

EGYPT'S JUSTICE



NEWSLETTER

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ANHRI

Egypt's Justice in a Week

From 19 to 25 August 2021

"The most important investigations, trials and procedures related to justice and respect for the rule of law that took place in a week, and ANHRI's comment on them" *

First: The most important justice news in a week (from 5 August 2021 to 18 August 2021):

- 1- Lawyers of blogger Mohamed Oxygen were banned from visiting their client in his jail at Tora maximum security prison, and the prison's authorities seized the visitation permission (Prison News).
2. The Court of Cassation set a hearing for considering the appeals submitted by blogger Alaa Abdel-Fattah, along with Abdel-Moneim Aboul Fotouh, head of Strong Egypt Party, and the party's deputy head Mohamed al-Qassas challenging the decision to add them to the terrorism list (Trials)
3. The State Security Prosecution interrogated 90 citizens after they were arrested, and held them in detention for varying periods before the investigation began (Investigations)
4. Cairo Criminal Court's terrorism circuit is considering the detention renewal of 300 citizens pending cases considered by the State Security Prosecution.
5. The Military Court sentenced 166 defendants to prison of a period ranging from life imprisonment to 3 years in maximum-security prison pending the case of "Taking pictures of Belbeis Air Base"
6. The Public Prosecutor issued a decision banning Dr. Hassan Nafaa, professor of political science, from traveling (Travel ban).
7. Cairo Court of Appeals is presiding over the two lawsuits filed by human rights lawyer and former parliamentarian Ziyad El-Elimi and journalist Hisham Fouad demanding to disqualify the president of Masr Al-Qadema Emergency State Security Misdemeanor Court (Trials).

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

1- Investigations

24 August 2021

- 1- After being arrested and detained for different periods before appearing before the Prosecution, the Supreme State Security Prosecution interrogated 90 citizens from different governorates on charges of joining a terrorist group, spreading false news and statements and misusing social media.

2- Detention renewals

22 August 2021

- 1- Cairo Criminal Court 's Third Terrorism Circuit, held at a counseling room in the Police Cadets Institute, considered the detention renewal of 145 citizens in the following

cases: No. 864 of 2020, which involved the two journalists Essam Abdeen and Hani Greisha, who received a 45-day detention renewal order, No. 647 of 2020, No. 629 of 2019, 570 of 2020, 558 of 2020, which includes journalist Khaled Helmy Ghoneim whose detention was renewed for 45 days, No. 335 of 2020, 33 of 2021, 316 of 2017, 1766 of 2019- in which Patrick George (researcher at the Egyptian Initiative for Personal Rights) is detained and his detention has been renewed for 45 days- No. 1618 of 2019, 1555 of 2018, 148 of 2017, 1413 of 2019, 1360 of 2019, 1109 of 2020, 1107 of 2020, and No. 1022 of 2020.

23 August 2021

- 1- Cairo Criminal Court's Third Terrorism Circuit, held at a counseling room in the Police Cadets Institute, considered the detention renewal of 47 citizens in the following cases: No. 968 of 2020, 865 of 2020, which involves businessman Safwan Thabet and his son, whose detention was renewed for 45 days for each of them, No. 814 of 2020, 648 of 2020, 569 of 2020, 483 of 2021, 238 of 2021, 1781 of 2019, 1106 of 2020, 1017 of 2020, which involves journalist Amer Abdel-Moneim whose detention was renewed for 45 days.

24 August 2021

- 1- Cairo Criminal Court's Third Terrorism Circuit, held at a counseling room in the Police Cadets Institute, considered the detention renewal of 108 citizens in the following cases: No. 970 of 2020, 535 of 2020, 1108 of 2020, 1057 of 2020, 1617 of 2019, 1335 of 2019, 484 of 2021, 811 of 2020, No. 1358 of 2019.

3- Release orders:

22 August 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit ordered the release of 6 citizens with precautionary measures pending Case No. 558 of 2020 State Security.

23 August 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit ordered the release of one defendant with precautionary measures pending Case No. 1106 of 2020 State Security.
- 2- Cairo Criminal Court's 3rd terrorism circuit ordered the release of one defendant with precautionary measures pending Case No. 1360 of 2019 State Security.

24 August 2021

- 1- North Cairo Criminal Court ordered the release of student Hossam Wageeh under the guarantee of his place of residence pending Case No. 96 of 2021 Qasr Al-Nil on a charge of joining a terrorist group.
- 2- Cairo Criminal Court's 3rd terrorism circuit ordered the release of two defendants with precautionary measures pending Case No. 1358 of 2019 State Security.
- 3- Cairo Criminal Court's 3rd terrorism circuit ordered the release of one defendant with precautionary measures pending Case No. 1108 of 2019 State Security.

4- Trials

19 August 2021

- 1- Masr Al-Qdeima State Security Misdemeanor Court adjourned the consideration of the detention renewal of human rights lawyer and former MP Ziyad El-Eleimy along with journalists Hossam Moanis and Hisham Fouad and others pending Case No. 957 of 2021, in which they are charged with spreading false news and statements. The case was postponed to the hearing of the 2nd of September, 2021.

22 August 2021

- 1- The Court of Cassation set the hearing of 18 November 2021 to consider the appeals filed by blogger Alaa Abdel-Fattah, along with Abdel-Moneim Aboul Fotouh, head of Strong Egypt Party, and the party's deputy head Mohamed al-Qassas challenging the decision to include them in the terrorism list pending the Case No. of 1781 of 2019 State Security.

23 August 2021

- 1- Cairo Criminal Court's 1st terrorism circuit adjourned the trial of 8 defendants in the case known in the media as "spying for ISIS" for the hearing of 27 September 2021.
- 2- Cairo Criminal Court's 1st circuit convened at Tora Prison Complex adjourned the trial of 5 defendants accused of joining a terrorist group in the case publicly known as "ISIS-Al-Zawya Al-Hamra", for the hearing of 28 September 2021.

24 August 2021

- 1- Cairo Criminal Court's 5th terrorism circuit adjourned the trial of 103 defendants involved in the case publicly known as "Al-Joker" for the August 25 hearing.
- 2- Cairo Criminal Court's 1st terrorism circuit adjourned the trial of 11 defendants involved in the case publicly known as "Al-Murabeton Cell" for the August 31 hearing

25 August 2021

- 1- Cairo Court of Appeals postponed the consideration of the lawsuit No. 1340 of 130 judicial year demanding to consider the request submitted by human rights lawyer and former MP Ziyad El-Eleimy to disqualify the president of Masr Al-Qadema State Security Misdemeanor Court, which is presiding over Case No. 957 of 2021 State Security in which El-Eleimy is charged with spreading false news and data. The lawsuit was postponed to the hearing of 26 October 2021.
- 2- Cairo Court of Appeals postponed the consideration of the lawsuit No. 1341 of 130 judicial year demanding to consider the request submitted by journalist Hisham Fouad to disqualify the president of Masr Al-Qadema State Security Misdemeanor Court, which is presiding over Case No. 957 of 2021 State Security in which the journalist is charged with spreading false news and data. The lawsuit was postponed to the hearing of 26 October 2021.
- 3- The 5th Terrorism Circuit convened at Tora Court Complex adjourned the trial of 103 defendants, including 40 children, involved in the case known in the media as "Al-Joker", for the hearing of 28 September for the witness' testimony
- 4- Cairo Criminal Court considered the trial of Souad El-Khouly, the former deputy governor of Alexandria, on charges of profiteering illicit gain.

5- Trials

19 August 2021

- 1- Al-Sharqia Terrorism Misdemeanor Court sentenced 10 citizens to 5 years in prison for possessing publications that incite against the state and for organizing organizational meetings that incite violence.

24 August 2021

- 1- Cairo Criminal Court's 3rd terrorism circuit sentenced one defendant to life imprisonment, another defendant (a woman) to 7 years in prison, and 5 others to 5 years in high-security prison, while it ordered the acquittal of a defendant and added those convicted in the case known in the media as "Ahrar El-Sham" to the terrorist entities list.
- 2- The Military Court sentenced 67 defendants to life imprisonment, 9 defendants to 15 years in high-security prison, 19 defendants to 10 years in high-security prison, 71 defendants to prison sentences of periods ranging from 3 to 7 years, while it ruled the expiration of the legal proceedings for two defendants due to their death in the case known in the media as "taking pictures of Belbeis Air Base".

6- Administrative and constitutional judiciary:

19 August 2021

- 1- The Court of Administrative Justice at the State Council accepted the lawsuit filed by Khaled Mahmoud Awad Zain El-Din demanding to cancel the decision issued by the Minister of Youth and Sports to suspend his activism and expunge his name from the Egyptian Olympic Committee's records for obviating his sports capacity.
- 2- The Court of Administrative Justice at the State Council turned down the lawsuit filed by Hesham Nasr demanding to reverse the decision to dissolve the board of directors of the Egyptian Handball Federation, and appoint a temporary committee to manage the federation, due to the absence of the administrative decision.

21 August 2021

- 1- The General Assembly of the Fatwa and Legislation Departments obligated the Egyptian National Railways to pay 71,899 EGP to the Alexandria Port General Authority, for the damages incurred by one of the arsenal companies affiliated with Alexandria Port as a result of a train accident in which the train's tractor and the last wagon derailed.

22 August 2021

- 1- The Administrative Court of Justice postponed the lawsuit filed by the Egyptian Initiative for Personal Rights against both the Minister of Interior and the Head of the Prisons Authority, in their capacities, for their refusal to conditionally release prisoner Mohamed Mohamed Nageeb Ibrahim, who was sentenced to 15 years in prison despite having served half of the penalty. The lawsuit was adjourned for the October 9, 2021 session.
- 2- The Administrative Court of Justice at the State Council postponed the lawsuit filed by Sayed Mohamed Nour El-Din, demanding to obligate the Party Affairs Committee to approve him as head of the Egypt Youth Party and re-elect him. The case was postponed for the October 23 session.
- 3- The Administrative Court of Justice at the State Council postponed the lawsuit demanding the suspension and cancellation of the Minister of Electricity's decision No. 100 of 2020, issued on June 9, regarding setting the new tariff for the sale of electric

energy for the next five years, starting from July 1, last, which includes an increase in prices of electricity. The case was postponed for the September 19, 2021 session for reviewing the case's paper.

23 August 2021

- 1- The Seventh (investment) Circuit at the Court of Administrative postponed the consideration of the lawsuit demanding to suspend the implementation of the decision issued to liquidate the Egyptian Iron and Steel Company, for the session of September 13, 2021.

7- Travel Ban

24 August 2021

- 1- Dr. Hassan Nafaa, professor of political science, announced that the Public Prosecutor issued a decision to ban him from traveling, pointing out that he hadn't learned about the decision until after he went to Cairo Airport to travel abroad, and as soon as the travel procedures were completed, he was informed about the ban.

8- Legislation and decisions

19 August 2021

- 1- The Official Gazette published the President of the Republic's ratification of Law No. 137 of 2021 amending some provisions of the Law of the Supreme Constitutional Court.
- 2- The Official Gazette published the President of the Republic's ratification of Law No. 138 of 2021 regarding the issuance of the Sovereign (Islamic) "Sukuk" Law.
- 3- The Official Gazette published the President of the Republic's ratification of Law No. 139 of 2021 regarding the establishment of the Medical Emergency Response Fund.
- 4- The Official Gazette published the President of the Republic's ratification of Law No. 141 of 2021 regarding the amendments of some provisions of the Penal Code.

9- Judicial statements

21 August 2021

- 1- The Public Prosecution posted on its official page on the social networking website "Facebook" a statement involving the Public Prosecutor's decision No. 1474 of 2021 to form a supreme committee to develop the Public Prosecution's strategy in digital transformation headed by the Public Prosecutor along with a number of leading members of the Public Prosecution and digital expert in the Public Prosecutor's office.

22 August 2021

- 1- The Public Prosecution announced in a statement posted on its official page on the social networking website "Facebook" that the Supreme Judicial Council approved the request of the Public Prosecutor to redeploy 11 female judges to work in the Public Prosecution with their current corresponding rank as of the judicial year 2021/2022.

10- Prison News

22 August 2021

- 1- Officials at Tora Maximum Security Prison (2) refused to implement the visitation permit issued by the Supreme State Security Prosecution to enable the lawyers of blogger Mohamed Oxygen, who is being held in pretrial detention pending Case 855 of 2020 State Security from, to visit him inside his jail. In addition to their refusal of the visit, they also seized the original paper of the visitation permit issued by the State Security Prosecution.

Final comment:

- Tora Prison 2 officials preventing the lawyers of blogger Mohamed Oxygen from visiting their client came to strengthen the severe fears for Oxygen's physical, psychological and mental safety, since mid-February 2020 when prison visits were banned. The blogger's lawyers announced they filed a report with the Public Prosecutor, adding that the prison officials not only refused to allow them to visit "Oxygen" but also they seized the original visitation permit issued by the State Security Prosecution.

- The Court of Cassation setting a hearing to consider the appeal filed by blogger Alaa Abdel Fattah, along with Dr. Abdel Moneim Aboul Fotouh, head of "Strong Egypt" Party, and his deputy Mohamed al-Qassas the decision to include them on the terrorists list represents a final episode in their manifold attempts at to receive judicial redress, whose mechanisms have failed to release them from the years-long pretrial detention that has already exceeded the legal periods stipulated by law, without being brought to trial.

- The extreme and exaggerated expansion in pretrial detention by the Public Prosecution has become a daily phenomenon that touches the lives of tens of thousands of citizens who are subjected to this measure. In this context, the third terrorism circuit- convened at the Police Cadets Institute- renewing the detention of 300 citizens over a number of cases consolidates the crisis of pretrial detention and its transformation to an alternative punishment for judicial and court rulings against opinion holders and critics of government policies.

- Dr. Hassan Nafaa, professor of political science, announcing that the security authorities at Cairo Airport prevented him from traveling abroad while informing him that an official decision had been issued to ban him from traveling, came to confirm the judicial authorities' approach in ignoring citizens' affairs when they refrained to notify them of the decisions issued against them despite the seriousness of such decisions, as previously. This approach has been previously carried out against activists and human rights defenders involved in the Case No. 173 of 2011, known in the media as "closure of civil society".

- The court that is presiding over the two lawsuits lodged by former parliamentarian Ziyad El-Eliemi and journalist Hisham Fouad has responded to their lawyers' requests (to disqualify the court's judge) by postponing the consideration of the case to the hearing of 26 October. The lawyers, also, stressed that the security services deliberately didn't allow the complainants to attend the hearing since they are pretrial detainees, making them miss the opportunity to explain to the court the reasons for their request to disqualify the judge and president of the Masr Al-Qadema Emergency State Security Misdemeanor Court.