Ongoing violations

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

(1 July - 30 September 2021)
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Methodology

This report presents and analyses the policies of the Egyptian authorities and their various agencies towards the right to freedom of expression in its various forms, specifically freedom of the press and media, freedom of creativity and artistic expression, academic freedom and digital rights, in addition to the right to peaceful protest and assembly.

AFTE monitors and documents violations in these domains. It also provides legal support to the victims of these violations through its lawyers in the legal unit.

Monitoring and analyzing the Egyptian government’s policies towards the right to freedom of expression and circulation of information help determine the state institutions’ attitude towards supporting or violating these rights. The report also relied on the presentation and analysis of violations that were monitored and documented according to AFTE’s methodology. The violations were documented between 1 July 2021 and 30 September 2021.

Introduction

The government continued to pay attention to the human rights issue during the third quarter of 2021, especially after the strongly worded recommendations¹ that were contained in a joint statement signed by 31 countries on the sidelines of the 46th session of the United Nations Human Rights Council, held in Geneva last March, which criticized the human rights situation in Egypt as well as the conditions of the human rights defenders’ work in the country.

During the second and third quarters of 2021, the Egyptian authorities released at least 15 journalists and human rights defenders, some of whom were detained in connection with more than one case.

The investigating judge in charge of Case 173 of 2011, known in local media as the foreign funding case, took measures that would drop the case. He decided in August and September that there was no reason to file a criminal lawsuit against eight organizations for lack of evidence. He also revoked all decisions resulting from the lawsuit, including those related to the travel ban or the freezing of funds.

The judge's decisions raised the number of organizations, associations and entities that have had charges dropped in the same case to 71, indicating that there was no reason to file a criminal lawsuit against them based on the report of the fact-finding committee. It is expected that procedures will be completed so that the whole case will be dropped.

On 11 January 2021, the Official Gazette published Cabinet Decision No. 104 of 2021 to issue the executive regulations of the Civil Work Regulation Law No. 149 of 2019, which means that institutions working in the field of human rights have three months left to regularize their status, as the law gave a one-year period for these institutions to regularize their status from the date of endorsing the regulations last January.

At the end of the third quarter, the Permanent Committee for Human Rights launched the first national strategy for human rights in the history of Egypt, during a conference sponsored and attended by President Abdel Fattah al-Sisi.

At first glance, the picture may seem very bright, but the reality may have a completely different face, with regard to the human rights situation in Egypt. While a number of human rights defenders, prisoners of conscience, and political activists have been released, much larger numbers have been referred to extraordinary courts (notably the Emergency Supreme State Security Court), which issued harsh rulings against them. These rulings are final and irrevocable and may not be appealed. AFTE documented at least 6 cases involving 67 people in this regard.

In fact, the cases that are being referred to courts and the charges the defendants face in these cases are quite similar to those in which others have been released. This means that the governing criterion is the position of the political and security authorities towards the individuals who are released or referred to trial. The authorities, moreover, continued to arrest journalists in connection with their journalistic work, and political activists and individuals for expressing their opinions on social media.

At a time when human rights defenders wait for the foreign funding case to be dropped, they continue to face the risk of being abused because they got accused in other cases with the same charges. Some of these cases are still being examined by the judiciary, while others are under investigation by the Public Prosecution.

The executive regulations of the Civil Work Regulation Law were issued after great pressure on the Egyptian authorities following the arrest of Gasser Abdel Razek, the former executive director of the Egyptian Initiative for Personal Rights (EIPR), and two other staff members. The three were charged with practicing civil work activities without obtaining a license from the competent administrative authority (the Ministry of Social Solidarity), although the executive regulations were not issued at the time.
AFTE is not trying to belittle the efforts the government exerted to improve the human rights situation, specifically over the past six months, but it seems that it is quite important to display the other side of the human rights situation in Egypt in order to push for more reforms and steps in this regard. AFTE hopes to see a tangible development in the human rights situation. It also hopes that the aforementioned government efforts are not just formal procedures and intermittent steps aimed at alleviating international pressure on the local authorities.
First section: National human rights strategy amid continuing violation of freedom of expression

• The first Egyptian strategy for human rights

In mid-September 2021, the Permanent Supreme Committee for Human Rights (PSCHR) launched the first national strategy for human rights in Egypt. This came during a conference attended by and held under the auspices of President Abdel Fattah al-Sisi, who announced that 2022 would be the “Year of Civil Society”.

Established in early 2020 under the chairmanship of Foreign Minister Sameh Shoukry, the PSCHR started to prepare the strategy. The process took a year and a half, according to Ambassador Ahmed Ihab Gamal El-Din, Egypt’s permanent representative in Geneva and the PSCHR’s founding secretary-general. The time frame of the strategy extends for five years, i.e. until 2026.

PSCHR officials say the strategy aims to meet the constitutional obligations as well as Egypt's regional and international commitments with regard to human rights. They argue that it, along with the sustainable development strategy, constitutes the components of Egypt's Vision 2030 known as the New Republic. The strategy adopts four axes, namely civil and political rights; economic, social, and cultural rights; the rights of women, children, disabled people, the elderly and youth; and education and capacity building in the field of human rights.

Those in charge of the strategy say they seek to achieve tangible progress in the four axes in a balanced and integrated manner by introducing legislative and institutional amendments to ensure the support, protection and promotion of these rights.

This report does not aim to analyze the content of the national human rights strategy, but it reviews the strategy development process, the context in which it was launched, and the roles of actors. The strategy was launched at the end of the third quarter of this year in preparation for a new year that seems to carry a lot about the present and future of the human rights situation in Egypt, specifically after President Sisi called it the “Year of Civil Society”.

The increasing international pressure in general, and the US in particular, since the announcement of Biden's victory in November 2020, has played an undeniable role in pushing the Egyptian government to pay attention to the human rights situation. The government has accordingly taken some steps in this regard. These included the release of a number of human rights defenders, activists and journalists, dropping the investigation with a number of institutions involved in the foreign funding case, in addition to launching the human rights strategy.

However, these steps did not reflect a real political will and desire to change the reality of human rights in Egypt. Perhaps the way the strategy was launched and the launch conference was held showed how far the Egyptian authorities are serious in turning the page on the human rights situation in the country.

Foreign Minister Sameh Shoukry said during the launch conference that the PSCHR held many hearings over a year and a half to collect information about the needs necessary to support, promote and protect human rights. These hearings were attended by representatives from the National Council for Human Rights, the Parliament's Human Rights Committee, civil work institutions, labor and professional unions, and other government bodies and agencies.

However, AFTE sees that there is no serious dialogue about the strategy in the public media sphere. There were no official statements or any information about the committee's meetings, the results of these meetings, or the positions and views of the various parties.
The authorities did not invite any of the independent human rights organizations, most notably the five organizations that raised seven demands in May 2021 to improve the human rights situation in Egypt. These organizations are: EIPR, AFTE, the Arab Network for Human Rights Information (ANHRI), the Egyptian Commission for Rights and Freedoms (ECRF), and El-Nadeem Center.

The role of the National Council for Human Rights and the parliament’s Human Rights Committee was limited to participating in the hearings organized by the PSCHR.

This unilateral stance adopted by the authorities with regard to the human rights file leads to the production of a pro forma governmental document aimed to face the international pressure, rather than an integrated, participatory and applicable national strategy with a direct contribution from the actors themselves.

The process of approving the strategy is very similar to its precedents, including the issuance of the Civil Work Regulation Law and its executive regulations, which took more than a year to be issued without real participation by those concerned in the first place.

The strategy did not clarify the role of the PSCHR or the powers granted to it to achieve its goals. The foreign minister said the process of forming the PSCHR's technical secretariat and setting the rules of its work was still in progress. It seems, at the time of writing, that there is no clear vision or specific mechanisms for the PSCHR's work and it is unclear how it will achieve the objectives of the strategy.

For example, the strategy includes proposals and commitments related to a number of legislative and institutional amendments to guarantee the rights of citizens. These include passing a law to promote and protect the citizens’ right to access and circulate information, introducing an amendment regarding the enforcement of the constitutional provision on the protection of identity, specifically that of witnesses, defendants, and whistleblowers, in addition to issuing a law to protect the right to knowledge. However, PSCHR officials did not explain the reason for the delay in issuing these pieces of legislation over the past six years, despite all of them being necessary constitutional entitlements.

The PSCHR did not clarify how it will make these pieces of legislation a reality. For example, the Supreme Council for Media Regulation (SCMR) finalized a draft law on the protection of the right to access and circulate information, which has been available on the SCMR's website since 2017. Nevertheless, all attempts by the SCMR as well as the pressure exerted by the journalists and media syndicates have not succeeded to put the draft law on top of the parliament's agenda for years. This indicates the absence of political will to take steps that would promote human rights.
Between the hammer of pretrial detention and the anvil of extraordinary trials...
Referral of freedom of expression defendants to trial has been an escalating violation throughout the last two quarters

As the national human rights strategy was launched, the State Security Prosecution began to refer a large number of journalists, human rights defenders and activists to the Emergency State Security Court. AFTE documented at least six cases involving 67 defendants who were referred to the Emergency State Security Court. Most of those defendants spent long time in pretrial detention over repeated accusations based on the National Security Agency's investigation reports. Hasty and harsh rulings were issued in at least two of these cases. The rulings of the Supreme State Security Courts are final and irrevocable and may not be appealed. The only option available is to submit a petition to the President of the Republic in his capacity as the military ruler, as the law gives him the power not to ratify the rulings, order a retrial, or issue a pardon.

AFTE affirms that the aforementioned number of cases and defendants does not represent in any way an accurate statistic of the cases referred to courts during the past six months. It warns against an escalating behavior aimed at abusing those expressing their opinions and human rights defenders who the security authorities don't like. As we mentioned earlier, there is no difference between these cases and others in which defendants were released during the same past six months.

The cases referred to courts and documented by AFTE during the past two quarters, particularly the third quarter of 2021, were related to an important context that cannot be overlooked. This context is represented in the international pressure placed on the Egyptian authorities regarding the abuse of the power of pretrial detention, especially against freedom of expression defendants, human rights defenders and political activists. The authorities used pretrial detention as a tool of repression, punishment and settling scores, and not as a precautionary measure aimed at protecting investigations.

AFTE warns that the judicial authorities' approach in referring these cases to courts is a sort of ending the prolonged pretrial detention cases that usually trigger international condemnation. Referring these cases to courts will not put an end to the abuse of defendants. This can only be understood as an attempt to circumvent the local and international calls for making legislative amendments to reduce the maximum period of pretrial detention, as well as to end the prolonged pretrial detention cases, either by releasing the defendants or by referring them to trial.

When referred to extraordinary courts, defendants lose their basic right to a fair trial, notably their right to appeal against the rulings issued against them.
During a symposium held on the sidelines of the conference to launch the national human rights strategy, pro-government journalist Ibrahim Issa called for a legislative amendment to prevent the use of pretrial detention as a punishment and to consider cases of prolonged pretrial detention. However, the strategy did not adopt the same position and did not include amending the maximum limit for pretrial detention in its proposals for the next five years.

- **Security services continue to violate the citizens’ right to peaceful assembly**

Violation of the citizens’ right to peaceful assembly has continued, as the Giza Court of First Instance on 26 September ordered the release of six defendants from Nazlet al-Samman on a bail of 5000 pounds each, pending investigation into Case No. 14259 of 2021, their lawyer Mohie Khattab told Mada Masr website.³

The six defendants were arrested for taking part in a protest to know the fate of their houses that were demolished as part of a government plan to develop the area near the Giza pyramids.

Khattab said the six had assured the prosecution that they were only “inquiring about the fate of their houses in the area after development”. He denied that they held the protest for the purpose of objecting to something, after the Haram prosecution accused them of demonstrating without a permit, gathering, and bullying.

Egypt restricts the citizens’ right to peaceful assembly, through Law No. 107 of 2013, known as the “Protest Law”, which was approved by former President Adly Mansour in November 2013. Parties and human rights organizations rejected the law at the time on the ground that it completely restricted the citizens’ right to peaceful assembly. Since then, the Egyptian authorities – in accordance with the law – have used force to break up demonstrations or gatherings. The law allows the authorities to prosecute those who call for and participate in demonstrations. It aims to legalize the violation of the right to peaceful assembly rather than to regulate it. Security services had earlier rejected requests from political parties to stage demonstrations in accordance with the law.

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Second section: Continued violations against journalists and independent news websites

AFTE observed a continued decline in violations against journalists during the third quarter of 2021. It documented five incidents involving seven violations, all of which indicate that the Egyptian authorities continue to target journalists. This comes despite the lack of media narratives that oppose the official one. The rates of media freedom in Egypt have been on the wane over the past seven years.

Security campaigns and repressive measures have succeeded in restricting the work of journalists and independent news websites. Some of these websites have been blocked and their journalists have been subjected to restrictions for a long time, by being held in pretrial detention as a punishment for them.
• *Continued imprisonment of journalists*

Arrests came at the top of the violations that journalists were subjected to during the third quarter, as 5 journalists were arrested:

1. **Former editor-in-chief of Al-Ahram newspaper Abdel Nasser Salama arrested**

   A police force arrested former editor-in-chief of Al-Ahram newspaper Abdel Nasser Salama on 18 July 2021. The next day, he was brought to the State Security Prosecution which remanded him in custody for 15 days pending investigation, on charges of spreading false news, joining a group established in contravention of the law, and financing terrorism. This came days after Salama published an article on Facebook criticizing President Abdel Fattah al-Sisi over the Ethiopian Renaissance Dam crisis. In his article, Salama blamed Sisi for failing to handle the crisis and demanded that Sisi step down and be tried.

2. **Al-Jazeera Mubasher Egypt journalist Rabie al-Sheikh**

   Despite the recent rapprochement between Egypt and Qatar, and the live appearance of Al-Jazeera correspondents from Cairo for the first time in years, security services in Egypt continued to target journalists of the Qatari-funded TV network. Most recently, the Cairo International Airport authorities arrested Al-Jazeera journalist Rabie al-Sheikh upon his return from Doha for a short visit to see his family, according to the channel's website. The next day, Al-Sheikh was brought before the State Security Prosecution, which remanded him in custody for 15 days pending investigation, on charges of spreading false news and joining a terrorist group.

3. **Three journalists arrested in front of the Medical Syndicate**

   A force from the Qasr al-Nil Police Station arrested 3 journalists, who refused to be identified, while covering what they believed to be a conference to present a project at the Medical Syndicate on Qasr al-Aini Street. While they were filming with a doctor, they were surprised that a number of people gathered around him, carrying banners in support of him. Minutes later, a police force arrived and arrested all those who were present and accused them of demonstrating. Two days after their arrest, the three journalists were released after submitting a report to the Public Prosecution proving that they went to the syndicate for the purpose of press coverage.

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• Preventing an Italian journalist from coming to Egypt to prepare a report on imprisoned researcher Patrick George

In a different context, Italian journalist Gaston Zama told Mada Masr7 that the Egyptian authorities refused to allow him to come to Egypt to prepare a video report on imprisoned researcher Patrick George Zaki.

Zama, also a documentary filmmaker, said that he had contacted the Italian embassy in Cairo last January with the aim of coming to Cairo to follow up on Zaki’s case, about which he had prepared a report in Italy earlier. The Italian embassy asked him to apply for an entry permit. In April, Zama added, the production company sent an official letter on his behalf to allow him to travel to Egypt to film the report at the earliest opportunity. The embassy, in turn, sent the letter to the press center in the same month.

Zama did not get a response until the first week of August, when the embassy told him that the press center had rejected his request, and that he could not come to Egypt because Zaki had not yet been tried. The embassy also told him that he perhaps could submit a new request after a verdict is issued in Zaki’s case.

• Blocking the “180 investigations” website

On 3 July, the staff of the “180 investigations” website were surprised that the Egyptian authorities had permanently blocked the website inside Egypt without any official notification, or even knowing the reasons for the move. However, some staff members contacted the Journalists Syndicate to report the blocking of their website and to know the reasons behind the decision8. According to the website’s founder, Ali Abu Hamila, officials at the Journalists Syndicate told them that the website was blocked because it was allegedly funded by the Muslim Brotherhood, which is designated a terrorist group in Egypt. Moreover, Abu Hamila was charged of being a member of the international organization of the Muslim Brotherhood and running the website from Turkey.

Abu Hamila quoted the syndicate officials as describing the move as normal because the website was working against the country. The website released an alternative link later, in a bid to avoid the blocking, and the new link has not been blocked at the time of writing.

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8. Testimony from the website’s founder
The Egyptian authorities launched a campaign in May 2017 aimed at blocking all independent news websites concerned with Egyptian affairs, whether based inside or outside Egypt, as long as they oppose the policies of the Egyptian government. Some 126 news websites have been blocked over the past years.
Third section: Academic freedom

The Egyptian authorities continue to target Egyptian academics and researchers, especially those studying abroad who are usually caught upon their return to Egypt. In this regard, AFTE documented 3 cases of violations, namely the arrest of the head of the Radio and Television Department at Cairo University’s Faculty of Mass Communication Ayman Mansour Nada, the arrest of Egyptian academic Alia Mosallam, and the referral of the master’s researcher at the University of Bologna, Patrick George Zaki, to the State Security Court after he was held in pretrial detention for more than 19 months pending investigation.

These violations are in line with the approach of the Egyptian authorities in placing restrictions on academic freedom and targeting researchers. Mosallam was arrested a few days after Egyptian Minister of Immigration Nabila Makram described Egyptian students abroad as “the most dangerous group of emigrants”, noting that they are often exposed to anti-Egyptian ideas.
• **Continued targeting and abuse of Egyptian researchers living abroad after their return**

On 11 July 2021, the Cairo International Airport authorities arrested academic and researcher Alia Mosallam\(^9\) upon her return from Berlin, where she was completing her postdoctoral research at the Alexander von Humboldt Foundation. She was accompanied by her husband and children.

Mosallam was detained at the airport for about 17 hours, during which her phone was confiscated and she was prevented from communicating with her husband and interrogated by National Security officers. She was later allowed to communicate with her husband to inform him that she would be moved the State Security Prosecution office in Cairo’s Fifth Settlement.

The State Security Prosecution released Mosallam on a bail of 10,000 pounds, 24 hours after she was arrested. Mosallam is a visiting scholar working for the Sound Archives at Humboldt University. Her research has been published in leading publications in the fields of history, anthropology and culture. She has taught at the American University in Cairo, the Free University in Berlin, and the Cairo Institute of Liberal Arts and Sciences. She holds a PhD in political science from the London School of Economics and Political Science.

In the same context, the Supreme State Security Prosecution referred the master’s researcher at the University of Bologna, Patrick George Zaki, to the Emergency State Security Court, after he spent 19 months in pretrial detention in connection with Case No. 1766 of 2020\(^10\). The prosecution said its decision was based on an article that Zaki published on Daraj news website in July 2019 under the title “Displacement, Killing, and Restriction: The outcome of a week in the diaries of Egypt’s Copts”. In his article, Zaki talked about a week in his life as an Egyptian Christian receiving news about the situation of Egyptian Christians as a private and public matter at the same time.

The Supreme State Security Court is an exceptional court whose rulings are final and not subject to appeal. Defendants are usually referred to that court under the state of emergency, which has been continuously renewed by the President of the Republic, in a clear circumvention of the constitution. The only option left for convicts is for the President of the Republic not to ratify the rulings issued against them.

Zaki was arrested at Cairo Airport on 7 February 2020 upon his arrival from Italy to spend his vacation in Egypt. He was taken to a National Security office in Cairo where he was tortured

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and illegally interrogated for 24 hours. He was then taken to the city of Mansoura, where he appeared before the prosecution on 8 February. He was remanded in custody for 15 days pending investigation into Case No. 7245 of 2019.

Zaki’s lawyers reviewed a police report dated 8 February 2020, claiming that he had been arrested in an ambush in the city of Mansoura based on a warrant issued in 2019. The Public Prosecution issued a statement saying that National Security investigations had found that, during the month of September, Zaki had used his Facebook account to spread false news and statements for the purpose of promoting rumors and incitement against state institutions.

The Public Prosecution issued an arrest warrant against Zaki and ordered that his house be searched, but he was not there. The investigation body submitted to the Public Prosecution ten papers printed from Zaki’s Facebook account. These papers contained what the prosecution described as inciting against state institutions and symbols. On 7 March, a month after his arrest, the State Security Prosecution began questioning Zaki in Case No. 1766 of 2020. He faced charges of spreading false news, inciting demonstration without a permit, and promoting the commission of a terrorist crime.

• Academic Ayman Mansour Nada continued to be targeted for expressing his opinion

On 28 September, the New Cairo Court ordered the detention of Cairo University professor Dr. Ayman Mansour Nada for 15 days pending investigation on charges of insulting a number of people and promoting the prevention of a state institution from carrying out its work. The prosecution had earlier decided to remand Nada in custody for 4 days pending investigation.

Nada had published an article on Facebook in which he criticized the current president of Cairo University, Dr. Mohamed Othman El-Khosht, and accused him of using the names of officials, including the President of the Republic, to pass illegal decisions.

Nada was first targeted on 28 March when he posted on his Facebook page a photocopy of a Public Prosecution letter summoning him for an interrogation session the next day in connection with Case No. 8 of 2021. He did not reveal the reason for the summons, but it was most likely based on a report the Supreme Council for Media Regulation (SCMR) said it would submit to

the Public Prosecutor against Nada, against the backdrop of articles he published on Facebook that criticized the performance of some media professionals and the current state of the media in Egypt. The SCMR considered the articles as an insult and slander against the entire Egyptian media and some colleagues.

The crisis began after Nada published a number of articles on Facebook, in which he criticized the “unprofessional” level that the Egyptian media outlets and key media figures had reached. He criticized many of those figures, including Ahmed Moussa of Sada Al-Balad TV channel. Nada said Moussa was granted much airtime although he lacked all specifications that a TV anchor should ideally meet.

In another context, the Cairo University’s Faculty of Mass Communication said that Nada had been dismissed on 29 March 2021 for assaulting the former secretary of the faculty, according to a statement the university posted on Facebook.

The statement said the decision on Nada’s dismissal had been taken to maintain the progress of the investigations conducted by the Faculty of Law. It noted that Nada had committed many violations that contradicted the values and traditions of university work during a meeting held by the faculty’s postgraduate studies committee. The Faculty of Mass Communication denied any link between the dismissal decision and the official media and legal targeting of the academic.

13. The head of the Radio and Television Department suspended from work for assaulting the faculty’s former secretary and breaching university traditions and customs, the official Facebook page of Cairo University’s Faculty of Mass Communication, 29 March 2021, last visited on 14 April 2021, https://bit.ly/2Q2vw4x
Fourth section: Freedom of creativity

AFTE documented 10 incidents involving 14 violations against creative people during the third quarter of this year. Most of these violations were committed by artistic unions, led by the Syndicate of Musical Professions, which issued several decisions against 11 popular Mahraganat singers. This indicated the syndicate’s endeavour to impose its guardianship and control over artists, especially the Mahraganat singers. Mahraganat, which in Arabic means festival, is a popular genre of street music that emerged in Egypt in 2008.

Meanwhile, poet Galal al-Beheiri was recycled into a new case after he served a jail term for writing poems criticizing the Egyptian army.
The Syndicate of Musical Professions imposes guardianship on creativity under vague claims

The Syndicate of Musical Professions came on top of the bodies that violated freedom of creativity. AFTE documented several decisions the syndicate issued against 11 singers, mostly Mahraganat singers, for different reasons, some of which had nothing to do with the content of songs. Many of these incidents took place on social media. The syndicate's decisions mainly included the suspension of singers Hassan Shakoush and Reda al-Bahrawi and referring them to investigation after the escalation of a dispute between both over the priority of singing at a concert in the northern coast. The dispute escalated on social media, but strangely enough the syndicate intervened without any party asking it to do. The syndicate issued a statement in which it decided to refer the two singers to investigation and suspended them until the investigation is over.

The syndicate said the two singers quarrelled with each other and exchanged bullying words in front of the audience, which the syndicate considered as devaluing Egyptian art, which for decades has been a guide to values and morals and has never been supportive of wasting morals and virtue.

The syndicate called on artists and singers to adhere to morals, stressing that it will continue assuming its role in preserving the well-established values of society.

On 1 September, the syndicate announced the suspension of Shakoush indefinitely, according to the syndicate's legal advisor. It also decided to suspend Bahrawi for two months and ordered him to pay all the salaries of his band during the suspension period.14

In the same context, and in confirmation of the syndicate's endeavour to impose its guardianship on artists, the syndicate decided to ban singers from singing on playback music15 in any concert as of 16 September 2021, provided that a singer should be accompanied by a band of at least eight musicians. The decision applies to all disco clubs, public concerts, and wedding halls, according to the syndicate.

In the event of violating these decisions, the syndicate will deal with the facility and will withdraw the singer's license.

15. Hany Saber, Three decisions by the Syndicate of Musical Professions after questioning Shakoush and Bahrawi, one of which targeting all singers, Masrawy, 5 September 2021, last visited on 17 October 2021, https://bit.ly/3vo4sx0
On 16 September, the syndicate issued a statement announcing that singer Ahmed Saad had been fined 20,000 pounds for performing a playback concert in the northern coast, accompanied by only four musicians. It noted that the concert was filmed and sent to the syndicate's head, Hany Shaker, who in turn stressed to the syndicate's board that there should be no lenience or exception in violating any of the syndicate's decisions. The statement said that if a singer repeats the violation, he will be referred to a disciplinary board.

Shaker said the decisions would be applied without discrimination to whoever breaches the syndicate's rules. He added that the syndicate is firmly determined to go ahead with reforming the music and singing system and improving its services.

In the same context, the syndicate issued a decision banning dealing with Mahraganat singers Risha, Costa and Mahmoud Metemed, as they are not members of the syndicate, did not obtain permission to sing, and violated the syndicate's decision to ban singing on playback music. The syndicate also banned Mahraganat singers Afroto and Marwan Moussa, as they are not members of the syndicate and did not have permission to sing.

- **Security services continue to crack down on creative people**

In another context, security services continued to crack down on creative people over their works that criticize the government policies. On 31 July 2021, Egyptian poet Galal al-Beheiri ended his jail term in Case No. 4 of 2018, in which he was charged with spreading false news and rumors about the Egyptian army and insulting it. This came after Beheiri published a book entitled “The Best Women on Earth” that contained phrases deemed offensive to the Egyptian army.

The Ministry of Interior did not allow his release, as it kept him in detention from 5 to 16 August 2021. Then, he was moved to the National Security headquarters in Benha, and later appeared before the Supreme State Security Prosecution in the Fifth Settlement on 5 September 2021, as a defendant in Case No. 2000 of 2021.

In the new case, the Supreme State Security Prosecution charged Beheiri with joining a terrorist group with knowledge of its purposes, and spreading false news that would harm public security. He was remanded in custody for 15 days pending investigation.

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18. Testimony from his lawyer
Beheiri was arrested at Cairo Airport in March 2018 while he was traveling abroad. He was brought before the State Security Prosecution as a defendant in Case No. 480 of 2018, known in local media as the “Balaha Song”. The prosecution charged him with “joining a terrorist group, spreading false news, and insulting the President of the Republic”. He was remanded in custody for 15 days pending investigation, then released under precautionary measures on 17 April 2019. On 24 February 2020, the prosecution ended the precautionary measures imposed on him.

A day after his arrest, the Military Prosecution questioned Beheiri over his book “The Best Women on Earth”, in which he wrote poems including “Balaha Song”. The Military Prosecution decided to imprison him in connection with Case No. 4 of 2018.

On 31 July, a military court sentenced Beheiri to 3 years in prison with hard labor and ordered him to pay a fine of 10,000 pounds, in Case No. 4 of 2018. Later, the court of appeal revoked the fine and upheld the prison sentence.
Fifth section: Digital rights

The Egyptian authorities continue their attempts to control the content posted on the internet as part of their ongoing efforts to prevent the publication of any criticism of government policies. They arrest individuals for publishing information that contradicts the official narrative, or publishing criticism of the government. The security services, with the complicity and instigation of the Public Prosecution, continue to crack down on social media users, especially “TikTok” influencers, for what the Public Prosecution calls infringing on the societal values and principles.

AFTE documented 7 incidents involving 13 violations against internet users. These included arrests for political or “moral” reasons, blocking the “180 investigations” website, and referring 3 activists to trial over previous online posts. Those activists were summoned for interrogation after they spent two years in pretrial detention.

These repressive practices aim to establish self-censorship among online users to curb the volume of anti-government content published online. In other words, they aim to impose moral guardianship on the online content.

- **Continued targeting of entertainment content creators on various platforms under the pretext of protecting morals**

AFTE documented 3 incidents involving 5 violations against two social media users and an assistant of one of them.

On 26 July 2021, an Alexandria police force arrested TikTok influencer Yasmine Abdel Razek El-Fouly, known in local media as the “Hohos girl”\(^\text{19}\), and her videographer, Osama, on charges of posting videos violating the public morals and values. Several lawsuits were filed against Abdel Razek. One of these was filed by lawyer Ashraf Farahat, who launched a campaign called “purification of society”. His lawsuit, No. 85101, was submitted to the Public Prosecutor's technical office.

On 18 September, the Economic Court in Alexandria sentenced El-Fouly and her assistant Osama to three years in prison and ordered each to pay a fine of 200,000 pounds, on charges of spreading immorality and debauchery by broadcasting videos on TikTok.

\(^{19}\) Mohamed Amer, From trending to prison.. A timeline of the "Hohos girl” case in Alexandria, Masrawy, 18 September 2021, last visited on 17 October 2021, [https://bit.ly/3DRZ5c7](https://bit.ly/3DRZ5c7)
In the same context, a police force arrested content creator Moka Hegazy while she was in Hosary Square in the Sixth of October City, over “immoral videos” she posted online, according to police report No. 5679 of 2021.

The Public Prosecution charged Hegazy with promoting immorality and debauchery and infringing on public morals by publishing immoral videos on social media.

The Public Prosecution also ordered the arrest of a person named Moaz on charge of helping Hegazy to film and publish her videos. Lawyer Ashraf Farahat filed lawsuit No. 82671 against Hegazy, accusing her of “spreading immorality and debauchery”.

The campaign against content creators dates back to the beginning of the outbreak of the Covid-19 pandemic in Egypt, as subsequent lockdowns – where citizens had to stay at home – resulted in an increase in the use of social media platforms, especially TikTok. The Egyptian authorities, represented in the Public Prosecution and the General Administration for Morality Investigations, took advantage of the pandemic to impose more red lines on the citizens’ online content. They targeted a number of online users under allegations of spreading immorality and debauchery, and infringing on public morals and values.

These incidents reflect what can be called an attempt by the Public Prosecution and the Interior Ministry to impose their guardianship over the content provided by citizens on the internet, by imposing a set of prohibitions under vague and unspecified allegations, such as preserving family values and principles.

The prosecution did not only arrest some social media users, but also called for the expansion of legislation related to cyberspace. It further called on young social media users to play an active role in helping the Egyptian authorities guard what it called the “new cyber borders”. It affirmed that these new borders cannot be protected without comprehensive awareness and integrated interaction from all segments of society in order to curb the harms and evils coming through those borders, and also to put an end to attempts of hiding behind pseudonyms and spreading false news.

In its campaign against content creators, the Public Prosecution relied on a set of laws enacted by the authorities with the aim of imposing restrictions on internet users and monitoring their content. These laws mainly included Law No. 175 of 2018 on combating information technology crimes, which stipulates prison sentences and fines over moral crimes that are difficult to know their elements or verify their authenticity. These crimes include the so-called infringement on

family values and principles. Moreover, Law No. 180 of 2018 regulating the press and media gave powers to the judicial and police authorities as well as the Supreme Council for Media Regulation to block websites and social media accounts for “national security” reasons or in cases of spreading false news, or contempt of heavenly religions or religious beliefs.

Since the beginning of the campaign, AFTE has documented 19 cases in which content creators were targeted for infringing on family values and principles.

- **Targeting individuals for expressing their opinions on social media**

The security services continue to track the publications that individuals publish on the internet, especially those that carry criticism of government policies. AFTE documented the arrest of 4 citizens during the current quarter for publishing opinions on social media. On 9 September, two members of the same family, Nagy Fawzy Ali Moawad and his nephew Taha Hamdy, were arrested. Hamdy was arrested first, before his uncle handed himself in to the National Security police in Minya. On 21 September, the two appeared before the State Security Prosecution, which remanded them in custody for 15 days pending investigation into Case No. 910 of 2021.

The State Security Prosecution charged the two with joining a terrorist group, spreading false news, and misusing social media.

The two were arrested for posting a video that satirically addressed the bad living conditions and the high prices in Egypt. They justified that by the hard conditions they were going through and their desire to break the depression they suffered. They denied any link to terrorist groups or political parties, and said they did not have mobile phones or social media accounts.

In the same context, Fawzy Belal was arrested from his workplace in the Raml Station district in Alexandria on 31 July, after he posted a video on Facebook calling on officials to return his son to work at the Ministry of Interior’s Traffic Department. After his arrest, Belal was taken to the National Security office for interrogation, and then to the Al-Raml police station where he was detained. On 3 August 2021, Belal appeared before the Supreme State Security Prosecution, which decided to remand him in custody for 15 days pending investigation into Case No. 910 of 2021 on charges of joining a terrorist group. Belal is an old man suffering from severe abdominal hernia and other chronic diseases that require medical care.
Conclusion and recommendations

Despite the steps the government has taken in the human rights file and the launch of the first Egyptian human rights strategy under the auspices of President Abdel Fattah al-Sisi, these steps did not reflect on the real practices of the various agencies that continued to violate the citizens’ right to express their opinions in different ways. This empties the government’s actions of their content and make them mere moves aimed at absorbing the mounting international anger over the continued massive human rights violations in Egypt.

Therefore, AFTE calls on the judicial authorities in Egypt to take serious and public steps to end cases of prolonged pretrial detention, especially of activists, human rights defenders, journalists and those who express their opinions. It also calls for setting a clear timeframe for the steps taken in this regard.

AFTE also calls on the President of the Republic, in his capacity as the military ruler and in accordance with the law, not to ratify the rulings issued by the Emergency Supreme State Security Court.

AFTE warns against the continued targeting by artistic unions of those working in musical, cinematic and acting professions under claims of preserving morality, or claims related to what they call the reform and regulation of the music and singing system.

AFTE calls on the investigating judge in the foreign funding case (No. 173 of 2011) to complete the steps that would drop the case permanently. It also reiterates the call for dropping all other cases that involve the same institutions and their employees.

Finally, AFTE calls on the Public Prosecution and the security services to stop prosecuting female content creators on social media under the pretext of protecting morals and family values.