al-Baqer, Mahienour al-Masry, and Amr Emam, as well as journalists Isra Abdel-Fattah, Solafa Magdy, and Mohamed Salah, who were all recycled after they had been detained in other cases.

- **Death in prisons as a result of medical negligence**: In the morning of 2 May 2020, young photographer and filmmaker Shady Habash died in his cell in Tora Prison as a result of medical negligence.  

medical negligence. Communication between him and his family had been cut off due to the suspension of visits since March 2020. He spent 26 months in pretrial detention, in violation of the law, due to the failure of the department responsible for looking into his detention to release him after the expiration of his legal term. Habash was 22 years old when he was arrested in Case 480 of 2018 for codirecting a satirical political song entitled “Balaha” (a date) criticizing President Abdel Fattah al-Sisi\(^2\). The Egyptian authorities not only insisted on keeping detainees in pretrial detention amid the pandemic, but they also kept Habash in prison without any legal justification for restricting his freedom, until he died.

**Technology of arbitrary detention**: During the peak of the first wave of Covid-19, the Cairo Criminal Court’s terrorism departments extended the detention of at least 1,600 defendants in the period from 4 to 6 May 2020, without the defendants or their lawyers being present. This constituted a violation of the procedures of renewing pretrial detention. Most of those defendants were arrested for their involvement in public work, or for peacefully expressing their opinions. Their detention was extended retroactively.\(^2\)

On 18 October 2020, the Ministry of Justice launched a new plan to conduct detention renewals electronically instead of holding in-person court sessions. The decision was taken for several reasons, including “reducing the chances of the spread of Covid-19 among detainees and citizens”\(^2\). The beginning was by connecting the New Cairo Court to Tora General Prison, 15 May and Al-Nahda central prisons via videoconference. The judge contacted the defendants inside their cells, in the presence of their lawyers. It was planned to apply the new system in the rest of courts and prisons. At first glance, the plan appears to be a step in the direction of protecting detainees, lawyers and judges from the risk of getting infected, as well as preserving the integrity of legal procedures. However, the Egyptian government insisted on extending pretrial detention instead of releasing detainees to ease the overcrowding in prisons.

In general, AFTE welcomes the digitization of litigation processes, which began with filing cases remotely, especially if this approach would facilitate legal procedures and save time and effort in order to reach justice. However, questions arise as to whether some points will be taken into account, such as ensuring easy access to this service, achieving spatial

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22. Amnesty International, Egypt: Court arbitrarily extends the pre-trial detention of over 1,600 defendants, 7 May 2020, last visited on 23 January 2021, link: https://tinyurl.com/4jfv9xag

justice, archiving and documentation, as well as data availability and digital security.

On the other hand, questions arise about the motives behind the use of technology in criminal justice, especially in matters like the renewal of pretrial detention. The application of electronic renewal of pretrial detention faces a number of obstacles, mainly including the separation between the defendants and their lawyers, as the communication between them turns virtual, which affects the representation of the defence panel and the seriousness of the communication. Moreover, the defendants are kept in prison without communicating with anyone other than the officers who stay with them after the defendants make their statements in front of the camera.

This raises an urgent question: What guarantees that the defendant present in front of the camera is not subjected to pressure or coercion during the investigations? Although the new electronic system appears to be a good development, it should not have been introduced without thorough study. This new system should be used to promote human rights and ensure fair trials, not to perpetuate injustice.
Second section: Presentation and analysis of key patterns of violation of freedom of thought and expression

The tenth anniversary of the 25 January revolution came after exceptional circumstances, as the Covid-19 pandemic had clear impacts on most of the cases that AFTE was tracking. The second section of this report provides a statistical presentation of issues related to digital rights, media freedom, freedom of creativity, academic freedom, student rights, freedom of peaceful assembly, and the situation of human rights defenders. It tries to provide a reliable approach to track the state of freedom of thought and expression in Egypt ten years after the revolution, and how the pandemic affected it, in addition to the exceptions on the legislative, executive and judicial levels.

AFTE relied in this part of its annual report on issues it directly tracked, as well as official data and local and international news.

First: Digital rights

The Egyptian government restricted freedom of digital expression further, by remanding citizens for expressing their views on social media. It continued to target journalists and rights activists. Doctors also joined the list of those subjected to this violation during 2020. Websites continued to be blocked either indefinitely without knowing the body behind the blocking or its motives or for specific periods of time by known official bodies.

Meanwhile, targeting social media users under the pretext of protecting values and morals was the latest and most prominent pattern during 2020. The Egyptian Public Prosecution filed lawsuits against male and female citizens for allegedly publishing entertainment content threatening the “Egyptian family values”.

- Freedom of digital expression

AFTE documented 67 violations against internet users during 2020, 22 of which had to do with the publication of views or information about the spread of Covid-19.

Security forces arrested 14 people in 2020 for expressing their views on social media, including 8 medical staff members. Two doctors were subjected to administrative disciplinary measures for
the same reason. This prompted the Doctors Syndicate to call on the Public Prosecutor\textsuperscript{24} to release six doctors who were arrested in different governorates for expressing their views on Facebook. The syndicate also demanded that one of its representatives attend the investigations, pursuant to Article 54 of the Doctors Syndicate Law No. 45 of 1969.

24. Al-Bosla News: The Doctors Syndicate calls on the Public Prosecutor to release its members who were arrested for expressing their opinions; Al-Bosla News website, 16 June 2020, last visited on 8 February 2021 Link: https://bit.ly/3oZTUPB
Most of the violations were reported in Cairo, with 30 cases, followed by Giza, 10 cases. Most of the violations occurred in March and April, during the first wave of the pandemic, as shown in the following charts:

Cases of violation of digital rights according to the geographical scope
According to AFTE, most of those arrested for expressing their views on social media, criticizing the government's policies on the pandemic, and demanding the release of detainees for fear of the spread of infection in prisons, were interrogated in the two cases No. 558 and 535 of 2020. All those involved in the two cases face charges of joining a terrorist group and spreading false news on social media. They remained in pretrial detention throughout 2020. Their detention was renewed without hearing them or their lawyers, as they could not attend the court sessions.

When levelling charges against individuals for their use of social media, the prosecution sometimes relies on the Information Technology Crimes Law, which was issued in 2018 with the aim of regulating cyber crimes. The Public Prosecution called for more legislation related to cyberspace, and directed young social media users to actively assist the Egyptian authorities to guard what it
called “new borders”, which, according to the prosecution, are the new cyber frontiers.25

AFTE documented the arrest of 14 users - mostly women - of applications, most notably “TikTok”, in 9 different incidents. Eight of them received jail terms ranging between 2 and 6 years. They were among 43 arrests, 12 of which received court sentences, as shown in the following chart:

Cases of violation of digital rights according to the type of violation

The security campaign began on 21 April 2020 when a police force arrested Haneen Hossam, a Cairo University student, for publishing a video calling for the use of Likee in exchange for money. The Public Prosecution charged her26 with violating family principles and values, human trafficking, using girls in work violating the principles and values of society to obtain money, and exploiting the girls' poor financial conditions and their need for money. She was remanded in custody in Case No. 4971 of 2020 (Misdemeanour, Al-Sahel). Cairo University referred Hossam to

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interrogation for committing behaviours inconsistent with the public morals and the university values and traditions.

On 11 June, the Public Prosecution referred Haneen Hosssam, Mawaddah al-Adham and three others, namely Mohamed Abdel-Hamid Zaki, Mohamed Alaa El-Din Ahmed, and Ahmed Sameh Attia, to the Cairo Economic Misdemeanour Court. The prosecution accused Zaki and Ahmed of helping Adham to publish a video clip that contained a call for immoral meetings, and helping her with the video content. The prosecution also charged Attia with managing Hossam’s social media account and assisting her in publishing videos offensive to public decency. Attia was also charged with obtaining programs that were designed without permission from the Communications Regulatory Authority and without legal justification, with the aim of using them to help Hossam commit her crime. On 27 July, the Cairo Economic Misdemeanour Court sentenced the five to two years in prison and fined them 300,000 Egyptian pounds each.

- Blocking websites:

As part of their campaign to control information, the Egyptian authorities launched a campaign in May 2017 to block independent news websites. AFTE documented the blocking of at least 124 news websites by an unknown body, out of a total of 553 websites, including media, political, and rights platforms.

Blocking news websites impedes users’ access to them, which makes the information disclosed by the government the only source available to citizens, without any possibility of interaction. Blocking websites continued in 2020, despite the increasing importance of circulating information related to the Covid-19 pandemic. AFTE documented 7 cases of blocking, including 4 cases of final blocking by an unknown party, and 3 cases of blocking for different periods of time by the Supreme Council for Media Regulation, whose decisions are usually temporary as per the powers delegated to it by the Media Regulation Law No. 180 of 2018.

On 8 April 2020, the SCMR decided to block the website of Al-Shura newspaper for six months.

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27. Mohamed Sobhy, Youm7, Cairo University will continue interrogation with student Haneen after the end of the prosecution's interrogation, 21 April 2020, last visited on 30 June 2020, link: https://bit.ly/2O6aizh
28. Hossam Abdullah, Mobtada, With documents ... We publish the order of referral of Haneen Hosssam and Mawaddah al-Adham to the Economic Court, 15 June 2020, last visited on 10 February 2020, link: https://bit.ly/2ZIT43
29. On 12 January 2021, the appeals department at the Economic Court acquitted Haneen Hosssam and two others of the accusation of threatening the values of Egyptian family, cancelled the imprisonment of Mawaddah al-Adham and Ahmed Sameh, and fined each 300,000 pounds for publishing explicit videos in the same case, for details, see: Al-Shorouk, details of the verdict acquitting Haneen Hosssam and Mawaddah al-Adham in the case of offending society values, 21 January 2021, last visited on 14 February 2021, link: https://cutt.ly/BkV-YVRu
after the website published statements attributed to Minister of Health Hala Zayed. The decision said the alleged statements used inappropriate words and phrases that offended pharmacists, causing concern among the readers and raising doubt about the healthcare system in general, and the government policies to confront the Covid-19 crisis in particular. The decision said the sanctions came as part of the SCMR’s tendency to control the media scene and prevent the spread of rumours and lies about the Covid-19 situation.

The blocking by an unknown party of the “Darb” website only one month after its launch31 was one of the most prominent blocking cases in 2020. The Socialist Popular Alliance Party launched the website, whose editor-in-chief is journalist and former board member of the Journalists Syndicate Khaled al-Balshi, on 8 March 2020. It was the third website run by Balshi to be blocked, after Al-Bedaya and Kateb websites.

Second: Media freedom

The Egyptian authorities continued to target journalists, especially for their reports on the Covid-19 pandemic. Of the 62 media freedom violations documented by AFTE in 2020, 20 violations were committed against journalists for their reports on the pandemic. AFTE observed a marked increase in violations of freedom of the press during April and May, when the number of infections began to increase significantly during the first wave, as shown in the following chart:

Arrests of journalists came on top of violations of media freedom in 2020, as shown in the following chart. AFTE documented 16 such arrests over journalistic work. Three other journalists were unlawfully detained without charges, but they were released later.
Security authorities topped the list of perpetrators of violations against journalists, with 26 violations, followed by press and media bodies, namely the SCMR, the NPA, and the SIS.
Violations of media freedom according to the perpetrator

- The Supreme Council for Media Regulation: 16
- The State Information Service: 4
- The National Press Authority: 3
- Security agencies: 26
- Judicial bodies: 4
- Government official: 1
- Private media bodies: 2
- Unknown party: 4
- Citizens: 2
Most of the violations occurred in Cairo, with 52 cases, as shown in the following chart:
Key types of violation against journalists and media professionals:

The type of violation against journalists varies according to the person or organization that is exposed to it, and also according to the violator and their powers. On the level of foreign media, the Egyptian government cracked down a number of newspapers and news agencies. This included the raiding of offices, revocation of work licenses, and deportation from the country. It was much worse for the local press, as arbitrary detention topped the list of violations against Egyptian journalists. It begins with questioning them in terror-related cases and accusing them of spreading false news, which - if true - clearly contradicts Article 71 of the Egyptian Constitution, which stipulates that “no custodial sanction shall be imposed for crimes committed by way of publication or the public nature thereof”. 
In 2018, AFTE called on the Journalists Syndicate to decide on the imprisoned journalists, who were directly targeted by holding them in pretrial detention for years without conviction. AFTE renewed its call for the Syndicate in 2020 with a new list of detained journalists who were subjected to a higher level of abuse, namely recycling, where they were charged in new cases without solid evidence, thus making their pretrial detention indefinite.

- **Raiding media offices and expulsion from the country**: AFTE documented 11 cases of raiding foreign media offices and revoking the press accreditation of their reporters in Egypt. The beginning was when a police force raided the office of the Turkish news agency “Anadolu” on 15 January 2020. Financial manager Helmy Momen, who’s Turkish, Hussein Mohamed Mahmoud Rajab al-Qabbani, Abdel-Salam Mohamed Hassan, and Hussein Abdel-Fattah Mohamed Abbas were detained, while Viola Fahmy was released two hours after the raid.

The Ministry of Interior issued a statement the next day saying that it had monitored a Turkish electronic media committee that took an apartment in downtown Cairo as a center of its anti-Egypt activity. According to the ministry’s statement, the committee prepared negative reports that contained false and fabricated information about the political, economic, security and human rights conditions in Egypt and sent them to the agency’s headquarters in Turkey with the aim of tarnishing Egypt’s image. The statement added that the committee operated under the cover of the “SITA” studies company, which was established by the Muslim Brotherhood group.

Turkey’s Foreign Ministry condemned the raid, describing it as an act of restriction and intimidation against the Turkish press. It called on the Egyptian authorities to release the Anadolu staff immediately. It also summoned the Egyptian Chargé d’Affairs in Ankara on 17 January and informed him of its official protest, asking him for “clarifications”. The Public Prosecutor ordered the release of those arrested during the raid and the deportation of the staff members who hold the Turkish nationality.

After this incident, the SIS, under the leadership of the current head of the Journalists Syndicate, Diaa Rashwan, targeted foreign correspondents in Egypt. AFTE documented

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33. AFTE calls on the Journalists Syndicate to work on the release of imprisoned journalists, 15 December 2020, link: [https://afteegypt.org/breaking_news/2020/12/07/20356-afteegypt.html](https://afteegypt.org/breaking_news/2020/12/07/20356-afteegypt.html)

34. CNN Arabic, Interior Ministry reveals the reasons for the arrest of 4 Anadolu employees, 15 January 2020, last visited on 30 December 2020, link: [https://cnn.it/2LYTEKM](https://cnn.it/2LYTEKM)

35. Testimony from a lawyer who attended the interrogation with Anadolu employees
4 violations committed by the SIS against foreign newspapers. These violations included revocation of the press accreditation and warning.

The SIS issued a statement in March 2020\(^\text{36}\) announcing the revocation of the accreditation of the Guardian’s correspondent in Egypt after she reported about the spread of Covid-19 in Egypt\(^\text{37}\). The report cited a study by a Canadian researcher expecting the Covid-19 infections in Egypt to reach 19,310.

Moreover, The New York Times’ correspondent was warned after he posted a series of tweets containing figures mentioned in the same study, which the SIS considered “incorrect”.

The SIS asked The Guardian to publish an apology. It posted its statement on Twitter on 17 March 2020, but removed it shortly.

As a result of this crisis, The Guardian correspondent Ruth Michaelson, who had lived in and reported from Egypt since 2014, was forced to leave the country. She was the last British resident to leave Egypt after British diplomats told her that the Egyptian security apparatuses wanted her to leave the country immediately. According to The Guardian\(^\text{38}\), Michaelson was asked to go to the visa issuance department in Cairo’s Abbasiya, but diplomats from the German embassy in Cairo asked her not to go under any circumstances.

- **Arrest and pretrial detention**: According to AFTE, 16 journalists are behind bars in Egypt. They include detainees and prisoners who have been imprisoned for more than a year, and new detainees who were arrested in 2020, including economic journalist and former editor-in-chief of Al-Borsa newspaper Mostafa Saqr.

Saqr was arrested from his home on 12 April, taken to the National Security headquarters, and then referred on the same day to the State Security Prosecution as a defendant in Case No. 1530 of 2020, facing – according to his lawyer – charges of joining a terrorist group and spreading false news.

On 25 April 2020, a police force arrested journalist and TV producer Ahmed Allam from his home. He was forcibly disappeared for two days before he appeared at the State Security Prosecution office in relation to Case No. 558 of 2020. The prosecution charged him with joining a terrorist group and spreading false news, while it is likely that he was arrested for co-producing a video report on the Covid-19 situation in Egypt.

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With similar accusations and in connection with the same case, journalist Islam Mohamed Ezzat, aka Islam al-Kalhi, of the Darb website was arrested on 9 September 2020 while covering the death of a citizen called Islam al-Australi as a result of torture inside Al-Moneeb Police Station.

Amer Abdel-Moneim Ahmed was the last journalist to be arrested in 2020, according to AFTE. He was arrested from his home on 18 December and was forcibly disappeared for two days before he appeared at the Supreme State Security Prosecution’s office in connection with Case No. 1017 of 2020. The prosecution charged him with joining a terrorist group, spreading false news, and using a social media account to commit a crime that the prosecution did not specify. Ahmed was the managing editor of Al-Shaab newspaper, the mouthpiece of the Labor Party.  

- **Recycling:** Recycling is to keep detainees in pretrial detention in new cases after they have been released in previous ones, ostensibly with legal cover. The security authorities resort to recycling in collusion with the State Security Prosecution to convert pretrial detention into a tool of abuse against dissent.

Four journalists were subjected to this violation in 2020. Journalist and blogger Mohamed Ibrahim, aka Mohamed Oxygen, was re-imprisoned in connection with a new case after his release on 3 November 2020 in Case No. 1356 of 2018, where he had been held in detention since 21 November 2019. While completing the procedures of his release, Oxygen’s lawyers were surprised that he was referred again to the State Security Prosecution on 11 November 2020 as a defendant in Case No. 855 of 2020 on the same charges he had faced in the previous case.

Journalist Sulafa Magdy was referred to the State Security Prosecution on 30 August 2020 as a defendant in a new case after she had been in detention since November 2019 in Case No. 488 of 2019, where she faced charges of joining a terrorist group and spreading false news. The accusations were based on the investigations conducted by the National Security Agency, which claimed that individuals from outside the prison spread false news and communicated with detainees inside the prison on the ground that those detainees have the ability to influence inciters. The investigations also claimed that the communication took place during family visits, during the detention renewal sessions at the prosecution offices, and when the detainees were doing their physical exercises. However, the prison administration prohibited exercises and visits for the detainees at the time as part of the Ministry of Interior’s measures to contain the spread of Covid-19 in prisons.

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39. AFTE, database of imprisoned journalists, last updated on 4 January 2021, link: [https://afteegypt.org/profiles/1587588268638-62252524-e00c](https://afteegypt.org/profiles/1587588268638-62252524-e00c)
Third: Academic freedom and student rights

President Abdel Fattah al-Sisi suspended study in schools and universities across the nation for nearly six months in 2020 due to the outbreak of Covid-19. The move was part of the largest disruption of education systems in history, according to the United Nations.

The decision was reasonable, but it was not enough. Schools and universities were reopened amid the lack of transparent policies and circulation of information to help confront the pandemic, especially in the higher education sector which has more than three million students.

Despite the suspension of study most of the time in 2020, the frequency of violation of academic freedom has not decreased. University professors remained in prolonged pretrial detention for expressing their views, researchers were banned from travel, and others were arrested upon arrival from abroad. Moreover, university administrations committed administrative violations, aiming to restrict freedom of expression among students and professors, to counter any criticism against the precautionary measures applied in universities and the blackout of information related to infections in educational facilities.

- Trial of university professors over ideas and teaching debates: In November 2020, Professor Mohamed Mahdaly of the Higher Institute for Social Work in Alexandria was suspended from work, after being referred to interrogation over a video that went viral and showed a debate between him and his students during a lecture. He was accused of insulting Islam due to his remarks in the video. The Ministry of Higher Education said it had received a complaint from students about Mahdaly’s remarks, so it decided to suspend him until an investigation into the incident is completed.

Mahdaly said his remarks were taken out of context and that he did not mean any offense. In the video, he talked about dowry in Islam, but one of the students objected to the professor’s argument, so Mahdaly got angered and asked the objecting students to leave the hall.

During the investigation, Mahdaly acknowledged the veracity of the video. The Ministry of Higher Education decided to refer him to the Public Prosecution on charges of contempt of religion, insulting the foundations of Islamic law, and insulting students - as stated in the investigation report. The Minister of Higher Education also referred Mahdaly

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40. CNN Arabic, Egypt: Sisi orders suspension of study in universities and schools for two weeks due to Covid-19, 14 March 2020, last visited on 10 February 2021, link: https://cnn.it/39dzOg1
42. AFTE, contempt of religions... a pretext for suppression of academic freedom, 31 December 2020, link: https://bit.ly/3sMiZAV
to a disciplinary committee and decided to continue his suspension. The prosecution remanded Mahdaly in custody for 4 days pending investigation on charges of contempt of religion and making incestuous marriage lawful. Mahdaly died on 24 December 2020 after his health condition deteriorated.

- **Imprisonment of university professors:** Dr. Ahmed al-Tohamy, an assistant professor of political science at the Faculty of Economic and Political Studies at Alexandria University, was arrested on 3 June 2020. He remained under enforced disappearance at the National Security headquarters in Cairo for 17 days until he was brought before the prosecution on 20 June. The prosecution remanded him in case No. 649 of 2020 on charges of joining a terrorist group, spreading false news, and misusing social media. The investigation with Tohamy focused on his alleged collaboration with the US-based activist Mohamed Sultan regarding a lawsuit the latter filed against former Prime Minister Hazem al-Beblawy. But sources close to Tohamy denied the allegation. Tohamy suffered from poor detention conditions, as he was held in a cell with 30 people. He was denied exercise, and his family was banned from visiting him until October 2020.

Dr. Hazem Hosni, a political science professor at Cairo University, who was the spokesperson for presidential hopeful Sami Anan in 2018, has been in detention since he was arrested on 25 September 2019. The State Security Prosecution charged him with helping a terrorist group in achieving its purposes, spreading false news and rumours that disturb public security, and misusing social media. He was remanded in connection with Case No. 488 of 2019.

Throughout Hosni’s detention, the prosecution did not take his critical health condition into account. Lawyer Khaled Ali submitted a report to the Public Prosecutor bearing No. 23537 on 2 June 2020, in which he explained Hosni’s medical history. He pointed out that Hosni fainted in his prison due to the deterioration of his health, asking the prosecution to allow Hosni to be admitted to a private hospital for treatment at his own expense. But the prosecution did not release Hosni although it had not completed the investigation with him or referred him to trial for more than a year, failing to prove the charges levelled against him.

Similarly, Dr. Magdi Qarqar, professor and head of the department of environmental planning and infrastructure at the faculty of urban and regional planning at Cairo University...
University and the secretary-general of the Istiqlal Party, has been in detention since he was arrested from his home on 23 September 2019. He disappeared for 12 days until he appeared at the Supreme State Security Prosecution’s office for investigation in Case No. 1350 of 2019, on charges of joining a terrorist group.

- **Arrest and travel ban**: Walid Salem, a doctoral researcher at the University of Washington, was banned from travel and his passport was withdrawn by the Cairo Airport authorities on 8 May 2020⁴⁵. This came after National Security officers stopped him at the airport, searched his bags, withdrew his passport and banned him from travel without giving clear reasons or displaying a judicial order. The security officials informed him that they would contact him later so he would get his passport back, but this has not happened yet despite his repeated attempts, according to his testimony to AFTE.

Salem was arrested on 23 May 2018 after meeting a university professor as part of his doctoral research. Then he appeared at the State Security Prosecution’s office as a defendant in Case No. 441 of 2018, where he was charged with spreading false news and joining a terrorist group.

Salem was detained in Tora Prison for six and a half months until he was released pending investigations on 3 December 2018 with precautionary measures. His release procedures were effectively ended on 11 December 2018. On 22 February 2020, the Supreme State Security Prosecution cancelled the precautionary measures imposed on him and released him under guarantee of his place of residence.

Salem spent nearly two years between pretrial detention and precautionary measures, during which he was unable to return to his study at the University of Washington, or see his daughter who lives with her mother in Europe, thus making the travel ban another punishment for the researcher. Before his visit to Cairo, during which he was arrested, Salem had been living abroad for more than 12 years.

Likewise, Patrick George Zaki, a master’s researcher at the University of Bologna in Italy, was held in pretrial detention for nearly a year⁴⁶. He was arrested at Cairo Airport upon his return on 7 February 2020.

He was detained for more than 24 hours in one of the National Security premises in

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Cairo. The officers interrogated him in violation of the law and prevented him from communicating with his family and lawyer. He was later referred to Mansoura Prosecution on 8 February. The prosecution charged him with spreading false news and statements, incitement to protest without permission, and incitement to commit terrorist crimes.

Zaki said he was beaten and electrocuted during interrogation at the National Security headquarters.

He was arrested under an arrest warrant issued in December 2019, which means that the arrest warrant was issued approximately three months after his enrolment at the University of Bologna, which he joined in September 2019.

**Fourth: Freedom of creativity**

AFTE observed a significant increase in violations of freedom of creativity in 2020 compared with 2019, as the number of these violations increased from 11 to 36. Most of these violations were committed by the Syndicate of Musical Professions by banning 23 singers from singing, in the wake of a crisis with the Mahraganat (festivals) singers.

The powers of artistic unions were evident in 2020, as AFTE observed a significant increase in the violations committed by these unions against creative people, specifically musicians. AFTE documented 24 violations against musicians and one against actors, in 3 different cases, out of 36 violations documented in 2020. These unions did not use their powers to protect creative people during the pandemic.

This comes within the framework of a general context in which the unions use broad powers, of a conservative nature, to control the artistic creativity process. These unions banned various forms of art and creativity, and used suspension, dismissal and referral to investigation as penalties to impose moral codes not only on art, but also on the private lives of union members and their views. The Syndicate of Musical Professions waged a fierce battle against Mahraganat singers, during which it conducted wide coordination with security authorities to ban and persecute 23 singers under the pretext of protecting public taste and morals.

The syndicate also issued 3 warnings in 2020. In the first one, it warned its critics on social media, including members and non-members, to prosecute them for what it described as “harming the
syndicate's reputation” during the pandemic. In the second warning, it warned tourist facilities and nightclubs not to deal with Mahraganat singers, vowing to take legal action against them in the event that they don't abide by the order. In the third warning, the syndicate warned that it would hold accountable its members who criticized the performance of actor Abdel-Rahman Abu-Zahra.

Fifth: Right to freedom of peaceful assembly

The Law No. 17 of 2019 regarding reconciliation in building violations sparked angry reactions on social media and triggered limited demonstrations in several governorates in 2020, according to lawyers who attended investigations with some of those arrested over the protests. The new law imposes fines on a large number of unlicensed buildings. Prime Minister Mostafa Madbouly estimated the size of unplanned buildings at 50% of the urban areas in all cities and villages in the country.

In conjunction with the protests against the reconciliation law, self-exiled businessman Mohamed Ali renewed his call for demonstrations on 20 September for the second year in a row to demand the departure of President Abdel Fattah El-Sisi. Ali accused Sisi and some state institutions of corruption.

In response to Ali's call, limited protests erupted in a number of poor villages and neighbourhoods in several governorates, most notably in Giza, Cairo, Luxor, Minya, and Alexandria. The pattern of violations that accompanied the September 2019 protests was repeated in 2020, indicating the Egyptian authorities’ determination to close all windows of freedom of expression.

Since 10 September 2020 and for a period of no less than a month, at least 1,920 defendants in Cases No. 880 of 2020 and 960 of 2020 have been brought before the State Security Prosecution in the Fifth Settlement in Cairo. Many were arrested for different reasons during that period, as some were arrested for protesting against the reconciliation law, while others were arrested for demanding the departure of President Sisi. Others, meanwhile, were arrested for expressing their
critical views on social media.

The State Security Prosecution charged those arrested with joining a terrorist group, participating in and inciting demonstrations, participating in a terror crime, and spreading false news on social media. The prosecution did not clarify the name of the terrorist group which the arrested people were accused of joining, nor did it reveal the false news they allegedly spread. It relied only on the National Security investigations which stated that the arrested people had protested on 20 September 2020, which indicates the prosecution's complicity with the security services with the aim of imprisoning the arrested for expressing their views.

The ages of those arrested ranged from 11 to 65 years, and they included only 10 women. The security authorities used excessive force to disperse the limited demonstrations that took place in several governorates.

According to lawyers, the majority of those arrested during the protests did not have any previous political activity. Article 57 of the Egyptian Constitution stipulates that private life is inviolable, safeguarded and may not be infringed upon. It also states that telegraph, postal, and electronic correspondence, telephone calls, and other forms of communication are inviolable, their confidentiality is guaranteed and they may only be confiscated, examined or monitored by causal judicial order. Comparing this constitutional article with the arrest and search of citizens on the street by the police without the occurrence of what could be considered a state of flagrante delicto confirms that the Ministry of Interior's practices in this regard are unlawful and unconstitutional.  

AFTE team observed that the majority of those arrested in connection with Cases No. 880 of 2020 and No. 960 of 2020 were subjected to enforced disappearance for a period of time varying from two to 17 days during which their relatives could not communicate with them or know the charges they faced.

There was no official comment on the protests or the results of the security crackdown that aimed to suppress the demonstrations. However, the Public Prosecution issued a brief statement on 27 September announcing the release of 68 children, including some under the age of 15 who could not bear full criminal responsibility. They were interrogated before the Supreme State Security Prosecution in violation of Law No. 12 of 1996.

Later in November and December, the State Security Prosecution released 372 people who were
Sixth: Targeting human rights defenders

The Egyptian government continued in 2020 to harass and target human rights defenders directly. In a security crackdown, the fiercest against human rights organizations in the year, police arrested three employees of the Egyptian Initiative for Personal Rights (EIPR) in November, namely Mohamed Basheer, the administrative manager; Karim Ennarah, the Criminal Justice Unit director; and Gasser Abdel-Razek, the executive director. They were arrested over terror charges.

The interrogations conducted by the security services and then the State Security Prosecution focused on the EIPR's activities and reports, as well as its human rights campaigns. The three were also questioned about a meeting held at the EIPR office in early November 2020 and attended by some European ambassadors and diplomats, a Canadian diplomat, and the representative of the European Union in Cairo.

Abdel-Razek told his lawyer that he had received inhumane and degrading treatment in his cell, as prison officials put his life at risk by preventing him from leaving his cell in Tora Prison. He further noted that the prison officials forced him to sleep on a metal bed without a mattress and gave him only a light blanket. He was also stripped of all his money, and contrary to what is stipulated in the prison regulations, he was banned from purchasing food or essentials from the prison's canteen.\(^5\)

After the first interrogation session with the EIPR employees ended, the Supreme State Security Prosecution remanded them in custody for 15 days in Case 855 of 2020, which also involved a number of journalists and rights activists, including Mahienour el-Masry, Mohamed Baqer, Sulafa Magdy, and Amr Emam who continued to be held in prolonged pretrial detention. Most of those involved in the case face charges of joining a terrorist group, spreading false news on social media, committing a terror financing crime, and misusing social media.

The Egyptian government faced domestic and international criticisms after its security crackdown on EIPR, which has been operating in Egypt for 18 years. Several European countries, along with the United Nations, condemned the “retaliatory” crackdown on the EIPR team, calling for

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\(^5\) A joint statement from 55 human rights organizations demanding immediate action to release EIPR leaders and protect Egyptian human rights defenders, 2 December 2020, last visited on 9 February 2021, link: https://cihrs.org/ngos-call-on-authorities-to-release-leaders-of-the-egyptian-initiative-for-personal-rights/
their immediate release. Meanwhile, the Egyptian Foreign Ministry considered the calls by some European countries, such as France, to stop the clampdown on the legal organization as an “unacceptable interference”. The third department of terrorism at the Tora Appeals Court held a session on 1 December to consider an order issued by the Public Prosecutor on 28 November to freeze the EIPR’s assets.

On 3 December 2020, Abdel-Razek, Ennarah, and Basheer were released on bail. The international community welcomed the move. Meanwhile, Patrick George Zaki, a researcher at the EIPR and a master’s researcher at the University of Bologna in Italy, has been held in pretrial detention since he was arrested in February 2020, on similar charges.

On 25 August 2020, the Cairo Criminal Court sentenced in absentia Bahey El-Din Hassan, founder and director of the Cairo Center for Human Rights Studies, to 15 years in prison on charges of “spreading false news, inciting violence and insulting the judiciary”. Before this ruling, the prosecution shelved reports submitted by Hassan after a TV host incited his killing. Meanwhile, the prosecution proceeded with a lawsuit filed by an unknown person against Hassan, after the latter criticized the Public Prosecutor on Twitter and accused him of being biased towards the security services and against citizens in 2018. Hassan posted the tweets in solidarity with writer Alaa al-Aswany, who was assaulted at Cairo Airport at the time. This was the reason for which Hassan was sentenced to 3 years in prison and ordered to pay a fine of 20,000 pounds.

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56. The United Nations, the High Commissioner for Human Rights expresses concern over the arrest of three activists in Egypt, 20 November 2020, last visited on 11 February 2021, link: https://cutt.ly/ckSpCU
58. Freeze of EIPR’s assets and multiple legal violations in court, 1 December 2020, last visited on 12 February 2021, link: https://cutt.ly/7kL1HgZz
59. United Nations, UN experts: Releasing human rights defenders on bail in Egypt is an encouraging first step, 7 December 2020, last visited on 11 February 2021, link: https://cutt.ly/ikSx1Ls
60. EIPR, An Egyptian human rights defender disappeared and tortured: EIPR Gender & Rights Researcher Patrick Zaki, arrested at Cairo airport, tortured and sent to prosecutors after 24 hours of incommunicado detention. Prosecution ordered his detention for 15 days, 8 February 2020, last visited on 11 February 2021, link: https://bit.ly/37RZzIL
62. Cairo Center for Human Rights Studies, after shelving his report against instigators of his murder ... human rights defender Bahey El-Din Hassan receives court sentence for his solidarity with writer Alaa al-Aswany and for criticizing the prosecution’s performance, 14 March 2020, last visited on 9 February 2021, link: https://rb.gy/qo1nr3
Conclusion and recommendations

The 25 January revolution erupted ten years ago at a time when social media turned into effective tools for expressing opinions. As citizens took to social media platforms, the government and official agencies also began to use them to convey their messages.

AFTE tried in this report to review the state of freedom of expression at the end of a decade that seemed promising at its inception when protests were staged, freedom of expression was exercised, and information was circulated clearly and transparently as part of what the Egyptian revolution aspired to consolidate.

The outbreak of Covid-19 in Egypt coincided with the beginning of 2020, which gave a different perspective when assessing issues like freedom of expression, creativity, academic freedom and student rights, as well as digital rights and the right to peaceful assembly. At this exceptional time, it can be said that the situation is similar to and – at the same time – different from the outbreak of the revolution. The demands of the revolution have vanished and it is no longer possible to call for demonstrations or to use social media as a free speech platform without thinking about the obstacles and consequences. Meanwhile, the Covid-19 pandemic adds a new burden and challenges when thinking about issues related to transparency and freedom of information circulation.

The first section of the report reviewed the changes that occurred in the state of digital rights, media freedom and creativity, which were mainly treated with security solutions. This was evident in blocking websites, targeting and prosecuting different social media users, and imprisoning citizens in connection with cases related to freedom of expression. AFTE believes that the lives of those detainees are at risk, given the poor conditions in places of detention that could lead to death due to negligence.

AFTE supports the state's moves towards digitization, which was evident in making the Ministry of Culture's artistic and cultural works available online, as well as the Ministry of Justice's plan to conduct litigation electronically. However, it believes that this plan must be carefully studied, taking into account the preservation of the rights and freedoms of litigants so that digitization does not turn into a new tool of abuse.

The second section of the report showed examples of violations against internet users, journalists, and academics, including professors and students. It also presented updates on cases related to peaceful assembly and defence of human rights. The presented examples can be compared with the
situation that existed 10 years ago, in order to help determine whether the situation is improving or deteriorating.

AFTE believes that the state of rights and freedoms related to thought and expression has been on the wane and became a worrying threat in 2020. It stresses the need for the state institutions to affirm their commitment, especially in light of a global pandemic that has affected millions of people around the world. Accordingly, AFTE proposes the following recommendations:

First: The judiciary, represented by the Public Prosecution, criminal courts and terrorism departments, should immediately release all those held in pretrial detention, including journalists, political activists, social media users, doctors, students and academics, in cases related to spreading false news about the Covid-19 pandemic, as well as those charged with violating "family principles and values of the Egyptian society" or "public morals". The judiciary should also drop all cases that do not include solid evidence.

Second: The Egyptian parliament should pass the law on freedom of information circulation as soon as possible.

Third: The Egyptian Cabinet, represented by the Ministry of Health, should disclose all data related to the Covid-19 situation in Egypt, including the numbers of infections, deaths and swabs that have been conducted. It should also reveal details of the vaccination campaign.

Fourth: The executive authority, represented by the media regulatory bodies or other unannounced bodies, should stop blocking websites.

Fifth: The Ministry of Interior should disclose policies to confront the pandemic in places of detention, and allow prisoners and detainees to communicate with their families and lawyers.