The call for dialogue does not stop the oppression

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

(April - June 2022)
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Content

Methodology 4
Introduction 4
First section: The national dialogue, a breakthrough or a maneuver? 5
Second section: Media freedom 10
  – Arrest of journalists 11
  – Severe sentences for journalists 12
  – Tantawy’s interview with Al-Manassa website deleted from Facebook 13
  – Prevention from coverage is a regular, continued violation 14
Third section: Academic freedom and student rights 15
  – Continued targeting of students over their activism 16
Fourth section: Freedom of creativity 18
  – Security targeting of citizens against the backdrop of satirical works criticizing the living conditions 18
  – The Supreme Council for Media Regulation imposes guardianship on creative content 19
Fifth section: Digital rights 21
  – Security services: Imprisonment continues due to the “serious or satirical” digital content that troubles the authorities 21
  – Judicial authorities: Courts monitor morals and punish TikTok girls 24
  – The Supreme Council for Media Regulation: The weapon of blocking is still effective 25
Conclusion and recommendations 26
Methodology

This report reviews and analyzes the general policies of the Egyptian authorities and their various agencies towards the right to freedom of thought and expression in its various forms, specifically freedom of the press and media, freedom of creativity and artistic expression, freedom of digital expression, academic freedoms, and student rights.

The Association for Freedom of Thought and Expression (AFTE) monitors and documents violations in these domains. It also provides legal aid to the victims of these violations through its lawyers at the legal unit.

The report reviews and analyzes the violations documented during the period from 1 April to 30 June 2022, according to AFTE’s monitoring and documentation methodology.1

Introduction

The second quarter of 2022 has witnessed an unprecedented governmental activity since President Abdel Fattah El-Sisi assumed power in 2014. In late April, the president invited political forces for a national dialogue aimed at introducing political reforms and reaching consensus over the priorities of national action, as he described it. Despite the impact of the president's call, AFTE is concerned that the practices on the ground by various state agencies, especially the security ones, do not clearly reflect that the political leadership has a serious desire to hold a national dialogue and achieve political reform.

This report discusses in detail the implications of the call for national dialogue, especially on the state of freedom of expression in Egypt, specifically freedom of the press and media, freedom of creativity and artistic expression, digital rights, academic freedoms and student rights. It also takes a closer look at the methodology and working mechanisms of the presidential pardon committee, which President Sisi decided to reactivate during the Egyptian family's breakfast party (an annual presidential social party held in Ramadan and aimed to boost dialogue among various segments of society).

The report, moreover, reviews the state of freedom of expression in Egypt during the second quarter of 2022 in an attempt to understand how the call for political dialogue is serious, by tracking and monitoring changes in the behav-

1 Methodology of AFTE’s Monitoring and Documentation Unit, https://bit.ly/3vyVfFw
The call for dialogue does not stop the oppression

ior and practices of various state agencies towards the different forms of freedom of expression.

First section: The national dialogue, a breakthrough or a maneuver?

In a speech at the Egyptian family’s breakfast party held in late April, President Sisi called for a political dialogue with political forces without discrimination or exclusion, with the aim of reaching an agreement on the priorities of national action during the next stage.

The president said the call came as part of the government’s interest in the political reform process, which has been much delayed because the government was busy with more important issues, including fighting terrorism and restoring security stability, as well as the economic issue. The president also called on NGOs to submit their proposals regarding amendments to Law No. 149 of 2019 regulating the practice of civil work.

The president's speech had a number of direct results, the most important of which was the reactivation of the presidential pardon committee, which was formed for the first time in 2016 as one of the outcomes of the National Youth Conference. The president decided to increase the number of the committee's members to include lawyer Tariq Al-Awady, and former Minister of Manpower

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2 The Presidency’s YouTube channel, 26 April 2022, last visited on 24 July 2022, https://bit.ly/3OQMVFO
and labor leader Kamal Abu Aita\(^3\). The committee’s scope of jurisdiction was also expanded to include those held in pretrial detention in connection with cases of opinion, and indebted inmates who are imprisoned for their inability to pay off financial debts, in addition to its primary competence to determine the list of those who received final judgments in connection with opinion or political cases, with the aim of issuing presidential decrees pardoning them.

Some media outlets opened up limitedly to hosting politicians, intellectuals, and technocrats who oppose the government policies. The Civil Democratic Movement, which is the most prominent opposition framework, was also able to hold its meetings more freely.

While AFTE appreciates the government’s steps towards political reform, it sees that the approach of state agencies, especially the security ones, is not serious, unsteady and hesitant. The security services have been running the political scene and controlling the various windows of expression in the country for years.

**In this context, AFTE sees that:**

First, the performance of the presidential pardon committee was very slow and unjustifiably selective. It lacked standards in terms of releasing prisoners and rejecting requests to release others. Therefore, a number of human rights organizations responded to that by proposing rules and standards for the release of all political prisoners in Egypt\(^4\). These standards mainly include the following:

**Justice**: so that every political prisoner has an equal and fair opportunity to have his case examined on objective grounds

**Transparency**: so that the release decisions are made according to previously announced rules and standards that are known to prisoners, their families, and society as a whole

**Inclusiveness**: so that the release decisions include all those who meet the declared objective standards, without exception

**Urgency**: so that this process, unlike previous ones, will not take years, as thousands of prisoners spent years in jail while facing health and human sufferings, and their families suffered as well. The whole society paid a price as a

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\(^3\) Nashaat Ali, “To start work immediately.. We publish the new line-up of the presidential pardon committee after Sisi’s directives”, Masrawy, 27 April 2022, last visited on 24 July 2022, [https://bit.ly/3QuWXh9](https://bit.ly/3QuWXh9)

result of the aggravation and neglect of this issue.

The call for dialogue does not stop the oppression

The problems of the presidential pardon committee can be explained if we understand what the committee is and the role entrusted to it. It is a powerless committee whose formation was not subject to any criteria. It has no capacity to address official bodies except for the Presidency of the Republic. Its role is limited to preparing a list of those who can be released, either those held in pretrial detention or those convicted in opinion cases, and sending it to the Office of the Presidency of the Republic.

As for the power of decision-making, it is – according to AFTE’s monitoring – owned by several security bodies that coordinate work among each other. The criteria adopted by these bodies when releasing or rejecting to release inmates are not announced in a transparent manner and are not subject to assessment or oversight. It also seems that the expansion of the pardon committee’s jurisdiction to include those held in pretrial detention has angered the judicial authorities, as these practices confirm suspicions of interference in the committee’s work. This was indicated by the Minister of Justice who told local media that the committee’s jurisdiction includes only those who received final court rulings and not those held in pretrial detention. “No one can make pardon in cases examined by the prosecution or the court, except for the prosecution and the court themselves. It is not legal to communicate with the public prosecutor to release people held in custody pending investigation. This does not happen in Egypt,” the minister said.

So, the presidential pardon committee is basically tasked with preparing pardon lists from among requests submitted by the families of prisoners, human rights organizations, the National Council for Human Rights, and the House of Representatives’ Human Rights Committee. However, the committee’s criteria stating that the detainees in question must not have engaged in or incited violence are meant only for them to be added to the pardon lists, but this does not in any way guarantee their release.

Although the committee’s work is limited to a technical role in revising applications and preparing pardon lists, or in the best cases conducting some simple negotiations about some names, the committee does not perform this role efficiently and transparently. It does not announce the total number of applications submitted periodically from various bodies, nor does it announce the names of those accepted or excluded from the pardon lists, as well as the

5 Abdallah Salem, Minister of Justice: The presidential pardon cannot include those held in pretrial detention (video), Al-Masry Al-Youm, 18 July 2022, last visited on 24 July 2022, https://bit.ly/3oTQvUN
reason for exclusion. Also, the committee does not transparently announce the number of those it contributed to their release, nor does it announce the reasons for rejecting, excluding or postponing the release of prisoners who meet its criteria. The social media accounts of the committee’s members have been the main source for people to know about the pardon decisions.

Since its reactivation, the pardon committee has contributed to the release and the pardon of a number of detainees in connection with opinion cases, but AFTE could not get the number accurately, specifically with regard to the releases, including whether the release had to do with the committee or not. The total number of those released since the reactivation of the committee on 24 April 2022 until 1 July reached 268, including 249 males and 19 females. Knowing the authority that issued the release decision suggests whether the decision is linked to the pardon committee or not. According to AFTE, 130 were released by the criminal court, 136 by the Public Prosecution, and two by presidential pardon. According to the timescale of these decisions, 41 were released in April, 115 in May, and 112 in June.

Second, the security services continued their practices that violate the right to freedom of expression, whatever the means of expression, as long as the content of the expression criticizes the existing government policies in all fields, or contains information that the authorities do not want to publish. This reflects a fundamental contradiction between the authorities’ desire for political reform and the practices of the security services on the ground.

Despite President Sisi’s call for political dialogue and his decision to reactivate the presidential pardon committee, which led to high expectations, specifically regarding sorting out the issue of prisoners of conscience, security and judicial persecution of opinion-holders continued. The security services arrested Hala Fahmy, a senior TV presenter with the rank of director general in the state television, over Facebook posts criticizing government policies, in addition to her solidarity with colleagues at the Radio and Television Building (Maspero) in their protests to demand improvement of their work conditions. Journalist Safaa Al-Korbigi of the Radio and TV magazine was also arrested and detained in connection with the same case, after she was charged with joining a banned group and spreading false news. Meanwhile, journalist Mohamed Fawzy was arrested for criticizing the Egyptian family’s breakfast activities and the consequent presidential pardon for journalist and political activist Hossam Mu’nis only and not for all journalists involved in the same case.
Also, an unknown government entity blocked Al-Manassa website for the 14th time, after the website announced its relaunch following a major development process and publishing articles written by a number of opposition journalists such as Hafez al-Mirazi and Lilian Daoud. A video interview the website conducted with former MP and head of the Karama Party Ahmed al-Tantawy was deleted from Facebook upon a complaint submitted by Channel One TV to the Facebook administration claiming its ownership of a 24-second clip that included part of President Sisi’s speech at the Egyptian family’s breakfast party. The channel said the website published the clip without prior permission from it, but it later withdrew its complaint. The website was blocked days later.

On 29 May 2022, the Emergency Supreme State Security Criminal Court (the Third Circuit - Terrorism) sentenced 15 defendants to life, 15 and 10 years in prison. Those included former presidential candidate and founder of the Strong Egypt Party Abdel Moneim Aboul Fotouh, his deputy Mohamed al-Qassas, three leaders of the dissolved Egyptian Students Union, and an Al Jazeera reporter. The court convicted them on charges of “joining a group established in violation of the law and spreading false news inside and outside Egypt that harms the interests of the country”.

The targeting of internet and social media users increased during the second quarter of 2022, with 13 different incidents that contained 29 violations, compared to 12 incidents containing 13 violations reported during the first quarter of the same year. This confirms the fundamental contradiction that we mentioned earlier between the president’s call for national dialogue with the aim of introducing political reform and the continued crude security practices towards freedom of expression.

AFTE believes that any serious national dialogue requires a comprehensive review of the current security practices. This is the only solution to guarantee freedom of expression through various means. AFTE stresses that the dialogue will not be successful unless it adopts a new approach, other than the security one, to deal with all crises, something which requires a real change in the culture and practices of the security services in the first place.
Second section: Media freedom

The Egyptian authorities continued to violate the rights of journalists during the second quarter of this year, despite President Sisi’s call for national dialogue and the reactivation of the presidential pardon committee as a first step towards reviewing the conditions of thousands of detainees, including journalists, who are kept behind bars for expressing their views. AFTE documented 15 incidents containing 24 violations during the second quarter of the year. The continued targeting of the press indicates that the Egyptian authorities are not serious about conducting real reviews of their security policies in various fields, as giving freedom to the press and media is a basic condition for the success of any serious political or national dialogue that is expected to reach solutions to the political, human rights and economic problems.

The role of the media is to circulate information and different views on all topics. It is not possible to imagine that the national dialogue will be serious in light of tracking interviews of parties to the dialogue, such as head of the Karama Party Ahmed al-Tantawy, whose interview with Al-Manassa website was deleted from Facebook upon a complaint submitted by Channel One TV to the Facebook administration claiming its ownership of a clip that included part of President Sisi’s speech. That was an unprecedented approach, which AFTE fears will be used to clamp down on independent news websites. It is also unimaginable to review the security policies in light of the arrest of at least 5
journalists during the second quarter of the year. One of those was arrested for criticizing the release of journalist and political activist Hossam Mu’nis only and not the rest of journalists involved in the same case.

The violations committed during the second quarter varied between the arrest of at least 5 journalists, the prevention of others from media coverage, and physical assault on others. Meanwhile, arbitrary measures continued against Maspero employees, as AFTE documented the arrest of two of them and the suspension of 4 others from work and halving their salaries without conducting any investigation. Unfair sentences against journalists sometimes amounted to 15 years in prison, like in the case of photojournalist Alia Awad. Also, Al-Jazeera Mubasher TV reporter Ahmed Tala Al-Qady was sentenced in absentia to 15 years in prison. The most prominent violations committed during the second quarter come as follows:

- **Arrest of journalists**

The arrest of journalists and holding them in pretrial detention are one of the most common and serious violations against journalists. Pretrial detention is used as a punishment against journalists over their work. Despite the release of 3 journalists during the second quarter within the context of the president’s call for national dialogue, the security services continued to arrest journalists, as five were arrested over their work or for expressing their views. The three released journalists are Amer Abdel Moneim, who had been in pretrial detention since his arrest on 18 December 2020 in connection with Case No. 1017 of 2020 (Supreme State Security), Hany Greisha, and Essam Abdeen, who had been detained in connection with Case No. 864 of 2020 (State Security) since September 2020. The trio faced the same charges, namely joining a terrorist group with knowledge of its purposes, misusing social media, and spreading false news.

On 15 May, a police force arrested journalist Mohamed Fawzy Mosaad\(^6\) from his home in Haram district. He appeared before the Supreme State Security Prosecution for the first time on 29 May, in connection with Case No. 440 of 2022 (Supreme State Security Prosecution). He faced charges of spreading false news, joining a terrorist group, and misusing social media. According to his lawyer, the State Security Prosecution faced Mosaad with several posts from his Facebook page, including a post criticizing the Egyptian family’s breakfast party and the failure to pardon all those involved in Hossam Mu’nis case.

\(^6\) Testimony over the phone from his lawyer, who declined to be named for security reasons, on 29 June
The call for dialogue does not stop the oppression

Meanwhile, security forces arrested journalist Safaa Al-Korbigi\(^7\) on 20 April from her home in the Mokattam neighbourhood, against the background of her participation in protests against the National Media Authority through videos that she published on Facebook. The next day, she was brought before the Supreme State Security Prosecution in connection with Case No. 441 of 2022 (Supreme State Security Prosecution). She faced charges of joining a banned group and spreading false news.

In the same context, a police force arrested TV presenter Hala Fahmy\(^8\), who appeared before the Supreme State Security Prosecution on 24 April, facing charges of joining a banned group and spreading false news, in connection with Case No. 441 of 2022 (Supreme State Security Prosecution). Fahmy was targeted over several posts and videos criticizing some government policies. Before her arrest, she was also active in the protest movement against the conditions inside Maspero.

Meanwhile, security forces in Menoufia Governorate arrested journalist Mohamed Al-Bahi\(^9\) of the Masrawy website from his home on 16 April 2022, in connection with Case No. 3014 of 2022 (Administrative – Sadat police station). He faced charges of inciting violence. The prosecution remanded him in custody for 4 days pending investigation against the background of his coverage of the murder of a young man in one of the governorate’s villages. On 19 April, the Shebin El-Koum Court decided to release Al-Bahi on a bail of 5,000 pounds. The Public Prosecution did not appeal the court’s decision.

During the same quarter, security forces in Kafr El-Sheikh Governorate arrested journalist Hoda Abdel Rahim of Nabd Masr website on charges of spreading false news, against the backdrop of her live broadcast with the lawyer of a girl who was raped in the governorate. Abdel Rahim was later released on a bail of 5,000 pounds.

- **Severe sentences for journalists**

On 28 June, AFTE documented a 15-year prison sentence issued by the Cairo Criminal Court (First Circuit – Terrorism) against journalist Alia Nasr El-Din Hassan Awad, known as Alia Awad, in connection with Case No. 4459 of 2014 (Helwan Felonies), registered under No. 321 of 2014 (South Cairo Full Court), known in local media as the "Helwan Brigades" case. Awad was charged with

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7. Online testimony from his lawyer, who declined to be named, on 20 June
8. AFTE’s Legal Aid Unit
joining a terrorist group, promoting its purposes, and publishing a video of the “Helwan Brigades”.

According to Belady Foundation’s lawyer, Awad was arrested in September 2014 from her aunt’s house in Alexandria, after security forces raided her house in Helwan but she was not there.10

Meanwhile, the Emergency Supreme State Security Criminal Court sentenced Al Jazeera Mubasher reporter in absentia11 to 15 years in prison, on charges of spreading false news that would harm the country’s national interests, in connection with Case No. 1059 of 2021 (Fifth Settlement Emergency State Security Criminal), registered under No. 707 of 2021 (New Cairo Full Court), in which head of the Strong Egypt Party Abdel Moneim Aboul Fotouh and his deputy Mohamed al-Qassas are involved.

On 17 April, the Mansoura Economic Court sentenced journalist Ghada Abdel Hafez of Al-Masry Al-Youm daily to two years in prison and ordered her to pay a fine of 100,000 pounds and a bail of 10,000 pounds to suspend the implementation of the ruling, in connection with Case No. 895 of 2020. This came after Abdel Hafez shared a Facebook post relaying a complaint from some employees saying that the governor of Dakahlia appointed a woman in a position that does not match her academic qualification. The woman was said to be a graduate of the Faculty of Arts, and she was promoted to the position of Undersecretary of Utility Networks Department, a post which is usually assumed only by professional engineers.

− Tantawy’s interview with Al-Manassa website deleted from Facebook

On 12 May 2022, the staff of Al-Manassa website were surprised by the blocking of a video interview with former MP and head of the Karama Party Ahmed al-Tantawy from the website’s Facebook page. This came after the state-run Channel One TV claimed the ownership of a 24-second clip of the interview that contained part of President Sisi’s speech during the Egyptian family’s breakfast party. This violates the law and the prevailing media norms regarding the president’s speeches.

The website said in a statement that it would file three complaints against Channel One to the Presidency of the Republic, the National Media Authority and the Supreme Council for Media Regulation (SCMR).

10 Testimony from her lawyer, who declined to be named, documented on 29 June
11 Al Jazeera Mubasher reporter sentenced to 15 years in prison, added to terror list, Cairo 24, 30 May 2022, last visited on 24 July 2022, https://bit.ly/3boasz
This incident was the first of its kind, as the Egyptian television has never been used to restrict the work of news and independent websites. AFTE has explained the seriousness of this violation and the extent of its legality in a paper titled “Q&A: Interview with politician Ahmed al-Tantawy removed from Facebook after a report from Channel One TV”.  

Later, Channel One retracted its complaint against the website, and – accordingly – the block on the interview was lifted, but the website was completely blocked afterward.

- **Prevention from coverage is a regular, continued violation**

The prevention of journalists from coverage has been one of the most regular violations against press freedom over the past seven years. It systematically violates the concept of press freedom and the right to know and access information, especially in cases that aroused public debates or in which the accused were government officials. On 26 June 2022, AFTE documented the Mansoura Criminal Court’s gag order in the case known in local media as “the murder of the Mansoura girl Nayera Ashraf”.

On 21 May 2022, the Egyptian Catholic Center for Cinema announced in a statement that it would ban journalists and various media outlets from covering the closing ceremony of the 70th session of its festival. The statement said: “The festival’s supreme committee and the media office decided not to allow any reporter, photographer, journalist, or others to cover the closing ceremony. The center will only issue a press release accompanied by photographs that will be sent to you for those who wish to publish.” Moreover, Al-Hayat TV correspondent Abanoub Ragai was beaten, and the center’s guards “pushed with hands” journalist Esraa Shaheen of Al-Ain website and Nile Drama correspondent Marwa Emara.

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12 Q&A: Interview with politician Ahmed al-Tantawy removed from Facebook after a report from Channel One TV, AFTE, 7 July 2022, https://bit.ly/3PRU0Hu

Third section: Academic freedom and student rights

Regarding academic freedom, the head of the Radio and Television Department at the Cairo University’s Faculty of Mass Communication, Ayman Mansour Nada, announced his resignation on 9 June 2022 in protest against the university’s mismanagement and corruption. On 31 May 2022, a decision was issued to renew his suspension from work for three months, for the sixth time in a row, although he was not summoned to appear before any investigation body or even the disciplinary board, which indicates the desire of the Cairo University administration to clamp down on him.14

Nada, a professor of public opinion and political communication, was exposed to many violations after he published a number of articles on Facebook in which he criticized the state’s management of the media file. He criticized what he described as the “unprofessional” level that the Egyptian media and key TV anchors had reached. He criticized some TV presenters, including Ahmed Moussa of Sada Al-Balad TV. Nada said Moussa was granted much airtime although he lacked all specifications that a TV anchor should ideally meet. Nada also published several other articles criticizing what he called the corruption of the Cairo University administration represented by its president, Mohamed Othman El-Khosht.

Nada was subjected to security and judicial persecution over these articles. In September 2021, the Public Prosecution remanded him in custody in connec-

14 A statement published by the academic on his Facebook account on 9 June 2022, https://bit.ly/3bst1Dq
tion with Case No. 23 of 2021 (Cairo Court of Appeal), in which he faced charges of insulting and slandering a number of Cairo University leaders. He was released on 17 November of the same year.

On 31 March 2022, the Cairo Criminal Court (Circuit 27 South) sentenced Nada to one suspended year in prison, in Case No. 9840 of 2021 (Fifth Settlement Misdemeanour), in which he was charged with insulting member of the Supreme Council for Media Regulation (SCMR) Rania Hashem, and using a Facebook account to commit crimes.

The court acquitted Nada of all other charges, which included spreading false news about the Egyptian media and insulting the SCMR and a number of its members. The court also rejected a lawsuit filed by SCMR chief Karam Gabr against Nada.\(^{15}\)

On 28 April 2022, the Cairo Criminal Court (Circuit 27 South) decided to refer lawsuit No. 16036 of 2021 (First Settlement Misdemeanour), registered under No. 18 of 2021 (Cairo Court of Appeal), filed against Nada to the Court of Appeal to be examined before another circuit.

The court’s decision came due to the fact that the same court had previously issued a verdict against Nada to a suspended one-year prison sentence pending another lawsuit with similar charges, which is lawsuit No. 9840 of 2021 (Fifth Settlement Misdemeanour), which the court considered a disclosure of its opinion in the lawsuit.

The prosecution charged Nada with insulting the Egyptian media, insulting SCMR chief Karam Gabr, and using his Facebook account to commit these crimes.

In parallel with the judicial and security persecution, the Cairo University referred Nada to discipline in cases No. 14, 15, 17, 18, 19, 20, and 21 of 2021, over articles he published that criticized the Cairo University administration and some financial and administrative violations backed by documents and papers.\(^{16}\)

These incidents reflect the crackdown on Egyptian academics for expressing their opinions even on topics closely related to their academic work. Nada’s resignation came as a result of that judicial and administrative clampdown.

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15. AFTE’s Monitoring and Documentation Unit, First quarterly report on the state of expression in Egypt (January-March 2022), 28 April 2022, last visited on 3 July 2022, [https://afteegypt.org/research/monitoring-reports/2022/04/28/30272-afteegypt.html](https://afteegypt.org/research/monitoring-reports/2022/04/28/30272-afteegypt.html)

16. AFTE’s Legal Aid Unit
Regarding student rights, AFTE documented the sentencing of four former student leaders over their university activism. They are the former head of the Sohag University Students’ Union, Adham Kadry, the former secretary of the Strong Egyptian Students Movement, Amr Ahmed Khattab, the former deputy head of the Tanta University Students’ Union, Moaz Al-Sharqawy, and the former head of the Tanta University Students’ Union, Amr El-Helw, who won the position of deputy head of the Egyptian Students’ Union before it was cancelled by the Minister of Higher Education.

Kadry, Khattab and El-Helw were sentenced in absentia to 15 years in prison, while Al-Sharqawy was sentenced to 10 years in the presence of his lawyer. The Supreme State Security Court charged the four students with joining a terrorist group with knowledge of its purposes, in Case No. 1059 of 2021 (Fifth Settlement Emergency State Security Felonies), registered under No. 707 of 2021 (New Cairo Full Court), in which head of the Strong Egypt Party Abdel Moneim Aboul Fotouh and his deputy Mohamed al-Qassas are involved.

These rulings are final and cannot be appealed, given that they were issued by the Emergency Supreme State Security Court, which is an exceptional court to which defendants are referred while the state of emergency is in place. However, the President of the Republic can annul the sentences, commute them, order a retrial, or ratify them in accordance with the emergency law, which the president suspended in early October after it had been in place for seven years.

The rulings against the four students were not the first targeting of them. The Cairo Criminal Court added the four to the terror list in February 2018 upon a request from the Public Prosecutor on the grounds of their involvement in Case No. 440 of 2018 (Emergency Supreme State Security Prosecution).

It is worth noting that the decision to add the four students to the terror list has mentioned their leading positions in the students’ unions, although most of them have already graduated. This indicates that the real motive behind the move was the students’ remarkable activism at their universities.

In addition to the aforementioned violations, Al-Sharqawy was subjected to several security violations in the same case. He was arrested on 19 September 2018 after security forces stopped him at a checkpoint in Sinai while he was traveling with a group of tourists to South Sinai, where he worked in a tourism company. Al-Sharqawy disappeared for more than 25 days, during which the Interior Ministry denied his arrest, although he was arrested in front of more than 50 people who were on the trip. The Interior Ministry continued to deny
The call for dialogue does not stop the oppression

his presence in its offices until he appeared on 13 October 2018 before the Supreme State Security Prosecution in the Fifth Settlement neighbourhood in Cairo, in connection with Case No. 440 of 2018. On 4 March 2020, the Criminal Court released Al-Sharqawy under precautionary measures after he spent a year and a half in pretrial detention.¹⁷

Fourth section: Freedom of creativity

The Egyptian authorities continued to place restrictions on creativity during the second quarter of 2022. AFTE reported 5 incidents containing 7 violations of freedom of creativity, which varied between the security targeting of social media activists for criticizing the current living conditions in Egypt, or the SC-MR’s decisions against creative works under loose pretexts that only reflect the authorities’ attempt to impose their guardianship on society. Moreover, the Central Authority for the Censorship of Works of Art banned the screening of the movie Doctor Strange2 in all Egyptian cinemas, alleging that the movie contained scenes promoting homosexuality. The most prominent patterns of violations committed during the second quarter were as follows:

- **Security targeting of citizens against the backdrop of satirical works criticizing the living conditions**

On 31 March 2022, Attia Mohamed Abdel Aziz Rashwan, Antar Fahmy Rash-
wan Mohamed, and Hamada Mahmoud Sayed Eid, known in local media as "Zorafaa El-Ghalaba" (the funny poor), were summoned to the Manfalut police station in Assiut Governorate after they posted a satirical video in which they imitated the tune of a song presented by actor Akram Hosny during his satirical show “Good evening”, replacing its lyrics with words that mocked the price hikes.

The trio appeared before the Supreme State Security Prosecution on 18 and 19 April 2022, in connection with Case No. 440 of 2022 (State Security). The prosecution charged them with joining a terrorist group established in violation of the constitution and the law, and spreading false news. On 7 May 2022, the Supreme State Security Prosecution decided to release them.

In the same context, Gamal Mohamed Salama was summoned by the National Security Agency. Once he arrived at the Belbis police station in Sharkia Governorate on 26 April 2022, he was taken to an unknown place, where he was illegally interrogated about his TikTok activity, especially a video he published that simulated a song released by actor Akram Hosni, replacing its lyrics with words that criticized the price hikes.

During his interrogation at the National Security headquarters, Salama said the goal behind creating an account on TikTok was to publish videos for the purpose of "entertainment" and to garner views.

On 17 May 2022, Salama appeared before the Supreme State Security Prosecution in the Fifth Settlement for the first time, in connection with Case No. 440 of 2022 (Supreme State Security Prosecution). He faced charges of joining a terrorist group, spreading false news, and misusing social media. He was remanded in custody for 15 days pending investigation.

Salama, 43, is a tailor and has an account on TikTok, through which he publishes entertainment videos.

The Supreme Council for Media Regulation imposes guardianship on creative content

The SCMR continues to impose its guardianship on creativity. AFTE documented two decisions by the Council, one to ban a TV ad and another to ban an episode of a TV drama. On 3 April 2022, the SCMR banned a TV ad for Dice Sport and Casual Wear, saying in a statement that the ad breached a number

18 Online testimony from Islam Salama’s lawyer
19 AFTE’s Legal Aid Unit
20 SCMR bans Dice TV ad, SCMR’s Facebook page, 3 April 2022, last visited on 24 July 2022, https://bit.ly/3vAk3dX
of rules set by the Council, specifically Article 4 of the TV drama and ad code, which bans the use of swear words, obscenity, and vulgar language, and Article 16 of the sanction regulations, which states that the use of words that hurt the feelings of the public is a violation that requires penalty on the violator.

The SCMR added that the audience, especially the Doctors Syndicate, were upset at the content of the ad that contradicted the public morals and ethics.

The Doctors Syndicate had submitted a complaint to the SCMR demanding the banning of the ad for portraying the Egyptian medical staff and citizens in an inappropriate manner. The ad featured a citizen requesting a medical examination, while a doctor and a nurse mocked his torn underwear, before it advertised Dice’s underwear brand. The ad falls within the framework of freedom of creativity.

On 2 April 2022, the SCMR issued a decision to ban the first episode of the Donia Tania (another world) TV series for not obtaining a permit from the Central Authority for the Censorship of Works of Art (CACWA). The move came after CACWA chief Khaled Abdel Galil filed a complaint, saying the episode was censored, but Al-Nahar channel broadcast it with the deleted scenes.

The SCMR asked all TV channels not to broadcast any unlicensed work of art, saying that it will apply the standards stipulated in the media code as well as its law in case of violation. The episode in question contained a scene where the heroine discovered that her husband was cheating with another woman that appeared to be her sister.

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21 SCMR deletes incest scenes from the “Donia Tania” series, SCMR’s Facebook page, 2 April 2022, last visited on 24 July 2022, https://bit.ly/3buQbsB
Fifth section: Digital rights

The targeting of internet and social media users increased during the second quarter of 2022. AFTE documented 13 incidents containing at least 29 violations during the second quarter, compared to 12 incidents containing 13 violations during the first quarter of the same year. During the second quarter, the security services arrested 11 people in 7 different incidents. Two incidents related to the SCMR contained 14 violations that varied between blocking websites and closing personal accounts. Three prison sentences, a decision upholding imprisonment, and rejection of an appeal were reported in three incidents related to the publication of digital content. Another incident included a gag order issued by the Chamber of Travel and Tourism Companies and Agencies. The most prominent patterns of violations in the second quarter of 2022 were as follows:

- **Security services: Imprisonment continues due to the “serious or satirical” digital content that troubles the authorities**

The security services continued to track and punish social media users and digital content creators, an approach that they have been adopting for years. AFTE documented 11 arrests in 7 different incidents closely related to freedom of expression and digital rights.
For example, a police force arrested lawyer Nabil Abu Sheikha\textsuperscript{22} from his home in Shebin al-Qanater, Qalyubia Governorate, on 11 April 2022 for publishing posts on Facebook that criticized and mocked the performance of Egyptian actor Yasser Galal, who played the role of President Sisi in the third season of the TV series Al-Ikhtiyar (The Choice). Abu Sheikha was brought before the Supreme State Security Prosecution the next day in connection with Case No. 93 of 2022 (Supreme State Security Prosecution), facing charges of spreading false news and joining a terrorist group.

Security forces also arrested Ahmed Mohamed Moussa Abdel-Khaleq\textsuperscript{23} from his home in Giza on 19 March 2022 for publishing some posts on Facebook about the high cost of living. Abdel-Khaleq appeared before the Supreme State Security Prosecution for the first time on 3 April 2022 in connection with Case No. 330 of 2022 (State Security), facing charges of joining a terrorist group, inciting a terrorist act, and spreading false news.

Al-Husseini Farghali Othman Nafadi\textsuperscript{24} was arrested on 5 April 2022, while he was sitting inside a café in Al-Salam neighbourhood in Cairo, after he posted videos on YouTube tackling the issue of the Grand Ethiopian Renaissance Dam. On 7 April 2022, the Supreme State Security Prosecution investigated Nafadi in connection with Case No. 330 of 2022, on charges of joining a terrorist group, spreading false news, and inciting a terrorist act.

The security services targeted digital visual content more than written content during the second quarter. They also expanded the monitoring of internet users who are not interested and not active in politics, with the aim of spreading social intimidation and prompting online users to observe self-censorship that limits freedom of digital expression and curbs the circulation of information. The security services sometimes resorted to the fabrication of reports and random arrests of people who have nothing to do with the published content, just to meet the legal condition of the case that requires the presence of defendants.

On 11 April 2022, security forces arrested Mohamed Ashraf Abdul-Mubdi Abdul-Rahman\textsuperscript{25}, 20, and Ismail Abu-Zeid Ismail, over a circulating funny video on TikTok that featured children throwing plastic bags filled with water at pedestrians on the streets in Port Said Governorate during the sunset time (the time of fast breaking in the holy month of Ramadan). After the video went viral on-

\textsuperscript{22} Online testimony from a lawyer close to the investigation who declined to be named for security reasons
\textsuperscript{23} AFTE’s Legal Aid Unit
\textsuperscript{24} AFTE’s Legal Aid Unit
\textsuperscript{25} AFTE’s Legal Aid Unit
line, a security force randomly arrested some people on the street where the incident occurred. Among them were the aforementioned defendants who appeared before the State Security Prosecution for the first time on 14 April 2022, after their disappearance for three days, in connection with Case No. 41 of 2022 (Supreme State Security). They faced charges of joining a terrorist group, spreading false news, and inciting a terrorist act.

On 7 May 2022, a police force arrested two tourist guides for publishing a video showing some boys harassing female foreign tourists at Giza Pyramids. One of the arrested guides filmed the incident and shared it on a WhatsApp group, then the other shared it on Facebook. Both were arrested under the pretext of harming the country's tourist reputation. Following this incident, the Chamber of Travel and Tourism Companies and Agencies issued a decision to refer any worker in the tourism sector to investigation and legal accountability if they film and publish any negative incidents affecting tourists. It also warned against publishing any videos on social media that feature inappropriate and unacceptable behaviours that some tourists face during their visits, so as not to cause those who watch these videos to wrongly get a negative impression that these behaviours are usual and acceptable in Egypt, something which “damages the country’s tourist reputation”, according to the Chamber. The arrest of the two tourist guides is a clear violation of the citizens’ right to express their opinions and circulate information online. It comes in harmony with the security and legislative policies that the Egyptian authorities have been adopting in an attempt to nationalize the internet on the grounds that it is the last outlet for Egyptians to express their views.

A video was circulated on social media showing a young man singing and dancing inside a mosque. According to an interior ministry statement, the man turned out to be construction worker who was doing some maintenance work in a mosque in Kafr El-Sheikh Governorate. The Ministry of Awqaf (religious endowments) submitted a report to the Public Prosecution on the incident. On 16 June 2022, the security services arrested three people, namely the person shown in the video Mohamed Maged Hamdan Abdel Aziz, 19; the person who shot the video Raed Adel Sayed Ahmed Khattab, 19; and Ahmed Walid Abdel Moneim, 19, who shared the video on social media.26

The three defendants are from Al-Qanater Al-Khairiya district in Qalyubia Governorate and work in the field of construction. They were working in the mosque, which was out of service at the time of the incident. No one around

26 Online testimony from a lawyer of one of the defendants, who declined to be named, on 25 June
the mosque was disturbed because the mosque’s loudspeakers were out of service too. So, people knew about the incident only via social media.

The three young men were subjected to enforced disappearance for 4 days before they appeared before the Supreme State Security Prosecution for the first time on 20 June 2022, in connection with Case No. 440 of 2022. The prosecution charged them with joining a terrorist group, deliberately spreading false news, and using a social media account to commit a crime. What is strange in the matter is that they faced charges related to terrorism, not including singing in the mosque, and they were investigated in connection with a case that had nothing to do with the report submitted by the Ministry of Awqaf.

- Judicial authorities: Courts monitor morals and punish TikTok girls

The Egyptian authorities continued to target digital content creators, especially girls, under the pretext of protecting the so-called societal morality system and Egyptian family values. AFTE documented three court rulings against female content creators, varying between prison sentences, upholding imprisonment, and rejecting an appeal against a previous ruling. They were convicted on charges related to human trafficking, infringement on Egyptian family values, and incitement to immorality. On 18 April 2022, the Cairo Criminal Court (Circuit 15 South Cairo) sentenced content creator Haneen Hossam Abdel Qader to 3 years in prison and ordered her to pay a fine of 200,000 pounds, in connection with Case No. 4917 of 2020 (Al-Sahel Felonies), registered under No. 2106 of 2020 (North Cairo Full Court), known in local media as the “human trafficking” case. The court also obligated her to pay the criminal costs.

On 13 May 2022, the Juvenile Misdemeanour Court of Appeal upheld a two-year prison sentence against content creator Nancy Ayman Sobhy, known as “Moka Hegazy,” on the second charge in Case No. 5459 of 2022 (Juvenile Appeal), registered under No. 188 of 2022 (Juvenile Misdemeanour). On 24 February, the Giza Juvenile Misdemeanour Court sentenced Hegazy to one year in prison on 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.

On 19 June 2022, the Cairo Criminal Court rejected an appeal filed by content creators...

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27 AFTE’s Legal Aid Unit
30 AFTE’s Legal Aid Unit
creator Mawaddah Fathi Rashad, known as “Mawaddah al-Adham”\(^{31}\), against the ruling issued on 20 June 2021 that sentenced her to 6 years in prison and ordered her to pay a fine of 200,000 pounds on human trafficking charges.

The Public Prosecution had charged al-Adham with “infringing on the values and principles of Egyptian family and society, participating with others in luring and exploiting girls through live broadcasts, committing a crime of human trafficking, receiving bank transfers from the [TikTok] platform administration in return for the views her videos garnered, publishing videos that incite immorality to increase the number of her followers, being a member of a WhatsApp group to receive commissions to exploit girls, encouraging teenage girls to broadcast similar videos, escaping from justice and trying to hide”.\(^{32}\)

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The Supreme Council for Media Regulation: The weapon of blocking is still effective

The SCMR continues to adopt a policy of punishment in order to limit freedom of expression and restrict freedom of information circulation. It continues to block applications and websites that are incompatible with the official trend of the state under the pretext that these applications and websites spread false news and incite racism, in addition to other broad and unexplained reasons. The SCMR does not even reveal the names of the websites it blocks.

On 19 April 2022, the SCMR issued a decision to block 12 websites, social media accounts, YouTube channels, and an electronic application, without revealing their names\(^{33}\). It cited several reasons for its decision, including spreading false news, inciting violence or hatred, containing discrimination, inciting racism, insulting and slandering individuals, disdaining religions or religious beliefs, and running these websites from outside Egypt without obtaining a license from the Council in accordance with Law No. 180 of 2018.

On 7 April 2022, the SCMR decided to close the Facebook and Instagram accounts of actor Mahmoud Al-Mahdi (the husband of actress Menna Arafa)\(^{34}\) for violating media codes and standards, after he published posts deemed offensive to art and artists, according to a SCMR statement. This came against the backdrop of a complaint submitted by head of the Actors Syndicate Ashraf Zaki to the SCMR against Al-Mahdi, accusing him of slandering, defaming,

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31 Mawaddah Al-Adham’s profile, AFTE, https://bit.ly/3zR2t8c
32 AFTE’s Legal Aid Unit
33 12 websites blocked for disdaining religions, SCMR’s Facebook page, 19 April 2022, last visited on 24 July 2022, https://bit.ly/3QeFVne
34 Sarah Nematallah, SCMR closes the accounts of Mahmoud Al-Mahdi, Menna Arafa’s husband, for this reason, Al-Ahram Gate, 4 May 2022, last visited on 24 July 2022, https://bit.ly/3vxj4v4
threatening and insulting a number of artists, including actress Elham Shaheen.

**Conclusion and recommendations**

AFTE welcomes the release of a number of detainees who were arrested for expressing their views, but it sees that the move is not enough to demonstrate how far the authorities are serious in holding a national dialogue with the aim of making real political reforms that contribute to addressing the deteriorating human rights and political situation in Egypt. AFTE also believes that there is no meaning for any dialogue called for by the political leadership at a time when this call does not reflect on the practices of various state agencies on the ground. Therefore, AFTE presents the following recommendations:

- We call on the presidential pardon committee to reveal the criteria it adopts in its work
- The security services must stop targeting citizens for expressing their opinions in various ways
- We call on the President of the Republic to pardon all those who were convicted by the Emergency Supreme State Security Court on the grounds of expressing their opinions
- The Egyptian authorities must stop blocking news websites and imposing restrictions on independent websites
- We call on the Public Prosecutor to immediately order the release of all those held in pretrial detention in connection with cases of opinion, and to stop targeting them judicially