

THE TRAP

ON TURNING EGYPTIAN AIRPORTS
INTO A TRAP FOR CRITICS AND OPPONENTS



Introduction:

During the past few years, the phenomenon of the security authorities at Egypt's airports, especially Cairo airport, stopping and preventing some Egyptians traveling abroad or returning from abroad, especially those affiliated with the opposition or human rights advocates, researchers and journalists, has grown, often without legal reasons, or for reasons that appear to be arbitrary legal.

Sometimes the situation may be aggravated to detention for a few hours up to enforced disappearance, passing through detention at the airport itself, or taking the victim to a specific police station or one of the National Security headquarters if the prevention is illegal or for other purposes.

Some of them may appear later on political cases, or be detained for some time and miss the travel ban, then released.

Security services are not only monitoring travelers abroad, whatever the reason for this travel, whether for study, immigration or quick visits to other countries with the aim of tourism and recreation, but the matter extended to monitor returnees from abroad to the homeland, arrest them, detain them and present them to the Supreme State Security Prosecution in preparation for their trial. Or to hold them in pretrial detention for an indefinite period, or to let them leave after a phone is received from the responsible party or person, and this is called "anticipating arrival and notifying state security."

In most cases, the citizen who was stopped at the airport, whether s/he was traveling or returning from a trip, does not know any reasons or justifications for this ban and is not informed later of any legal motive. At other times he is surprised while crossing the airport gates by informing him/her of the presence of his name on the lists of those banned from traveling by a court order while he was not informed in advance of this prohibition.

Passing at the gates of Cairo Airport, and indeed at other airports as well, back or forth, has become an adventure with undesirable consequences - so to speak - and many opponents, whether human rights defenders, journalists, academics, or even young people not involved in politics, fear the idea of traveling and leaving lest they are stopped or imprisoned; they fear the trap!

As for those abroad, returning to Egypt has become for them an unattainable dream after they witnessed the arrest of some returnees and put them in pretrial detention, or tried and sentenced to imprisonment for years, or prevented from returning and traveling abroad if they were residing there, Cairo airport has become somewhat closer to a trap for the departures and returnees who are considered by the security services to be opposers, which opens the door to many questions that we will try hard to review during this paper.

On the right to travel and movement in accordance with the constitution and international treaties

- With regard to the Egyptian Constitution issued in 2014, it was stipulated in Article No. 62 that:
“Freedom of movement, residence and emigration is guaranteed. No citizen may be deported from the territory of the State or prevented from returning to it. No citizen may be prevented from leaving the territory of the State, or placed under house arrest, or prohibited from residing in a specific place, except by a reasoned judicial order and for a specified period and in the cases prescribed by law.”
- As for international conventions and charters, especially those signed by Egypt and which have become binding and part of its domestic legislation, the International Covenant on Civil and Political Rights states in Article 12 of the following:

" 1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

2. Everyone shall be free to leave any country, including his own.

3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.

4. No one shall be arbitrarily deprived of the right to enter his own country."

But neither the constitution nor international conventions succeed in protecting this right, or in preventing the security services from violating his/her rights!!

Airport Lists "the trap":

According to what was announced by one of the officers to the ANHRI, as well as some of the arrested travelers and returnees, there are many lists in the airports in which the traveler or returnee can find his/her name among, the most important of which are:

A- Travel ban list, "a list sent to the airport authorities without specifying the reason, and accordingly the citizen is prevented from traveling without arrest and without being notified of reasons that the airport security men themselves may not know."

B - Travel monitoring list, "a list that means arresting the citizen while completing his/her travel procedures, and the decision or prohibition

of his travel depends on a phone call from the official or the party that requested to be notified of the citizen's travel."

C - Arrival monitoring list, "a list that means arresting a citizen returning from abroad, pending a decision, often after a phone call to a party or person, whether s/he is arrested or allowed to enter the country without arrest."

D - Lists of entry ban "which are lists of mostly non-Egyptians who are arrested at the airport and denied entry, such as international journalists and human rights defenders."

E - Notification of customs "This list does not often mean that the traveler or returnee is carrying tools or contraband that he is trying to smuggle through customs, as stopping such a traveller is a normal thing, but it means transferring him to the customs officer to search his papers and books for specific items, or to search his phone or laptop in search of materials that the authorities are not satisfied with, regardless of their legality."

Examples of the Trap's victims

First: Travellers in the Trap:

1- Human rights lawyer Ibrahim Metwally:

One of the most crude examples of violating the law. On September 10, 2017, lawyer Ibrahim Metwally went to Cairo airport with the intention of

traveling to Geneva to participate in the 113th session of the United Nations Working Group on Enforced Disappearances, as he is the coordinator of the Association of the Families of the Enforced Disappeared, but the airport authorities arrested him. He appeared before the Supreme State Security Prosecution on September 12, 2017, in connection with Case No. 900 of 2017, on charges of assuming the leadership of a group founded in violation of the constitution and law, spreading false news, and communicating with foreign parties.

Metwally remained in pretrial detention in the high-security Al Akrab prison, in a solitary cell, in very bad conditions, until he was released in October 2019 after spending two whole years. However, the decision was not implemented and he was transferred in connection with another case, from which he was released in August 2020, but the security services decided to transfer him to a third case, No. 786 of 2020.

He is still being held in pretrial detention after spending four years in solitary confinement in a high-security prison.

2- Political Activist Mohamed Walid:

One of the models that you will not find news or word about in the official media or those close to the authority, and this is the case of most of the Egyptian media.

His name is Mohamed Walid, a member of the “Al Aish wal Horria - Bread and Freedom” Party under establishment. He was arrested at Cairo Airport while on his way to Saudi Arabia, where he works, on September 30, 2019.

Mohamed Walid was subjected to enforced disappearance and there are allegations that he was tortured for two weeks until his appearance before the Supreme State Security Prosecution on October 16, 2019 pending case No. 1358 of 2019 Supreme State Security Restriction.

Walid was released on August 26, 2020, but the decision was not implemented and he was subjected to enforced disappearance again, until he appeared pending a new case on December 5, 2020.

Walid is still in pretrial detention so far. Last October, the “Bread and Freedom” Party demanded an investigation into accusations of torturing some party members in Zagazig prison, including Mohamed Walid.

3- Researcher Walid Salem:

Researcher Walid Salem was prevented from traveling for the first time on May 8, 2020, by the security authorities at Cairo Airport, while he was trying to travel to the United States. Moreover, his passport was confiscated without giving any legal reasons or informing him that his name had been included in the lists of those banned from traveling.

Researcher Walid Salem had previously been arrested in May 2018 because of his PhD thesis dealing with the history of the Egyptian judiciary. He was investigated in connection with Case 441 of 2018, Supreme State Security Restriction, on charges of joining a terrorist group and spreading false news. He was placed in Cairo prison for detainees. He was held in custody, in a prison known as "Torah Investigation", until he was released by precautionary measures in December of the same year.

He remained committed to appearing before the authorities in application of the precautionary measures and their renewal sessions until they were lifted in February 2020. Though, he was banned from traveling despite the absence of any legal justification to prevent him.

On May 24, 2021, he tried again to travel to France, after confirming through his lawyer that his name was not on the travel ban lists, but the Cairo airport authorities stopped him again and informed him that his name was on the ban lists on the previous day, May 23, 2021, without giving reasons.

Second: Returnees to the Trap:

1- Journalist Ismail Al Iskandrani:

Ismail is one of the oldest and most visible examples of law violations.

Security forces at Hurghada Airport arrested Al-Iskandarani on November 29, 2015 after his return from Germany, an investigative journalist, blogger and researcher in political sociology.

Al-Iskandarani was brought before the Supreme State Security Prosecution, which in turn charged him with joining a terrorist group and spreading false news, before his case was to be referred to the military court, which issued a 10-year prison sentence on charges related to disclosing military secrets, in the first half of 2018.

The verdict was ratified in December of the same year, and Al Iskandarani is still a prisoner with no hope of getting out except through a presidential pardon.

This is despite the fact that much of what Ismail published about the situation in Sinai was true, especially about the leadership of a former officer to a terrorist group, the officer Hisham El-Ashmawy.

2- Researcher Ahmed Santawi

Despite his official return to the country to spend his vacation, researcher Ahmed Samir Santawi was arrested and investigated this time, by the security authorities at Sharm El-Sheikh Airport on the fifteenth of December 2020, while returning from Vienna, where he was studying, before being released.

Shortly after his arrival in Cairo, specifically on January 23, 2021, security forces stormed his house during his absence, so he personally went to the Fifth Settlement Police Department, on February 1, 2021, in response to

the security request and to find out the reason for his pursuit. There, he was subjected to enforced disappearance and illegally interrogated at one of the National Security headquarters, then appeared before the Supreme State Security Prosecution, on the sixth of the same month "February 2021", as accused of joining a terrorist group and spreading false news, pending Case No. 65 of 2021 Supreme State Security Inspection.

On May 22, Santawi was transferred in connection with a new case, No. 877 of 2021, security of a supreme state restriction, accusing him of spreading false news from outside the country through his Facebook account.

The case was referred to the Emergency State Security Court, which is an exceptional court that does not have any levels of litigation, and its judgment is final, without allowing the accused to appeal or cassata. He was sentenced to four years in prison less than a month after the start of the trial, on the 22nd From June 2021.

It is noteworthy that Ahmed Samir Santawi is a researcher and human rights defender who has previously cooperated with a number of Egyptian human rights organizations. He is also a master's student in Anthropology and Sociology at Central European University in Austria.

3- Researcher Patrick George

Cairo Airport security forces arrested the researcher Patrick George, on February 7, 2020, while he was returning from Italy, as he was a master's student at the University of Bologna, he was also working as a researcher at the Egyptian Initiative for Personal Rights. The next day, Patrick was investigated in the Mansoura Prosecution in connection with Case 7245 for the year 2020. About a month later, Patrick was again investigated for a new case, No. 1766 for the year 2020, on several charges, most notably:

spreading false news and statements, promoting the use of violence and committing terrorist crimes, incitement to overthrow the regime, and incitement to demonstrate.

Patrick remained in pretrial detention until he was referred to an emergency state security court last September, before the trial was postponed more than once to be set for a session on December 7.

Thus, Patrick is close to spending nearly two years in prison without a conviction. And to be one of those caught in the Cairo airport trap.

4- Journalist Gamal Al Gamal

An Egyptian journalist who immigrated to Turkey after his writings were restricted in Egypt, but decided to return in February of this year to be arrested at Cairo Airport. He appeared before the Supreme State Security Prosecution, placed under pretrial detention in the Agriculture Ward Prison in the Tora prison complex in Cairo. The Public Prosecutor issued a decision to release him along with a number of activists and journalists on July 18, after spending nearly 5 months in pretrial detention.

The reason on the papers for the arrest of Gamal al-Gamal is the same as the reason copied and repeated against most of the critics, “the participation in a terrorist group and the dissemination of false news on the Internet.” As for what is being reported about the real reason, which is what the Arab Network sees, it is his punishment for criticism inside and outside Egypt. He remained in prison for five months before being released.

5- Journalist Ahmed Gamal Ziada

Coinciding with the eighth anniversary of the January 25 revolution and in early 2019, Egyptian journalist Ahmed Gamal Ziada was arrested at Cairo airport, while returning from Tunisia, to join the registration committee of the Journalists Syndicate, at that time, in search of accepting him as a member of the union.

Ziada was forcibly disappeared for nearly two weeks, then he was placed in pretrial detention for another two weeks before being released on bail of 10,000 Egyptian pounds.

Ziada had previously been arrested and announced that he had been tortured in 2015. He reported to the National Council for Human Rights, the official government council, that he had been tortured. One of the council members admitted seeing traces of torture on his body, while another member denied the incident.

6- Journalist Rabie Al Sheikh

Al-Jazeera network journalist, Rabie Al-Sheikh, returned to homeland from Qatar on the first of last August after a period of hiatus that extended for years, and despite the Sheikh was not being involved in violating law, and despite the reconciliation with Qatar, Rabie Al-Sheikh was arrested, detained And the investigated in connection with Case No. 1365 of 2018, security of a supreme state restriction, on accusations of joining a terrorist group and spreading false news.

He is still detained.

Third: Stopping on departure and on returning:

1- Novelist Alaa Al Aswani

Many times, the novelist and writer, Alaa Al-Aswani, is stopped at Cairo airport. On January 6, 2018, the security forces stopped him at Cairo Airport, while he was on his way to Amman.

Again during his return from a working visit to the United States, in March of the same year 2018, he was stopped for several hours.

Al-Aswani, "who finally decided to leave Egypt and settle abroad", publishes what happened to him during his arrest in January 2018, and tries to find out his relationship with the late French writer Albert Camus:

"The officer asked me to wait for the instructions to come. Meanwhile, words of apology came from everyone. The customs officials apologized and the head of the shift suddenly said with courage:

Frankly, everything we do with you is a security issue that has nothing to do with customs

Even the security official apologized in whispers:

- I don't know why they would do that to you. Even the officer who spoke to me was surprised by the situation, but there is someone who leads him and gives him these instructions.

I said to him:

- I have been detained for two and a half hours, I did not object to the search, and I explained to you that the writer Albert Camus died sixty

years ago. Is it possible to understand on what charge you are holding me now..? "¹.

2- Engineer Mamdouh Hamza:

“I was stopped at Cairo airport while I was leaving now, my passport was taken and I was asked to wait.” This was the tweet of Engineer Mamdouh Hamza on the morning of November 16, 2018.²

Despite the arrest, which was announced by the engineer, Mamdouh Hamza himself, the official newspapers, which are close to the authorities, confirmed his travel, without mentioning the arrest or its reasons!

As a result of the restrictions, the fabrication of a case against him and the issuance of the judgment, as he himself said; the engineer, Mamdouh Hamza, was forced to live abroad until today.

Conclusion and Recommendations:

- Alaa Al-Aswani's article: What happened to Albert Camus at Cairo Airport? DW website on March 27, ¹ 2018, visit November 6, 2021 † <https://www.dw.com/ar/%D8%B9%D9%84%D8%A7%D8%A1-%D8%A7%D9%84%D8%A3%D8%B3%D9%88%D8%A7%D9%86%D9%8A-%D9%85%D8%A7%D8%B0%D8%A7-%D8%AD%D8%AF%D8%AB-%D9%84%D8%A3%D9%84%D8%A8%D9%8A%D8%B1-%D9%83%D8%A7%D9%85%D9%88-%D9%81%D9%8A-%D9%85%D8%B7%D8%A7%D8%B1-%D8%A7%D9%84%D9%82%D8%A7%D9%87%D8%B1%D8%A9/a-43148465>

- Tweet posted on Twitter on November 16, 2018, visit November 8, 2021 † https://mobile.twitter.com/Mamdouh_Hamza/status/1063307440291221504

- **These are some of the few examples of travel bans and the arrest or arrest of travelers or returnees, without clear reasons for the suspension, travel ban or detention.**

There are numerous and enormous examples of numbers of Egyptians and foreigners who were arrested. The results of the arrest differed, whether arrest or prevention only or detention for hours, including:

- **Human rights defenders: Hossam Bahgat, Gamal Eid, Khaled Ali, Amr Imam, Malek Adly, Mozn Hassan, Aida Seif Al-Dawla, Nasser Amin, Israa Abdel Fattah,,, and others**
- **Writers and journalists: Omar Hazek, Fahmy Howaidi, Abdel Halim Qandil**
- **Foreigners banned from entering Egypt: Sudanese journalist Al-Taher Sati, New York Times journalist, David Kirk Patrick, Kuwaiti journalist Mubarak Al-Baghili, Sudanese journalist Iman Kamal Al-Din.**

These practices are a model for violations and clear breaching of the provisions of the constitution and international covenants that grant citizens the right to travel and freedom of movement.

Therefore, despite the absence of any indication of a political will to respect the law, hence the right of movement and travel.

- **The Arab Network calls on the Egyptian authorities to stop monitoring travelers or returnees from abroad, whoever they are, especially those affiliated with the opposition, human rights defenders, journalists, researchers and activists.**
- **At least notify the person banned from traveling with the reasons specified in accordance with the constitution, and that it should also be for a specific period.**
- **To have the opportunity to challenge travel ban decisions in a fair judicial manner.**

- **Finally, the matter should be limited to clear judicial reasons, and not to many parties that the person who is forbidden to travel or who is detained during his travel or return, do not know its nature.**