The first quarterly report on the state of freedom of expression in Egypt

Systematic violations, not allegations.

(January-March 2021)
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Methodology

This report presents and analyses some issues related to the right to freedom of expression. These issues display the state institutions’ attitude towards the right to freedom of expression and access to information. The report also reviews and analyses the documented violations in accordance with AFTE’s monitoring and documentation standards. The violations documented in this report took place in the period from 1 January 2021 to 31 March 2021.

Introduction

On 12 March 2021, 31 countries issued a joint statement1 calling on the Egyptian government to stop the prosecution of human rights defenders, journalists and political activists, under the guise of the Anti-Terrorism Law. The statement also called on the Egyptian authorities to guarantee a space for civil society and journalists to work without fear or intimidation, lift the block on independent news websites, and stop the excessive use of pretrial detention. It further provided some other recommendations to the government in Egypt. The statement came on the sidelines of the 46th session of the United Nations Human Rights Council (UNHRC), which took place in Geneva last March. The last joint declaration of the UN member states on the situation of human rights in Egypt dates back to March 2014, and it was initiated by Iceland and signed by 26 other countries.

The statement came this time amid increasing international criticism of the Egyptian government’s performance regarding human rights, and the slow liquidation of civil society in Egypt, especially independent human rights organizations. The statement called on the Egyptian government to lift travel bans and asset freezes imposed on human rights defenders, especially the staff members of the Egyptian Initiative for Personal Rights (EIPR). Since 2016, some EIPR employees, as well as dozens of civil society workers, have been subject to judicial decisions aimed at freezing their assets and banning them from traveling, in connection with Case No. 173 of 2011, known in local media as the case of foreign funding of NGOs in Egypt.

The Egyptian government responded quickly to the joint statement, with the Egyptian permanent mission to the UN in Geneva describing the international criticisms as “allegations and claims”

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that were based on inaccurate reports and information\textsuperscript{2}. Also, the Egyptian foreign ministry responded with another statement.

This report, specifically in its second section, attempts to examine these criticisms by reviewing the violations the Egyptian authorities committed against the right to freedom of expression, in its various forms, during the first quarter of 2021. AFTE’s Monitoring and Documentation Unit has spotted systematic violations of the right to freedom of expression during that period.

The first quarter of 2021 witnessed accelerating events, while violations against freedom of expression were at their usual level. But new patterns of violations emerged, aiming at imposing further restrictions on individuals’ right to express their views by various means. During that period, the Egyptian authorities continued to tighten the screws on internet users, as the internet has become the last window for people to express their views freely, especially after the widespread nationalization of the public sphere and the traditional channels of expression. Despite the outbreak of the third wave of the Covid-19 pandemic in Egypt, and the launch of a major vaccination campaign in early March, the Egyptian government – as usual since the beginning of the pandemic – did not provide the necessary updates to the public about the Covid-19 situation. It did not also launch campaigns to raise people’s awareness about the available vaccines and everything that citizens would like to know about them.

The first quarter of 2021 also witnessed the issuance of the executive regulations for the law regulating the civil work in Egypt\textsuperscript{3}. The regulations were issued nearly a year and a half after the law was issued in August 2019. This came against the backdrop of the security campaign that targeted EIPR leaders\textsuperscript{4} in November 2020. The EIPR staff were accused of running an organization that practises civil work without obtaining a license from the Ministry of Social Solidarity. According to Article 3 of the law regulating civil work issued in 2019, all institutions and companies that practise civil work, as defined by the law, have to settle their statuses in accordance with Law No. 149 of 2019 and its executive regulations, within one year from the date on which the regulations come into effect. The regulations were published in the Official Gazette on 16 January 2021, as per decision No. 104 of 2021 issued by Prime Minister Mustafa Madbouly.

\textsuperscript{2} Egypt’s response to a UN statement and its criticism of the human rights situation in Europe and America go viral; CNN Arabic website, published on 18 March 2021, last visited on 14 April 2021, https://cnn.it/3mL9tLy
\textsuperscript{3} Medhat Wahba, the Official Gazette publishes the new executive regulations of the Civil Associations Law, published on 16 January 2021, last visited on 14 April 2021, https://bit.ly/3tv08Kg
\textsuperscript{4} The Egyptian Initiative for Personal Rights has been working since its establishment in 2002 to strengthen and protect basic rights and freedoms in Egypt, through research, advocacy and supporting litigation in the fields of civil liberties, economic and social rights, and criminal justice, https://bit.ly/3abZ9Hs
This report tries to engage with the reality of freedom of expression in Egypt during the first quarter of 2021, specifically with regard to freedom of the press and the media, freedom of information circulation, freedom of creativity, digital rights, academic freedoms, and student rights. It analyses the general policies that the Egyptian government adopts towards the citizens’ right to express their views. It also analyses the key violations that AFTE’s Monitoring and Documentation Unit managed to monitor and document during the period from 1 January 2021 to 31 March 2021.
First section: A reading of the reality and developments of freedom of expression:

The first section of the report reviews the state of freedom of expression and the key related developments. It addresses three main points, namely the international condemnation of the human rights violations in Egypt, the impacts of the executive regulations of the NGO law on civil society in Egypt, and the continued lack of information despite the start of vaccination campaigns against the Covid-19 virus.

- A statement by 31 countries ends international silence on human rights violations in Egypt

On 12 March 2021, 31 countries issued a joint statement criticizing the human rights situation in Egypt. The statement was issued on the sidelines of the 46th session of the UNHRC. This came years after the issuance of a joint statement in March 2014 that criticized the Egyptian government over human rights violations.

The statement urged the Egyptian government to guarantee a space for civil society, lift restrictions imposed on media and digital platforms, stop the policies of blocking independent news websites, release all imprisoned journalists, and guarantee the freedom of human rights defenders to work without fear of intimidation, harassment or any other form of reprisal. That includes lifting travel bans and asset freezes against human rights defenders.

The statement also urged the Egyptian government to end the use of terrorism charges to hold human rights defenders and civil society activists in extended pretrial detention and the practice of adding detainees to new cases with similar charges after the legal limit for pretrial detention has expired. It also asked Egypt to cease the use of the terrorism entities list to punish individuals for exercising their right to freedom of expression.

It further criticized the multiple abuses of due process, including limitations on lawyers seeing evidence or accessing their clients.

Despite the absence of any mandatory measures for the Egyptian government to take, the statement highlighted the massive human rights violations committed by the Egyptian government, especially against freedom of expression and the right to peaceful assembly, restrictions on civil society and political opposition, and the application of terrorism legislation against peaceful opponents,
journalists, and LGBTI persons. The statement condemned the grave human rights violations committed by the Egyptian government, which have increased over the past six years.

In March 2014, 26 countries issued a joint statement\textsuperscript{5} condemning the dispersal of the Rabaa al-Adawiya sit-in, which left hundreds of victims and thousands of detainees, under Item No. 2 of the UNHRC’s agenda, while the latest statement came under Item No. 4 on urgent cases. This gives a message to the Egyptian government that the human rights violations it is committing have become grave, similar to the violations committed by the governments of North Korea, Syria, and other countries that are subject to discussion under the same item.

The statement came weeks after a joint statement\textsuperscript{6} issued by more than 100 human rights organizations around the world, in which they called on the UN member states to form a mechanism for monitoring and reporting on the human rights situation in Egypt, especially after its deterioration at all levels, as stated in the countries’ statement.

The Egyptian government did not respond positively to the countries’ statement, nor did it consider the criticisms contained in it objectively. Instead of reviewing its human rights policies in a way that guarantees freedom of civil work in Egypt, and stopping the abuse of opponents and journalists, the Egyptian government – as usual – resorted to denial. The foreign ministry issued a statement\textsuperscript{7} saying that the countries’ statement included allegations and claims about the human rights situation in Egypt. It expressed Egypt’s total rejection of the information contained in the statement which it said was inaccurate.

The ministry called on the signatories to the statement to review these allegations, and to stop directing politicised accusations that include a lot of unsubstantiated claims. It said it would present its own statement to the UNHRC highlighting shortcomings in the human rights records of some of the signatories.

The second section of this report attempts to review the systematic violation of freedom of expression and human rights in Egypt during the period covered by the report. This gives an opportunity to learn about various details and facts and to determine the accuracy of the information on which the international human rights mechanisms are based.

\textsuperscript{5} Countries break the silence and condemn Egypt's human rights violations before the United Nations, Amnesty International website, published on 12 March 2021, last visited on 14 April 2021, https://bit.ly/3uNS2g5

\textsuperscript{6} 100 organizations call for “bold measures” in the human rights file in Egypt, Al-Hurra website, published on 9 February 2021, last visited on 14 April 2021, https://bit.ly/3e5wVza

\textsuperscript{7} Press release, the official Facebook page of the Ministry of Foreign Affairs, 12 March 2021, last visited on 14 April 2021, https://bit.ly/3acizMq
- A new turn in the civil society struggle for survival

By the end of last year, there was a new wave of security clampdown on civil society workers. Three EIPR employees, including the organization’s executive director, Gasser Abdel-Razek, were detained for several days for hosting a number of ambassadors and diplomats earlier in the same year to discuss developments of the human rights situation in Egypt. The meeting was held at the EIPR’s office in Cairo’s Garden City.

The international criticism directed at the Egyptian government at the time came in a striking way, prompting the Egyptian foreign ministry to respond. The ministry said in an official statement that the EIPR was operating without a license in violation of the Civil Work Law No. 149 of 2019. After the EIPR responded by saying that it was waiting for the executive regulations of the law to be approved so that it could submit a request to the competent administrative authorities to settle its legal status, the government had to expedite the issuance of the regulations. Indeed, on 16 January 2021, the Official Gazette published Decision No. 104 of 2021, taken by Prime Minister Mustafa Madbouly, on the issuance of the executive regulations for the law regulating civil work in Egypt.

According to the law issued in 2019, all institutions and companies that practise civil work have to settle their statuses in accordance with the provisions of Law 149 of 2019 and its executive regulations, within one year from the date on which the regulations come into effect. Accordingly, Egyptian civil society, specifically the independent human rights organizations, has faced a new turn that is the most prominent and important since the establishment of the third wave of the human rights movement in Egypt in the middle of the first decade of the third millennium.

These organizations aim to continue working to criticize the government policies that violate human rights, and to provide the necessary legal support to the victims of those violations, but this time according to new rules within the legal framework that regulates civil work in Egypt. This framework is represented by the new law and its executive regulations, which pose a threat to the work of these independent organizations. The law and its executive regulations impose the guardianship of the administrative body, affiliated with the Ministry of Social Solidarity, on the financing and activities of these organizations. For decades, most human rights organizations have relied on multiple legal forms, most notably the limited liability companies supervised by the Investment Authority, or the law firms supervised by the Lawyers Syndicate.

Despite the Egyptian government’s promise to avoid legal problems during the drafting of the executive regulations, the entire process was undertaken by a committee formed by the prime minister. The committee included representatives of several concerned ministries, topped by the Ministry of Social Solidarity, as well as the head of the General Federation of NGOs. Meanwhile, what the government described as societal dialogue about the executive regulations was limited
to several discussions held by the head of the General Federation of NGOs with representatives of some organizations, without clarifying the recommendations they came up with. Active human rights organizations were excluded from these discussions. The Ministry of Social Solidarity did not announce the initial drafts discussed by the committee that issued the executive regulations, nor did it explain how the societal dialogue reflected on the final draft.

The new regulations contradict Article 75 of the Egyptian constitution, as well as Egypt's obligations in the international treaties it has signed regarding the protection, support and promotion of human rights.

- Lack of information about the outbreak of the third wave of the pandemic and the start of vaccination campaign

Despite the severity of the third wave of the Covid-19 pandemic, according to local observers, the Egyptian government has not changed its approach in terms of the scarcity of information about the Covid-19 situation in the country. It has not changed its policies to confront this health challenge, although it launched a nationwide campaign of vaccination using the Chinese Sinopharm and the English AstraZeneca jabs.

On 4 March, the cabinet issued a statement announcing that the health authorities began vaccinating the elderly and those with chronic diseases, several weeks after workers in the medical sector were inoculated. The prime minister announced that the government prepared 40 vaccination centers and that it intends to increase this number after receiving additional batches of vaccines.

Egypt has received 350,000 doses of Sinopharm vaccine in two batches since December, in addition to 50,000 doses of AstraZeneca vaccine last February. At the end of the first quarter of 2021, Egypt obtained nearly 850,000 AstraZeneca doses through the global COVAX initiative that aims to deliver vaccines to the developing and poor countries. On 24 February, the Egyptian Drug Authority said that it had approved the Russian Sputnik vaccine for emergency use. The Egyptian

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10. Iman Fikry wrote, the most dangerous 68 days in the "pandemic" ... the third wave is the terrifying face of "Covid-19", Al-Ahram Gate, published on 24 March 2021, last visited on 14 April 2021, https://bit.ly/3tnpGco
company Prime Speed Medical said it had obtained the right to provide the Russian vaccine in Egypt, in a statement to the Egyptian Stock Exchange, but it did not provide details.

 Egypt began vaccinating frontline health workers on 24 January, using the Chinese vaccine. Health Minister Hala Zayed said that those who received the first dose of the Chinese vaccine will receive the second on after 21 days, while those who received the AstraZeneca vaccine will wait 12 weeks to get the second dose\(^\text{12}\).

Since the outbreak of the pandemic, official information issued by the health ministry and the cabinet has been scarce, especially with regard to the vaccination campaign, starting with the cabinet's statement in which it announced the start of vaccination of the elderly and those with chronic diseases. Registration on the ministry's website was first opened to those categories only, but it was later opened to all citizens, with the priority given to the cases in most need of vaccination. Given the limited numbers of doses available, the main question is why the Egyptian government does not share sufficient and detailed information regarding the distribution of vaccines. How many vaccines will go to medical staff? And how many will go to the elderly and people with chronic diseases?

To get the coronavirus vaccine, one will have to fill in a special form with personal data and another form in which he states whether he has any chronic diseases or medical problems. The form concludes with an acknowledgement of the type of the vaccine that he will receive, stating that he will bear full responsibility for the consequences that might result from the vaccination. This happens in the absence of any medical guide about the vaccine in question, or any medical instructions that one should be aware of before getting the jab. Likewise, vaccination centers across the country do not provide any form of medical education, either through providing posters or persons to guide people.

Since the start of the vaccination campaign, hundreds of thousands of citizens have applied to receive the vaccine, but no official agency, specifically the health ministry and the cabinet, has published any reports or information regarding the follow-up of citizens who received the vaccine, especially those who got the two doses. We did not know whether any of them died, how many of them had common side effects, in addition to other information that enables citizens, specialists, and experts to analyse that data so that the health authorities and other parties concerned can benefit from it. The provision of such information would help confront the pandemic more comprehensively and efficiently. It would also protect the citizens' right to know all the information necessary to confront health threats, especially amid reports about negative results from the use of the English-made AstraZeneca vaccine in several European countries, which announced a temporary suspension of the vaccine several times due to these results.

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\(^{12}\) Ibid
Second section: Allegations and claims, or systematic human rights violations?

The UN member states’ statement on the human rights situation in Egypt contained harsh criticism of the Egyptian government’s human rights approach, especially towards rights and freedoms. The Egyptian government described that criticism as “allegations and claims” that were based on inaccurate information and reports on the human rights situation in Egypt.

In this context, AFTE affirms that the violations mentioned in the joint statement mostly represented regular patterns of violation that the Egyptian government has consistently practiced, systematically and on a large scale, in recent years. These violations are mainly related to the right to freedom of thought and expression, according to what AFTE monitored and documented through numerous periodic reports related to the state of freedom of expression in Egypt in the past few years.

We are simply trying to find the truth behind the “allegations” of violations of freedom of expression in Egypt by analysing the violations that AFTE spotted during the first quarter of 2021, specifically in the fields of freedom of the press and the media, freedom of creativity, digital rights, academic freedom and student rights.

During the first quarter of 2021, the Egyptian authorities continued to target individuals for exercising their right to freedom of expression. AFTE documented 36 violations related to freedom of expression, including 4 related to the dissemination of information or opinions about the spread of Covid-19 in Egypt.

The decline in targeting citizens or journalists for expressing their views or publishing information about the spread of Covid-19 cannot be ascribed to a change in the government’s security treatment of criticism of its policies towards combating the pandemic. With the onset of any crisis, the Egyptian authorities launch security campaigns with the aim of making the official narrative about the crisis prevail, and fighting any critical information or opinions. This was evident in the government's policy when the Covid-19 broke out in Egypt, as a number of medical staff and online users harshly criticized that policy. Meanwhile, some journalists and news websites were targeted for publishing or circulating news and information related to the spread of the pandemic other than those issued by official bodies.
AFTE documented a 500% increase in the rate of violations during the second quarter of 2020\(^\text{13}\), which witnessed the widespread outbreak of the pandemic in Egypt, compared with the first quarter of the same year. This significant increase was directly related to the Covid-19 crisis, as the violations related to the publication of opinions or news about Covid-19 accounted for approximately 50% of the total violations that occurred during that quarter. As time went by, violations related to Covid-19 decreased.

By launching these campaigns, the Egyptian authorities aim to increase security intimidation of people who address specific topics, which is reflected in the increasing rates of self-censorship that citizens practice when dealing with information or opinions related to the spread of Covid-19. Thus, journalists, creative people, and citizens would know the extent of persecution that they might be exposed to should they publish information that contradicts the official narrative. This is the mechanism that the government adopts during any crisis, even if this crisis has to do with the lives of people and threatens their health. In this section, the report deals with the files that AFTE is working on, as follows:

- **Freedom of the press and the media**

AFTE documented 7 incidents containing 13 violations during the first quarter of 2021. Violations against freedom of the press can be summarized in three main headings, as follows:

1. **The release of some journalists and the arrest of others**

   In the first quarter of 2021, efforts exerted by the head of the Journalists Syndicate, Diaa Rashwan, managed to help release 3 journalists, namely Mustafa Saqr, who a court ordered his release on 12 April 2020 in connection with Case No. 1530 of 2019; Islam al-Kalhi of the Darb website, who a court ordered his release on 9 September 2020 in connection with Case No. 855 of 2020; and Hassan al-Qabbani, who a court ordered his release on 17 September 2019 in connection with case No. 1480 of 2019.

   The three journalists faced the same charges, namely joining a terrorist group and spreading false news. While AFTE welcomes their release, it calls on the head of the Journalists Syndicate and the Syndicate’s Council to make more efforts to release the rest of imprisoned journalists, 13 in number. It also calls on the Syndicate to place more pressure on the Egyptian authorities to

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stop targeting journalists over their work or for expressing their opinions. Despite the success of Rashwan's mediation, the authorities have not stopped targeting and harassing journalists.

AFTE documented the arrest of 4 journalists during the first quarter of 2021, namely:

1. Photojournalist Hamdy Mukhtar, known as “Hamdy al-Zaem”, was arrested from his home in Al-Amiriya district in Cairo on 4 January 2021\(^{14}\). He remained in custody until he appeared before the prosecution on 16 January as a defendant in Case No. 955 of 2020. The prosecution charged him with joining a terrorist group and spreading false news on social media.

Two days after his arrest, Mukhtar, 42, was transferred to an isolation hospital in Abbasiya after he showed Covid-19 symptoms, but he was tested negative. On 8 January, his case was referred to the State Security Prosecution for investigation, but he could not go to the prosecution office due to his health condition. It was not the first time Mukhtar was arrested, as he was arrested in September 2016 while photographing a press report. He remained in pretrial detention for more than a year and a half, as the court replaced his detention with precautionary measures in April 2018.

2. Journalist Ahmed Mohamed Khalifa of the Egypt 360 website appeared before the Supreme State Security Prosecution in Cairo’s Fifth Settlement on 19 January 2021, 13 days after he disappeared after being summoned to the National Security headquarters in Fayoum\(^{15}\). A police force went to the journalist’s house in the Talat village in Fayoum, but he was not there. Then, he received a phone call that asked him to go to the National Security headquarters in Fayoum. Indeed, he went there on 6 January. Since then, there had not been any news about him, and the National Security police in Fayoum denied knowing his whereabouts, until he appeared before the National Security Prosecution as a defendant in Case No. 65 of 2021. The prosecution charged him with joining a terrorist group, spreading false news, and using a social media account with the aim of carrying out a crime.

3. Journalist Hamdy Atef Hashem was arrested from his home in Zefta, Gharbia Governorate on 4 January 2021. He remained under enforced disappearance at the National Security headquarters in Gharbia\(^{16}\), until he appeared before the State Security Prosecution in Cairo’s Fifth Settlement on 11 January as a defendant in Case No. 1017 of 2020. The prosecution charged him with joining a terrorist group and spreading false news on social media. Hashem,

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14. Testimony of his lawyer
15. Testimony of his lawyer
16. Testimony of his lawyer
a fourth-grade student at the Faculty of Arts’ Department of Journalism, works as a trainee and a reporter in the accidents section of the Misr al-Balad newspaper. He also works as a correspondent for Al-Nabaa, Al-Bayan, and Al-Shura newspapers. He was arrested for his coverage of the crisis of Covid-19 patients at Zefta General Hospital, where some died due to oxygen shortages.

4. Journalist Gamal al-Gamal was arrested at Cairo Airport upon his return from Istanbul on board flight MS730 on 22 February 2021. He was subjected to enforced disappearance for 5 days until he appeared at the State Security Prosecution office in Cairo's Fifth Settlement late on 27 February in connection to Case No. 977 of 2017. The prosecution charged him with joining a group established in violation of the law and spreading false news on social media. Gamal is a freelance journalist who wrote for several Egyptian and Arab newspapers and websites, most notably Al-Tahrir, Al-Masry al-Youm and Arabi 21. In September 2014, he received a phone call from President Abdel Fattah al-Sisi, where the president blamed him for criticizing the government. In 2015, Al-Masry al-Youm newspaper suspended his weekly article for the same reason. Then, he left Egypt and lived in Turkey, where he continued to publish his anti-government articles on the Arabi 21 website.

2. Departing from the official approach necessitates punishment even for loyalists

Violations are not limited to opposition journalists or dissent, but pro-government media professionals may also be targeted should they violate the government's media policy, which is set by the State Ministry of Information17. Perhaps the most prominent example in this context is the targeting of TV anchor Tamer Amin of the Al-Nahar channel for his remarks in which he said that the people of Upper Egypt and the countryside seek to increase births to help increase their income by employing their sons at a young age and their daughters as “maids”. The remarks provoked angry reactions that prompted the Supreme Council for Media Regulation (SCMR)18 to fine the channel 250,000 pounds and warn to withdraw its license in the event of repeating the irregularity. Amin's show was suspended and he was banned from appearing on the screen for two months. Moreover, the complaints submitted to the SCMR about the show were referred to the Public Prosecutor.

Meanwhile, Tarek Saada, the head of the Media Syndicate, announced the revocation of Amin's work permit after a three-hour interrogation. Also, the Nasr City Misdemeanour Court set a trial session for Amin on charges of insulting and slandering the people of Upper Egypt and the countryside against the background of a lawsuit filed by lawyer Ashraf Nagy against Amin. The State Ministry of Information praised in a statement the quick measures the SCMR and Al-Nahar TV took against Amin.

The ministry’s statement clearly reflects the Egyptian authorities’ media approach, which may explain the official reaction to Amin’s remarks, in addition to the reactions on social media, especially from the people of Upper Egypt. The State Ministry of Information sees that Amin’s remarks violated what it called the media policy of the Egyptian state. The ministry regards the various media outlets as part of the state’s media system, and they must adhere to the state media policy, otherwise they would be punished by the concerned authorities. This contradicts the basic role of the media, which is to relay information, express criticism, and observe all authorities in society.

Looking at the government policies towards the press and the media over the past six years, we find that these policies are consistent with the ministry’s approach. Security services began to shape the media landscape in Egypt after 2013 by possessing print and audio-visual media outlets in order to tighten control over them. Meanwhile, no channel or journalist can deviate from the red lines set by the authorities with regard to editorial policies.

AFTE affirms that Amin’s remarks are protected by the umbrella of freedom of expression, as he just expressed his opinion about overpopulation and the reasons that push some citizens to increase births. Although he referred to a specific category of Egyptians like the residents of Upper Egypt or the rural areas, his remarks did not include any incitement to violence, whether directly or indirectly. Thus, the actions that various parties have taken against Amin are considered an infringement on his right to address any issue.

3. From a school security guard to a minister, everyone is afraid of the camera

In a different context, TV presenter Ahmed Moussa published on 2 March a video showing an assault on the crew of his show, which is broadcast on the Sada el-Balad channel. The video showed security guards of the boys-only Bahtim secondary school preventing the crew from

20. Same source in footnote 14
covering the school exams. In his show, Moussa called on the governor of Qalyubia to intervene and refer those responsible for the attack to investigators21.

On 6 January, the General Authority for Health Insurance issued a decision22 banning photography inside hospitals, stating that violators would be brought to account. It also banned patients from having their mobile phones at the intensive care unit. It noted that the decision was based on instructions from Health Minister Hala Zayed.

The decision came after citizens published two videos from Zefta General Hospital in Gharbia Governorate and Al-Husseinia Hospital in Sharqia Governorate, showing the suffering of Covid-19 patients due to shortages in the oxygen supply, which caused the death of some of them. The videos triggered a wave of anger on social media. These incidents were most likely the motive behind the decision.

**Digital rights**

AFTE documented 18 violations against citizens for expressing their views on social media. These include 10 arrests, 6 cases of recycling (which means adding detainees to new cases with similar charges after the legal limit for their pretrial detention has expired), one case of prison sentence, and one case in which a hospital manager in Kafr el-Sheikh was referred to administrative investigators23 over a Facebook post in which he called on citizens to provide oxygen cylinders for Covid-19 patients after his hospital ran out of oxygen.

The Egyptian authorities are intensively targeting individuals for expressing their views on social media, in a bid to control the content posted on the internet and to prevent the publication of any opinions critical of the government policies. This comes after the authorities closed all windows of expression, but social media remained the last open window. The key patterns of violation of digital rights came as follows:

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21. Watch the moment the Sada el-Balad correspondent was assaulted in front of a school in Qalyubia, the program's Facebook page, 3 March 2021, last visited on 14 April 2021, [https://bit.ly/3wY8YSY](https://bit.ly/3wY8YSY)


1. Stopping individuals at checkpoints and searching their phones

During the 20 September 2019 demonstrations, which self-exiled businessman Mohamed Ali called for, the Egyptian authorities stopped passers-by in Tahrir Square, searched their mobile phones, and arrested those who wrote anti-government posts on social media. This violation was limited to specific areas, most notably Tahrir Square and downtown Cairo. It was also limited to the time of the demonstrations. However, as calls for demonstrations have been repeated, this pattern of violation has expanded to include several areas in Cairo, which signals a new development that AFTE has observed during the current quarter of the year.

Furthermore, this pattern of violation has been practiced at fixed and mobile police checkpoints in different areas, and at times when there are not necessarily any calls for demonstrations. Of the 10 cases that AFTE documented during the first quarter of this year, 5 were arrested after being stopped by police at checkpoints. One of those, whose family refused to mention his name\(^\text{24}\), lives in a new city in eastern Cairo. He was arrested after the police stopped him at a checkpoint, searched his phone, and found anti-government posts on his social media accounts. He disappeared for approximately 16 days before appearing before the State Security Prosecution as a defendant in connection with Case No. 65 of 2021. The prosecution charged him with joining a terrorist group and spreading false news on social media.

By this new pattern of violation, the security services aim to further restrict individuals’ freedom to express their views on social media, which have become the last window of free expression in Egypt.

2. Pretrial detention and recycling of the defendants

The security services in Egypt use pretrial detention as a punishment against any citizen who criticizes the government policies. This is done in collusion with the State Security Prosecution, which renews the pretrial detention of detainees without justification, although there are alternative measures endorsed by the Criminal Procedures Law. The law prohibits the continuation of pretrial detention for more than two years in connection with the same case. However, the security services circumvent this law through what is known as “recycling the defendants,” as lawyers get surprised during the completion of procedures to release their clients that they have disappeared. Then, the Ministry of the Interior denies the victims’ whereabouts until they appear before the State Security Prosecution in connection with new cases.

\(^\text{24}\) Testimony of his lawyer
In this context, AFTE documented the detention of 16 people in connection with several different cases, 10 of them were newly arrested and 6 were recycled after a court issued a decision to release them.

One of the key examples in this regard is the case of the head of the translation department at the Library of Alexandria, Kholoud Saeed\textsuperscript{25}, who got a court decision to release her in Case No. 558 of 2020 on 13 December 2020. However, the decision was not implemented, as her lawyer was surprised by her disappearance, and the Ministry of Interior denied knowledge of her whereabouts on 26 December. Saeed’s whereabouts remained unknown until she appeared before the State Security Prosecution in connection with Case No. 1017 of 2020, where she faced the same charges she had in the previous case.

In the same context, 4 people were recycled into Case No. 65 of 2021, after a court ordered the release of three of them in Case No. 535 of 2020, namely Shaima Samy\textsuperscript{26}, who has been detained since May 2020; Nermin Hussein\textsuperscript{27}, who has been detained since March 2020; and Naglaa Fathy\textsuperscript{28}, who has been detained since June 2020. Fathy appeared before the prosecution while wearing the white prison uniforms. The fourth, who refused to mention her name, has been detained in connection with Case No. 880 of 2020 since 18 September 2020.

The four are facing the same charges they faced in their previous cases. They are the same charges that the State Security Prosecution usually levels against defendants. These charges, namely joining a terrorist group, spreading false news, and misusing social media, are likely based on the Law on Combating Information Technology Crimes, known as the Cybercrime Law, but this cannot be confirmed as long as these cases are not referred to court.

AFTE documented 11 new arrests during the first quarter of 2021. These include the arrest of Sherif Yassin, the admin of a Facebook page called “The world of transportation and railways”\textsuperscript{29}. Yassin was arrested at the airport upon his arrival from the United Arab Emirates, against the backdrop of a complaint the current Minister of Transport, Kamel al-Wazir, submitted to the SCMR. In his complaint, Wazir accused Yassin of attacking the state's strategies and plans for developing the railway system, deliberately spreading false news, and belittling the major projects carried out by the Ministry of Transport. Accordingly, the SCMR asked the National Telecom

\textsuperscript{25} Testimony of her mother
\textsuperscript{26} Testimony of her lawyer
\textsuperscript{27} Testimony of her lawyer
\textsuperscript{28} Testimony of her lawyer
\textsuperscript{29} After the minister’s complaint, the admin of “The world of transportation” Facebook page arrested at Cairo Airport, Al-Dustour, 11 March 2021, last visited on 4 April 2021, https://bit.ly/3aefsUJ
Regulatory Authority (NTRA) to delete the content of the Facebook page, and submitted a report to the Public Prosecutor to take legal action against Yassin.

In the same context, Mustafa Safwat, a Facebook page admin, was arrested on 4 January. The Ministry of Interior denied knowledge of Safwat’s whereabouts until he appeared before the State Security Prosecution on 9 January as a defendant in Case No. 1017 of 2020. The prosecution charged him with joining a banned group and spreading false news.

3. Sanaa Seif imprisonment

On 17 March 2021, the Cairo Criminal Court, headed by Judge Madbouly Kassab, sentenced activist Sanaa Seif to a year and a half in prison on charges of spreading false news on social media and insulting a public employee. A police force kidnapped Seif in front of the Public Prosecutor’s office on 23 June 2020 as she and her family were going to submit a report to the Public Prosecutor about the assault on her by unidentified people in front of the Tora Prisons Complex in full view of police officers who did not take any action.

On 26 August 2020, Seif was referred to trial in connection with Case No. 12499 of 2020 (registered at the First Settlement Criminal Court with No. 659 - State Security Prosecution).

The court ruling referred to several charges. The court sentenced her to one year in prison on charges of intentionally spreading false news and rumors that would cause panic among people and harm the public interest. According to the court, Seif published news on her Facebook page claiming that Covid-19 had spread inside Egyptian prisons amid the lack of preventive measures, the deterioration of the prisoners’ health condition, and the deliberate negligence of the prison administration to treat them, as part of its systematic violations against prisoners. This sparked panic and anger among citizens against state institutions and harmed the public interest, the court said. Moreover, Seif used a Facebook account with the aim of committing a crime punishable by law, it added.

The court also sentenced Seif to 6 months in prison on charges of insulting a public employee through publication for performing his job, in addition to assaulting him verbally and threatening him while he was guarding the Tora Prison and organizing visits.

30. Testimony of his lawyer
31. AFTE’s legal aid unit
• Academic freedom and student rights

AFTE documented the targeting of 3 Egyptian academics during the first quarter of 2021. A master’s researcher was arrested upon his arrival in Egypt for a short vacation. The family of a Germany-based academic was targeted. The Faculty of Mass Communication suspended a third academic who was exposed to several violations for criticizing pro-government media figures, mainly including Ahmed Moussa of Sada el-Balad TV.

The three academics were targeted for expressing their views. On 6 February, the State Security Prosecution remanded master’s researcher Ahmed Samir Santawy in custody in connection with Case No. 65 of 2021. The prosecution charged him with joining a terrorist group and spreading false news that undermines security and the international order. The prosecution faced Santawy with some screen grabs of posts on a Facebook account, but he denied his connection to that account. Santawy complained that he had been subjected to ill-treatment and torture during interrogation by National Security officers. His defence team requested that he be referred to the forensic medicine office to prove the assaults he had been subjected to.

On 23 January 2021, a force from the Cairo’s Fifth Settlement police station raided Santawy’s house, searched it, took copies of the ID cards of those who were in the house, and seized the recordings of the house’s surveillance cameras. Santawy was on a trip to South Sinai at the time, so the police force asked his family to tell him to go to the police station upon his return home. Indeed, he went to the police station on 30 January, and he was told to come again on Monday 1 February. He went again to the police station on time, but he was detained. There was no official information about him until he was brought before the Supreme State Security Prosecution in the Fifth Settlement on 6 February 2021. He was moved from one police headquarters to another. He was held at the National Security office at the Fifth Settlement police station until the morning of 3 February, then transferred to the First Settlement police station, and then he was taken to an unknown destination on the evening of Thursday 4 February.

In the same context, political researcher and specialist in Middle East affairs Taqadum al-Khatib posted a statement on Facebook saying a National Security police force raided his family’s house in Luxor on 10 February. He added that the police force questioned his father about the researcher’s whereabouts and workplace, the reason for not visiting Egypt, and whether there was any communication between him and his family. The statement added that the officer who questioned his father seized the father’s phone, some papers belonging to Taqadum and his family.

32. Testimony of his lawyer
33. Personal statement, the academic's Facebook account, 10 February 2021, last visited on 14 April 2021, https://bit.ly/3die6tF
in addition to a personal photo of him. The police also took photos of the ID cards of Taqadum's father and mother.

These measures are consistent with the security agencies' practices against Egyptian researchers studying abroad, especially those who had political activities before. Patrick George Zaki, a master's researcher at the University of Bologna in Italy, was arrested upon his arrival at Cairo airport in February 2020. Also, Dr. Ahmed al-Tohamy, a researcher in comparative politics and international relations was arrested on 3 June 2020. Tohamy has been an assistant professor of political science at Alexandria University since 2014 and a visiting professor at the Free University of Berlin since 2019. The two researchers are still kept in pretrial detention since their arrest.

The security authorities have continued targeting academics for expressing their views. On 28 March, the head of the Radio and Television Department at the Cairo University's Faculty of Mass Communication, Ayman Mansour Nada, posted on his Facebook page a picture of a summons he received from the Public Prosecution asking him to attend an interrogation session in connection with Case No. 8 of 2021. He, however, did not reveal the reason for the summons and we could not reach him to know the reason. But it most likely had to do with a report the SCMR said it would submit to the Public Prosecutor against Nada. In its report, the SCMR referred to articles that Nada published on Facebook in which he criticized the performance of some media figures and the current media situation in Egypt. The SCMR considered the articles as insulting and defaming the entire Egyptian media and media professionals.

The crisis began when Nada published a number of articles on Facebook, criticizing what he called the unprofessional media situation. He also criticized prominent media figures, mainly including TV anchor Ahmed Moussa of Sada el-Balad TV. He said although Moussa does not have any skills that a TV presenter should ideally have, he is given too much airtime.

At a time when the Faculty of Mass Communication said Nada was dismissed, it said in a Facebook statement on 29 March 2021 that it decided to suspend him from work for assaulting the faculty's former undersecretary.

In its statement, the faculty said Nada committed many violations and irregularities that contradicted the values and traditions of university work during a meeting of the faculty's postgraduate studies committee. The faculty denied any connection between its decision and the

35. A decision by the investigator to suspend the head of the radio and television department from work over assaulting the faculty's former undersecretary and violating university traditions and norms, the official Facebook page of the Faculty of Mass Communication, Cairo University, 29 March 2021, last visited on 14 April 2021, https://bit.ly/3sZdBZO
official media and legal targeting of the academic.

The security services have targeted a number of academics for expressing their opinions in recent years. On top of those were the two professors at the Cairo University’s Faculty of Economics and Political Science, Hazem Hosni and Hassan Nafaa, who were detained for criticizing the government policies. Hosni was arrested in September 2019 in connection with Case No. 855 of 2020. He remained in pretrial detention until 23 February 2021 when the Public Prosecution decided to replace his detention with other precautionary measures. Nafaa was arrested in September 2019 as well, and was later released in March 2020, along with 15 other activists, when the Covid-19 pandemic broke out in Egypt.

- Freedom of creativity

AFTE documented two cases of violation against creative people. One, who requested that his name or any information about his legal status not be mentioned, was arrested over his works. The other is graphic designer and digital marketing specialist Mustafa Gamal36, who the security services continued to abuse by recycling him in collusion with the State Security Prosecution, which remanded him in connection with a new case after his release in two previous cases.

Gamal was targeted during a campaign the security services launched after Egyptian singer Ramy Essam released a satirical political song entitled “Balaha” (a date) on 26 February 2018. The song, written by Egyptian poet Galal al-Beheiri, criticized President Abdel Fattah al-Sisi and his policies.

After the song was released, the security services targeted six people, two of them participated in the song, while the four others did not participate but they had a previous working relationship with Essam. The security services also targeted an Egyptian citizen living in Kuwait, as the Kuwaiti security services arrested him while he was playing the song in his car, and then deported him to Egypt.

Gamal was one of the four who did not participate in the artistic work. He was arrested from his home in the 6th of October City, Giza Governorate, on 1 March 2018. Three days later, he appeared before the State Security Prosecution which accused him of joining a terrorist group and spreading false news, in connection with Case No. 480 of 2018, known in local media as the “Balaha song case”. Gamal was the only one who remained in detention after four defendants in the case were released at different times. Also, filmmaker Shady Habash, who codirected the satirical song, died in prison in May 2020 as a result of medical negligence.

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36. Testimony of his lawyer
Although the maximum limit of Gamal’s pretrial detention expired on 4 March 2020, a decision on his release was issued on 31 May of the same year. On 5 June 2020, Gamal disappeared from the October Second police station while finalizing the procedures of his release. The police station denied knowledge of his whereabouts, until he appeared as a defendant before the State Security Prosecution in Cairo’s Fifth Settlement on 14 July of the same year in connection with Case No. 730 of 2020, facing the same charges he faced in the “Balaha” case. The prosecution remanded him in custody for 15 days pending investigation into the new case. He remained in detention until a criminal court issued a decision on 4 January 2021 to release him for the second time.

However, the security services circumvented the court decision and recycled him again into Case No. 65 of 2021. He appeared before the State Security Prosecution on 19 January, where he faced the same charges for the third time.

**Conclusion and recommendations**

Despite the total denial with which Egypt responded to the criticisms contained in the UN member states’ joint statement, AFTE reiterates its call for the Egyptian government to stop its systematic human rights violations, especially against the right to freedom of thought and expression. This requires new policies, legislative amendments, and major changes in practices, especially the security ones. In this context, AFTE stresses that the Egyptian government should change its approach to information circulation, in a way that makes it easy for citizens to access information, especially the one related to health risks.

AFTE also calls on the cabinet and the Ministry of Social Solidarity to amend the executive regulations of the law regulating civil work. The amendment should avoid the problems that ensued from Law 149 of 2019, specifically with regard to the powers granted to the administrative body to oversee the funding and activities of civil associations. The groups concerned with the law should take part in the amendment process. AFTE warns against any use of the law and its regulations to liquidate the independent human rights movement in Egypt.

AFTE stresses the need to abolish the Information Technology Crimes Law No. 175 of 2018, as it is widely used in restricting the individuals’ freedom to express their opinions on social media. Moreover, some of the law’s articles violate the Egyptian constitution.