

EGYPT'S JUSTICE



NEWSLETTER

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FROM 24 TO 30 JUNE 2021



ANHRI

Egypt's Justice Newsletter

Issue No. 3: From 24 to 30 June 2021

First: The most important justice news in a week "From 24 to 30 June 2021"

- 1- The State Security Prosecution starts a new investigation with engineer Yehia Hussein Abdel-Hady into an incident whose investigation ended in 2018. (Investigations)
- 2- The State Security continues the investigation with the two journalists Hisham Fouad and Hossam Moanis after exceeding the maximum limit of pretrial detention. (Investigations)
- 3- The terrorism circuits are considering the detention renewal of approximately 637 pretrial detainees. (Detention renewals)
- 4- The Fifth Terrorism Circuit begins the trial of 103 defendants in the "Joker" case. (Trials)
- 5- Minya Criminal Court proceeds with the trial of 22 lawyers on a charge of insulting the judiciary. (Trials)
- 6- The administrative judiciary is presiding over a lawsuit demanding to enable detainees to have access to coronavirus vaccine. (Administrative and constitutional judiciary)
- 7- The administrative judiciary is considering the appeal filed by MP Muhammad Abdel-Alim Daoud against his dismissal from the Wafd Party. (Administrative and constitutional judiciary)
- 8- The administrative judiciary is considering the lawsuit calling on the Ministry of the Interior to search for and investigate into the incident of a citizen who has been forcibly disappeared. (Administrative and constitutional judiciary)

Second: Details monitoring justice news this week

1- Investigations:

24 June 2021

- 1- The Supreme State Security Prosecution interrogated 37 citizens, after disappearing for varying periods and in different governorates, on charges of joining a terrorist group, publishing false news and statements, and misusing social media.
- 2- The Supreme State Security Prosecution interrogated Engineer Yehia Hussein Abdel Hadi pending Case 210 of 2019 Supreme State Security Prosecution Investigation, which is the same case that Nasr City Prosecution investigated under No. 2998 of 2018 Nasr City Administration officer and was ordered released on bail. Abdel-Hady has been remanded in custody since 29 January 2019 in connection with Case 277 of 2019.

25 June 2021

- 1- The Supreme State Security Prosecution interrogated 61 defendants in different governorates on charges of joining a terrorist group, publishing false news and statements, and misusing social media.

28 June 2021

- 1- The Supreme State Security Prosecution continued the investigation with journalists Hisham Fouad and Hossam Moanis in connection with Case 930 of 2019, known in the media as the "Hope Cell", after they exceeded the maximum limit of pretrial detention.

29 June 2021

- 1- Egyptian businessman and former owner of Al-Mehwar satellite channel was interrogated by South Cairo Public Prosecution on the accusation of involvement in illegal archaeological excavations. He was ordered detained for 4 days before his detention was renewed, on 30 June, for 15 days.

2- Detention renewals

27 June 2021

- 1- The 3rd terrorism circuit at Cairo Criminal Court, convened in a counseling room, considered the detention renewal of 259 citizens in the following cases: 855 of 2020, 812 of 2020, 771 of 2019, 575 of 2020, 470 of 2020, 1530 of 2019, 1450 of 2019, 1233 of 2019, 1106 of 2019, 1053 of 2020, 1018 of 2020, 1017 of 2020, 65 of 2021 (which involves Shaima Sami among others whose detention was renewed for 45 days), 1196 of 2020, 90 of 2021, 484 of 2021, 483 of 2021, 260 of 2021.
- 2- The 3rd terrorism circuit at Cairo Criminal Court, convened in a counseling room, considered the detention renewal of 189 citizens in the following cases: 810 of 2019, 551 of 2019, 1779 of 2019, 1470 of 2019, 1400 of 2019, 1356 of 2019 (which involves Alaa Abdel Fattah and Muhammad al-Baqir and others whose detention was renewed for 45 days), 1318 of 2019, 1118 of 2019, 1110 of 2020, 1021 of 2020, 482 of 2020, 979 of 2020, 867 of 2020, 786 of 2020, 759 of 2014, 730 of 2020, 700 of 2017, 549 of 2020, 534 of 2020, 1413 of 2019, 1331 of 2018, 1111 of 2020, 1107 of 2020, 1056 of 2020, 1054 of 2020, 1053 of 2020.
- 3- The 3rd terrorism circuit at Cairo Criminal Court, convened in a counseling room, considered the detention renewal of 209 citizens in the following cases: 975 of 2020, 930 of 2019, 865 of 2020, 855 of 2020, 818 of 2018, 800 of 2019, 751 of 2020, 238 of 2021, 1823 of 2019, 1781 of 2019, 1472 of 2019, 1269 of 2019, 1175 of 2018, 750 of 2019.

- Among those whose detention was renewed in connection with Case No. 930, aka "Hope Case": Ziyad Al-Eleimi, Hisham Fouad, Hossam Mounis, Hassan Barbari and others. Their detention was renewed for 45 days after completing the investigation with them.

3- Release orders:

27 June 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit ordered the release of one defendant with precautionary measures pending Case No. 1018 of 2020.
- 2- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 6 defendants with precautionary measures pending Case No. 65 of 2021
- 3- Cairo Criminal Court's 3rd terrorism circuit ordered the release of two defendants with precautionary measures pending Case No. 855 of 2020.
- 4- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 4 defendants with precautionary measures pending Case No. 1530 of 2019.

28 June 2021

- 1- The Supreme State Security Prosecution reversed the precautionary measures for one defendant and ordered his release under the guarantee of his place of residence pending the case of "joining White Knights Ultras".
- 2- Cairo Criminal Court's 3rd terrorism circuit released one defendant with precautionary measures in connection with Case No. 1056 of 2020.
- 3- Cairo Criminal Court's 3rd terrorism circuit released one defendant with precautionary measures pending Case No. 1111 of 2020.
- 4- Cairo Criminal Court's 3rd terrorism circuit released one defendant with precautionary measures pending Case No. 1413 of 2020.

29 June 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit released 5 defendants with precautionary measures pending Cases No. 1175 of 2020 and No. 1017 of 2020.

4- Set free

24 June 2021

- 1- After holding him in detention for 3 days, Aswan Police Station set free citizen Mohamed Abo El-Hassan in implementation of the release order issued in connection with Case No. 65 of 2021 State Security.

28 June 2021

- 1- Journalist Al-Sayed Shehta, who had been remanded in custody since 2 September 2020 in connection with Case No. 864 of 2020, returned home after he was set free

5- Trials

26 June 2021

- 1- Cairo Criminal Court's 5th terrorism circuit considered the trial of 103 defendants in the case known in the media as "Al-Joker".

- 2- Cairo Criminal Court's 5th terrorism circuit considered the trial of 5 defendants in the case known in the media as "Al-Mourabitoun Cell".
- 3- Cairo Criminal Court's 5th terrorism circuit considered the retrial procedure of one defendant in the case known in the media as "Al-Nozha incidents".
- 4- Cairo Criminal Court's 5th terrorism circuit considered the retrial of one defendant in the case known in the media as "Helwan Microbus Cell".

27 June 2021

- 1- Cairo Criminal Court's 5th terrorism circuit considered the trial of 4 defendants in the case known in the media as "Al Mataryia explosives Cell".
- 2- Cairo Criminal Court's 5th terrorism circuit considered the trial of a technician specialized in mobile phones on charges of joining a terrorist group and manufacturing explosives

28 June 2021

- 1- Cairo Criminal Court's 5th terrorism circuit considered the trial of 12 defendants in the case known in the media as "ISIS- Al-Agouza".
- 2- Minya Criminal Court considered the trial of 20 of Maghagha lawyers, including the head of the Minya Bar Association, in the case of "insulting the judiciary".
- 3- Cairo Criminal Court's 5th terrorism circuit considered the trial of 6 defendants in the case known in the media as "Cluster Cells".

29 June 2021

- 1- Cairo Criminal Court's 1st terrorism circuit considered the trial of 215 defendants in the case known in the media as "Helwan Brigades".
- 2- Cairo Criminal Court's 5th terrorism circuit set the trial of a technician specialized in mobile phones for adjudication on charges of joining a terrorist group and manufacturing explosives.

6- Rulings

27 June 2021

- 1- Cairo Criminal Court's 5th terrorism circuit sentenced one defendant to 7 years in high-security prison on charges of attempting to kill the deputy warden of Giza Central Prison and the prison's head of investigations and joining a terrorist group.

28 June 2021

- 1- Al-Sharqia Terrorism Misdemeanor Court sentenced one defendant to 3 years in prison with force and labor on a charge of possessing publications that incite violence against the state.
- 2- Cairo Criminal Court's 5th terrorism circuit sentenced one defendant to one year in prison in the case known in the media as "Al-Zaher violence incidents".

- 3- Cairo Criminal Court's 5th terrorism circuit sentenced three defendants to one year in prison in the case known in the media as "Al-Zaher violence incidents".
- 4- Cairo Criminal Court's 5th circuit sentenced 3 defendants to one year in prison" while placing them under police surveillance in the case known in the media as "The Oppressed of Downtown"

29 June 2021

- 1- Al-Sharqyia Terrorism Misdemeanor Court sentenced three defendants to 3 years in prison with force and labor on a charge of possessing publications that incite against the state.
- 2- Al-Sharqyia Terrorism Misdemeanor Court sentenced two defendants to 3 years in prison on a charge of possessing publications that incite against the state.
- 3- Cairo Criminal Court ordered the acquittal of one defendant into his retrial procedure in connection with the case known in the media as "ISIS- Badrashin".

7- Administrative and constitutional judiciary:

26 June 2021

- 1- The Court of Administrative Justice considered the lawsuit lodged by human rights lawyer Khaled Ali demanding to enable a number of detainees to have access to coronavirus from inside their jail.
- 2- The Court of Administrative Justice considered the lawsuit filed by parliamentarian Muhammad Abdel Alim Daoud demanding to stop the implementation of the decision issued by the Wafd Party's Supreme Committee to dismiss him from the party.
- 3- The Court of Administrative Justice's 1st circuit in the State Council set the lawsuit demanding the withdrawal of Azhar certificates from Dr. Yusuf Al-Qaradawi, former head of the International Union of Muslim Scholars, for adjudication at the hearing of 22 August 2021.
- 4- The Court of Administrative Justice in the State Council rejected the lawsuit demanding that Egypt and Greece share the presidency of St. Catherine's Monastery in South Sinai.
- 5- The Administrative Judicial Court considered the appeal obligating the Ministry of Interior to search for and investigate the whereabouts of Mahmoud Hassan Mohamed, who was forcibly disappeared about two years ago.

28 June 2021

- 1- The Court of Administrative Justice considered the lawsuit demanding the expropriation of real estate, land and farms owned by the Muslim Brotherhood's leading members in Sinai Governorate.
- 2- The Supreme Administrative Court rejected the appeal demanding the removal of Counselor Mohamed Fouad Gadallah, the legal advisor of former President Mohamed Morsi, from his judicial position in the State Council.

29 June 2021

- 1- The Court of Administrative Justice turned down the lawsuit demanding the establishment of the “Committee for the Prevention of Corruption” pursuant to Law No. 106 of 2013.
- 2- The Court of Administrative Justice considered the lawsuit demanding the cancellation of the Periodic Book No. 12 of 2021 regarding the regulation and mechanisms of examinations for Thanwyia Amma students for the academic year 2020/2021.

8- Legislation and Decisions/Resolutions:

24 June 2021

- 1- The Prime Minister issued Resolution No. 1221 of 2021 considering the expropriation of land and real estate necessary for the construction of the “Martyr Ahmed Hamdy tunnel 2, east and west of the Suez Canal within the Suez Governorate, among work of public benefit/interest.

28 June 2021

- 1- The Official Gazette published Minister of Justice Decision No. 6562 of 2020 granting judicial seizure to 38 workers in the Aswan Drinking Water and Sanitation Company, each within his jurisdiction.
- 2- The Official Gazette published the Minister of Justice Decision No. 1487 of 2020 granting the judicial seizure to 17 workers in the Qena Drinking Water and Sanitation Company, each within his jurisdiction.

9- Judicial statements:

28 June 2021

The First Public Defender and the Director of Public Prosecutions issues a decision for the Public Prosecutions obligating secretaries and enforcement officials to pre-examine defendants before the start of the hearings and to implement the sentences and fines issued against them.

ANHRI's comment:

* Transferring engineer Yehia Hussein Abdel-Hady from his jail to the State Security Prosecution's headquarters to interrogate him over an incident that was previously investigated and considered by Nasr City Prosecution before it ordered his release on bail verifies that the purpose of his detention is to crack down on him because of his views opposing official policies, especially that his detention pending such farcical cases has exceeded 30 months!!

* In the same context, bringing the two journalists Hisham Fouad and Hossam Moanis, along with the former parliamentarian Ziyad El-Eeimy, from their jail to the State Security Prosecution's headquarters for allegedly completing the investigation with them in connection with the case known as the “Hope Cell”, is nothing but an attempt to give legitimacy to the

continuation of their detention after they exceeded the maximum period of pretrial detention stipulated in the law.

* Moreover, the exceptional terrorism circuits extending the remand detention of 637 defendants serves as the red right that indicates the expansion of the judicial authorities' use of pretrial detention as a substitute for arrest warrants and court orders, a matter that led tens of thousands of opponents and citizens languish behind bars without a fair trial of conviction.

* The Criminal Court's 5th terrorism circuit considering the case known in the media as "Al-Joker" has renewed focus on the issue of bringing children in Egypt to trial before courts other than juvenile justice, which provides the necessary guarantees for the trial of juvenile delinquents. This case (Al-Joker) involves more than 35 children out of 103 defendants, which raises several questions about the extent of the Egyptian authorities' commitment to the provisions of the Convention on the Rights of the Child and prioritization of the child's best interests. And this couldn't be achieved when they face trial before an exceptional court.

* The lawsuit filed by human rights lawyer Khaled Ali before the Court of Administrative Justice demanding to enable some of prisoners of conscience who are being held in remand detention to have access to the coronavirus vaccine from inside their jail, came to express the feelings of fear experienced by thousands of Egyptian families over their relatives whose freedom and liberty is restricted, in the absence of any official data that could reassure them that their detained relatives are okay or give any indication of the nature of precautionary measures being implemented to protect them from that pandemic.

*** The newspapers and news websites publishing and reporting about the detention renewal order that was issued against prisoners of conscience accused in the "Hope Case" before the judge inform the defendants' lawyers about it constitutes a precedent for justice and the rule of law. It also raises question about the extent of respecting the guarantee of a public trial and the legal principle of public hearings; as publishing this piece of news before it is announced to the defendants, their families and lawyers is a dysfunction that must be fixed.**