

# EGYPT'S JUSTICE



**NEWSLETTER**

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FROM 23 TO 29 SEPTEMBER 2021



# Egypt's Justice in a Week

## Issue No. 14

From 23 to 29 September 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 23 to 29 September 2021):**

- 1- The Supreme State Security Prosecution interrogated 54 citizens on charges of joining a terrorist group and spreading false news and statements. "Prosecution investigations"
- 2- Al-Mansoura Criminal Court sentenced 5 citizens to death and others affiliated with the Muslim Brotherhood group to life and high-security prison sentences for killing security personnel in 2014 "Judicial rulings"
- 3- The continuation of the exceptional trials against human rights lawyer Ziyad El-Elimi, journalists Hisham Fouad and Hossam Mounes, and Patrick George, researcher at the Egyptian Initiative for Personal Rights (EIPR). "Trials"
- 4- The Supreme State Security Prosecution ordered the release of 34 citizens for exceeding the maximum limit of pretrial detention period "Release orders"
- 5- The Third Circuit (Terrorism) at Cairo Criminal Court has considered the detention renewal of 497 citizens pending cases of the State Security Prosecution "Detention renewals"

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

#### **1- Investigations**

23 September 2021

- 1- The Supreme State Security Prosecution interrogated 13 citizens, after arresting them on different dates, on charges of joining a terrorist group, publishing false news and statements, and misusing social media.

24 September 2021

- 1- The Supreme State Security Prosecution interrogated 15 citizens, after arresting them from different governorates on different dates, on charges of joining a terrorist group, publishing false news and statements, and misusing social media.

25 September 2021

- 1- The Supreme State Security Prosecution interrogated 11 citizens, after arresting them from different governorates on different dates, on charges of joining a terrorist group, publishing false news and statements, and misusing social media.

28 September 2021

1- The Supreme State Security Prosecution interrogated 15 citizens, after arresting them from different governorates on different dates, on charges of joining a terrorist group, publishing false news and statements, and misusing social media.

## **2- Detention renewal**

26 September 2021

1- The Third Circuit (Terrorism) at Cairo Criminal Court, convened at the Police Cadets Institute, considered the detention renewal of 153 citizens pending the following cases: No. 984 of 2020, 900 of 2017, 90 of 2021, 738 of 2019, 705 of 2019, 675 of 2019, 662 of 2020, 626 of 2021, 615 of 2020, 595 of 2021, 577 of 2020, 569 of 2020, 565 of 2020, 514 of 2019, 507 of 2020, 1898 of 2019, which involves activist Hassan Mustafa and human rights lawyer Mohab El-Ibrashi, whose detention was renewed for 45 days, 1480 of 2019, 1345 of 2018, 1270 of 2019, 1235 of 2019, 1052 of 2020.

27 September 2021

1- The Third Circuit (Terrorism) at Cairo Criminal Court, convened at the Police Cadets Institute, considered the detention renewal of 201 citizens pending the following cases: No. 979 of 2020, 867 of 2020, 864 of 2020 (which involves the two journalists Hany Gerisha and Essam Abdeen whose detention was renewed for 45 days), 759 of 2014, 755 of 2021, 700 of 2017, 647 of 2020, 629 of 2019, 570 of 2020, 558 of 2020, 549 of 2020, 444 of 2018, 335 of 2020, 23 of 2021, 316 of 2017, 1739 of 2018, 1618 of 2019, 1555 of 2018, 1551 of 2018, 148 of 2017, 1413 of 2019, 1360 of 2019, 1109 of 2020, 1107 of 2020, 1053 of 2020, 1022 of 2020.

28 September 2021

1. The Third Circuit (Terrorism) at Cairo Criminal Court, convened at the Police Cadets Institute, considered the detention renewal of 143 citizens in the following cases: 970 of 2020, 968 of 2020, 909 of 2021, 865 of 2020, 814 of 2020, 811 of 2020, 800 of 2020, and 65 of 2021 648 of 2020, 628 of 2021, 623 of 2018, 620 of 2021, 535 of 2020, 484 of 2021, 1617 of 2019, 1358 of 2019, 1335 of 2019, 1175 of 2018, 1108 of 2020, 1057 of 2020, 1006 of 2020.

2- The Mansoura Criminal Court rejected the appeal submitted by activist Mohamed Adel challenging the decision of his pretrial detention issued in Case No. 4118 of 2018 Sherbin Administrative, and accordingly upheld the decision.

## **3- Release orders**

26 September 2021

1- Cairo Criminal Court's Third Terrorism Circuit, convened at the counseling room, ordered the release of 5 defendants with precautionary measures pending Case No. 1898 of 2019 State Security.

27 September 2021

1- Cairo Criminal Court's Third Terrorism Circuit, convened at the counseling room, ordered the release of 4 defendants with precautionary measures pending Case No. 1413 of 2019 State Security.

2- Cairo Criminal Court's Third Terrorism Circuit, convened at the counseling room, ordered the release of one defendant with precautionary measures pending Case No. 1109 of 2020 State Security.

3- Cairo Criminal Court's Third Terrorism Circuit, convened at the counseling room, ordered the release of 34 defendants with precautionary measures pending Cases No. 488 of 2019 State Security, 750 of 2019, and 771 of 2019.

28 September 2021

1- Cairo Criminal Court's Third Terrorism Circuit, convened at the counseling room, ordered the release of two defendants with precautionary measures pending Case No. 238 of 2021 State Security.

2- Cairo Criminal Court's Third Terrorism Circuit, convened at the counseling room, ordered the release of 5 defendants with precautionary measures pending Case No. 1057 of 2020 State Security.

#### **4- Trials**

25 September 2021

1- The Economic Court adjourned the second trial hearings of Dr. Amr Khairy in the case known in the media as "bowing down before my dog" for 9 October 2021.

26 September 2021

1- The Fifth Terrorism Circuit at Cairo Criminal Court adjourned the trial of 22 defendants in the case known in the media as "ISIS-Omranyia" for 23 November to check the exhibits

2- The Fifth Terrorism Circuit at Cairo Criminal Court adjourned the trial of 5 defendants in the case known in the media as "Al-Murabetin Cell" for 22 November for the defense pleadings.

3- The Fifth Terrorism Circuit at Cairo Criminal Court adjourned the trial of 11 defendants in the case known in the media as " Al-Murabeton 2 " for the 3rd of October to proceed with the defense pleadings.

27 September 2021

1- The First Terrorism Circuit at Cairo Criminal Court adjourned the trial of 8 defendants in the case known in the media as "Spying for ISIS" for 20 October to bring the third defendant from his jail.

2- The Fifth Terrorism Circuit at Cairo Criminal Court adjourned the trial of 4 defendants in the case known in the media as "Al-Mataryia explosives" for 25 October to submit the death's certificate of the third defendant.

28 September 2021

1- Cairo Criminal Court set the trial of 5 defendants in the case known in the media as "Al-Zawyia El-Hamra" for adjudication at the hearing of 10 November 2021.

2- Cairo Criminal Court adjourned the trial of 103 defendants in the case known in the media as "Suez-Al Joker" for 27 October.

3- Al-Mansoura Emergency State Security Misdemeanor Court adjourned the trial of Patrik George, researcher at the Egyptian Initiative for Personal Rights (EIPR), on charges of publishing false news and statements.

29 September 2021

1- The Supreme Military Court (for appeals) considered the appeals filed in connection with the Case No. 64 of 2017 East Cairo Military known in the media as "The Assistant Public Prosecutor".

2- The Masr Al- Qadeimaa Emergency State Security Misdemeanor Court adjourned the trial of human rights lawyer and former MP Ziyad El- Eliemy and journalists Hisham Fouad and Hossam Moanis on a charge of spreading false news. Their trial was postponed to the hearing of 6 October 2021 for the defense pleadings.

## **5- Rulings**

28 September 2021

1- The Mansoura Criminal Court in Dakahlia governorate sentenced two Muslim Brotherhood members to death and 4 others to life imprisonment for murdering security personnel at Al-Azhar University in Mansoura.

2- The Mansoura Criminal Court in Dakahlia governorate sentenced 3 people to death, 9 defendants to life in prison, and one defendant to 10 years in prison, while it ordered the acquittal of 6 members of the Muslim Brotherhood, for killing two policemen in the Ports Security Department and a driver at Al- Nozha Village in 2014.

## **6- Administrative and constitutional judiciary:**

25 September 2021

1-The Supreme Administrative Court upheld the historic ruling issued by the Administrative Court of Alexandria with its First Circuit in Beheira, with regard to the Minister of Awqaf's decision to add 42 mosques located in various centers and villages in Beheira Governorate to the Ministry of Awqaf's jurisdiction, while it refused to obligate the Minister of Awqaf to accept the appointment of workers for mosques nominated by donors to build mosques on the grounds that by performing Prayer, mosques are turned from the ownership of its builder to the ownership of God and the state supervises it with its management methods and legal tools. The ruling has become final and binding.

26 September 2021

1- The Second Circuit at the Court of Administrative Justice adjourned the lawsuit filed by Dr. Umniah Jadallah, coordinator of the "The Platform is Her Right" Initiative, in which she demands canceling and halting the implementation of the State Council Announcement No. (2) of 2021 regarding the request to appoint female judges in the State Council from members of the Administrative Prosecution and State Cases bodies. The case was adjourned for the October 31st session for checking documents.

2. The Sixth Circuit "Education" at the Administrative Court decided to postpone the consideration of the appeals demanding that the Ministry of Education re-correct the high school answer sheets for Cairo, Giza and Qalyubia students. The case was postponed to the October 17 session to submit the documents awaiting the administrative body's response.

27 September 2021

1- The First Circuit of the Court of Administrative Justice at the State Council turned down the lawsuit demanding the cancellation of the Resolution No. 36 of 2018 issued to ban all the materials published about Hospital 57357 due to the absence of the interest condition.

2- The Court of Administrative Justice set tomorrow (Sunday) to consider the first sessions of the lawsuit lodged by lawyer Ashraf Farhat calling for halting the implementation of the negative decision to refrain from blocking the application of the "Fortnite" Game along with any similar applications, on the grounds that this game embodies the demolition of the honorable Kaaba in Mecca order to obtain privileges within the game.

## **7- The Public Prosecution and investigative judges' decisions**

29 September 2021

1- The Administrative Prosecution decided to refer a sector head in the Central Administration of Legal Affairs of the Central Auditing Organization, and others of his assistants, to an urgent disciplinary trial, after it was proven that they had committed crimes of forgery and embezzlement of official documents.

8- Legislation

26 September 2021

1- The Real Estate Authority issued the periodic book No. 286 regarding the mechanisms to be taken to stop the financial flows and assets of terrorists and their financiers and to prevent them from transferring their assets to others. The book stipulates the prohibition of providing services related to assets in case of matching in the triple name, the Identification Card data, or the entire passport, with the persons included in the previously circulated terrorist lists, in order to protect bona fide individuals.

29 September 2021

1. The Real Estate Registration and Documentation Authority issued Technical Circular No. (16) of 2021, to confirm the continuation of the implementation of Technical Circular No. (24) of 2020, which includes not proceeding with the registration procedures for established real estate, except with an official certificate from the competent governor, or his authorized, proving the non-existence of violations, provided that the certificate includes the following:

- No records of violations written in the archives.
- The outcomes of the on-site inspection from the competent engineer stating that there are currently no violations.

The Authority stressed the three general departments of technical inspection, office secretaries, assistant secretaries, heads of real estate offices, and documentation offices and branches, take into account the precise implementation of the abovementioned instructions.

## **9- Judicial statements**

29 September 2021

1. The spokesperson for the Administrative Prosecution Authority published a statement confirming that the application launched by the Administrative Prosecution yesterday, aims primarily to familiarize the citizen with the Administrative Prosecution, its competencies, and nationwide branches in connection with "Google Maps".

### **Final comment**

- The Third Terrorism Circuit has concluded the judicial year with issuing decision detention renewal orders against hundreds of people appearing before it over Supreme State Security cases, in violation of the simplest rules and guarantees of a fair and equitable trial, including the appearance of the accused before his natural judge.
- Al-Mansoura Criminal Court's death sentence handed down against 5 defendants in trials marred by due process violations confirms the approach of severe judicial expansion in death penalty recently adopted in Egypt making it rank as the world's third most frequent executioner.
- The State Security Prosecution's decision to release 34 citizens- out of those who are being held in pretrial detention pending investigation- for exceeding the maximum limit of pretrial detention period, appears to be a small step in a path of a thousand miles, in connection to the file of pretrial detainees whose numbers are estimated to be thousands.
- The ruling issued by the Supreme Administrative Court in Alexandria adding a number of mosques in Beheira governorate's centers and villages under the Ministry of Endowments' authority came as a step and an attempt to confront the spread of extremism in Egypt's villages by not sparing space for mixing religion with politics.