

## **Egypt's Justice in a Week\***

**From 16 to 22 September 2021**

### **Issue No. 13**

"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 16 to 22 September 2021):**

1- It has been ruled that there is no legal ground to pursue a criminal lawsuit against: the 'Andalus Institute for Tolerance and Anti-Violence Studies', the 'New Future House Centre for Human Rights and Legal Studies', the 'Human Development Association in Mansoura', and the 'Egyptian Centre for Economic and Social Rights' in connection with the case known in the media as "closure of civil society" (The Public Prosecution and investigative judge's decisions).

2- Cairo Criminal Court has freed student Hossam Wageeh after spending more than 10 days in illegal (Set free).

3- The Supreme State Security Prosecution is interrogating 17 citizens on charges of joining a terrorist group and spreading false news (investigations).

4- The Third Circuit (Terrorism) at Cairo Criminal Court has ordered the release of 11 citizens out of 152 after considering their detention renewal pending state security cases (Release orders)

5- The Public Prosecution issued a statement on its official Facebook page to mourn Field Marshal Muhammad Hussein Tantawi, head of the Military Council during the January 2011 Revolution (Judicial statements).

6- The opposition judge at South Cairo Court has renewed the detention of former parliamentarian Alaa Hassanein and others accused in the case known in the media as "smuggling antiquities" (Detention renewals).

7- Adjourning the lawsuit demanding to impose judicial sequestration on the Doctors Syndicate (Trials).

8- Chancellor Noha Al-Imam was sentenced to three months in prison with the suspension of the sentence in the case known in the media as "the court lady" (Rulings)

#### **Second: Details on monitoring justice news in a week:**

##### **1- Investigations**

21 September 2021

1-The Supreme State Security Prosecution interrogated 17 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**

19 September 2021

1- The Third Circuit (Terrorism) at Cairo Criminal Court, held in a counseling room at the Police Cadets Institute, considered the detention renewal of 152 citizens pending the following cases: No. 970 of 2020, 900 of 2021, 883 of 2021, 818 of 2018, 755 of 2021, 751 of 2020, 662 of 2020, 656 of 2021, 65 of 2021, 628 of 2021, 620 of 2021, 517 of 2020, 488 of 2019 (which involves human rights lawyer Amr Imam and journalist Ahmed Shaker, whose detention has been renewed for 45 days), No. 383 of 2021, 316 of 2017, 1430 of 2018, 865 of 2020, 812 of 2020, 483 of 2021, 470 of 2019, 441 of 2018, 288 of 2015, 238 of 2021, 1823 of 2019, 1472 of 2019, 1413 of 2019, 1055 of 2020, 1450 of 2019, 865 of 2020.

19 September 2021

1- The appeals judge at South Cairo Court renewed, via videoconference, the detention of former parliamentarian Alaa Hassanein, along with 16 other defendants, for 45 days pending investigations pending the "Great Antiquities" case.

### **3- Release orders**

19 September 2021

1- The Third Circuit (Terrorism) at Cairo Criminal Court ordered the release of 11 defendants with precautionary measures pending Case No. 488 of 2019 State Security.

### **4- Set free**

16 September 2021

1- The security forces at the Qasr al-Nil Police Department freed student Hossam Wageeh after he was illegally detained for more than 10 days after Cairo Criminal Court ordered his release pending Case No. 96 of 2021 Qasr al-Nil Misdemeanor.

### **4- Trials**

16 September 2021

1-The Appellant Court of Urgent Matters postponed the consideration of lawsuit No. 298 of 2020 demanding to impose judicial sequestration on the Doctors Syndicate for the hearing set on October 21.

19 September 2021

1- The first terrorism circuit convened at the Police Cadets Institute adjourned the trial of 22 defendants in the case No. 840 of 2019 for the hearing of 17 October for the defense's pleading.

20 September 2021

1-The first terrorism circuit adjourned the trial of 10 defendants in the case known as "terrorizing citizens in Mataryia (district)" for the hearing set on 18 October.

### **5- Trials**

20 September 2021

1- The first terrorism circuit at Cairo Criminal Court sentenced one defendant to life imprisonment in the case known in the media as "Kerdasa Massacre".

21 September 2021

1- Al-Nozha Appellant Court sentenced Chancellor Noha Al-Imam to three months in prison with the suspension of the sentence and rejected the civil lawsuit in the case known in the media as "the court lady".

2- The first terrorism circuit at Cairo Criminal Court, held at the Police Cadets Institute in Tora, ordered the release of 3 defendants in the case known in the media as "Giza ISIS Cell".

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

19 September 2021

1. The General Assembly of Judges at the Court of Administrative Justice upheld the judicial reshuffle of the Court's members during the judicial year 2022/2021, which included the distribution of the Court's judges to 122 departments at the Court of Administrative Justice in Cairo and all over Egypt's governorates.

21 September 2021

1- The Board of Commissioners of the Supreme Constitutional Court has set the November 14 hearing to consider the lawsuit claiming the unconstitutionality of Article 21 of Law No. 52 of 1969 regarding renting and selling premises and regulating the relationship between the landlord and tenant.

2- The Board of Commissioners of the Supreme Constitutional Court has set the November 14 hearing to consider the lawsuit claiming the unconstitutionality of the first paragraph of Articles 104, 110, 111 of Labor Law No. 12 of 2003 for contradicting Article 128 of Labor Law No. 12 of 2003, in accordance with Paragraph b of Article 29 of the Supreme Constitutional Court Law No. 48 of 1979.

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

20 September 2021

1- Counselor Ali Mokhtar, the investigative judge in Case No. 173 of 2011 known in the media as "NGOs Case", issued his sixth decision since December 2020 ruling that there is no sufficient evidence to lodge a criminal lawsuit against: the 'Andalus Institute for Tolerance and Anti-Violence Studies', the 'New Future House Centre for Human Rights and Legal Studies', the 'Human Development Association in Mansoura', and the 'Egyptian Centre for Economic and Social Rights'. According to the judge's ruling on Monday, the founders of these four NGOs — who were subjected to extensive investigations — will also be relieved from the legal restrictions imposed on them, such as being banned from travelling and having their assets frozen, whether liquid or movable.

## **8- Legislation and decisions**

16 September 2021

1- The Official Gazette published, in its issue No. 37, the Prime Minister Decision No. 2118 of 2021, regarding licensing the General Authority for Comprehensive Health Insurance in partnership with e-finance for financial and digital investments, and the Egyptian Company for Investment Projects to establish e-Health.

17 September 2021

1- The Minister of Interior issued Resolution No. 1995 of 2021 amending some provisions of the Executive Regulations of the Traffic Law.

22 September 2021

1- The Council of Ministers approved to adopt the outcomes of a study made by the Ministry of Finance pertaining to the request filed by Fayoum Governorate and the Ministry of Local Development demanding the disposal of the usufruct licensing system and the utilization of an area of 9625 square meters of state property located in the village of Bani Ahmed at al-Gharbiya governorate in the Minya Center so as to use the land in the establishment of a service complex as part of the "Your Work in Your Village" Initiative, which aims to achieve real social and economic development in Egypt's small villages by providing job opportunities for youth, especially women breadwinners, and supporting craft projects and integrating them into the formal sector.

2. The Council of Ministers approved to adopt the pricing rules for housing units that are sold to each of the injured families of the martyrs of the armed forces and the police, alongside revolution martyrs, urgent cases, and those involved in the "children without care" program affiliated with the Ministry of Social Solidarity.

3- The Council of Ministers approved the recommendations made by the Committees for Ending Government Disputes affiliated with the Ministry of Justice, pertaining to 29 disputes.

4. The Council of Ministers approved the request of the President of the State Council to issue a circulating one-pound coin, mint 7000 pieces of commemorative silver-made coin (one hundred pounds segment) on the occasion of the Diamond Jubilee of the State Council, provided that the issuance of these coins takes place after the approval of the Central Bank.

## **9- Judicial Statements:**

September 16, 2021

1. The Public Prosecution ordered the detention of the man accused of sexually assaulting a child in Talkha, Dakahlia governorate, for four days pending investigations, and assigned the "forensic doctor" to conduct a medical examination for the victim. The "competent court" then decided to extend the detention of the accused for 15 days. Investigations are still underway.

September 17, 2021

The Monitoring Unit in the Al-Bayan Department at the Public Prosecutor Office has begun its investigations into the incident of the "City Stars Mall girl" that took place in Nasr City district.

September 21, 2021

1. The Public Prosecutor issued a statement mourning the death of Field Marshal Muhammad Hussein Tantawi, Minister of Defense and former head of the Military Council during the January 2011 revolution.

**Final comment:**

- Another statement has been released by the investigative judge of the Case 173/2011, publicly known as "closure of civil society", stating that there is no legal ground to file a criminal case against four NGOs and their employees and, accordingly, reversing the travel bans and seizure of funds decisions that were issued against them. However, the statement is concluded with the phrase "without impinging on any other incidents that may be the subject of investigation, whether in the current case or other cases)", which means that there is a possibility of leveling new accusations, which the case's papers are strife with, starting from "receiving illegal money" to "conspiring against the state". In the meantime, there are many human rights organizations and defenders who haven't yet been addressed by the investigative judge whatsoever, raising manifold legitimate questions about the nature of such standards or legal proceedings taken to close the 10-year long case and end this years-long defamation, crackdown and smear campaign being launched against civil society over unsubstantiated accusations that are merely based on the investigative reports conducted by the Ministry of Interior.

- Without giving any consideration to the rights of those held in pretrial detention, especially those who have exceeded the maximum legal limit stipulated by law, it has been decided to cancel the defendants' detention renewal sessions which were scheduled for the last Monday and Tuesday, due to the so-called "security reasons" in anticipation of any potential popular protests that continued to broke out during the two last years (September 2019 and 2020). On the other hand, the only session held on 19 September 2021 by the Third Terrorism Circuit resulted in a decision to release only 11 citizens out of a total of 152 whose detention has been renewed for further 45 days.

- In a violation that has become commonplace, and without holding the perpetrators accountable, the security services didn't implement the criminal court's release order issued for student Hossam Wageeh- detained in connection with Case 96 of 2021 Qasr Al-Nil Misdemeanor- except after spending 10 days in illegal detention in the custody of Qasr Al-Nil police station.

- In an unusual move, the Public Prosecutor Office posted a statement, on its Facebook official page, to mourn the death of Field Marshal Muhammad Hussein Tantawi, Minister of Defense and former head of the Military Council during the January 2011 revolution. And this is something that has nothing to do with legal and judicial matters that falls under the functions and powers of the Public Prosecution in order to preserve the rules of separation of powers.