

EGYPT'S JUSTICE



NEWSLETTER

ISSUE NO. 5: FROM 8 TO 14 JULY 2021



قانون
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ANHRI

Egypt's Justice Newsletter

Issue No. 5: From 8 to 14 July 2021

First: The most important justice news in a week "From 8 to 14 July 2021"

- 1- The terrorism circuits are considering the detention renewal of nearly 2,100 defendants. "Detention renewals"
- 2- The National Security's approval (signal) is obstructing the implementation of the release order issued for journalist Ahmed Khalifa for 10 days. "Release orders"
- 3- Al- Minya Criminal Court is referring the papers of 9 defendants to the Grand Mufti in preparation for their execution. "Rulings"
- 4- The Supreme Administrative Court is establishing the principle of women's care leave (to take care of her children) for the maximum period/term. "Administrative Judiciary"
- 5- Considering an appeal demanding that the President forms an anti-corruption committee, which is set at the 24 August hearing. "Administrative Judiciary"
- 6- Egyptian Parliament approves extension of state of emergency for further 3 months nationwide. "Decisions and laws"
- 7- Egyptian Parliament passes a law allowing the dismissal of state employees without disciplinary proceedings, depending on the mere suspicion. "Decisions and laws"
- 8- Bringing human rights activist Hossam Bahgat to criminal trial on a charge of insulting the National Elections Authority. "Trials"
- 9- The Court of Cassation upholds the decision to place Zyiad El-Eleimy and Ramy Shaath on the terrorist lists. "Rulings"

Second: Details about the monitoring of justice news this week:

1- Investigations

8 July 2021

- 1- The Supreme State Security Prosecution interrogated 37 citizens from different governorates after being forcibly missing for a varying period of time, on charges of joining a terrorist group, spreading false news and statements, and misusing social media.

13 July 2021

- 1- The Supreme State Security Prosecution interrogated citizen Moataz Bellah Mohamed Al-Sayed on charges of joining a terrorist group and spreading false news and statements.

2- Detention renewals

11 July 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit, convened at the Police Cadets Institute, renewed the detention of 676 citizens pending the following cases: (No. 975 of 2020, 970 of 2020, 968 of 2020, 930 of 2019 (which involves human rights lawyer Ziyad Eleimy, journalist Hisham Fouad and Hossam Mounis), No. 865 of 2020, 864 of 2020, 855 of 2020 (which involves blogger Mohamed Ibrahim, aka Mohamed Oxygen, and Sameh Saudi, whose detention the court renewed for further 45 days), 818 of 2018, 814 of 2020, 812 of 2020, 810 of 2019 (which involves publisher Ismail Gad Ismail, aka Al Qemary, whose detention the court decided to continue for another 45 days), 800 of 2019, 751 of 2020, 648 of 2020, 647 of 2020, 629 of 2019, 626 of 2021, 571 of 2020, 570 of 2020, 569 of 2020, 558 of 2020. 535 of 2020, 517 of 2020, 488 of 2019 (which involves human rights lawyer Amr Imam and Abdel Nasser Ismail, the deputy head of the Socialist People's Alliance Party receiving a 45-day detention renewal order), 484 of 2021, 483 of 2021, 482 of 2021, 470 of 2019, 467 of 2020, 441 of 2018, 383 of 2021, 33 of 2021, 260 of 2021, 240 of 2021, 238 of 2021, 1360 of 2020 (which involves journalist Badr Badr Muhammad), No. 1175 of 2018, 1109 of 2020, 1057 of 2020, 1017 of 2020 (which includes Ayman Muhammad Al-Ratil), 1269 of 2020, 1233 of 2020, 1006 of 2020, 517 of 2020, and 1106 of 2020 (which involves photojournalist Sayed Muhammad Abdallah), No. 1108 of 2020, and 1335 of 2019.

12 July 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit renewed the detention of 712 citizens pending the following cases: (No. 984 of 2020, 979 of 2020, 900 of 2017, 90 of 2021, 867 of 2020, 867 of 2005, 810 of 2019, 786 of 2020, 750 of 2015, 738 of 2019, 730 of 2020 (which involves Rayman Muhammad Al-Hassani, who received a 45-day detention renewal order) 705 of 2019, 700 of 2019, 675 of 2019, 662 of 2020, 665 of 2021, 620 of 2021, 615 of 2020, 595 of 2021, 585 of 2020, 58 of 2020, 577 of 2020, 570 of 2018, 569 of 2020, 565 of 2020, 563 of 2019, 549 of 2020, 534 of 2020, 515 of 2019, 514 of 2019, 507 of 2020, 502 of 2020, 482 of 2021, 473 of 2014, 467 of 2020, 316 of 2017, 288 of 2015, 2007 of 2019, 1898 of 2019 (which involves Islam Ali Abbas, Hussein Khamis and Hassan Mustafa), 1780 of 2019, 1779 of 2019, 1480 of 2019, 1470 of 2019, 1413 of 2019, 1400 of 2019, 1356 of 2019 (which includes blogger Alaa Abdel-Fattah and human rights lawyer Muhammad Al-Baqer, whose detention the court decided to continue for another 45 days), 1345 of 2018, 1331 of 2018, 1318 of 2019, 1270 of 2019, 1235 of 2019, 1118 of 2019, 1111 of 2020, 1107 of 2020, 1056 of the year 2020 (which involves labor leader Rashad Muhammad Kamal, whose detention was extended for further 45 days), 1055 of 2020, 1053 of 2020, 1052 of 2020, and 1021 of 2020.
- 2- The Seventh Circuit at the North Cairo Criminal Court renewed the detention of student Hossam Wageeh for 45 days pending Case No. 96 of 2020 Qasr El Nil Misdemeanors.

13 July 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit renewed the detention of 608 citizens pending the following cases: (No. 970 of 2020, 977 of 2019, 960 of 2020 (which involves defendants Mohamed Morsi, Alaa Gomaa, Arafa Abdel Hamid, Abdel Hamid Sayed and Ahmed Mahmoud Qandil), No. 955 of 2020, 880 of 2020 (which includes defendants Islam Adel, Abu Al-Qasim Ramadan, Howaida Ahmed and Ahmed Mohamed Abdel Al-Alim), No. 741 of 2019 (in which lawyer Abdel Hamid Abdel Salam is accused), No. 680 of 2020, 674 of 2019, 65 of 2021 (in which researcher and journalist Shaima Sami are accused), No. 649 of 2020, 640 of 2018, 630 of 2017, 580 of 2020, 575 of 2020, 551 of 2019, and 535 of 2020 (which includes Yasser Antar Abdel Latif, the court decided to replace his pretrial detention with

precautionary measures), No. 26 of 2021 (which includes journalist Hussein Karim, whose detention the court decided to continue for another 45 days), No. 1956 of 2019 (in which Ayman Atef, Akram Mustafa, Ahmed Tawfiq and Karam Muhammad are accused), No 811 of 2020, 335 of 2020, 316 of 2017, 1766 of 2019, 1618 of 2019, 1551 of 2018, 148 of 2017, 1413 of 2019, 1358 of 2019 and 1107 of 2020, 1022 of 2020, 1018 of 2020, 1053 of 2020, 1054 of 2020, 1057 of 2020, 1058 of 2020, 1107 of 2020, 1116 of 2020, 1196 of 2020, 1300 for the year 2020, 1365 of 2018 (involves defendant Abdel Rahman Awad), No 1475 of 2019 (involves Mahmoud Mohamed Abdel Fattah and Haitham Abdel Moneim who received a 45-day detention renewal) and Case No. 1552 of 2018.

3- Release orders

11 July 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 39 defendants with precautionary measures over a number of State Security cases.

12 July 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 25 defendants with precautionary measures over a number of State Security cases

13 July 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit ordered the release of one defendant with precautionary measures over Case No. 1116 of 2020 State Security.
- 2- Cairo Criminal Court's 3rd terrorism circuit ordered the release of one defendant with precautionary measures over Case No. 1196 of 2020 State Security.
- 3- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 8 defendants with precautionary measures over Case No. 535 of 2020 State Security.
- 4- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 7 defendants with precautionary measures over Case No. 1475 of 2019 State Security.
- 5- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 25 defendants with precautionary measures over Case No. 1956 of 2019 State Security.
- 6- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 3 defendants with precautionary measures over Case No. 960 of 2020 State Security.
- 7- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 2 defendants with precautionary measures over Case No. 65 of 2021 State Security.

4- Set free

12 July 2021

- 1- The security authorities set free researcher and historian Alia Musaklam after she had been detained for 17 hours and interrogated at Cairo International Airport, upon her return from Berlin along with her husband and children.

14 July 2021

- 1- After spending 10 days in detention, Al-Fayoum Police Station set free journalist Ahmed Khalifa in implementation of Cairo Criminal Court's decision to replace his pretrial detention with precautionary measures pending Case No. 65 of 2021 State Security.

5- Trials

8 July 2021

- 1- Cairo Criminal Court's 5th circuit adjourned the trial of 103 defendants, including 40 children, pending the case known in the media as "Al-Joker".

10 July 2021

- 1- Port Said Criminal Court adjourned the retrial procedures of 5 defendants in the case known in the media as "Al-Arab Police Station incidents".

11 July 2021

- 1- Cairo Criminal Court's 1st circuit adjourned the retrial procedures of 3 defendants in the case known in the media as "The cabinet incidents".

12 July 2021

- 1- Cairo Criminal Court's 5th circuit adjourned the retrial procedures of one defendant in the case known in the media as "Boulaq Al-Dakrur incidents".
- 2- Cairo Criminal Court's 1st terrorism circuit adjourned the trial of 22 defendants accused of detaining and torturing a citizen and killing another one after they thought the victims were cooperating with the security forces.
- 3- The Military Court adjourned the trial of 271 defendants in the case known in the media as "Taking pictures of Belbeis Airbase".

13 July 2021

- 1- Cairo Criminal Court's first circuit adjourned the trial of 11 defendants in the case known in the media as "Spying for ISIS".
- 2- Minya Criminal Court adjourned the retrial procedures of 18 defendants in the case known in the media as Mattay violence incidents.

6- Rulings

11 July 2021

- 1- The Egyptian Court of Cassation upheld the life prison sentence issued against Mohamed Badie, the Muslim Brotherhood group's Supreme Guide, along with 9 of the group's leading members, while it ordered the acquittal of 7 other MB's leaders in the case known in the media as "The raid on the Egyptian prisons".

- 2- Cairo Criminal Court's 5th terrorism circuit sentenced one defendant to 7 years in high-security prison in the case known in the media as "The raid on Nasr City Police Station".

13 July 2021

- 1- Minya Criminal Court referred the papers of 6 defendants to the Grand Mufti in the case known in the media as "Minya violence incidents", and set the case for adjudication at the hearing of 3 September 2021.
- 2- Minya Criminal Court referred the papers of 3 defendants to the Grand Mufti in the case known in the media as "raid on Samalout police center" and set the case for adjudication at the hearing of 3 August 2021.
- 3- - Minya Criminal Court sentenced 37 defendants to life imprisonment and 5 other defendants to 5 years in high-security prison in the case known in the media as "Delga violence incidents".

14 July 2021

- 1- The Court of Cassation upheld the decision to place 13 defendants, including human rights lawyer Zyiad Al-Eleimi and activist Ramy Shaath, on the Terrorist Entities Lists for 5 years pending Case No. 571 of 2020 State Security.

7- Administrative, constitutional judiciary and court of cassation

10 July 2021

- 1- The Court of Administrative Justice considered the lawsuit demanding to reverse the administrative decision issued by the Ministry of Youth and Sports to accept donations from Turki Al-Sheikh to the Al-Ahly Club Board of Directors, and set it for adjudication at the hearing of 29 August 2021.

11 July 2021

- 1- The Court of Administrative Justice referred the lawsuit demanding the annulment of the midterm elections of the Journalists Syndicate to the State Commissioners Authority to prepare a report on its legal opinion on the subject matter of the lawsuit.
- 2- The Ismailia Economic Court closed the seizure and compensation lawsuit of the Panamanian ship "Ever Given" following a request from defense lawyers of the Suez Canal Authority (SCA) and the vessel's owners after they reached a settlement to lift the judicial seizure of the vessel.
- 3- The Court of Administrative Court set the lawsuit filed by lawyer Emad Mubarak, demanding the cancellation of Resolution No. 36 of 2018 regarding the gag order imposed in the case of Children's Cancer Hospital Egypt 57357 (CCHE) until investigations are completed into the financial and administrative irrigations committed within the hospital. The case was set for adjudication at the hearing of 26 September 2021.

8- Legislation and decisions

12 July 2021

- 1- The House of Representatives, in its plenary session, approved the President of the Arab Republic's decision No. 290 of 2021, regarding the extension of the state of emergency declared upon the Presidential Decree No. 174 of 2021, throughout the country for further three months starting from one o'clock in the morning of Saturday, 24 July 2021.
- 2- The House of Representatives approved a draft law submitted by MP Ali Badr and 10 parliamentarians amending some provisions of Law No. 10 of 1973 regarding the dismissal of state employees upon non-disciplinary method. The bill aims to dismiss employees from the state's administrative apparatus for mere suspicion of their affiliation with terrorist groups or for undermining the country's national security, without imposing an administrative penalty. The Parliament has previously approved the draft law in its entirety and referred it to the State Council.
- 3- The Public Prosecution referred Hossam Bahgat, human rights defender and founder of the Egyptian Initiative for Personal Rights (EIPR), to trial over the accusation of insulting the National Elections Authority in a post on his Twitter account last year.
- 4- The Administrative Prosecution referred the Kafr Saqr Center and City's deputy head in Sharqyia governorate, along with 11 other officials, to an urgent disciplinary trial after it was proven that they had committed serious financial and administrative irregularities violations that resulted in damage to the funds of the entity they work in.

9 - Judicial statements:

10 July 2021

- 1- The Public Prosecutor ordered the formation of a committee to hold meetings (with female judges) to consider their assignment to work at the Public Prosecution as of next October.

ANHRI's comment

- 1- The fact that the 3rd terrorism circuit, convened at the Police Cadets Institute in Tora Prison Complex, renewed the detention of approximately 2,100 defendants, most of whom are prisoners of conscience, in just three days, reflected the depth of the existing crisis regarding the severe expansion of pretrial detention and the continued detention of some of them for periods exceeding the maximum limit stipulated by law. The Public Prosecutor and the judicial authorities' negligence to confront such an issue is tantamount to abandoning their constitutional duty to apply the law and establish justice. It is sufficient to refer only to the fact that the same circuit renewed the detention of approximately 5,000 defendants during the past 33 days only.
- 2- The disruption of the implementation of the release order issued for journalist Ahmed Khalifa for a period of ten days due to the delay in the approval of the competent national security officer confirms the absence of the enforcement and due process of law, which necessitate the National Security Agency's obligation to respect and implement judicial rulings and decisions.
- 3- After the Minya Criminal Court referred the papers of 9 defendants to the Grand Mufti in preparation for their execution, only one week after the Court of Cassation confirmed the death sentence against 12 other defendants, Egypt has become the world's top executioner. It has come first for executions and death sentences, after it was in third place globally (in the execution of

death sentences). The successive death sentences in Egypt came despite international appeals to the government and authorities to abolish or put an end to implantation of the death penalty, but it made no response.

4- The parliament's approval of the President's decision to extend the state of emergency for a new period of three months came to confirm the continuation of exceptional laws which curb most human rights, especially freedoms of opinion and expression.

5- In the context of the parliament's adoption of a legislative policy, which guarantees the introducing or approval of exceptional laws that are inconsistent with human rights and international charters and treaties, whether these laws are introduced by the government or one of its members, the parliament has approved a new exceptional law that allows the 'non-disciplinary dismissal' of employees working in the state's administrative apparatus. The law allows the dismissal of employees under the mere suspicion of belonging to any terrorist group or undermining national security. The Parliament's members didn't pay attention to the voices that deem the bill flawed, dysfunctional, unconstitutional and illegal since it brings to mind the state of inquisitions; inspecting citizens' consciences and beliefs.

6- In confirmation of ANHRI's belief that justice in Egypt has double standards, human rights defender Hossam Bahgat has been referred to trial- that is set next September- following a mere complaint against him. On the other hand, there are manifold complaints that are being shelved and ignored by the Public Prosecutor because they sue police officers or state-backed officials. Of which is the complaint filed by Ahmed Seif's family members who were beaten and assaulted in June 2020, and accordingly they lodged a report but they did not receive any attention!

7- The Egyptian Court of Cassation rejecting the appeal that challenges the criminal court's decision to place human rights lawyer and former MP Ziyad El-Eleimy, along with activist Ramy Shaath, in the terrorist list confirms the crackdown approach against them; as the court refused to allow their lawyers to have access to the case papers. Alternatively, the court extended the sentencing hearing, which was issued since 10 March 2021, till the 14 July hearing when it turned down the appeal of the defendants, including El-Eleimy and his co-defendants who have spent more than two years in remand detention pending the case publicly known as "Hope Case".

* A weekly newsletter that monitors the most important investigations, trials, and proceedings related to justice and respect for the rule of law, which took place during the week (from Thursday to Wednesday). It is based on the work carried out by ANHRI's Criminal Justice Program team, in addition to media reports and the news published by the Official Gazette, and concludes with ANHRI's comments and opinion on the incidents being monitored.