

# EGYPT'S JUSTICE



**NEWSLETTER**

ISSUE NO. 18

FROM 21 TO 27 OCTOBER 2021



# Egypt's Justice in a Week,

## Issue No. 18,

### From 21 October to 27 October 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 commentary on them”**

#### **First: The most important justice news in a week (From 21 October to 27 October 2021)**

- 1- Egypt’s president announced the lifting of a years-long nationwide state of emergency "Legislation"
- 2- Terrorism circuits at Cairo Criminal Court are considering the detention renewal of hundreds of pretrial detainees pending state security cases "Detention renewal"
- 3- Bahaa Kish, the guard of Hisham El-Ashmawy, and two other defendants were sentenced to death in the case of "establishing the Al-Murbeton Cell II “Rulings”
- 4- The Court of Administrative justice rejects the lawsuit filed by former lawyer and parliamentarian Ziyad Al-Alimi demanding to be transferred to a hospital outside the prison to conduct the necessary medical examinations at his expense "Administrative and Constitutional Judiciary”
- 5- The Nasr City Emergency State Security Court set the trial of Engineer Yehia Hussein Abdel Hadi for adjudication on charges of spreading false news "Trials"
- 6- A number of citizens were rotated (added) into new cases after obtaining a ruling of acquittal in the Sharqya governorate "circulation into new cases”

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

##### **1- Investigation**

21 October 2021

1- Abo Hamad Prosecution interrogated two citizens from Abo Hamad city, Sharqya governorate, on charges of joining a terrorist group, promoting its views, and spreading false news and statements, before it decided to detain them for 15 days.

22 October 2021

1- The State Security Prosecution interrogated 13 citizens after arresting them from different governorates and on different dates on charges of joining a terrorist group and spreading false news and statements.

22 October 2021

1- The State Security Prosecution interrogated 51 citizens after arresting them from different governorates and on different dates on charges of joining a terrorist group and spreading false news and statements.

##### **2- Rotation into new cases**

23 October 2021

1- The 10<sup>th</sup> of Ramadan Prosecution located in Sharqia governorate interrogated 7 citizens and held them in remand detention for 15 days- after being rotated (added) into a new case for allegedly joining a terrorist group- after they were ordered acquitted by the 10th of Ramadan Emergency State Security Court on the 5<sup>th</sup> of last September.

### **3- Detention renewal**

24 October 2021

1- The terrorism circuit at Cairo Criminal Court considered the detention renewal session of 323 citizens in the following cases: No. 970 of 2020, 966 of 2021, 924 of 2021, 915 of 2021, 912 of 2021, 910 of 2021, 911 of 2021, 883 of 2021, 865 of 2021, 855 of 2020, 853 of 2021, 810 of 2019- which involves publisher Ismail El Kemary who was ordered detained by the court for further 45 days- 751 of 2020, 722 of 2015, 627 of 2021, 626 of 2021, 620 of 2021, 570 of 2020, 534 of 2020, 517 of 2020, 488 of 2019- which involves human rights lawyer Amr Imam and journalist Ahmed Shaker whose detention was renewed for 45 days- 482 of 2021, 383 of 2021, 238 of 2021, 1823 of 2019, 1472 of 2019, and 1360 of 2019- which includes journalist writer Badr Badr Muhammad whose detention the court decided to continue for 45 days- 118 of 2019, 1110 of 2020, and 1021 of 2020.

25 October 2021

1- The 3<sup>rd</sup> terrorism circuit at Cairo Criminal Court considered the detention renewal session of 172 citizens in the following cases: 750 of 2019, 628 of 2021, 585 of 2020, 473 of 2014, 467 of 2020, 311 of 2019, 288 of 2015 North Cairo military felonies- registered under No. 1430 of 2018- 1225 of 2020, and 1055 of 2020.

26 October 2021

1- The 3<sup>rd</sup> terrorism circuit at Cairo Criminal Court considered the detention renewal session of 295 citizens in the following cases: 853 of 2021, 810 of 2019, 515 of 2019, 488 of 2019- which includes defendant Radwa Muhammad Farid- 482 of 2021, 277 of 2019, 1779 of 2019, 1470 of 2019, 1400 of 2019, 1318 of 2019, and 1118 of 2019.

### **4- Release orders**

During this week, the 3<sup>rd</sup> terrorism circuit has ordered the (probationary) release of a number of defendants, as follows:

24 October 2021

- 1- One defendant in Case No. 1360 of 2019 State Security with a precautionary measure.
- 2- Two defendants in Case No. 751 of 2020 State Security with a precautionary measure
3. Seven defendants in Case No. 488 of 2019 State Security with a precautionary measure.
4. One defendant in Case No. 534 of 2020 State Security with a precautionary measure.
5. One defendant in Case No. 915 of 2021 State Security with a precautionary measure.

25 October 2021

- 1- Three defendants in Case No. 1055 of 2020 State Security with a precautionary measure.

26 October 2021

- 1- Three defendants in Case No. 488 of 2019 State Security with a precautionary measure.
- 2- Three defendants in Case No. 277 of 2019 State Security with a precautionary measure.

### **4- Trials**

23 October 2021

1- Zagazig Emergency State Security Misdemeanor Court set the trial of 5 defendants accused of possessing publications and spreading false news for adjudication at the hearing of 30 October.

24 October 2021

1- The first terrorism circuit at Cairo Criminal Court adjourned the retrial procedures of Mahmoud Ezzat, deputy supreme guide of the Muslim Brotherhood, in the case known in the media as "breaching the Eastern borders" for the hearing of 17 November 2021.

2- The 3<sup>rd</sup> terrorism circuit at Cairo Criminal Court adjourned the trial of 8 defendants in the case known in the media as "ISIS Helwan" for the hearing of 21 November.

25 October 2021

1- Cairo Criminal Court's 3rd terrorism circuit adjourned the trial of 12 defendants in the case known in the media as "ISIS-Agouza" for the hearing of 20 November 2021.

2- Cairo Criminal Court's 3rd terrorism circuit set the trial of 4 defendants in Case No. 406 of 2021, known in the media as "Mataryia explosives Cell" for adjudication at the hearing of 25 November 2021.

3- Cairo Criminal Court's 3rd terrorism circuit set the retrial procedures of one defendant in the case of "Ain Shams incidents" for adjudication at the hearing of 25 November 2021.

4- Nasr City Emergency State Security Misdemeanor Court set the trial of Yehia Hussein Abdel-Hady for adjudication at the hearing of 29 November pending Case No. 558 of 2021 State Security.

26 October 2021

1- Cairo Criminal Court's 1st terrorism circuit set the trial of 11 defendants in the case known in the media as "Al-Mubrabeton II" for adjudication at the hearing of 31 October 2021.

2- Cairo Criminal Court's 3rd terrorism circuit adjourned the trial of the defendants accused in the case known in the media as "Agnad terrorist organization" for the hearing of 22 November to check the exhibits.

27 October 2021

1- Giza Criminal Court's 1st circuit adjourned the first retrial procedure sessions of two defendants accused in the case known in the media as "the arson of Kafr Hakim Church" for the hearing of 8 November 2021 for the pleadings.

2 - Cairo Criminal Court's 3rd circuit adjourned the trial of Madyan Ibrahim Mohamed Hassanein, leading member of "Al-Nusra Front" terrorist organization in the case known in the media as "Al-Nusra terrorist group Mufti" for the hearing of 22 November for the pleadings.

3- The Emergency State Security Criminal Court set the trial of human rights lawyer and former MP Ziyad El-Eleimy and journalists Hisham Fouad and Hossam Moanis pending Case No. 956 of 2021 Masr Al-Qadima Emergency State Security for adjudication at the hearing of 17 November.

4- The 5th circuit (terrorism) at the Emergency State Security Criminal Court adjourned the trial of Mohamed Ali and 102 defendants in the case known in the media as "Al-Joker" for the hearing of 8 November.

## **5- Rulings**

24 October 2021

1-Cairo Criminal Court ordered the acquittal of one defendant into his retrial procedures in the case known in the media as "Helwan Microbus Cell".

25 October 2021

1- Cairo Criminal Court's 4<sup>th</sup> circuit sentenced 3 defendants to death by execution for their conviction over a political case, which is known in the media as "Murabeton Cell II".

## **6- Administrative and Constitutional Judiciary**

23 October 2021

1- The Court of Administrative Justice, the First Circuit at the State Council, postponed the consideration of the lawsuit filed by one of the master's holders demanding to obligate the Council of Ministers to appoint the first graduates of the master's and doctorate holders with effect from the 2015 batch. The case was postponed to the December 11 session.

2- The Court of Administrative Justice adjourned the lawsuit filed by former lawyer and parliamentarian Ziyad Al-Alimi, who is currently held in pretrial detention over his accusation in the "Hope Cell" Case, in demanding to enable him to contact his lawyer and family. The case was postponed for the December 25 session.

24 October 2021

1- The Court of Administrative Justice ruled it has no jurisdiction over the case of raising the training and technology allowance for journalists at 20% annually, which was filed by journalist Hossam El-Sweifi. The court, accordingly, referred the case to the South Cairo Court of First Instance.

2- The Court of Administrative Justice at the State Council adjourned the lawsuit filed by lawyer Mamdouh Hafez, against the head of the committee supervising the Bar Association's elections, the President of the Bar in his capacity, and the head of the Administrative Court, demanding that the result of the Bar Association elections that took place in mid-March be nullified. The case was postponed for the 21 November session for checking case documents.

26 October 2021

1- The Court of Administrative Justice rejected the lawsuit filed by the family of former lawyer and parliamentarian Ziyad Al-Alimi, who is currently held in detention in connection with the "Hope Cell" case, demanding that the Ministry of Interior transfers him to a private or state-affiliated hospital to receive treatment and furnishes his room inside jail.

2. The Court of Administrative Justice at the State Council has set the 27th November session to consider the case demanding the cancellation of the decision issued by the Department of Civil Status; refusing to add a category in the identification card for proof of donation of human organs and tissues after death with along with driver's license and health insurance cards of all kinds, especially the card of the claimant.

3- Counselor Ahmed El-Shazly, Vice-President of the State Council, who announced the verdict declaring Egypt's sovereignty over Tiran and Sanafir islands.

## **7- Legislation and decisions**

25 October 2021

1- Egypt's president Abdel Fattah El-Sisi announced, via a Facebook post, that he will not extend the state of emergency that had been imposed across the country for the first time in years.

2. The President of the Republic issued Decree No. 497 of 2021 appointing 359 assistants to the Administrative Prosecution.

### **8- The Public Prosecution and the investigative judges' decisions:**

23 October 2021

1- The Zagazig Prosecution referred 16 citizens from the 10th of Ramadan city in the Sharqya governorate to the criminal trial before the Emergency State Security Court and set the October 31 session to consider their trial.

#### **ANHRI's comment**

1- The President's decision to abolish the state of emergency imposed on Sinai since 2014 and all over Egypt since 2017, has been implemented without taking some other steps, including: introducing a law upon a presidential decree to suspend the consideration of trials before the State Security Courts and refer them to the natural judiciary, and lifting the ban and censorship imposed on media outlets, newspapers, and news websites. So the decision is nothing but a mere moving step in the same closed circle that is rife with crackdown against citizens under a package of exceptional laws.

2- The rejection of the lawsuit filed by the family of former parliamentarian and human rights lawyer Ziyad Al-Alimi, demanding to oblige the Ministry of Interior to transfer the human rights lawyer to a hospital outside the prison to undergo the necessary medical examinations at his own expense and to furnish a room inside his cell, constitutes a violation of the Law No. 106 of 2015 on prisons regulation which gives pretrial detainees the right to furnish a room inside his jail and to request to be transferred to a hospital outside the prison. So the rejection of the lawsuit reflects the Ministry of Interior's willfulness to crack down on the former MP and human rights lawyer.

3- The death of Counselor Ahmed El-Shazly, Vice-President of the State Council, who announced the verdict that declares Egypt's sovereignty over Tiran and Sanafir islands and who pronounced the acquittal of Ghazi El-Mahalla workers from the strike charge in 1989, makes the Egyptian judiciary lose a judge with honorable stances, a judge who sided with his conscience and the rights of Egyptians by upholding the word of truth.

4- Cairo Criminal Court's 3<sup>rd</sup> terrorism circuit's resumption of the consideration of the detention renewal of hundreds of pretrial detainees held pending state security cases, after a week-long interruption, gives a respite to pretrial detainees in hope to obtain a release order that would alleviate the suffering they had endured as a result of their continued incarceration.

5. The Nasr City Emergency State Security Court's decision to set the trial of Engineer Yehyia Hussein Abdel Hadi for adjudication, over charges of publishing false news and statements, brings an end to a trial that is being considered before an exceptional court and that is devoid of the simplest rules and principles of due process, among which is to enable the defendant to take the procedures of appeal against the rulings of conviction he may receive; since the rulings issued by these courts are final and cannot be appealed.