

EGYPT'S JUSTICE



NEWSLETTER

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ANHRI

Egypt's Justice in a Week

From 2 to 8 September 2021

Issue No. 11

"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 2 to 8 September 2021):

1. The Supreme State Security Prosecution interrogated 42 citizens after they were arrested on charges of joining a terrorist group and publishing false news and statements "investigations."
2. Cairo Criminal Court's Terrorism Circuit is considering the detention renewals of 559 citizens in cases deliberated before the Supreme State Security Prosecution "detention renewals"
3. The Economic Court adjourned the first trial sessions against human rights activist Hossam Bahgat on charges of insulting the National Elections Authority.
4. Cairo Court of Appeal set September 11 to consider the first trial hearing of human rights lawyer Hoda Abdel Moneim and Aisha Al-Shater. "Public Prosecution and Investigative Judges' decisions"
5. The First Circuit of Terrorism at Cairo Criminal Court sentenced three defendants to death in the case known in the media as the case of "spying for ISIS "rulings"

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

1- Investigations

2 September 2021

1- The Supreme State Security Prosecution interrogated 12 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.

5 September 2021

1-The Supreme State Security Prosecution interrogated 12 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.

6 September 2021

1-The Supreme State Security Prosecution interrogated 12 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 renewals

5 September 2021

1- The Third Circuit of Terrorism at Cairo Criminal Court, held in a counseling room at the Police Cadets Institute, considered the detention renewal of 73 citizens pending the following cases: No. 900 of 2017, 90 of 2021, 853 of 2021, 657 of 2021, 65 of 2021, 630 of 2017, 626 of 2021, of 2020, 484 of 2021, 260 of 2021, 240 of 2021, 1175 of 2018, 1053 of 2020.

6 September 2021

1- The Third Circuit of Terrorism at Cairo Criminal Court, held in a counseling room at the Police Cadets Institute, considered the detention renewal of 73 citizens pending the following cases: No. 977 of 2017, 970 of 2020, 706 of 2019, 680 of 2020, 674 of 2019, 649 of 2020, and 640 of 2018, 551 of 2019, 535 of 2020, 1956 of 2019 (in which human rights lawyer Haitham Mohamadin is accused), 1057 of 2020, 1054 of 2020, 1475 of 2019 (which involves labor activist Khalil Riz, whose precautionary measures have been extended by court), No. 1365 of 2019, 1300 of 2020, and No. 260 of 2021.

7 September 2021

1- The Third Circuit of Terrorism at Cairo Criminal Court, held in a counseling room at the Police Cadets Institute, considered the detention renewal of 73 citizens pending the following cases: No. 867 of 2020, 786 of 2020, and 730 of 2020. , 590 of 2021, 58 of 2020, 502 of 2020, 570 of 2018, 563 of 2019, 534 of 2020, 1780 of 2019, 1331 of 2018, 1111 of 2021, 1056 of 2020, which involves labor leader Rashad Kamal.

3- Release orders

5 September 2021

1. Cairo Criminal Court's Third Terrorism Circuit ordered the release of one defendant with precautionary measures pending Case No. 65 of 2021 State Security.
2. Cairo Criminal Court's Third Terrorism Circuit ordered the release of one defendant with precautionary measures pending Case No. 853 of 2021 State Security.

6 September 2021

1. Cairo Criminal Court's Third Terrorism Circuit ordered the release of two defendants with precautionary measures pending Case No. 1475 of 2019 State Security.
- 2- Cairo Criminal Court's Third Terrorism Circuit ordered the release of 10 defendants with precautionary measures pending Case No. 1956 of 2019 State Security.
- 3- Cairo Criminal Court's Third Terrorism Circuit ordered the release of two defendants with precautionary measures pending Case No. 1057 of 2020 State Security.
- 4- Cairo Criminal Court's Third Terrorism Circuit ordered the release of two defendants with precautionary measures pending Case No. 970 of 2020 State Security.

5- Cairo Criminal Court's Third Terrorism Circuit ordered the release of one defendant with precautionary measures pending Case No. 1475 of 2019 State Security.

4- Trials

2 September 2021

1-The Port Said Criminal Court adjourned the trial of 15 defendants in the case known in the media as "Al-Arab Police Station violence Incidents" for the hearing of October 14, 2021, to hear the defense pleadings.

2. Masr Qadeima Emergency Misdemeanor State Security Court adjourned the trial of former MP Ziyad El Eliemy and journalist Hisham Fouad and Hossam Moanis for the hearing of 29 September until deciding on the request of disqualifying the court's Judge.

4 September 2021

1-Giza Criminal Court's second terrorism circuit adjourned the retrial procedures of 15 defendants accused in the case known in the media as "Al- Fath mosque incidents" for the hearing of 4 October to continue the pleadings.

2- Cairo Criminal Court, convened at the Fifth Settlement, adjourned the trial of former Housing Minister Mohamed Ibrahim Soliman and businessman Samir Zaki Abdel-Qawy in the case known in media as " The Green Belt" for the hearing of 3 October, 2021.

3- Giza Criminal Court's second terrorism circuit adjourned the trial of 47 defendants in the case known in the media as "smuggling wanted people from Cairo Airport" for the hearing of 5 October 2021 to proceed with the pleadings.

6 September 2021

1-The first terrorism circuit at Cairo Criminal Court adjourned the trial session of Mohamed Badie, the Muslim Brotherhood Guide, along with 78 defendants in the case known in the media as "Al Manassa incidents", for 10 October 2021.

2- The Heliopolis Appellate Misdemeanors Court extended the sentencing ruling on the appeal submitted by Nozha Public Prosecution challenging the first-degree verdict acquitting Chancellor Noha Al-Imam, accused in the case known in the media as "The Court Lady", from the charge of assaulting the officer of Masr Al-Gedida Court. The appeal was postponed to the session of September 13, 2021.

7 September 2021

1- The Economic Court adjourned the trial of economic activist Hossam Bahgat, founder of the Egyptian Initiative for Personal Rights (EIPR), on a charge of insulting the National Electoral Commission for the 2nd of November 2021 for checking the case's documents.

8 September 2021

1- Cairo Economic Court upheld the assets seizure decision issued by the Public Prosecution against Hassan Rateb and Alaa Mohamed Hassanein against the backdrop of the accusations of forming a gang for excavation and trafficking in antiquities.

5- Rulings

2 September 2021

1- Cairo Criminal Court decided to include 31 citizens involved in Case No. 1552 of 2018 State Security on the terrorism list for a period of 5 years starting from the date on which the decision was issued, with its legal implications. The court also ordered the publication of the decision in the Official Gazette.

2- Cairo Criminal Court decided, in the request No. 17 of 2021 (registered under No. 4 of 2021 and No. 1233 of 2018 State Security), to add 14 citizens to the terrorist entities list for a period of 5 years starting from the date when the decision was issued with its legal implications. The court also ordered the publication of the decision in the Official Gazette.

5 September 2021

1- Cairo Criminal Court's first terrorism circuit sentenced 3 defendants to death, 3 others to life imprisonment, and 4 defendants to 15 years to high-security prison. The court also imposed a fine of 3 million Egyptian pounds on the group of "ISIS- LIBYA" and police guardianship on the defendants for a period of 5 years in the case known in the media as "Spying for ISIS".

6 September 2021

1- The second terrorism circuit sentenced one defendant to 10 years in prison in the case known in the media as "Popular Resistance Committees in Kerdasa".

2- The second terrorism circuit sentenced 3 defendants to life in prison and one defendant to 5 years in high-security prison, while it ordered the acquittal of another defendant in the case known in the media as "Al Sahel explosives cell".

Administrative and constitutional judiciary:

2 September 2021

1- The Court of Administrative Judiciary adjourned the lawsuit filed by activist Ghada Nagib demanding to cancel the decision to revoke her Egyptian citizenship for the session of October 7, 2021.

6 September 2021

- 1- The Supreme Constitutional Court set the session of October 9 to adjudicate over the unconstitutionality of the second paragraph of Article 6 of Law No. 47 of 1969 regarding the establishment of the Pharmacists Syndicate, with regard to the procedures for grievances against the decisions of the Syndicate Registration Committee.

7- The Public Prosecution and the Investigative Judges' decisions

7 September 2021

1- Cairo Court of Appeal set the session of Saturday, September 11th, to consider the first trial sessions against human rights defenders along with the Egyptian Coordination for Rights and Freedoms' activists, including: human rights lawyer Hoda Abdel Moneim, Aisha Khairat Al-Shater and 29 others, in Case No. 266 of 2021 Supreme State Security before the Supreme State Security Fifth Terrorism Circuit.

8- Legislation

5 September 2021

1- The Official Gazette published the decision of the Ministry of Justice to grant 2,891 workers in the Customs Authority, in their functional capacities, each in his jurisdiction, the capacity of judicial control officers, for crimes that occur in violation of Law No. 207 of 2020, regarding the issuance of the Customs Law.

7 September 2021

1. The President of the Republic ratified Law No. 145 of 2021 establishing the Charitable Endowment Fund, which was approved by the House of Representatives. The fund aims to encourage the charitable endowment system to establish and sponsor scientific, cultural, health and social institutions and other institutions working in the field of philanthropy.

Final comment:

- The Supreme State Security Prosecution continuing to rely on the investigation records and reports of the National Security Apparatus officers leads to the ongoing increase in the number of citizens arrested against the backdrop of the crimes stipulated in the Terrorism Law- issued in 2015 and amended in 2018, especially the crimes of "spreading false news and rumors harmful to the country's reputation" and "joining a terrorist group with knowledge of its purposes". Such crimes caused a state of confusion among defendants and their lawyers as they failed to know their nature and what they are exactly about; because the authorities always refuse to allow them access to the investigations' reports that allege that these crimes were committed by the defendants. The Public Prosecution uses such vaguely-worded and fabricated accusations as a pretext for ordering pretrial detention, which has turned into a tool of punishment (although it seems legal at the outset) leading people to be held in detention for several years without a judicial ruling. In this context, 42 citizens have appeared before the State Security Prosecution, after they were arrested from different governorates. They were charged with the same aforementioned accusations, so that the Public Prosecution ruled to hold them in detention for 15 days pending investigation.

- Aside from the five circuits of terrorism, the Third Terrorism Circuit, which holds its sessions at the Police Cadets Institute adjacent to the Tora prison Complex, remains a problem, especially when the Cairo Court of Appeals, which presides over the detention renewal of 559 defendants, ordered this week the release of only 30 defendants, while it decided to extend the detention of all the rest for further 45 days.

- The start of the trial of human rights defender Hossam Bahgat, founder of the Egyptian Initiative for Personal Rights (EIPR), before the Economic Court, confirms that the approach of persecuting

and cracking down on human rights defenders; by leveling fabricated criminal charges against them and bringing them to trials as punishment for expressing their views speaking up on the deterioration of the human rights situation in Egypt. Bahgat faces trial over charges of insulting the electoral commission during the parliamentary elections that took place last year, after he posted, via his Facebook and Twitter personal accounts, phrases that the Public Prosecution deemed "offensive" to the commission and accused him of "spreading false news and misusing the internet". The trial is still underway as the court decided to postpone it to the second of November 2021.

- The Supreme State Security Prosecution decided to refer Huda Abdel Moneim, human rights lawyer and member of the National Council for Human Rights, to criminal trial on charges of belonging to, financing, and assuming the leadership of a terrorist group Huda, at time she was about to complete three years in pretrial detention pending probe. We cannot know for sure when Hoda's detention will come to an end after the trial. She is nearly 60 years old and suffers from cartilage erosion and severe knee stiffness. She has also been denied visits and has been kept in solitary confinement since her arrest on the first of November 2018.