

AFTE's Weekly Legal Bulletin

(8 - 15 May 2022)



The detention of seven defendants renewed, another released; activist Gamal Abdel-Hakim transferred to Zagazig police station in preparation for his release

Criminal Courts

On 7 May, the Criminal Court (Third Circuit Criminal Terrorism) decided to release Ayman Mohamed Elsayed after he spent almost six months in pretrial detention in connection with Case No. 2207 of 2021 (Supreme State Security).

Elsayed faced charges of joining a terrorist group, spreading false news, and using a social media account to commit a crime.

On 8 May, the Criminal Court renewed the detention of lawyer Amr Nohan for 45 days in connection with Case No. 741 of 2019 (Supreme State Security Prosecution), in which he is charged with joining a terrorist group and spreading false news.

In a few days, Nohan will complete his third year in pretrial detention in connection with the same case. He was arrested at Karmuz Police Station on 10 June 2019 while doing his job as a lawyer. His detention has been continuously renewed despite the maximum period of pretrial detention is two years as per the Code of Criminal Procedures.

The court also renewed the detention of lawyer Mohamed Elsayed Abdel-Fattah - who suffers from leukemia - for 45 days in connection with Case No. 627 of 2021 (Supreme State Security Prosecution).

Abdel-Fattah was arrested from his house in Alexandria on 2 March 2021. He appeared before the Supreme State Security Prosecution on 14 March of the same year, facing charges of joining a terrorist group.

The Criminal Court (Third Circuit Criminal Terrorism) renewed the detention of Ayman Abdel-Moaty for 45 days in connection with Case No. 880 of 2020 (Supreme State Security). Abdel-Moaty is charged with joining a terrorist group, participating in protests, spreading false news, and using a social media account for that purpose.

On 9 May, the Criminal Court (Second Circuit Terrorism) renewed the detention of Mostafa Gamal for 45 days in connection with Case No. 65 of 2021 (Supreme State Security).

Gamal was arrested on 1 March 2018. After his arrest, he was involved in three different cases on charges of joining a terrorist group with knowledge of its goals, creating an account on social media to spread false news for a terrorist purpose, and publishing false news and statements that would disturb public security and order.

The Criminal Court (Third Circuit Terrorism) renewed the detention of photojournalist Hamdy Mokhtar for 45 days in connection with Case No. 955 of 2020 (Supreme State Security Prosecution). He faces charges of joining a terrorist group with knowledge of its objectives, spreading false news, and using an account on social media with the aim of spreading false news.

Supreme State Security Prosecution

On 10 May, the Supreme State Security Prosecution renewed the detention of Mahmoud Hanafy Mohamed for 15 days in connection with Case No. 93 of 2022 (Supreme State Security Prosecution).

The defendant was arrested from his house in Qena governorate, and was brought before the Supreme State Security Prosecution for the first time on 22 February. He faces charges of spreading false news, joining a terrorist group, and using an account on social media to commit a crime.

On 9 May, the Supreme State Security Prosecution renewed the detention of TV presenter Hala Fahmy for 15 days in connection with Case No. 441 of 2022 (Supreme State Security).

On 11 May, the prosecution resumed investigation with Fahmy. It faced her with a video included in the pieces of evidence raised against her. The video was shared by Fahmy on Facebook before her arrest. The prosecution then decided to resume the investigation later on.

Fahmy faces charges of joining a terrorist group, incitement to commit a terrorist crime, and spreading false news domestically and abroad.

Universities' Disciplinary Councils

On 10 May, the Disciplinary Board of the Teaching Staff at the Higher Technological Institute in the 10th of Ramadan City set 31 May as a date to look into Case No. 18 of 2021 filed against Dr. Manar Al-Tantawy. The board allowed Al-Tantawy's defense to review the CD that contains the pieces of evidence of the accusations leveled against her.

Al-Tantawy faces charges of insulting the Higher Technological Institute in the 10th of Ramadan City and its dean via social media and some anti-government satellite channels. This came after she rejected the dean's decision not to allow her to reassume her official position to chair the Mechanical Engineering Department because she is the wife of former prisoner of conscience and journalist Hisham Gaafar.

Court of Appeal

On 27 April, the Court of Appeal (Circuit 15 Misdemeanor) ruled that it had no jurisdiction to examine appeal No. 14705 of 12 filed by the Association for Freedom of Thought and Expression and Ahmed Ragheb for Law and Legal Consultations on behalf of content creators Sherry Hanem and her daughter Zomoroda. The court also decided to refer the appeal to the Criminal Court for examination.

On 13 June 2021, the Cairo Economic Court sentenced Sherifa Refaat Abdel Moteleb, known as "Sherry Hanem", and her daughter Nora Hesham Ahmed, known as "Zomoroda", to five years in prison and ordered each to pay a fine of 100,000 EGP, in connection with Case No. 730 of 2020 (Misdemeanor Appeal), registered under No. 535 of 2020 (Economic Misdemeanor).

Prison Administration

On 14 May, the Wadi el-Natrun prison administration transferred activist Gamal Abdel-Hakim from Wadi el-Natrun Prison to the Zagazig police station, to which his place of residence is affiliated, in order to finalize procedures for his release after serving his jail term.

In November 2017, the Zagazig Criminal Court sentenced Abdel-Hakim to five years in prison in connection with Case No. 1692 of 2017 (South Zagazig), in which Abdel-Hakim faced charges of promoting the ideas of terrorist groups verbally and in writing via social media and inciting against state institutions.