

AFTE's Weekly Legal Bulletin

(29 May - 5 June 2022)



Seven defendants, including Kholoud Saied and Sherif El-Rouby, released; the detention of four others, including Marwa Arafa and Tawfiq Ghanem, renewed

Supreme State Security Prosecution

On 29 May, the Supreme State Security Prosecution decided to release Kholoud Saied Amer under the guarantee of her residence in connection with Case No. 1017 of 2020 (Supreme State Security Prosecution). It also decided to release Hussein Khamis Mohamed Shebl under the guarantee of his residence in connection with Case No. 1898 of 2019 (Supreme State Security).

Both Amer and Shebl faced charges of joining a terrorist group and spreading false news.

On 30 May, the Supreme State Security Prosecution decided to release Sherif Ali Mohamed Ali, known as Sherif El-Rouby, in connection with Case No. 1111 of 2020 (Supreme State Security), Ayman Abdel Moaty Abdel Rasoul, in connection with Case No. 880 of 2020 (Supreme State Security), Sameh Ramadan Saudi, in connection with Case No. 855 of 2020 (Supreme State Security), and accountant Alaa Essam, in connection with Case No. 930 of 2019 (Supreme State Security).

The administrations of the prisons where the defendants were held finalized the release procedures on 2 June. The released defendants faced charges of joining a terrorist group and spreading false news.

Criminal Courts

29 May hearings:

The Criminal Court (Third Terrorism Circuit) renewed the detention of translator Marwa Arafa for 45 days in connection with Case No. 570 of 2020 (Supreme State Security).

Arafa was arrested from her house in Nasr City on 20 April 2020. Her pretrial detention period exceeded two years, which is the maximum period of pretrial detention according to the Code of Criminal Procedures.

She faces charges of joining a terrorist group with knowledge of its purposes and committing a finance crime for a terrorist purpose.

The Criminal Court decided to release Ahmed Abdel-Aal Fazaa under precautionary measures in connection with Case No. 915 of 2021 (Supreme State Security Prosecution).

Fazaa was arrested in August of 2021 on charges of joining a terrorist group and spreading false news.

30 May hearings:

The Criminal Court (Fifth Terrorism Circuit) renewed the detention of journalist Tawfiq Ghanem for 45 days in connection with Case No. 238 of 2021 (Supreme State Security Prosecution).

Security forces arrested Ghanem from his house in the 6th of October City, Giza governorate, on 21 May 2001. He faces charges of joining a terrorist group, spreading false news, and misusing social media to commit a crime.

The Criminal Court (Third Terrorism Circuit) renewed the detention of Ahmed Maher Ezzat, known as "Rigo," for 45 days in connection with Case No. 855 of 2020 (Supreme State Security). It is the second case in which Ezzat has been involved since his arrest.

Ezzat was arrested from his workplace in May 2020. He faces charges of joining a terrorist group with knowledge of its aims and using social media to commit the crime of spreading false news, the same charges he faced in the previous case.

The Criminal Court renewed the detention of Mohamed Mamdouh Abdel-Halim for 45 days in connection with his second Case No. 855 of 2020 (Supreme State Security).

Abdel-Halim was arrested in November 2019 on charges of joining a terrorist group, spreading false news, and misusing social media.

State Council Courts

On 29 May, the Administrative Judiciary Court (Sixth Circuit) adjourned to 26 June the examination of appeal No. 57029 of 74 filed by AFTE on behalf of student Omar Mohamed Ali against both the Minister of Education and the Dean of

Thebes Higher Institute for Engineering in their capacity over the decision to dismiss Ali from the institute. The examination was adjourned in order for the student to submit a certificate stating that he is imprisoned in connection with Case No. 174 of 2015 (West Cairo Military Felonies) and to notify the institute's representative to attend the hearings.

Ali, who was sentenced to life in prison in connection with Case. No. 174 of 2015 (West Cairo Military Felonies), submitted more than a request to the Thebes Institute's administration to allow him to resume his studies inside his prison cell. However, the institute dismissed him permanently for dropping out of his studies.

On 31 May, the State Commissioners Authority issued its legal opinion report regarding appeal No. 61520 of 75 filed by AFTE on behalf of Dr. Manar Al-Tantawy, stating that the appeal should be accepted in form, and to rescind the negative decision not to grant Al-Tantawy a professorship degree.

According to the Authority's report, the decision not to grant Al-Tantawy the degree is an abuse of power, and then it is worth rescinding. The Authority also asked the Higher Technological Institute in the 10th of Ramadan City to pay the administrative expenses.

The case began when Al-Tantawy submitted a request demanding her legal right to chair the Mechanical Engineering Department and get the consequent material and moral rights, given the fact that she was the most senior assistant professor at the department. Nevertheless, the dean of the institute rejected her request because she is the wife of former prisoner of conscience and journalist Hisham Gaafar. Al-Tantawy had previously assumed the post but abdicated it temporarily in October 2020 for health reasons.

Emergency State Security Courts

On 29 May, the Emergency State Security Court sentenced Mohamed Al-Qassas, the vice-president of the Strong Egypt Party, to 10 years in maximum security prison in connection with Case No. 1059 of 2021 (the 5th Settlement Emergency State Security Felonies), in which Al-Qassas is charged with joining a terrorist group with knowledge of its goals. The court also ordered that he comes under police observation for five years after the end of his jail term.

District Courts

On 31 May, the Juvenile Misdemeanour Court of Appeal upheld the two-year prison sentence issued against content creator Nancy Ayman Sobhy, known as “Moka Hegazy”, for the second charge in Case No. 5459 of 2020 (Juvenile Appeal), registered under No. 188 of 2022 (Juvenile Misdemeanour). The court also amended the verdict on the first charge to put Hegazy under judicial probation instead of a one-year prison sentence.

On 24 February, the Juvenile Misdemeanour Court in Giza sentenced Hegazy to one year in prison on the charge of practicing prostitution with men without discrimination in return for money, and two years in prison for offering herself in a public manner that contained temptation to practice debauchery.