



"No progress"

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

(1 July - 30 September 2022)

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(2022 September 30 - July 1)

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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 Aid Unit.

The report reviews and analyzes the violations documented during the period from 1 July to 30 September 2022 in line with AFTE’s monitoring and documentation methodology.¹

Introduction

The third quarter of 2022 witnessed the formation of the National Dialogue Board of Trustees, the body responsible for organizing the procedures of the dialogue, which is scheduled to be launched during the last quarter of this year. The rapporteurs and their assistants have been identified, whether at the level of general or sub-committees. The regulations of Board of Trustees as well as the code of conduct for the national dialogue have also been drafted.

The Presidential Pardon Committee has helped with the release of hundreds of detainees who were remanded in custody or convicted in political cases. The committee also helped with the payment of the debts of hundreds of imprisoned debtors and helped some of the released to return to their work or find alternative jobs.

However, the action of the National Dialogue Board of Trustees and the Presidential Pardon Committee was very slow, although five months have passed since the president called for national dialogue and the reactivation of the pardon committee. This raises concerns about the seriousness of these mechanisms in improving the political and human rights situation in the country, especially in light of the continued violations of human rights in general and freedom of expression in particular.

This report attempts to analyze the public policies related to the right to freedom of expression, especially after the call for national dialogue and the reactivation of the Presidential Pardon Committee. It tries to compare this to the reality by presenting and analyzing patterns of violations of freedom of expression committed during the third quarter of 2022.

1 Monitoring and Documentation methodology, AFTE, <https://bit.ly/3EoHwLL>

Section One:



- The national dialogue.. an obstructed birth

In late April, President Sisi called for a comprehensive national dialogue that would bring together all political forces. However, there has not been a detailed, public and transparent “agenda” for the sessions of the dialogue since it started.

Eight sessions were held during the third quarter of this year which followed the formation of the Board of Trustees and the appointment of the Journalists Syndicate’s head, Diaa Rashwan, as a general coordinator of the board. Nevertheless, the criteria of the selection of participants in the dialogue has not yet been determined.

The Board of Trustees has been more busy with the mechanism of its work than the details of the dialogue itself. It took two months to select the general coordinator of the dialogue and the members of the Board of Trustees, and three months to select the rapporteurs and their assistants, whether at the level of committees, sub-committees, or the general axes of the dialogue, and to draft the Board of Trustees’ regulations, the code of conduct for the national dialogue, and the regulations of the sub-committees.

The security practices that violate human rights in general and the right to freedom of expression in particular have continued since the president called for a national dialogue five months ago. AFTE documented at least 59 violations of freedom of expression during the third quarter of 2022, which confirms that the Egyptian authorities are not serious in their call for a national dialogue based on a political and national agenda that addresses policy deviations at various levels, especially at the level of civil and political rights.

- The Presidential Pardon Committee.. great efforts but limited results

The Presidential Pardon Committee helped with the release of 520 political detainees and 13 convicts until the end of the third quarter of this year, according to what AFTE documented. Those were released in batches over the past five months. Despite the great efforts made by the committee to negotiate the release of the largest possible number of prisoners of conscience, the results are still limited. Many fear that the committee's work will stop during the coming period with the start of the national dialogue sessions.

The reactivation of the committee's work was linked to the call for a national dialogue, but does this mean that its work will stop with the start or the end of the dialogue?!

This concern seems logical and justified, especially as the committee's work has previously stopped. The committee was established for the first time in 2016 as one of the outcomes of the Youth Conference, and it stopped working after less than two years without a clear reason.

This requires the committee to frankly explain to the prisoners' families whether its work is tied to the dialogue process that will be launched soon, or its work will continue until this issue is completely settled.

The committee should disclose the details of its work since its reactivation, including the total number of requests it received from the families of political detainees and convicts, the number of requests it accepted, and the number of requests it rejected with the reason for rejection. It should also set a transparent timetable for settling this issue in full.

AFTE reiterates that any serious move to sort out the issue of prisoners of conscience requires political intervention in the first place through a comprehensive political amnesty law under which all political prisoners can be released and the piece work policy comes to an end. In this regard, a number of Egyptian human rights organizations launched an initiative titled "Proposal for standards and rules of the release of all political prisoners in Egypt".²

In a context related to the work of the committee, President Sisi called early this year for the reintegration of the released political prisoners into society. Some members of the committee helped some of the released prisoners to return to their jobs or find new ones. However, these efforts were individually initiated by one or two members of the committee.

AFTE believes that former political prisoners are not only a group of individual tragedies, but they may at some point pose a real danger to any political system that is being formed in a post-conflict stage. Criminal prisoners reintegrate themselves into their local community, motivated by the guilt they committed, while political prison-

2 Proposal on criteria and rules for the release of all political prisoners in Egypt, shorturl.at/hjxY7

ers deal with the reintegration calls with great caution, motivated by a lack of trust in the political authorities that sent them to jail. Hence, the individual efforts exerted by some members of the pardon committee should turn into a "coherent initiative" that the Presidency of the Republic should adopt and all concerned parties and bodies should abide by.

This initiative should put an end to the targeting of former political prisoners, whether by refusing to return them to their jobs or universities or banning them from travel to resume their studies abroad or to find jobs there. It should also put an end to the continuous targeting and pursuit of ex-prisoners when they pass through police checkpoints or when dealing with state agencies. All these continued practices indicate that the Egyptian authorities are not serious in raising the slogan of reintegration of former political prisoners.

The practices of the security services confirm our allegations of lack of seriousness. The most prominent of these practices was the arrest of the 6 April Movement activist Sherif al-Ruby, who was arrested a few months after he was released. Al-Ruby was arrested over his tweets about the suffering of former political prisoners in finding decent jobs because of the social stigma inflicted on them due to imprisonment or for fear that they would be a source of troubles. Despite the authorities' interest in the reintegration issue, al-Ruby, who drew attention to this issue, is still held in pretrial detention as of the time of writing this report.

The reintegration initiative should also include protection and social security programs, including medical insurance and rehabilitation programs, to help the released prisoners join the labor market. It should also provide a package of medium and small projects for them and explore the possibility of returning those dismissed from their work to their jobs or finding them new ones. The initiative should remove the social stigma inflicted on the released prisoners and support them financially through the “Takaful wa Karama” (solidarity and dignity) program until their conditions stabilize.

- Amateur photography rules... an attempt of legalization or restriction?

Egyptian Prime Minister Mostafa Madbouly issued Decree No. 2720 of 2022 on Rules for Personal Photography in Public Places. This came after the cabinet approved the decree during a meeting on 20 July 2022, after presenting it to the Ministerial Committee for Tourism which convened on 18 July 2022 under the chairmanship of the Prime Minister.³

The decree stipulates that Egyptians, foreign residents, and tourists are allowed to take pictures in public places in Egypt free of charge and without obtaining a permit, using all kinds of analogue and digital photography cameras, personal video cameras, and tripods.

³ Sama al-Meniawy, Prime Minister issues a decision on the rules for personal photography in public places, Egypt News website, 8 August 2022, last visited on 24 October 2022, shorturl.at/gjsvx

However, the decree prohibits the use of equipment that block public roads, or professional photography equipment, umbrellas, and artificial outdoor lighting gears without a permit.

It also stipulates that photography for personal use is not permitted in the following public places except after obtaining approval from the concerned authorities: lands, edifices and facilities affiliated to the ministries of defence, military production, and interior as well as other sovereign, security, and judicial bodies, and parliamentary councils. The decision also applies to other ministries and governmental premises and facilities.

The decree emphasised that photography for personal use should not be in violation of relevant laws.

Taking or publishing photographs that may damage the country’s image, offend its citizens, or violate public morals is prohibited under the decree, so are photographing children and taking and publishing photos of Egyptian citizens without their written consent.

Back to the context that prompted the government to legalize personal photography, despite the security practices that targeted anyone who carries a camera for years, AFTE documented some relevant cases during the second quarter of this year.

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.

It is worth noting that following that 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 he filmed and published any negative facts affecting tourists, and warned workers against publishing any video clips on social media for some inappropriate and unfair practices. The accepted practices that some tourists face during their visits, so as not to get a negative impression on those who watch that these practices are usual and acceptable to the people, contrary to the truth, which “damages the country’s tourist reputation,” according to what the Chamber stated.

The expansion of cases in which a prior permit must be obtained for photography,

the generalization in the use of phrases such as “damaging the country’s image” and “violating public morals”, in addition to the security practices hostile to photography in general indicate that the new decree came to legalize these practices, not to stop them. Thus, the goal is to restrict the freedom of personal photography, not to legalize it. This may affect tourism in Egypt and restrict the freedom of artistic expression which is based on the use of personal photography.

- **The Supreme Council for Media Regulation imposes license and content rules on streaming platforms**

In a brief statement, the Supreme Council for Media Regulation (SCMR), headed by journalist Karam Gabr, decided in early September to issue regulatory and licensing rules for streaming platforms, such as Netflix and Disney. The rules obligate the aforementioned platforms to abide by the customs and values of the Egyptian state, and stipulate “necessary measures” in the event of broadcasting content that contradicts the values of society.⁴

The SCMR’s statement did not explain the motives behind the decision. Moreover, the wording of the decision was characterized by extreme generalization, whereas any legal texts that restrict a certain right should be clear and unambiguous, so that the addressees are aware of the impermissible acts and avoid them.

However, the motives behind the decision seem to be primarily ethical. It is the same motives that legitimized the Egyptian authorities’ siege and pursuit of content creators on TikTok and other platforms. This was relayed in a report by Masaar Foundation, which said: “The SCMR’s statement follows the issuance of a joint statement by the General Authority for Audio-Visual Media and the Committee of Electronic Media Officials in the Gulf Cooperation Council (GCC) regarding the directive to Netflix to remove the violative content. The statement stated: ‘It was noticed recently that Netflix broadcasts some visual materials and content that violate the controls of media content in the GCC states, something which contradicts Islamic and societal values and principles.’ The statement indicated that ‘the platform has been contacted to remove that content, including those intended for children’, and that the concerned authorities will follow up on the platform’s compliance with the directives, and in the event that the infringing content continues to be broadcasted, ‘necessary legal measures will be taken’.”⁵

This raises a key question as to whether the SCMR has the authority to control digital streaming platforms and the content they provide, especially platforms that operate from outside Egypt, such as Netflix and Disney.

In November 2020, the SCMR introduced amendments to the licensing regulations, issued in May of the same year. The amendments required streaming platforms to

4 Shaima Ammar, SCMR: Obligating Netflix and Disney to abide by the customs and values of the state, Cairo 24 website, 7 September 2022, last visited on 25 October 2022, shorturl.at/jkTYZ

5 How the SCMR subjects Netflix and Disney to Egyptian laws, Masaar, 18 September 2022, last visited on 24 October 2022, shorturl.at/emAE5

obtain the SCMR’s approval to operate.

The amendments added to those platforms what is known as “social information technology companies”, which the licensing regulations defined as “companies that operate platforms or websites that provide or host news or media services or that broadcast or display artwork for profit purposes and that allow users to share any news or media content with other users or allow such content to be shared among the public on the same platform or website”.

The licensing regulations obligate these companies to obtain what is known as a “certificate of accreditation”, which is a certificate issued by the SCMR stating that all necessary technical, legal, and regulatory requirements are met, according to which activity within Egypt is permitted.

The licensing regulation did not clarify the fees needed to obtain the accreditation certificate, nor did the page that present the forms of licenses and permits on the SCMR website contain any forms related to the accreditation of social information technology companies.

“The amendments introduced to the licensing regulations put some controls over the censorship of content broadcast on streaming platforms such as Disney and Netflix. Among those controls is that the request for a certificate of approval is considered as agreeing to accept the removal of harmful content. The licensing regulations specify the cases in which the content can be considered harmful, which are exclusively mentioned in Article 64 of the licensing regulations as follows:

- Content that is hateful, offensive, intimidating, or disrespectful to users
- Content that offends individuals or state institutions and threatens peace and social security
- Content that includes discrimination on the basis of race, color, religion, descent, origin, or nationality
- Content that incites racism or private or public violence
- Content that includes incitement to commit acts that violate human rights and violate human dignity
- Content that includes what constitutes criminal offenses in accordance with the laws in force in Egypt
- Content that violates copyright, intellectual property, or trademarks
- Content that contains false information or personal or public rumors
- Content that incites and encourages the commission of crimes
- Content directed to children that do not take into account their age classification

The regulations stress the need for a mechanism to ensure that the social information technology companies that have obtained the accreditation certificate will remove harmful content within 24 hours from the company’s notification of the complaint made, or remove the content immediately if the SCMR proves the existence of a violation after one of the legally competent authorities examines the content. The company must keep the violating content for a period of four months as evidence of the violation if the decision is to delete or remove it.

The licensing regulations give the SCMR the discretionary power to take appropriate

measures regarding non-compliance with the implementation of deletion or removal. Although the regulations do not expressly indicate the measures the SCMR can take, they, however, imply the possibility of withdrawing or revoking the accreditation certificate. It is also understood from the general context related to the SCMR’s powers stipulated in the Press and Media Regulation Law, the Licensing Regulations, and the Penalties Regulations, that the SCMR has the right to block harmful content whenever it deems fit.

Although more than two years have passed since the amendments were introduced to the licensing and content regulations, the SCMR has not issued any accreditation certificates for social information technology companies (streaming platforms). It seems that these platforms have not adhered to the regulations for fear of the moral, religious and political censorship that the content they produce or broadcast may be subjected to.

Section Two: Media freedom



Violations of media freedom continued during the third quarter of this year. AFTE documented 12 incidents that contained 17 violations, the most prominent of which was the continued targeting of independent news websites operating in Egypt. For instance, Al-Manassa website was blocked three times in a row. Also, the Public Prosecution summoned four journalists from Mada Masr website, after members of the pro-government Nation’s Future Party filed hundreds of complaints against a report published by the website about changes made in the party’s leadership positions over corruption allegations.

The security services continued to arrest journalists. AFTE documented four cases of arrests of journalists in connection with their journalistic work. It also document-

ed other violations related to media freedom, including the gag order in the case of the murder of TV presenter Shaima Gamal, the assault on a journalist, the prevention of a journalist from filming, and the judicial targeting of a female journalist.

The key patterns of violations:

- Continued targeting of independent news websites operating in Egypt

The Egyptian authorities continued to target independent news websites and their journalists during the third quarter of this year. AFTE documented the blocking of three links of Al-Manassa website in less than 72 hours⁶. This came shortly after Al-Manassa revamped its website with a new design and new features, coinciding with the publication of opinion articles by a number of journalists and politicians, including Lilian Daoud, Hafez al-Mirazi and Ahmed al-Tantawy. On the day the website was blocked, it had published an article by Tantawy about the absence of oversight mechanisms to hold the President of the Republic accountable. It had also published a number of features, including one documenting the reinstating of a policeman convicted of torturing and killing citizen Magdy Makin and tracking how he had forged official documents related to his work in a police station in order to conceal his crime in violation of the law. The policeman had been released earlier under a presidential pardon.

Al-Manassa suffers from severe restrictions imposed by various parties on its activity. In addition to blocking the website, the SCMR refuses to decide on the requests the website has submitted since August 2020 to get a license. The website responded to the SCMR's call for the websites that had previously applied for licenses to resubmit their applications using a new form after the issuance of the executive regulations of the law. However, the website has not received any response yet.

In the same context, the Public Prosecution summoned on 7 September four of Mada Masr's journalists⁷, namely Lina Atallah, Rana Mamdouh, Bisan Kassab, and Sarah Seif El-Din, for investigation on charges of “spreading false news intended to disturb the public peace and cause damage to the public interest, slandering and defaming Nation's Future Party members, and using social media to harass the party members”. Meanwhile, the prosecution charged the editor-in-chief of Mada Masr, Lina Atallah, of operating a website without a license. The four journalists were released later on bail of 20,000 pounds for Atallah and 5,000 pounds for the three others each, according to Kassab.

The investigation came after MPs and members of the Nation's Future Party, which has a parliamentary majority, filed hundreds of complaints against Mada Masr journalists, against the background of the website's publication of a news story on 31 August that quoted sources within the party as saying that state oversight agencies had implicated senior members of the party in “grave financial violations” that could

6 28 civil society organizations condemn the continued blocking of Al-Manassa website and call on the Egyptian authorities to lift the ban on dozens of news websites, AFTE, 1 August 2022, last visited on 25 October 2022, shorturl.at/wGMPY

7 Human rights organizations call on the Public Prosecutor to close the investigation into the case of Mada Masr female journalists, AFTE, 14 September 2022, last visited on 25 October 2022, shorturl.at/jkzN9

result in their removal from their positions.

Nation’s Future Party members levelled charges at Mada Masr journalists since their names were recorded as contributors to the 31 August edition of the website’s news bulletin. However, none of the aforementioned journalists contributed to the report contained in the same bulletin edition.

Mada Masr learned that at least one of its journalists had been summoned for interrogation before the Luxor prosecution based on a complaint filed there. The filing of the complaint in Luxor indicated to Mada Masr’s defense team that other complaints had likely been filed elsewhere, in what is an old tactic aimed at increasing pressure and obliging the subjects of the complaints to appear before different prosecutors. The defense team submitted a request to the Public Prosecution to limit the investigation into all complaints to one place only.

- Continued arrest of journalists

The security services continued to arrest journalists, as AFTE documented the arrest of four journalists during the third quarter of this year. The most prominent arrests were as follows:

On 21 July, security forces arrested Al-Masry Al-Youm newspaper’s correspondent in Ismailia Hany Abdel Rahman⁸ and Al-Wafd newspaper’s reporter Mohamed Gomaa, hours after they posted a video on Facebook in which they talked about illegal activities, such as taking narcotics, in the vicinity of the kiosks of the “Aman” company affiliated to the Ministry of Interior on the ring road in Ismailia Governorate. During their detention, the Ministry of Interior published on its Facebook page a video containing what it called “confessions by the two journalists about their fabrication of videos in return for money”. According to the Egyptian Front for Human Rights, the Supreme State Security Prosecution charged the journalists with “joining a terrorist group, spreading false news, and misusing social media”. The prosecution remanded them in custody for 15 days pending investigation into Case No. 1436 of 2022 (Supreme State Security). The two journalists were released on 3 August.

On 7 July, security forces arrested journalist Raouf Ebeid⁹ of the Rose al-Youssef weekly. He was detained in an unknown place until 18 July, when he appeared before the Supreme State Security Prosecution in the Fifth Settlement on charges of joining a terrorist group and spreading false news. The prosecution decided to remand him in custody for 15 days, a decision that has since been renewed.

8 Testimony over the phone from the journalist’s sister

9 Testimony over the phone from the journalist’s wife

Section Three: Digital rights



The Egyptian authorities continued to track and monitor citizens' posts on social media, whether the posts were political, entertaining, or satirical. The authorities are active in this field, considering the internet as the last outlet available to Egyptians to express their opinions. Perhaps the most prominent violation that AFTE documented during the third quarter of the year is the growing targeting of TikTok content creators, in addition to the continued tracking of anti-government posts on social media.

AFTE documented 14 incidents that contained at least 28 digital rights violations during the third quarter of the year.

The key patterns of violations:

- **Increasing targeting of TikTokers**

In general, the Egyptian authorities actively track down and target those who publish content on social media that is critical of the government policies, whether the content is entertaining or political, especially in light of the hard living conditions that deteriorate day by day. The targeting of users of TikTok, which has been widely used in Egypt since 2020, is the most prominent violation that AFTE observed during the third quarter of the year. From among the 28 violations that AFTE documented in this regard, at least 20 cases have to do with posting content on TikTok.

The targeting of TikTokers did not start during the third quarter of this year, but it began in 2020 when the security services and judicial authorities primarily targeted

female users who published dancing content, under the pretext of protecting morals, values and principles of society. This sort of targeting is still ongoing, albeit at a much lower pace. As users started to increasingly use TikTok in various forms, violations associated with the platform also increased. AFTE observed a growing dissemination of political content that criticize the government policies in various fields this year.

The attention the security services pay to what is published on TikTok, the increasing violations in this regard, and the growing spread of the platform, especially among young people, can be described as linking the content published on TikTok between the real public space and the cyberspace. TikTok contains types of content that are filmed in public places, such as challenges of dancing in the streets, filming shots, and various activities in public places. This collides with the current security perception of the use of public places by citizens.

For example, the police arrested four people, all under the age of 20, on 4 July 2022, for creating an event known as “Batman of Helwan”¹⁰. Among those was the founder of the group who was responsible for sharing invitations to the event, Karim Mohamed Refaat. The invitations spread widely on social media in early July 2022, calling on the invitees to wear a disguise of the famous movie character Batman and gather in front of Helwan metro station in Cairo on 13 August 2022 in order to compete and win the title of real Batman. The invitations began in a sarcastic manner and spread widely on social media, with many users sharing the hashtag of the event along with photoshopped pictures, comics and videos. Some actors and public figures participated in the campaign, sharing pictures of themselves wearing Batman outfit or his mask on Facebook, Instagram, Twitter and TikTok. Those included Mohamed Henedy, Khaled El-Sawy, Ahmed Helmy, Mohamed Saad and actress Rania Youssef. Despite this societal interaction, the security services saw that this constitutes a political danger, which we believe has to do with the citizens’ freedom to use the streets and the resulting mass gatherings that the authorities have been fighting over the past nine years.

The security authorities arrested those responsible for creating pages that promoted the event on social media. The Ministry of Interior claimed that they exploited the wide interaction with the event and launched an online group to promote the gathering and increase the number of followers, in order to make financial profits by attracting advertisements and sponsored commercials. The four young men were arrested only two days after pro-government TV anchors discussed the aforementioned event, specifically Lamis al-Hadidi of ON TV, who called on the event organizers to obtain a security permit to gather so that terrorist groups would not exploit them, pointing out the event would take place on the 9th anniversary of the dispersal of the 2013 Rabaa al-Adawiya Square protests.

What confirms the political motives behind the targeting of the event organizers is that the arrested young men were referred to the Supreme State Security Prosecution, not to the district prosecution. They appeared before the prosecution for the

first time on 7 July, after they disappeared for at least two days, in connection with Case No. 440 of 2022 (Supreme State Security Prosecution). They faced political charges, including joining a terrorist group, spreading false news and inciting a terrorist act.

In another context, two police conscripts were arrested from their military service headquarters last June after one of their friends posted a video clip of them inside a police car and posted it on TikTok.¹¹

The two conscripts were subjected to enforced disappearance for nearly ten days before being brought before the Supreme State Security Prosecution on 3 July, in Case No. 440 of 2022. The prosecution charged them with joining a terrorist group and spreading false news.

In another context, the police arrested Al-Amir Fahim Ahmed, a student at the Faculty of Commerce, on 28 June 2022¹². Ahmed, 20, appeared before the Supreme State Security Prosecution for the first time on 6 July 2022, after he forcibly disappeared for more than a week. The prosecution interrogated him in Case No. 440 of 2022, on charges of joining a terrorist group, spreading false news, and using a social media account for the purpose of committing a crime. This came after he posted a video on TikTok in which he performed a political song called “Theaters and cinemas”. He was released later.

- Continued tracking of opposition posts on social media

The Egyptian authorities continued to track down social media posts that oppose the government policies, targeting their publishers even if they are former prisoners who were released under political initiatives which the government says are serious and aim to implement real political and human rights reforms.

For example, security forces arrested activist Aya Kamal¹³ and her father from their home in Alexandria on 2 July. The father was released later, but Aya was taken to the National Security headquarters in Abis in Alexandria, where she was subjected to illegal interrogation that extended for 12 hours. She appeared before the Supreme State Security Prosecution on 5 July in connection with Case No. 93 of 2022. The prosecution charged her with joining a terrorist group, spreading false news and misusing social media. It faced her with photocopies of posts from her Facebook page.

Aya, 28, graduated from the Institute of Islamic Studies. She has a private business and a clothing brand called “Yafa”. It was the third time Aya has been arrested. She was arrested for the first time in 2013 in connection with a case known in local media as “the 7am girls”, in which she was sentenced to 11 years in prison, but the Court of Appeal acquitted her later. She was arrested again in March 2020 in connection with Case No. 558 of 2020 (State Security), on charges of joining a terrorist

11 Online testimony from his lawyer who declined to be named for security reasons

12 AFTE’s Legal Aid Unit

13 Online testimony from her lawyer

group and spreading false news. She was held in pretrial detention for more than a year until she was released for health reasons.

In the same context, security forces arrested political activist Sherif al-Ruby at the entrance of a hotel in Ahmed Helmy area in Cairo on 15 September. The next day, he was transferred to the State Security building in Abbasiya neighbourhood. During his detention, a National Security officer faced him with posts from his Facebook page in which he talked about a forcibly disappeared person, the conditions inside prisons, and the suffering of detainees. Al-Ruby remained in detention until he was brought before the Supreme State Security Prosecution on 17 September. The prosecution remanded him in custody for 15 days on charges of joining a banned group, spreading false news and misusing social media, in connection with Case No. 1634 of 2022 (Supreme State Security).

It is worth noting that Al-Ruby was among the activists who were recently released under the president's decision to reactivate the pardon committee and his call for a national dialogue on political and human rights reforms. Al-Ruby's posts on social media highlighted one of the problems facing prisoners of conscience after their release, which the pardon committee said it had paid attention to. The committee also said that it had received presidential recommendations to discuss the issue of reintegrating prisoners of conscience and facilitating their return to normal life, especially with regard to the negative effects they suffer due to their imprisonment in connection with political cases.

Section Four: Academic freedom and student rights



The Egyptian authorities continued to target academics both abroad and at home, whether through university administrations as in the case of Manar al-Tantawy, or through judicial bodies as in the case of Mona al-Prince. AFTE, meanwhile, documented two cases in which students were dismissed over posts they shared on Facebook.

The key patterns of violations:

- **Successive developments in the case of targeting the master's researcher at the Central European University, Ahmed Samir**

The third quarter of this year witnessed key developments in the case of master's researcher at the Central European University Ahmed Samir Santawy. On 4 July 2022, the Emergency State Security Misdemeanor Court issued a new ruling in Case No. 774 of 2021 (Emergency State Security Misdemeanour), which is registered under No. 877 of 2021 (Supreme State Security Prosecution). It sentenced Santawy to three years in prison on charges of spreading false news. This came after the cancellation of a previous ruling issued on 22 June 2021 in the same case that sentenced Santawy to four years in prison and ordered him to pay a fine of 500 pounds.¹⁴

On 29 July, President Sisi issued a decree pardoning seven prisoners of conscience, including Santawy.¹⁵

However, the Cairo airport authorities on 27 August banned Santawy from travelling

¹⁴ Shaima Ammar, researcher Ahmed Samir Santawy sentenced to 3 years in prison on charges of spreading false news, Al-Shorouk, 4 July 2022, last visited on 25 October 2022, shorturl.at/lsQX8

¹⁵ Presidential decree to pardon 7 prisoners, including Hisham Fouad, Tariq Al-Nahri and Ahmed Samir Santawy, Al-Shorouk, 29 July 2022, last visited on 25 October 2022, shorturl.at/abfOV

to Austria to continue his master's studies. Three officers came to Santawy upon his arrival at the airport and told him that he was banned from travelling without giving any further explanations.

The next day, Santawy went to the Passports Department to inquire about his travel ban. An officer told him in a friendly manner that his travel ban came upon instructions from the National Security. When Santawy asked the officer to see the decision, the latter told him that there was no official decision, according to Santawy's testimony to AFTE.

Santawy was arrested on 1 February 2021, after being summoned to the National Security Agency, days after his house was raided. There was no official information about him until he was brought to the State Security Prosecution on 6 February 2021. He was taken to several police headquarters, including the National Security Office at the Fifth Settlement police station, where he was held until the morning of 3 February. After that, he was transferred to the First Settlement police station, then to an unknown location on 4 February. On 6 February 2021, the Public Prosecution remanded Santawy in custody for 15 days pending investigation into Case No. 65 of 2021 (State Security Prosecution).

The prosecution charged Santawy with joining a terrorist group with knowledge of its purposes, spreading false news that would undermine security and public order, and using a social media account with the aim of spreading false news. On 22 May 2021, the Supreme State Security Prosecution summoned Santawy for interrogation in a new case, No. 877 of 2021 (Supreme State Security Prosecution), in which he faced the same charges he had in the previous case. He was remanded in custody for 15 days starting after the end of his detention in the first case.

On 29 May 2021, the Supreme State Security Prosecution referred Santawy to an urgent trial before the Emergency Supreme State Security Court, in connection with the new case.

Santawy is a master's researcher at the Central European University in Vienna, where he began his studies in anthropology and social sciences in September 2019. He was subjected to several violations, including ill-treatment and torture during his interrogation by National Security officers, and physical assault at the hands of the deputy warden of Liman Tora prison on 22 February 2021.

- **Mona al-Prince dismissed from the Suez University for breaching “societal values”**

On 12 September 2022, the Disciplinary Appeals Examination Department of the Supreme Administrative Court rejected an appeal submitted by Dr. Mona al-Prince Mohamed Radwan, and upheld the ruling of the Administrative Judiciary Court to dismiss her from the university while allowing her to get the pension or the severance pay. The court stated that the ruling was issued on the basis of two charges, the first is that Dr. Mona posted several videos on Facebook that showed her danc-

ing, and insisted to post more such videos, thus degrading the prestige of university professors, their message, and their responsibility for spreading values. The second charge, the court said, was that she deviated from the scientific description of the academic curricula and spread destructive ideas that contradict the heavenly beliefs, by challenging the constants of religion during lectures by saying that Satan was subjected to injustice or that he expressed his thoughts and desires freely.¹⁶

The ruling against al-Prince is one of the forms of moral guardianship imposed on academic staff and prosecuting them for expressing themselves in different ways, which the Egyptian authorities see as tarnishing the image of faculty members.

- A disciplinary procedure taken against academic Manar al-Tantawy on charge of insulting the dean of the 10th of Ramadan Institute

On 27 July 2022, the Disciplinary Board of the Higher Technological Institute in the 10th of Ramadan City decided to penalize the assistant professor in the Department of Mechanical Engineering at the Institute’s branch in the 6th of October City, Manar al-Tantawy, by deducting 15 days from her salary, in the disciplinary lawsuit No. 18 of 2021 filed against her.

Tantawy faced charges of insulting the institute and its dean via social media and some anti-government satellite channels, after the institute’s dean refused her return to her official position as the head of the Mechanical Engineering Department despite fulfilling all technical and legal requirements.¹⁷

The case began when Tantawy requested her legal right to head the department of mechanical engineering at the institute, as she is the most senior assistant professor at the institute. Nevertheless, the dean of the institute rejected her request because she was the wife of former prisoner of conscience, journalist Hisham Gaafar.

16 Final ruling to dismiss Dr. Mona al-Prince from teaching at the university.. and the reasons: Dancing damaged her prestige, hurt the feelings of her students, and affected the pride of her colleagues, Darb website, 12 September 2022, last visited on 25 October 2022, shorturl.at/dlqw0

17 AFTE’s Legal Aid Unit

Section Five: Freedom of creativity



AFTE documented eight incidents where freedom of creativity was violated during the third quarter of this year. These included banning a Palestinian singer from entering Egypt to perform in two concerts and arresting an Egyptian fine artist after raiding his house in downtown Cairo. Also, the Syndicate of Musical Professions fined singers Mohamed Fouad and Ahmed Saad for lip-synching during concerts in violation of the syndicate’s decision in this regard. The Central Authority for the Censorship of Works of Art (CACWA) continued to censor films, as it banned the screening of the “Thor: Love and Thunder” movie for containing homosexual scenes.

The key patterns of violations:

- **Palestinian singer Nai Barghouti banned from entering Egypt**

On 1 August 2022, the Egyptian authorities banned Palestinian singer Nai Barghouti from entering Egypt¹⁸ after waiting for eight hours at Cairo airport without giving any reasons. The Egyptian Opera House also postponed two concerts for Barghouti indefinitely, the first was supposed to be held at the Nafoura Theater at the Egyptian Opera House in Cairo on 4 August, and the second at the Dekka Theater in Alexandria. Barghouti was not the first Palestinian artist to be prevented from entering Egypt over the past years. Late Palestinian poet Rashid Hussein and Palestinian director Saeed Zaghera were banned from entering Egypt to attend the El-Gouna Festival last October. Palestinian actor Ali Suleiman was also prevented from attending the El-Gouna Festival in 2018 although he was chosen as a member of the panel of judges of the festival. Many other Palestinian artists were denied entry to Egypt.

Barghouti, 26, is a singer and musician. She grew up in an artistic family and started

18 A post on Barghouti’s verified Facebook page, 1 August 2022, last visited on October 2022, shorturl.at/qtOS2

learning to play music and sing when she was a child. She studied music at the Jacob School of Music at Indiana University, the USA, for two years, then moved to the Conservatorium van Amsterdam in the Netherlands to continue her undergraduate studies and obtain a master's degree.

- **Fine artist Amir Abdel-Ghani arrested**

On 10 September 2022, security forces arrested fine artist Amir Abdel-Ghani and took him to an unknown location¹⁹. He remained in enforced disappearance until he appeared before the Supreme State Security Prosecution on 19 September. The prosecution ordered his detention for 15 days pending investigation into Case No. 1635 of 2022 (Supreme State Security Prosecution).

The Supreme State Security Prosecution charged Abdel-Ghani with joining a terrorist group with knowledge of its purposes, misusing social media, and spreading false news. The prosecution faced him with nine Facebook posts dating back to 2015 about high prices in general and gasoline in particular, in addition to other posts dating back to 2018 and 2020.

Abdel-Ghani is a member of the Syndicate of Fine Artists and has many works inside Egypt. He has not participated in any political activity and has no political affiliation.

- **Security authorities target Al-Maraya Company for Culture and Arts**

A force from the Abdeen police station and the Works of Art Investigation police raided the headquarters of the Al-Maraya Company for Culture and Arts in downtown Cairo in September.

The police force spent nearly seven hours searching the premises, during which they checked the company's licenses and the contracts it signed with authors, as well as a number of computers. After the search was completed, the force seized ten books and a computer belonging to one of the company's employees and took the company's manager, Yehya Fikri, to the Abdeen police station, where he was held until he appeared before the Abdeen Prosecution the next morning.

The prosecution charged Fikri with publishing some books with titles different from those stated in the contracts signed with the authors of those books, and issuing the “Maraya” magazine without obtaining a license from the National Media Authority (the magazine had been issued with a standard book number and work is already underway to license the magazine). The prosecution also noted that some books other than those published by the company were loaded in PDF format on a laptop of the company. The investigation report carried the number 5426 (Abdeen Administrative). The prosecution released Fikri under the guarantee of his place of residence in the evening of the same day.

It is likely that the security targeting of the company was due to a seminar it orga-

nized in the French consulate building to discuss the book “The Ghost of Spring” by writer and political activist Alaa Abdel-Fattah, who has been on hunger strike for more than 200 days.

Conclusion and recommendations

AFTE stresses that the presidential pardon committee needs to work faster and more comprehensively in a way that would enable it to complete this file. It also stresses that the continued arrest of citizens for exercising their natural right to expression brings matters back to square one, and the priority in the file of prisoners of conscience lies in stopping the security violations before anything else.

In the same context, AFTE calls on the Presidential Pardon Committee to adopt a coherent initiative to establish a commission for the reintegration of former political prisoners, in a way that enables them to lead their lives normally again. This requires – in the first place – the authorities to stop targeting and prosecuting the released prisoners, help those dismissed to return to their jobs, enable students to resume their studies, and to lift the travel ban imposed on many released prisoners so they can resume their studies or work abroad.

On the other hand, AFTE calls on the Board of Trustees of the National Dialogue to quickly finalize the procedural details related to the agenda of the dialogue sessions, and to ensure fair representation of all parties in the dialogue.