



Home Office

# Country Policy and Information Note

## Egypt: Opposition to state

Version 1.0

July 2020

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- A person is reasonably likely to face a real risk of persecution or serious harm
- The general humanitarian situation is so severe as to breach Article 15(b) of European Council Directive 2004/83/EC (the Qualification Directive)/Article 3 of the European Convention on Human Rights as transposed in paragraphs 339C and 339CA(iii) of the Immigration Rules
- The security situation presents a real risk to a civilian's life or person such that it would breach Article 15(c) of the Qualification Directive as transposed in paragraphs 339C and 339CA(iv) of the Immigration Rules
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- A claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Assessment

Updated: 10 July 2020

## 1. Introduction

### 1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by the state due the person's actual or perceived opposition to the government.

### 1.2 Points to note

1.2.1 A previous version of this CPIN focussed exclusively on the Muslim Brotherhood. An archived version of that CPIN is available on [ecoi.net](http://ecoi.net). This updated version goes further.

1.2.2 For the purposes of this note, opposition to the government means: political opponents and activists, government critics, as well as those perceived to be opponents of the state such as protesters, journalists, bloggers, human rights activists and civil society members, both inside and outside Egypt.

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## 2. Consideration of issues

### 2.1 Credibility

2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Exclusion

2.2.1 A number of organisations, including those which are splinter groups of the Muslim Brotherhood or were linked to the group, have been responsible for serious human rights abuses (see [Muslim Brotherhood](#)).

2.2.2 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

2.2.3 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.

2.2.4 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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## 2.3 Convention reason(s)

- 2.3.1 Actual or imputed political opinion based on the person's actual or perceived criticism of the government
- 2.3.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their actual or imputed convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.4 Risk

### a. General

- 2.4.1 Since coming to power in 2013, President Al-Sisi has consolidated power over all branches of the government – including the judiciary and military – whilst at same time increasingly suppressing opposition to his rule. The government tightly controls the political space, restricting freedoms of expression, association and assembly, reacting repressively to perceived challenge including, reportedly, using arbitrary arrest and detention, intimidation, excessive force, and extrajudicial violence against perceived opponents. While the crackdown against the opposition was initially aimed at the Muslim Brotherhood, it has expanded to include anyone criticising the government. This has limited the ability of groups opposing or critical of the government – including political parties, non-government organisations, media workers and bloggers – to operate openly and effectively, and stifled public political discourse (see [Political landscape](#) and [Political opposition and activism](#)).

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### b. Political opponents, activists and demonstrators

- 2.4.2 Political parties continue to operate. Opposition party members, specifically more senior political figures, are arrested when expressing criticism of the government, including pre-emptively in the run up to elections or when attempting to form a coalition with other groups. Political parties face arbitrary restrictions on their work. Political activists have also been targeted and arrested during large scale protests, such as in September 2019, some of whom have faced prosecution on national security charges. Activists and those criticising the government also face prison terms, death sentences, extrajudicial violence, enforced disappearances and other forms of pressure. The US State Department reported that at the end of 2019 there may have been between 20,000 to 60,000 political prisoners - persons detained because of their political belief - although the government denies this. The government has also issued pardons and released some persons detained on political grounds (see [Political opposition and activism](#)).
- 2.4.3 Criticism of the military and the judiciary is illegal and can lead to arrest, prosecution, defamation charges or a travel ban. Sources have also documented the harassment of relatives of prominent persons who have

been critical of the military and judiciary (see [Treatment of opposition to the government](#)).

- 2.4.4 Many protests against the government are disrupted, with the state using force and other measures against protestors, such as mass arrests (including of those not directly involved in the protest but nearby) and torture. Some protestors remain for long periods in pre-trial detention where there are reports of ill-treatment. Protestors may face broad charges of terrorism, public disturbance and disruption of public property. However, some protestors are held briefly, then released (see [Political opposition and activism](#); and [Treatment of non-government organisations](#)).
- 2.4.5 The Muslim Brotherhood (MB) is banned and listed as a terrorist group in Egypt, and its activities have moved underground or to other countries. Many of its members, particularly senior figures, have either been imprisoned, sentenced to death or are living in exile. However, the Australian Department of Foreign Affairs and Trade estimated that perhaps 20% (around 20 million people) of the Egyptian population continue to support the MB. Trials involving demonstrators sympathetic to Morsi continue. While individual members of the MB continue to be arrested, there are no longer the mass arrests that took place following the removal of Mohamed Morsi as president in 2013. Persons who are identified with the group but who are not active may face arrest or other forms of harassment, such as losing their jobs. Since being ousted from power and criminalised, the MB's leadership and approach to opposing the government has fractured. Older leaders, reportedly, continue to prefer peaceful opposition but some elements of the group – who may have splintered or separated from the main party– such as the extremist Harakat Sawa'd Misr (HASM), have sought to use violence against the government (see [Muslim Brotherhood](#)).
- 2.4.6 The April 6 movement took a prominent role in the 2011 Arab Spring demonstrations and the removal of former president Mubarak. Sources do not indicate if the movement has been banned or continues to be active. However, a number of the movement's founders are in detention or have been arrested and fined (see [April 6 Movement](#)).
- 2.4.7 A person who is a supporter or member, or perceived to be a supporter or member, of an opposition group or party - even the MB or 6 April movement – may not be at risk of persecution for that reason alone. Similarly, a person who protests, or is perceived to have protested, against the government may not be at risk of continuing adverse interest for that reason alone.
- 2.4.8 However, a person who is or is perceived to be openly critical of the government may face a risk of treatment that amounts to persecution. Whether they face a risk of persecution will depend on factors such as the group, their profile and activities, and whether they are likely to be known by the government and are considered a threat to its control. Factors to consider in establishing if a person is at risk include:
- the organisation to which the person belongs, its legal status and activities
  - the person's role, profile and actions



- whether the person has come to the attention of the authorities previously, in what context, why and what was the outcome
  - the profile and activities of family members who are perceived to be critical to the government
- 2.4.9 Each case will need to be considered on its facts with the onus on the person to demonstrate that their profile and/or activities are such that they are likely to be perceived to be a threat to and at risk of persecution from the government.
- 2.4.10 Decision makers must also consider if the government's actions are acts of prosecution, not persecution.
- 2.4.11 A person fearing the legal consequences of being (or being perceived to be) involved in the protests would fear prosecution not persecution. Regulation 5(2) of the [Refugee or Person in Need of International \(Qualification\) Regulations 2006](#) states that an act of persecution may take the form of:
- i. a legal, administrative, police, or judicial measure which in itself is discriminatory or which is implemented in a discriminatory manner;
  - ii. prosecution or punishment, which is disproportionate or discriminatory;
  - iii. denial of judicial redress resulting in a disproportionate or discriminatory punishment;
- 2.4.12 The instruction on [Assessing Credibility and Refugee Status](#) states that in order to qualify for asylum or humanitarian protection on this basis, a person would need to demonstrate:
- i. victimisation in the application of the law by the authorities. For example: if it is the vehicle or excuse for the persecution of a person or if only certain ethnic or other groups are prosecuted for a particular offence and the consequences of that discrimination are sufficiently severe; or
  - ii. that the punishment is cruel, inhuman or degrading (including punishment which is out of all proportion to the offence committed)
- 2.4.13 Some opposition groups, including members of a splinter group of the MB, the Harakat Sawa'd Misr (HASM), have used violence and claimed responsibility for a number of attacks on the government and civilians. Therefore, the government and its agents, including the security forces, are likely to have a legitimate rationale in acting against these groups where they pose a threat to society and the government (see [Harakat Sawa'd Misr](#)).
- 2.4.14 Prosecution may, however, amount to persecution if it involves victimisation in its application by the authorities; for example, if it is the vehicle or excuse for, or if only certain groups are prosecuted for, a particular offence and the consequences of that discrimination are sufficiently severe. Punishment which is cruel, inhuman or degrading (including punishment which is out of all proportion to the offence committed) may also amount to persecution.

- 2.4.15 The government's aim of targeting members or supporters of armed groups, in particular HASM, which advocate and have participated in violence or disrupt public order are likely to be legitimate acts of prosecution. Consideration must also be given as to whether any punishment or conditions in detention, which are reported poor with torture practiced, are inhuman and degrading (see [Conditions in detention](#)).
- 2.4.16 However, where the government has arrested and detained persons who, for example, oppose peacefully and participate in demonstrations and has then charged them with treason or the person is subject to long periods of detention in degrading or inhuman conditions, such treatment is likely to be discriminatory and disproportionate, and amount to persecution.
- 2.4.17 Decision makers need to consider each case on its facts to determine if the person is likely to be of interest to the government, whether this is for the legitimate grounds of prosecution which is proportionate and nondiscriminatory. The onus is on the person to demonstrate that they will be at risk of persecution or serious harm on return.
- 2.4.18 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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c. [Journalists and bloggers](#)

- 2.4.19 Egypt has a large and regionally-significant print, broadcast and online media. There continues to be privately owned independent media, however the government is a major and growing force owning many TV and radio stations, newspapers and websites (see [Media workers and bloggers](#)).
- 2.4.20 While freedom of expression is enshrined in law limited censorship is permitted during 'war or public mobilisation'. The government has also introduced legislation and an oversight body that monitors and tightly controls broadcast and online media, and the internet more generally. Independent news websites have previously been blocked in the run up to significant political events (for example over 34,000 websites were reportedly blocked by the government before the April 2019 constitution amendment vote). Furthermore, newspapers that reported on issues criticising the government have also previously been censored. Some journalists have said that they self-censor or are careful with publishing topics that are not government friendly (see [Treatment of media workers and bloggers](#)).
- 2.4.21 The state is reported to monitor, harass, intimidate, arbitrarily arrest and imprison journalists and bloggers or social media users who publish negative coverage on the government, as well as raid their homes, offices and confiscate property. The state has also denied entry and exit of foreign reporters. A number of sources assessed that Egypt is one of the worst countries in the world of journalists being imprisoned. Some are not tried and are sentenced to long-term, life imprisonment or the death sentence. Pro government businessmen own many news outlets, leading to the risk of journalists losing their jobs if they fail to report on the interest of the government (see [Treatment of media workers and bloggers](#)).

- 2.4.22 A person who is a journalist and/or blogger is not at risk of persecution for that reason alone. However, a person who is or is perceived to be openly critical of the government may face a risk of treatment that amounts to persecution. Whether they face a risk of persecution will depend on their profile and activities, and whether they are likely to be known by the government and are considered a threat to its control. Factors to consider in establishing if a person is at risk include:
- the print, broadcast or online media company/platform that they worked for and/or that their views were expressed on
  - the subject matter of the published or broadcasted material
  - the language and tone of the material
  - the level of involvement of the person in the production of the material
  - the reach and frequency of publication/broadcasting of the media platform
  - the publicity attracted/reports about the work
  - any past adverse interest from the government
- 2.4.23 Each case will need to be considered on its facts with the onus on the person to demonstrate that their profile and/or activities are such that they are likely to be perceived to be a threat to and at risk of persecution from the government.
- 2.4.24 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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- d. [Members of non-government organisations, including human rights defenders and lawyers](#)
- 2.4.25 There are over 50,000 civil society associations registered with the government, although most are believed to be inactive or to exist only on paper. Sources indicate, however, that there are likely to be a number of NGOs (and human rights lawyers) continuing to provide services, although the government has introduced legislation since 2013 which has made the operating environment increasingly difficult. NGOs cannot carry out most work without government approval, with the law restricting NGOs ability to work freely and independently and permits the state to monitor NGO activities. This has resulted in closures, arrests (particularly of human rights defenders or lawyers assisting such persons), raids and travel bans on some NGO workers. The government restricts NGOs from receiving funding from foreign bodies – causing delays in projects and activities (see [Treatment of non-government organisations](#)).
- 2.4.26 Those arrested face charges of ‘spreading fake news’, terrorism related activities and harming Egyptian interests, and reportedly face ill-treatment in prison (see [Human rights defenders, lawyers and activists](#)).
- 2.4.27 A person who is a member of an NGO, including human rights defenders and lawyers, may not be at risk of persecution for that reason alone. However, a person who is or is perceived to be critical of the government, or

defending someone who is critical of the government may face a risk of treatment that amounts to persecution. Whether they face a risk of persecution will depend on their profile and activities, and whether they are likely to be known by the government and are considered a threat to its control. Factors to consider in establishing if a person is at risk include:

- the organisation the person belongs, its legal status, nature and activities
- the person's role, profile and actions
- whether the person has come to the attention of the authorities previously

2.4.28 Each case will need to be considered on its facts with the onus on the person to demonstrate that their profile and/or activities are such that they are likely to be perceived to be a threat to and at real risk of persecution.

2.4.29 For further guidance on assessing the availability of state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 2.5 Protection

2.5.1 Where the person has a well-founded fear of persecution from the state, they are unlikely to be able to avail themselves of the protection of the authorities.

2.5.2 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

2.6.1 Where the person has a well-founded fear of persecution from the state, it is unlikely that they will be able to relocate to escape that risk.

2.6.2 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Section 3 updated: 18 June 2020

## 3. Political landscape

### 3.1 Overview

- 3.1.1 The Australian government's Department of Foreign Affairs and Trade (DFAT) 2019 country information report on Egypt of June 2019 (2019 DFAT report) stated:

'Egypt is a presidential republic. The President is Head of State and leads the executive branch of government. Presidents must be an Egyptian born to Egyptian parents, be over 40 years of age, have performed military service, and none of their parents or spouses may have held another citizenship. The Constitution gives considerable power to the President: they appoint the Prime Minister and other Ministers, civil and military personnel, and diplomatic representatives; and are Supreme Commander of the Armed Forces...The President also has the power to declare a state of emergency, issue a pardon or mitigate a sentence, issue a decree with the force of law should the Parliament not be in session (the Parliament must subsequently approve it within 15 days of convening), and call for a referendum.'<sup>1</sup>

- 3.1.2 The report noted:

'The current Parliament was elected in late 2015 for a five-year term and was convened in January 2016. It consists of 596 members, including 39 Copts and 87 women. It originally comprised 245 members of parliament (MPs) affiliated with political parties and 351 independent members. In defiance of parliamentary bylaws, however, hundreds of MPS have subsequently changed their political affiliation. Most have reportedly joined the overtly pro-Sisi Nation's Future Party, which is closely tied to the security services. Actual parliamentary opposition to the government is extremely limited: over 490 MPs from all parties signed declarations of support for President Sisi's re-election campaign in 2018, and observers report that only around 15 MPs can be genuinely considered 'opposition'. Several of these MPs are under investigation by the parliamentary ethics committee and face possible expulsion from Parliament: one prominent opposition figure, for example, has been sued for publicly criticising the government's economic reform program. In the 2017-2018 parliamentary session, only a small number of bills tabled by MPs became law; the vast majority of laws passed were those presented by the executive branch.'<sup>2</sup>

- 3.1.3 DFAT added that '...Article 74 of the Constitution gives citizens the right to form political parties by notification as regulated by the law. Political parties cannot be formed based on religion, sex, origin, sect or geographic location. Activities that are hostile to democracy, secretive, or military in nature are prohibited. Every citizen has the right to vote and to run for office.'<sup>3</sup>

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<sup>1</sup> DFAT, 'Country information report – Egypt', (para 2.25), 17 June 2019, [url](#)

<sup>2</sup> DFAT, 'Country information report – Egypt', (para 2.28), 17 June 2019, [url](#)

<sup>3</sup> DFAT, 'Country information report – Egypt', (para 2.30), 17 June 2019, [url](#)

- 3.1.4 The 2019 United States Department of State (USSD) country report noted:  
‘The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Constraints on freedom of expression, association, and assembly, however, limited citizens’ ability to do so...  
‘The constitution grants citizens the ability to form, register, and operate political parties. The law requires new parties to have a minimum of 5,000 members from each of at least 10 governorates. The constitution also states, “No political activity may be practiced and no political parties may be formed on the basis of religion or discrimination based on gender, origin, or sectarian basis or geographic location. No activity that is hostile to democratic principles, secretive, or of military or quasi-military nature may be practiced. Political parties may not be dissolved except by virtue of a court judgment.”’<sup>4</sup>
- 3.1.5 Freedom House noted in its report covering events in 2019 report, ‘Political parties are legally allowed to form and operate if they meet membership thresholds, pay fees, and comply with other requirements. However, in practice there are no political parties that offer meaningful opposition to the incumbent leadership.’<sup>5</sup>
- 3.1.6 The report added, ‘Parties formed on the basis of religion are forbidden.’<sup>6</sup>
- 3.1.7 A US Congressional Research Service paper, updated on 27 May 2020, based on a range of sources, observed:  
‘Since taking power in 2013, President Abdel Fattah al Sisi’s tenure has been predicated on the idea that a significant segment of the public, exhausted after several years of unrest and distrustful of Islamist rule, remains willing to forgo democratic liberties in exchange for the rule of a strongman hailing from the military. The authorities have maintained a constant crackdown against dissent, which initially was aimed at the Muslim Brotherhood but has evolved to encompass a broader range of political speech, encompassing anyone criticizing the government.’<sup>7</sup>

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## 3.2 Constitutional changes: 2019

- 3.2.1 DFAT stated in its 2019 country information report:  
‘On 16 April 2019, Parliament approved a package of constitutional amendments that significantly alter the current political system. The proposed amendments were subsequently put to voters in a referendum held nationwide from 20-22 April [2019]. Authorities announced on 23 April [2019] that 89 per cent of voters were in favour of the reforms, with official voter participation at 44 per cent. Critics of the referendum questioned the legitimacy of the results, describing the voting process as undemocratic and

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<sup>4</sup> USSD, ‘Egypt 2019 human rights report’, (section 3), 12 March 2020, [url](#)

<sup>5</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section B1), 4 March 2020, [url](#)

<sup>6</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section B1), 4 March 2020, [url](#)

<sup>7</sup> US CRS, ‘Egypt: Background and U.S. Relations’ (p1), 27 May 2020, [url](#)

casting doubt over the accuracy of the official participation rate. The amendments took effect immediately following the announcement.<sup>8</sup>

### 3.2.2 The report stated:

‘The constitutional amendments effectively centralise and concentrate power in the Presidency. Of particular significance are amendments that extend President Sisi’s current term in office by two years (to 2024), and make him eligible to run for a final six-year term that would see him remain in office until 2030. Previously, presidents were restricted to two four-year terms. The amendments also restore features of previous governing arrangements, including reintroducing the office of Vice President (abolished in practice in 1981); reinstating an Upper House of Parliament (“the Senate”), replacing a Shura (Consultative) Council disbanded in 2013; and introducing a 25 per cent parliamentary quota for women and minorities (discontinued in 2012). The amendments also have a significant impact on the Military and Judiciary. Some commentators have criticised the amendments as undoing the achievements of the 2011 Revolution, arguing that the changes shrink further the already limited space remaining for civil society, dissent, and political opposition.’<sup>9</sup>

### 3.2.3 DFAT also mentioned that ‘In-country sources advise that Parliament’s already limited power is likely to deteriorate further under the proposed constitutional amendments.’<sup>10</sup>

### 3.2.4 The Freedom in the World 2020 report, covering events of 2019, stated that ‘The 2019 constitutional amendments added two years to Sisi’s current term, extending it through 2024, at which point he would be allowed to seek an additional six-year term.’<sup>11</sup>

### 3.2.5 The same report considered:

‘The 2019 constitutional amendments further consolidated Sisi’s authority, in part by permitting him to appoint one-third of the new Senate. The changes also increased the military’s already considerable independence from civilian oversight and its constitutional role in civilian governance. In addition to the language tasking the military with protecting “the constitution and democracy,” the amendments allow the Supreme Council of the Armed Forces to permanently control the appointment of the defense minister, who is also the commander in chief; that power had previously been limited to the first two presidential terms after the 2014 constitution took effect. Sisi continues to rule in a style that entrenches military privilege and shields the armed forces from legal accountability for their actions.’<sup>12</sup>

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<sup>8</sup> DFAT, ‘Country information report – Egypt’, (para 2.26), 17 June 2019, [url](#)

<sup>9</sup> DFAT, ‘Country information report - Egypt’, (para 2.27), 17 June 2019, [url](#)

<sup>10</sup> DFAT, ‘Country information report - Egypt’, (para 2.28), 17 June 2019, [url](#)

<sup>11</sup> Freedom House, ‘Freedom in the World 2020 – Egypt’, (section A1), 4 March 2020, [url](#)

<sup>12</sup> Freedom House, ‘Freedom in the World 2020 – Egypt’, (section C), 4 March 2020, [url](#)

### 3.3 State of emergency

#### 3.3.1 The 2019 DFAT report mentioned:

‘Article 154 of the Constitution grants the president the power to declare a nation-wide state of emergency after consultation with Cabinet and with the approval of Parliament. President Sisi declared a state of emergency on 9 April 2017 (immediately following the Palm Sunday bombings), which Parliament approved unanimously two days later. The government has subsequently issued a number of extensions to the state of emergency, most recently for a period of three months commencing on 25 April 2019. Article 154 stipulates that the maximum time allowable for a state of emergency is three months, extendable once for an additional three month period by a two-thirds majority parliamentary vote. The government has effectively circumvented this provision by letting the state of emergency expire once it has reached its six month maximum, allowing an interlude of two to three days, and then declaring another state of emergency.

‘The state of emergency is governed by Law 162/1958 (the “Emergency Law”). The Emergency Law grants the president extraordinary powers, including the power to refer civilians to State Security Emergency Courts for the duration of the state of emergency... It also extends the powers of the president to monitoring and intercepting all forms of communication and correspondence, imposing censorship prior to publication and confiscating errant publications, imposing a curfew for (or ordering the closure of) commercial establishments, and the sequestration of private properties. Article 4 of the Emergency Law grants the Armed Forces the authority to address any violations of these powers. Authorities have increasingly used state of emergency laws and courts against critics of the government, including political opponents, human rights defenders, and the media...’<sup>13</sup>

#### 3.3.2 The 2019 USSD report stated:

‘President Sisi requested that parliament approve a nationwide state of emergency (SOE) after the 2017 terrorist attack on Coptic churches. Since then, the government has requested, and parliament has renewed, SOEs with one- or two day gaps between every two SOE periods to meet the legal requirement that SOEs may only be renewed once. In North Sinai, a partial SOE has been in effect since 2014. The government regularly renews that SOE every three months and has imposed partial curfews on parts of North Sinai.’<sup>14</sup>

#### 3.3.3 On 9 May 2020, Gulf News – ‘the biggest selling newspaper in the UAE’<sup>15</sup>, reported:

‘Egypt has amended an emergency law, in force since 2017, giving authorities in the populous country powers to contain the new coronavirus...

‘President Abdul Fattah Al Sissi... approved the amendments, which give him or his delegates powers to take measures in health emergency situations. They include shutdown of educational institutions, partial or

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<sup>13</sup> DFAT, ‘Country information report - Egypt’, (para 2.42), 17 June 2019, [url](#)

<sup>14</sup> USSD, ‘Egypt 2019 human rights report’, (executive summary), 12 March 2020, [url](#)

<sup>15</sup> Gulf News, ‘About Gulf News’, undated, [url](#)



complete suspension of work at government institutions and delay in payments for taxes and public services such as electricity, gas and water.

'The amendments endorsed by the Egyptian parliament on April 22 also allows banning exporting some products, obliges people arriving from abroad to be quarantined and restricting dealing in some unspecified goods. They also provide for offering aid to affected families, individuals and economic sectors.

'According to the amendments, published in the Official Gazette this week, military prosecutors are empowered with investigating incidents when army officers are tasked with law enforcement. However, in all cases the country's civilian prosecutors would have the final decision on whether to bring matters to trial.

'Authorities are also given powers to restrict meetings, street protests, celebrations and other forms of gatherings.

'Some rights groups have criticised the amendments, saying they aim at widening authorities' emergency powers.

'The Egyptian government has denied the claim, saying the changes are aimed at protecting public health and mitigating the impact of COVID-19 mainly on the most vulnerable.'<sup>16</sup>

#### 3.3.4 Human Rights Watch reported in its May 2020 report:

'The [Egyptian] government said that the amendments concern public health emergencies such as the Covid-19 outbreak. However, only 5 of the 18 proposed amendments are clearly tied to public health developments. Making them part of the Emergency Law means that the authorities can enforce the measures whenever a state of emergency is declared, regardless of whether there is a public health emergency.

“President al-Sisi’s government is using the pandemic to expand, not reform, Egypt’s abusive Emergency Law,” said Joe Stork, deputy Middle East and North Africa director at Human Rights Watch. “Egyptian authorities should address real public health concerns without putting in place additional tools of repression.”

'...The Emergency Law (Law 162 of 1958) gives security forces sweeping powers to detain indefinitely and interrogate suspects with little or no judicial review. The law also authorizes mass surveillance and censorship, seizure of property, and forcible evictions, all without judicial supervision. Under international law, certain rights such as the right to a fair trial and judicial review of detention cannot be curtailed even in times of emergencies.

'Human Rights Watch reviewed the proposed amendments published in pro-government newspapers after parliament's approval. They would give the president, without requiring him to reference any public health emergency, overbroad power to shut schools, universities, courts, government facilities, and public and private businesses completely or partially.

'One amendment would allow him, even in the absence of any public health purpose, to restrict “public gatherings, protests, rallies, festivities, and any

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<sup>16</sup> Gulf News, 'Egypt amends emergency law to boost fight against COVID-19', 9 May 2020, [url](#)

other form of gathering, including private gatherings.” Others would allow him to restrict anyone from owning, transporting, selling, purchasing, or exporting any goods or services. The amendments also allow him to control prices of goods and services and to “determine methods of collecting monetary and in-kind donations ... and rules of their dispensing and spending.”...

‘Anyone violating measures imposed during a state of emergency can be sentenced to up to 15 years in prison. Trials in such cases are before Emergency State Security Courts, with judges chosen by the president and no right of appeal. The government historically has used these courts to primarily to prosecute political dissidents, including peaceful ones. The government reinstated these courts in 2017 when the state of emergency was declared.

‘The amendments also risk broadening the jurisdiction of military courts to prosecute civilians by giving military prosecutors the power to investigate incidents when the army officers are tasked with law enforcement or when the president so orders.’<sup>17</sup>

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Section 4 updated: 1 June 2020

## **4. Political opposition and activism**

### **4.1 Restrictions on association, assembly and the ability to protest**

#### **4.1.1 The 2019 DFAT report noted:**

‘Article 73 of the Constitution guarantees citizens the right to organise public meetings, marches, demonstrations, and all forms of unarmed peaceful protest by serving a notification as required by law. The Constitution further guarantees the right to peaceful and public assembly without need for prior notification, and prohibits security forces from attending, monitoring, or eavesdropping on such meetings.

‘In practice, the passing of Law 107/2013 (“the Protest Law”) in November 2013 has severely restricted the ability of citizens to protest peacefully against the state. The Protest Law was introduced amid a tense political environment characterised by recurrent protests. It requires organisers of any kind of public event or meeting involving more than ten people to provide police with three days’ notice; prohibits houses of worship (or their vicinities) being used for political gatherings or as meeting points for marches; and limits activities which could be seen as violating general security, public order, production, or which could impact on public services or the flow of traffic, among other things. Failure to comply with the Protest Law’s provisions are punishable with fine of up to EGP300,000 (AUD50,000) [15,345 GBP<sup>18</sup>], or up to seven years’ imprisonment.

‘In December 2016, the Supreme Constitutional Court confirmed that the majority of the Protest Law was constitutional, with the exemption of one article allowing the Interior Minister to unilaterally cancel or change the

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<sup>17</sup> HRW, Egypt: Covid-19 cover for new repressive powers’, 7 May 2020, [url](#)

<sup>18</sup> Xe currency converter, undated, [url](#)

location of planned protests. The law is now protected from any further legal challenges. President Sisi has signed a number of parliamentary amendments to the law intended to meet the Supreme Constitutional Court's ruling, but these have not significantly affected the law's highly restrictive nature. Since its introduction, the provisions of the Protest Law have been strictly applied, resulting in a number of harsh sentences and a decrease in the number of large-scale street protests in Egypt. Sentencing, and the completion of sentences, for those convicted under the Protest Law has been inconsistent: in March and June 2018, Sisi pardoned 705 prisoners, most of whom had been convicted in cases related to peaceful protests.<sup>19</sup>

- 4.1.2 DFAT also observed that 'Insulting the military or the judiciary is a criminal offence, and those so accused are liable to be prosecuted in military courts. Human rights observers report that the definition of "insult" is broad enough to include anyone who satirises the military or brings it into disrepute.' The DFAT report added:

'The government has taken additional legislative steps in 2019 that reduce further the ability of citizens to express dissent. Under recently approved amendments to Law 94/2015, property owners must provide National IDs of renters (or passport details in the case of a foreign renter) to the police within 72 hours of signing the lease. Failure to comply can result in a one year prison sentence and a minimum fine of LE5,000 (AUD400) [253.00 GBP]. The amendments also empower authorities to confiscate any property if the tenant therein is convicted of a terrorist crime, irrespective of involvement by the property owner. The government has explained the amendments under its counter-terrorism agenda, focused on catching Muslim Brotherhood members... hiding under alias-renter identities and/or moving sporadically between properties. Human rights observers have criticised the amendments for allowing for greater surveillance of ordinary citizens and encroachment on proprietary rights.'<sup>20</sup>

- 4.1.3 The 2019 USSD report stated:

'The law provides a broad definition of terrorism, to include "any act harming national unity or social peace." Human rights observers expressed concern that authorities could use the ambiguous definition to stifle nonviolent speech and nonviolent opposition activity.

'The government restricted freedoms of peaceful assembly and association... The constitution provides for freedom of assembly "according to notification regulated by law." The demonstrations law includes an expansive list of prohibited activities, giving a judge the authority to prohibit or curtail planned demonstrations after submitting an official memorandum. Domestic and international human rights organizations asserted the law did not meet international standards regarding freedom of assembly...'<sup>21</sup>

- 4.1.4 Freedom House reported its Freedom in the World report covering events of 2019:

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<sup>19</sup> DFAT, 'Country information report - Egypt', (paras 3.42-3.44), 17 June 2019, [url](#)

<sup>20</sup> DFAT, 'Country information report - Egypt', (paras 3.48-3.50), 17 June 2019, [url](#)

<sup>21</sup> USSD, 'Egypt 2019 human rights report', (section 2a and 2b), 12 March 2020, [url](#)

‘According to the constitution, freedom of assembly should not be restricted. However, a 2013 law, as amended in 2017, allows the Interior Ministry to ban, postpone, or relocate protests with a court’s approval. Among other restrictions, unauthorized gatherings of 10 or more people are subject to forced dispersal, protests at places of worship are prohibited, and protest organizers must inform police of their plans at least three days in advance. Thousands of people have been arrested under the 2013 law, and some jailed protesters have received death sentences. The severity of the crackdown on assembly rights has made protests extremely rare.’<sup>22</sup>

- 4.1.5 For information about restrictions on freedom of expression see [Media workers and bloggers](#) below.

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## 4.2 Arrests of actual or perceived critics, protestors and political activists

- 4.2.1 For information about the treatment of media workers, bloggers, lawyers and civil society activists who are or perceived to be critical of the state, see sections on [Media workers and bloggers](#), and [Non-government organisations](#) below.

- 4.2.2 The 2019 DFAT report noted

‘Human rights observers report that security forces have rounded up activists pre-emptively ahead of anticipated protests. In April 2018, for example, security forces arrested 190 political activists, primarily in home raids, ahead of the mid-June parliamentary approval of the controversial government decision to cede two Red Sea islands to Saudi Arabia. While rare, demonstrations do still occur: in May 2018, police arrested at least 35 people for protesting against a Ministry of Transportation decision to increase fares on the Cairo metro system by up to 250 per cent. While 22 of those arrested were released on the same day pending investigation, Amnesty International reported in November 2018 that the remaining 13 were still in pre-trial detention on charges of participating in unauthorised protests and membership in a terrorist group... A November 2018 Amnesty International report noted that in the lead up to the March 2018 elections, authorities detained many senior political figures who had either criticised President Sisi or announced their intention to run against him...’<sup>23</sup>

- 4.2.3 DFAT assessed ‘... that the ability of Egyptian citizens to protest peacefully against the government or express dissent is severely restricted, and is continuing to narrow. Those who come to the attention of authorities for attempting to protest are highly likely to face arrest and prosecution on national security charges.’<sup>24</sup>

- 4.2.4 The further report mentioned:

‘The poet, Galal el-Behairy, had gained publicity for writing a satirical song that criticised the government. The charges against him related to the title of an anthology of poems the plays on a phrase used to describe the military. In February 2019, a military court upheld an October 2018 ruling that

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<sup>22</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section E1), 4 March 2020, [url](#)

<sup>23</sup> DFAT, ‘Country information report - Egypt’, (paras 3.46-3.47), 17 June 2019, [url](#)

<sup>24</sup> DFAT, ‘Country information report - Egypt’, (para 3.51) 17 June 2019, [url](#)

sentenced the owner of a small bookstore to five years' imprisonment for revealing military secrets and spreading rumours (false news). The bookstore owner had published an Arabic translation of a book written by an Israeli author that alleged that the son-in-law of the late President Nasser was an Israeli spy. This rumour is widely known among Egyptians... Egyptians on social media have strongly criticised the decision to uphold the sentence.'<sup>25</sup>

- 4.2.5 Freedom House in its report covering events in 2019 observed 'meaningful political opposition is virtually nonexistent, as expressions of dissent can draw criminal prosecution and imprisonment.' The source also noted:

'... in practice there are no political parties that offer meaningful opposition to the incumbent leadership.... Activists, parties, and political movements that criticize the government continued to face arrests, harsh prison terms, death sentences, extrajudicial violence, and other forms of pressure during 2019. Following a series of small protests in September 2019, the regime carried out thousands of arrests, targeting not only protesters but also political activists and politicians, among others.

'... The persecution of Sisi's potential challengers in the 2018 presidential election and of political activists throughout 2019 illustrated the regime's determination to eliminate any opportunity for a peaceful change in leadership. By tightly controlling the electoral process, intimidating presidential candidates into withdrawing, and denying credible opposition parties the space to function effectively, the government makes it nearly impossible for the opposition to gain power through elections. The extension of presidential term lengths and limits in 2019 only exacerbated the problem.'<sup>26</sup>

- 4.2.6 The report added that:

'Since 2013, university students have faced reprisals for political activism that include arrests, disciplinary sanctions such as expulsion, military trials, and extrajudicial killings.

'In September 2019, small protests erupted after videos posted online by businessman and former military contractor Mohamed Ali alleged government corruption and urged people to take to the streets. The regime responded with a sweeping nationwide crackdown; more than 4,000 people were arrested, including protesters, human rights lawyers, journalists, and politicians.'<sup>27</sup>

- 4.2.7 Amnesty International (AI) in its report covering events in 2019 noted the government's reactions to protests during the year:

'The authorities resorted to a range of repressive measures against protesters and perceived dissidents, including enforced disappearance, mass arrests, torture and other ill-treatment, excessive use of force and severe probation measures, particularly after protests against the President on 20 September...

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<sup>25</sup> DFAT, 'Country information report - Egypt', (para 3.48), 17 June 2019, [url](#)

<sup>26</sup> Freedom House, 'Freedom in the World', Egypt (section B), March 2020, [url](#)

<sup>27</sup> Freedom House, 'Freedom in the world 2020 – Egypt', (section D3), 4 March 2020, [url](#)

'The authorities responded to peaceful protests in March, September and October with unlawful use of force, mass arbitrary arrests, disproportionate road closures and censorship.

'In March, after a spontaneous protest broke out following a train derailment that left at least 27 people dead in downtown Cairo, scores of protesters and bystanders were arrested. Many of them remained in pre-trial detention at the end of the year.

'In response to the 20 September protests, authorities used excessive force, blocked off roads and closed metro stations in downtown Cairo, and arrested at least 4,000 people; it was the largest wave of mass arrests since President Abdel Fattah al-Sisi came to power.

'The authorities carried out sweeping arrests of hundreds of peaceful protesters, including children, as well as more targeted arbitrary arrests of human rights lawyers, journalists, political activists and politicians. At least 3,715 of those arrested were detained pending investigation in relation to "terrorism"-related charges – the largest single protest-related criminal investigation in Egypt's history. Police randomly stopped individuals in Cairo and Alexandria, ordered them to hand over their phones or show them their social media accounts and, in some cases, arrested them.'<sup>28</sup>

#### 4.2.8 Human Rights Watch stated in its annual report covering 2019:

'Over 160 activists or perceived dissidents were arrested or prosecuted by authorities for voicing criticism before the constitutional referendum in April. In June, authorities arrested and searched the homes of scores of activists and accused them of joining, aiding, or funding a "terrorist" group. The case, known as the "Hope Coalition" case, involves activists who were allegedly planning a new political coalition to contest the 2020 elections. Detainees include well-known leftist activists Ziad al-Elaimy and Hossam Mo'nis. Authorities unfairly banned 83 defendants in the case from travel and froze their assets.'<sup>29</sup>

#### 4.2.9 AI also noted in its report on events in 2019:

'The authorities continued to severely restrict ... political parties' freedom of association.

'Political parties faced arbitrary restrictions on their work, such as organizing public events, and increasing arrests of their members. Leading political figures, including Zyad el-Elaimy, Hisham Fouad and Hossam Moanis, were arrested to stop them founding a coalition to contest the 2020 parliamentary elections. In September and October, police arrested several members from five political parties, including Khaled Dawoud, former Secretary General of the Dostour party, after the parties called on the authorities to respect the right to assemble.'<sup>30</sup>

#### 4.2.10 The 2019 USSD stated that 'citizens expressed their views on a wide range of political and social topics. Nonetheless, the government investigated and

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<sup>28</sup> AI, 'Country report – Egypt 2019', (Freedom of association), February 2020, [url](#)

<sup>29</sup> HRW, 'World report 2020 – Egypt events of 2019', January 2020, [url](#)

<sup>30</sup> AI, 'Country report – Egypt 2019', (Freedom of association), February 2020, [url](#)

prosecuted critics for alleged incitement of violence, insults to religion, insults to public figures and institutions such as the judiciary and the military, or violation of public morals.<sup>31</sup>

4.2.11 Furthermore, ‘international and local human rights groups reported continuing large numbers of enforced disappearances, alleging authorities increasingly relied on this tactic to intimidate critics. One local NGO documented 336 enforced disappearances between August 2018 and August 2019 and nearly 500 since August 2019.’<sup>32</sup>

4.2.12 The USSD report for 2019 further noted:

‘There were protests throughout the year, mostly small, and some occurred without government interference. In most cases the government rigorously enforced the law restricting demonstrations, in some cases using force, including in cases of small groups of protesters demonstrating peacefully.

‘In September local NGOs reported police arrested more than 4,000 individuals after small protests erupted in several cities over accusations of corruption against President Sisi. Many of the individuals detained reportedly had no connection to the protests and happened simply to be in the vicinity of the protests. Police and prosecutors subsequently released more than 2,500 of those detained. Local human rights organizations claimed that, in some instances, detainees were tortured or subjected to other abuses.

‘The cumulative number of persons arrested under the protest law was not publicly available. On May 13, authorities arrested political activist Haytham Mohamadeen, who police had surveilled since his October 2018 release following five months in pretrial detention...’<sup>33</sup>

4.2.13 Furthermore:

‘According to a local human rights organization, thousands of persons whom authorities arrested during 2013 and 2014 due to their participation in demonstrations (some of which were peaceful) remained imprisoned; however, authorities released others who had completed their sentences and some through presidential pardons. Authorities reportedly held such individuals under charges of attending an unauthorized protest, incitement to violence, or “blocking roads.”’<sup>34</sup>

4.2.14 The report also noted that ‘on 21 May [2019], authorities arrested several high school boys who protested in front of the Ministry of Education building regarding the repeated failures of new electronic systems in their schools; they were released the following day.’<sup>35</sup>

4.2.15 The 2019 USSD report further stated:

‘On March 27, Cairo Criminal Court sentenced 120 defendants to one year in prison and seven others to three years while placing them under police surveillance for one year, on charges of protesting, attempted murder,

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<sup>31</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>32</sup> USSD, ‘Egypt 2019 human rights report’, (section 1b), 12 March 2020, [url](#)

<sup>33</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

<sup>34</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

<sup>35</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

intentional destruction of public property, and public disturbance. The arrests came after a brief gathering by a few hundred protesters in front of the Press Syndicate marking the third anniversary of the 2014 revolution and was dispersed by riot police.<sup>36</sup>

- 4.2.16 The 2019 USSD report observed, ‘on May 17, President Sisi pardoned... eight women sentenced in 2018 to several years in prison for belonging to an outlawed group and staging antigovernment protests in Damietta Province.’<sup>37</sup>
- 4.2.17 In addition the USSD report stated that, ‘ahead of planned protests or demonstrations, there were reports of police stopping young persons in public places and searching their phones for evidence of involvement in objectionable political activities deemed antigovernment in nature.’ The report continued: ‘Individuals also faced societal and official harassment for speech viewed as sympathetic to political protests in other countries, such as Mohamad Ramadan who remained in pretrial detention after his December 2018 arrest for “inciting social unrest” by posting a photo on Facebook of himself wearing a yellow vest akin to those worn by political protesters in France.’<sup>38</sup>
- 4.2.18 Human Rights Watch reported that ‘Egyptian authorities arrested 4 prominent women on March 18, 2020 as they protested to seek the release of unjustly detained prisoners over fears of COVID-19 virus, Human Rights Watch said today. The women were apparently demonstrating peacefully in downtown Cairo.’<sup>39</sup>

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### 4.3 Political prisoners

#### 4.3.1 The USSD report for 2019 noted:

‘There were reports of political prisoners and detainees, although verifiable estimates of their total number were not available. The government claimed there were no political prisoners and that all persons in detention had been or were in the process of being charged with a crime. Human rights groups and international observers maintained the government detained or imprisoned as few as 20,000 and as many as 60,000 persons solely or chiefly because of their political beliefs...

‘The government periodically issued pardons of prisoners, sometimes including individuals that human rights organizations considered to be politically motivated. On May 17, President Sisi pardoned 560 prisoners including prominent journalist Abdel Halim Qandil, sentenced in 2017 to a three-year prison term for “insulting the judiciary,” and eight women sentenced in 2018 to several years in prison for belonging to an outlawed group and staging antigovernment protests in Damietta Province. Pursuant to a presidential pardon, authorities released journalist Asmaa Zeidan from

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<sup>36</sup> USSD, ‘Egypt 2019 human rights report’, (section 1c), 12 March 2020, [url](#)

<sup>37</sup> USSD, ‘Egypt 2019 human rights report’, (section 1e), 12 March 2020, [url](#)

<sup>38</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>39</sup> HRW, ‘Egypt: Four Arrested Over COVID-19 Protest,’ 20 March 2020, [url](#)



al-Haram Police Station on August 19 after she spent more than a year in prison following a February 2018 sentence of five years in prison for “insulting the president” and “possessing narcotics.”<sup>40</sup>

- 4.3.2 According to The Tahrir Institute for Middle East policy and The Institute for Crime and Justice Policy Research, Egypt’s entire detention capacity is 106,000, suggesting that around half the entire population of detainees are political prisoners<sup>4142</sup>.
- 4.3.3 The 2019 USSD report noted that ‘domestic and international press reported multiple violations of the elections law by the government in the referendum process, including arrests of opponents.’<sup>43</sup>
- 4.3.4 The report noted ‘On April 22, the final day of voting for the referendum, authorities arrested Ahmed Badawi, an engineer and member of the liberal Dostour Party, after he raised a sign saying “No to the constitutional changes” outside a polling station in Cairo. According to local media, authorities arrested four members of the Dostour Party in February after they reportedly voiced objection to the proposed constitutional amendments.’<sup>44</sup>
- 4.3.5 Furthermore, the report stated ‘separate military courts sentenced former chief of staff of the armed forces Sami Anan to six years in prison for violating military discipline by announcing his intention to run for president in 2018 and to four years in prison for forgery. On December 22, Anan was released from detention by military prosecution order.’<sup>45</sup>
- 4.3.6 A March 2019 article by Organised Crime and Corruption Reporting Project (OCCRP), ‘a non-profit media organization providing an investigative reporting platform for the OCCRP Network’<sup>46</sup> noted:

‘An Egyptian military appeals court ... upheld a five-year sentence for Hisham Genena, the former head of the Egyptian Anti-Corruption Authority, over an interview Genena gave to the Huffington Post in which he spoke of secret documents damaging to Egypt’s army and current regime.

‘Anan, the former chief of staff of Egypt’s army, was seen as Egypt’s incumbent President Abdel Fattah al-Sisi’s main high-profile challenger. He was arrested for not getting the permission from the army to run for president, and for allegedly forging documents.

‘In the wake of Anan’s arrest, Genena gave an interview to Huffington Arabi, the American news outlet’s Arabic site, saying that Anan had secret documents that prove that the Egyptian army played a role in social unrest following Egypt’s 2011 revolution. ...

‘Genena was then arrested, and in April 2018 was sentenced for “disseminating information aimed at harming the army.”

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<sup>40</sup> USSD, ‘Egypt 2019 human rights report’, (section 1e), 12 March 2020, [url](#)

<sup>41</sup> TIME, ‘Brief: Detention Conditions in Egypt’, 29 August 2019, [url](#)

<sup>42</sup> ICPR, ‘World Prison Brief – Egypt’, August 2016, [url](#)

<sup>43</sup> USSD, ‘Egypt 2019 human rights report’, (executive summary), 12 March 2020, [url](#)

<sup>44</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

<sup>45</sup> USSD, ‘Egypt 2019 human rights report’, (section 3), 12 March 2020, [url](#)

<sup>46</sup> OCCRP, ‘About us’, 24 August 2007, [url](#)

'Genena served as the head of Egypt's Central Auditing Office from 2012 to 2016. He was removed from the post by Sisi, after saying that government corruption was costing Egypt billions of dollars...

'Genena's daughter, Shorouk Genena, told Reuters she thought that Genena's sentence was being upheld because of Sisi's current political machinations.'<sup>47</sup>

#### 4.3.7 HRW in its report on events in 2019 noted:

'Civilian and military courts sentenced hundreds of individuals to death in 2019, often in mass trials in cases that stem from alleged political violence or planned violence. According to the Egyptian Front for Human Rights, as of June authorities executed at least 15 prisoners in three cases on political grounds. Military and civilian courts of appeal upheld at least 32 death sentences, raising the number on death row to 74, the majority of whom were charged with political violence. In February, nine UN experts condemned the "arbitrary executions" of nine of those executed "on the basis of evidence allegedly obtained under torture," following "what appears to be seriously flawed trials."<sup>48</sup>

#### 4.3.8 The USSD report for 2019 noted:

'Between January and June, a local organization that tracks freedom of association and speech recorded 138 violations of the freedoms of media and artistic and digital expression. One example cited by The Association for Freedom of Thought and Expression (AFTE) is the June 25 arrest of several political figures after they met to form a new political alliance (Alliance of Hope) to run in 2020 parliamentary elections. On August 6, the Cairo Criminal Court upheld a freeze on the assets of 83 defendants in the case (no. 930/2019). On September 3, board members of the Journalists' Syndicate, journalists, and families of the detainees submitted three official complaints to NCHR claiming that the detainees were experiencing poor detention conditions and medical negligence. The next hearing on the renewal of the detention of the defendants was scheduled for January 8, 2020.'<sup>49</sup>

#### 4.3.9 Freedom House in its report on events in 2019 noted:

'Many detained government critics and opposition figures have been prosecuted in the Emergency State Security Courts created when President Sisi declared a state of emergency in 2017; the state of emergency was repeatedly renewed through 2019. Decisions in these courts are subject to executive branch approval, as the president can suspend any of their rulings and order retrials.

'The executive branch exerts influence over the courts, which typically protect the interests of the government and military and have often disregarded due process and other basic safeguards in cases against the government's political opponents.'<sup>50</sup>

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<sup>47</sup> OCCRP, 'Egypt upholds sentence for corruption auditor', 5 March 2019, [url](#)

<sup>48</sup> HRW, 'World Report 2020' (Egypt), January 2020, [url](#)

<sup>49</sup> USSD, 'Egypt 2019 human rights report', (section 2a), 12 March 2020, [url](#)

<sup>50</sup> Freedom House, 'Freedom in the World', Egypt (section F), March 2020, [url](#)

#### 4.3.10 In May 2020 Amnesty International reported that:

‘The decisions by a “terrorism circuit” judges at the Cairo Criminal Court to extend – without respect for basic due process guarantees – the pre-trial detention of over 1,600 detainees, many of whom are prisoners of conscience, must be immediately overturned, Amnesty International said. The organization also called on the Egyptian authorities to immediately and unconditionally release all those detained for peacefully exercising their rights.

‘Judges issued these decisions between 4 and 6 May, without the presence of any of the defendants in court. Their lawyers were prevented from presenting their defence. The defendants have been held in prolonged pre-trial detention, in some cases reaching over two years, pending investigations by the Supreme State Security Prosecution (SSSP)...

‘Among the defendants whose pre-trial detention was extended this week are human rights defenders, including Mohamed el-Baqer, who has been detained since 29 September 2019; lawyers and journalists Solafa Magdy and Hossam el-Sayed, detained since November 2019; and activist Alaa Abdelfatah, detained since September 2019. All of them have been detained pending investigations into unfounded charges that relate to their peaceful work.’<sup>51</sup>

#### 4.3.11 In May 2020 Human Rights Watch reported:

‘Egyptian authorities have been holding hundreds, and most likely thousands, of people in pretrial detention without a pretense of judicial review in a new low for the country’s justice system...’

‘Security and judicial authorities have used the Covid-19 pandemic to effectively preclude detention renewal hearings, renewing pretrial detentions more or less automatically since mid-March, 2020. Judges should immediately review the detention of all those in prolonged pretrial detention and order their release pending trial unless there is clear evidence that there is a legal necessity for their detention before trial, such as a clear threat to witnesses or risk of flight. Everyone held in pretrial detention is entitled to a trial within a reasonable time, or release.

“Covid-19 has peeled away the last fig leaf covering Egypt’s grossly unjust pretrial detention system by eliminating even a pretense of independent review,” said Joe Stork, deputy Middle East and North Africa director at Human Rights Watch. “Egypt’s authorities should end the excessive use of pretrial detention instead of making it the norm.”<sup>52</sup>

#### 4.3.12 See also [Media workers and bloggers](#).

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### 4.4 Conditions in detention

#### 4.4.1 Information below focuses on persons detained because of their actual or perceived opposition to the state.

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<sup>51</sup> AI, ‘Egypt: Court arbitrarily extends the pre-trial detention of over 1,600 defendants’, 7 May 2020, [url](#)

<sup>52</sup> HRW, ‘No Pretense of Judicial Review for Hundreds’, 18 May 2020, [url](#)

#### 4.4.2 HRW in its report on events in 2019 noted:

'The police and National Security Agency routinely carry out systematic enforced disappearances and torture with impunity. Torture practices have also affected well-known activists such as Alaa Abdel Fattah and Israa Abdel Fattah. Authorities keep thousands of prisoners in abysmal conditions, where overcrowding and insufficient medical care have been systematic and may have contributed to the deteriorating health and deaths of scores of detainees.'<sup>53</sup>

#### 4.4.3 Amnesty International reported in its report for 2019 that:

'Overcrowded and unhygienic cells, lack of ventilation, prolonged solitary confinement and denial of family visits contributed to inhumane conditions of detention across the country. Perceived government critics suffered prolonged solitary confinement and denial of adequate medical care that amounted to torture. Among them was Aisha al-Shater, who had been held in solitary confinement since she was arrested in November 2018, following which she was tortured with beatings and electric shocks, sources told Amnesty International. She was critically ill at the end of the year. In July, around 130 detainees in al-Aqrab prison staged a hunger strike over their detention conditions, including the denial of family visits for years. Dozens of detainees died in places of detention, some reportedly as a result of their detention conditions.'<sup>54</sup>

#### 4.4.1 Freedom House in its Freedom on the Net report noted: 'Imprisoned activists, bloggers, and journalists frequently experience abuse and torture while in detention. They are subject to lengthy pretrial detention, which in some cases lasts for years.'<sup>55</sup>

#### 4.4.2 The USSD report for 2019 noted:

'According to domestic and international human rights organizations, police and prison guards resorted to torture to extract information from detainees, including minors. Reported techniques included beatings with fists, whips, rifle butts, and other objects; prolonged suspension by the limbs from a ceiling or door; electric shocks; sexual assault; and attacks by dogs. On March 12, Human Rights Watch (HRW) stated that torture was a systematic practice in the country. According to HRW and local NGOs, torture was most common in police stations and other Interior Ministry detention sites. A local NGO that tracks torture cases documented an average of 40 to 50 instances of torture per month....

'Following a wave of arrests of opponents of the government that began in September [2019]... media and rights organizations reported an increase in reports of detainees being subjected to torture or other abuse. For example, on October 12, security forces arrested activist Esraa Abdel Fattah; there were reports she was abused while in custody, including beatings and suspension from a ceiling. On December 22, the state security prosecutor extended Esraa Abdel Fattah's pretrial detention for 15 days.

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<sup>53</sup> HRW, 'World Report 2020' (Egypt), January 2020, [url](#)

<sup>54</sup> AI, 'Country report – Egypt 2019', (Human rights defenders), February 2020, [url](#)

<sup>55</sup> Freedom House, 'Freedom on the Net 2019' (Egypt), November 2019, [url](#)

'There were reports that prisoners detained on politically motivated charges were held in prolonged and indefinite solitary confinement. The report also stated such prisoners were subjected to physical abuse, including beatings, lack of food, humiliation, and restricted movement—sometimes for years. In response the government denied widespread use of solitary confinement.'<sup>56</sup>

#### 4.4.3 The USSD report also observed:

'Conditions in prisons and detention centers were harsh and potentially life threatening due to overcrowding, physical abuse, inadequate medical care, poor infrastructure, and poor ventilation.

'There were reports authorities sometimes segregated prisoners accused of crimes related to political or security issues from common criminals and subjected them to verbal or physical abuse and punitive solitary confinement. On January 9, the retrial of imprisoned activist Ahmed Douma resulted in a 15-year prison sentence. Douma appealed the verdict; the Court of Cassation has yet to set a hearing date. Since his arrest in 2015, authorities have held Douma in solitary confinement for more than 1,500 days.'<sup>57</sup>

#### 4.4.4 The 2019 USSD report further stated:

'According to media reports and local NGOs, Abdel Moneim Aboul Fotouh, former presidential candidate, a former leader in the MB, and leader of the opposition party Strong Egypt, suffered two heart attacks in July while in prison, shortly after two rights groups submitted a petition to the public prosecutor calling for urgent intervention because of his "deteriorating health condition." On December 23, the Cairo Criminal Court renewed the detention of Aboul Fotouh for 45 days pending investigations.'<sup>58</sup>

#### 4.4.5 In April 2020 a spokesperson for the UN High Commissioner for Human Rights stated that '... we are nevertheless also very concerned about the overcrowded prisons in Egypt and the risk of the rapid spread of the COVID-19 virus among the country's more than 114,000 inmates. ... Egypt's prisons and detention facilities are often overcrowded, unsanitary, and suffer from a lack of resources. Detainees are routinely denied access to adequate medical care and treatment.'<sup>59</sup>

#### 4.4.6 In May 2020 the Observatory for the Protection of Human Rights Defenders reported that it had:

'...been informed by reliable sources about the death while in custody of Mr. Shady Habash, film director, photographer and human rights defender. According to the information received, on the night of May 1, 2020, Mr. Shady Habash, 24, was found dead in Tora prison (Cairo). His health reportedly deteriorated dramatically in the last days of his detention. He was momentarily hospitalised, then transferred back to the prison on the evening of May 1, 2020, where he died during the night. The prison guards were slow to intervene despite being alerted by his cellmates, who reportedly called out

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<sup>56</sup> USSD, Human rights report for 2019 (section 1c), March 2020, [url](#)

<sup>57</sup> USSD, Human rights report for 2019 (section 1c), March 2020, [url](#)

<sup>58</sup> USSD, 'Egypt 2019 human rights report', (section 1c), 12 March 2020, [url](#)

<sup>59</sup> OHCHR, 'Press briefing note on Egypt', 3 April 2020, [url](#)

and shouted for help repeatedly throughout the hours preceding his death. At the time of the publication of this Urgent Appeal, the exact reasons of Mr. Habash death remained unknown. Mr. Shady Habash had been arrested in March 2018, together with his colleague Mr. Mustafa Gamal, and charged with several accusations, including “membership of a terrorist group” (article 12 of the Counter-terrorism law of 2015), “spreading false news” (article 102 bis of the Egyptian Criminal Code), “blasphemy and contempt of religion” (article 98 F of the same Code) and “insulting the military” (article 184 of the same Code). The charges stemmed from the release of the videoclip they directed for the song “Balaha” by singer Mr. Ramy Essam, which mocked Egyptian President Abdel Fattah el-Sisi by comparing him to a notorious liar and condemning alleged government corruption. The pair have been held in pre-trial detention pending investigation ever since their arrest. The author of the song, Mr. Galal el-Behairy, is also in jail and the singer Mr. Ramy Essam, who performed the song, is currently exiled in Sweden.<sup>60</sup>

4.4.7 See also [Muslim Brotherhood](#).

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Section 5 updated: 13 July 2020

## 5. Muslim Brotherhood

### 5.1 Legal status

5.1.1 In September 2013 the government banned the Muslim Brotherhood (MB), ‘freezing the activities of the group and all its affiliated organizations’<sup>61</sup>, and declared it a terrorist organisation ‘under Article 86 of the Criminal Code in December 2013. Additionally, the criminal code states that ‘[u]nder Article 86, membership of a designated terrorist group may incur penalties of up to five years’ imprisonment. Article 86 also criminalises the distribution of materials, in writing or in speech, pertaining to a proscribed organisation or in service of its objectives.’<sup>62</sup>

5.1.2 The 2019 USSD report stated ‘The MB , the MB-affiliated Freedom and Justice Party, and its NGO remained illegal, and the MB was listed as a designated terrorist organization.’<sup>63</sup>

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### 5.2 Background

5.2.1 A brief history of the MB from its formation in 1928 to the early 2010s is provided by [Encyclopaedia Britannica](#).

5.2.2 The 2019 DFAT report on Egypt observed:

‘The [Muslim Brotherhood](#) (“the Brotherhood”) is an Islamist religious, political and social movement founded in 1928. The Brotherhood has traditionally represented the primary political opposition to Egypt’s military rulers, despite being prevented for the most part from participating in formal politics and

<sup>60</sup> FIDH, ‘Egypt: Death while in custody of Mr. Shady Habash’, 14 May 2020, [url](#)

<sup>61</sup> Encyclopaedia Britannica, Muslim Brotherhood, updated 9 May 2019, [url](#)

<sup>62</sup> DFAT, ‘Country information report - Egypt’, (para 2.3, 3.52, 3.53), 17 June 2019, [url](#)

<sup>63</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

being subjected to intermittent (and often violent) crackdowns. Although the Brotherhood did not play a significant role in the 2011 revolution, it took a more assertive role afterwards...<sup>64</sup>

- 5.2.3 DFAT further reported that analysts observed that ‘the Brotherhood retains a core support of up to 20 per cent of the population, strengthened by feelings of victimisation after the crackdown.’<sup>65</sup>
- 5.2.4 Counter Extremism Project, a ‘not-for-profit, non-partisan, international policy organization’<sup>66</sup>, noted in a January 2020 report based on a number of sources, ‘there is disagreement as to the overall leader of the International Organization. While some reports name imprisoned Egyptian Brotherhood Supreme Guide Mohammed Badia as the Organization’s leader, others indicate that it is led by the London-based Ibrahim Mounir.’<sup>67</sup>
- 5.2.5 The same report added that ‘Without coherent leadership, the Brotherhood has grown increasingly factionalized...’<sup>68</sup>
- 5.2.6 Counter Extremism Project reported on the Muslim Brotherhood’s recruitment process. Based on various sources, it stated:

‘The Egyptian Brotherhood’s recruitment process is tailored to prevent security officials from penetrating the group. According to Eric Trager in Foreign Affairs, local Brotherhood leaders scout potential members “at virtually every Egyptian University.” The members approach potential recruits in a non-political context and engage in activities such as tutoring or soccer. Recruiters do not initially reveal themselves as Brotherhood members. According to Khaled Hamza, an editor of the Brotherhood’s English-language website, the recruitment process can last up to a year. Hamza notes, “We are an ideological grass-roots group, and we use our faith to pick members.” In some cases, children as young as nine are targeted as recruits. The children of Brotherhood members are often exposed to Brotherhood activities at an early age.’<sup>69</sup>

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### 5.3 Harakat Sawa’d Misr

- 5.3.1 Harakat Sawa’d Misr - also known as Harakat Hasm, HASAM and HASM<sup>70</sup> (referred to as HASM hereafter)<sup>71</sup> - is ‘an extremist group using violent tactics against the Egyptian security forces, and the Egyptian regime.’<sup>72</sup> The USSD noted in January 2018 that:

‘HASM is a terrorist group also active in Egypt. Formed in 2015, the group claimed responsibility for the assassination of Egyptian National Security Agency officer Ibrahim Azzazy, as well as the attempted assassination of

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<sup>64</sup> DFAT, ‘Country information report - Egypt’, (para 2.3, 3.52, 3.53), 17 June 2019, [url](#)

<sup>65</sup> DFAT, ‘Country information report - Egypt’, (para 3.57), 17 June 2019, [url](#)

<sup>66</sup> CEP, ‘About’, undated, [url](#)

<sup>67</sup> CEP, ‘Muslim Brotherhood’, Organizational Structure, 29 January 2020, [url](#)

<sup>68</sup> CEP, ‘Muslim Brotherhood’, Organizational Structure, 29 January 2020, [url](#)

<sup>69</sup> CEP, ‘Muslim Brotherhood’, Recruitment, 29 January 2020, [url](#)

<sup>70</sup> UK Home Office, ‘Proscribed terrorist organisations’ (p12), updated February 2020, [url](#)

<sup>71</sup> USSD, ‘State Department Terrorist Designations...’, 31 January 2018, [url](#)

<sup>72</sup> UK Home Office, ‘Proscribed terrorist organisations’ (p12), updated February 2020, [url](#)

Egypt's former Grand Mufti Ali Gomaa. HASM also claimed responsibility for a September 30, 2017 attack on Myanmar's embassy in Cairo. Some of the leaders of the violent splinter groups, Liwa al-Thawra and Hasm, were previously associated with the Egyptian Muslim Brotherhood.<sup>73</sup>

5.3.2 The USSD's human rights report for 2019 commenting on activities by HASM described it as a 'Muslim Brotherhood-splinter group'.<sup>74</sup>

5.3.3 HASM was designated a proscribed group in the UK in December 2017<sup>75</sup>.

5.3.4 Asharq Al-Aswat, a pan-Arab daily newspaper<sup>76</sup>, reported on 9 March 2020:

'a military court in Cairo sentenced 41 people to life in prison on terror-related charges, rights lawyer Khaled el-Masry said. The military sentenced 98 others to prison terms ranging from three to 15 years. It acquitted 50.

'The court convicted the defendants of joining a militant group known as Hasm, which has links to the Muslim Brotherhood, which is banned in Egypt, where it is considered a terrorist organization. Hasm has targeted mainly Egyptian security forces in bombings and drive-by shootings.

'The 41 were also accused of carrying out several militant attacks, including one that killed a senior Egyptian army officer and the attempted assassination of a deputy public prosecutor in 2016.

'The verdicts can be appealed, el-Masry said...'<sup>77</sup>

5.3.5 In September 2019, Asharq Al-Aswat reported:

'Egypt's Interior Ministry announced Sunday that a gunman belonging to Muslim Brotherhood's (MB) Hasm movement has been killed.

'The wanted, Amr Abul Hassan, was killed during a fire exchange in Cairo's district of Matareya, the ministry said in a statement.

'It explained that the raid was part of the security bodies' efforts to thwart attempts by terrorist groups to undermine homeland security.

"Amr Ahmed Mahmoud Mohamed Abul Hassan, affiliated to MB group, was hiding up in an apartment in Matareya, where he was storing weapons to carry out terror attacks," the statement read.

"The terrorist opened his fire on security forces who were raiding the apartment to arrest him, and two officers were injured during the operation, the ministry said.

'A rocket-propelled grenade (RPG), firearms and explosive materials were found at the apartment...'<sup>78</sup>.

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<sup>73</sup> USSD, 'State Department Terrorist Designations...', 31 January 2018, [url](#)

<sup>74</sup> USSD, Human rights report for 2019 (section 1a), March 2020, [url](#)

<sup>75</sup> UK Home Office, 'Proscribed terrorist organisations' (p12), updated February 2020, [url](#)

<sup>76</sup> Asharq Al-Aswat, About us, undated, [url](#)

<sup>77</sup> Asharq Al-Aswat, 'Egypt sentences 41 people to life...' 9 March 2020, [url](#)

<sup>78</sup> Asharq Al-Aswat, 'Egypt: Gunman from HASM group killed, two officers...', 23 September 2019, [url](#)



## 5.4 Violent activities

### 5.4.1 In March 2018, Al Jazeera reported:

‘Egyptian authorities said they killed six people on Sunday in connection to a deadly car bombing that targeted the coastal city of Alexandria's security chief....

‘The interior ministry announced in a statement it discovered a "terrorist den" belonging to the outlawed Muslim Brotherhood's armed wing, the Hasam movement.

“The interior ministry has dealt an effective blow to the armed wing of the Muslim Brotherhood ... and exchanged fire with its elements, which led to the killing of six,” the statement said.

‘The Hasam movement first emerged in 2016 when it claimed responsibility for a series of attacks on government officials.

‘The Muslim Brotherhood has said it rejects all forms of violence.’<sup>79</sup>

### 5.4.2 Reuters reported on the car bomb attack in a March 2018 article, which stated that ‘there was no immediate claim of responsibility for the blast, which the state news agency blamed on the banned Muslim Brotherhood organisation.’<sup>80</sup> The article also stated that ‘the militant Hasam Movement emerged in 2016 and has claimed several attacks on security forces and judges, including the fatal shooting of a policeman. Egyptian authorities say the group is the Brotherhood’s armed wing, but the Brotherhood says it rejects violence.’<sup>81</sup>

### 5.4.3 Based on various sources, Counter Extremism Project stated in its report:

‘Since Morsi’s ouster, an ideological and strategic rift has widened between the Egyptian Brotherhood’s older and younger generations. While the older generation—known as the “old guard”—reiterates its platform of non-violence and hopes that the military regime will collapse due to economic decline or an internal coup, for example, the younger generation has adopted increasingly jihadist rhetoric and resorts to low-level violence in pursuit of the overthrow of the Sisi regime.’<sup>82</sup>

### 5.4.4 The USSD human rights report for 2019 noted that ‘Terrorist groups, including... HASM... conducted deadly attacks on government, civilian, and security targets throughout the country, including places of worship.’<sup>83</sup>

### 5.4.5 The Guardian reported in August 2019:

‘Twenty people have been killed and 47 injured after a car bomb collided with other vehicles, triggering an explosion outside a cancer hospital in central Cairo.

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<sup>79</sup> AJ, ‘Egypt: police kill 6 people in connection to Alexandria bombing’, 25 March 2018, [url](#)

<sup>80</sup> Reuters, ‘Egypt kills 6 militants from group it accuses over Alexandria bombing’, 25 March 2018, [url](#)

<sup>81</sup> Reuters, ‘Egypt kills 6 militants from group it accuses over Alexandria bombing’, 25 March 2018, [url](#)

<sup>82</sup> CEP, ‘Muslim Brotherhood’, Organizational Structure, 29 January 2020, [url](#)

<sup>83</sup> USSD, Human rights report for 2019 (section 1a), March 2020, [url](#)

'Egypt's interior ministry said a car carrying explosives drove into oncoming traffic and collided with three others, detonating its charge. It named Hasm, a violent offshoot of the Islamist Muslim Brotherhood group, as the organisation responsible for the attack, and said a member of the group had been arrested in connection with the blast.'<sup>84</sup>

- 5.4.6 France 24 reported in August 2019 that the Egyptian authorities killed, in a separate operation shortly afterwards, 17 suspects of the attack. The article stated, 'The interior ministry said the 17 killed belonged to the Hasm group, an armed affiliate of the banned Muslim Brotherhood.'<sup>85</sup> The article added that 'Since 2016 the Hasm group has claimed responsibility for several attacks against police, officials and judges in Cairo.'<sup>86</sup>

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## 5.5 Treatment of Muslim Brotherhood members

- 5.5.1 Counter Extremism Project stated in its January 2020 report, 'following Morsi's July 2013 ouster, Sisi's crackdown on the Brotherhood resulted in the imprisonment or execution of many of the group's leaders and members. Those who managed to escape fled to Turkey and Qatar.'<sup>87</sup>

- 5.5.2 Egypt Today reported in September 2019 that '...former supreme guide of the banned Muslim Brotherhood (MB) group Mohamed Badie and ten other Muslim Brotherhood members were sentenced to life imprisonment (25 years in jail)... The life imprisonment term is unchallengeable and final.' The incident occurred in 2011 amid the events of January 25 Revolution as foreign militants illegally entered Sinai and raided Wadi Al-Natroun prison to free the brotherhood's prisoners, including Morsi.'<sup>88</sup>

- 5.5.3 The 2019 USSD report observed:

'On June 17, former president Mohamed Morsi died of a heart attack during a court appearance. Several local and international human rights organizations claimed his death was caused by medical neglect while in prison. The spokesperson for the UN Office of the High Commissioner for Human Rights (OHCHR) raised concerns regarding Morsi's access to medical care and prolonged solitary confinement during his nearly six years of detention and called for a thorough independent inquiry into the circumstances of Morsi's death. The prosecutor general conducted an inquiry into his death and stated there was no evidence of abuse or mistreatment. In a November 8 [2019] statement, the UN special rapporteur on extrajudicial, summary or arbitrary executions and the UN Working Group on Arbitrary Detention released a statement saying, "the prison regime in Egypt may have directly led to the death of former president Mohamed Morsi"...'<sup>89</sup>

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<sup>84</sup> The Guardian, 'Cairo car bomb kills at least 20 outside hospital', 5 August 2019, [url](#)

<sup>85</sup> France24, 'Egyptian security forces kill 17 'terrorists' suspect in Cairo car...', 9 August 2019, [url](#)

<sup>86</sup> France24, 'Egyptian security forces kill 17 'terrorists' suspect in Cairo car...', 9 August 2019, [url](#)

<sup>87</sup> CEP, 'Muslim Brotherhood', Organizational Structure, 29 January 2020, [url](#)

<sup>88</sup> Egypt Today, 'MB leader Badie sentences for life for 'illegal border crossing'', 7 September 2019, [url](#)

<sup>89</sup> USSD, 'Egypt 2019 human rights report', (section 1c), 12 March 2020, [url](#)

- 5.5.4 The report added that during 2019 ‘some trials involving hundreds of defendants continued, particularly in cases involving demonstrators sympathetic to former president Morsi and the MB in 2013 and 2014.’<sup>90</sup>
- 5.5.5 Human Rights Watch observed in its 2020 World Report, covering events of 2019:  
 ‘Former President Mohamed Morsy, whom the army forcibly removed in 2013, died on June 17 in a Cairo court room following six years of lack of medical care and near-absolute isolation in prison. In November, two United Nations experts said that such conditions “may have directly led” to his death and “may be placing the health and lives of thousands more prisoners at severe risk.” Authorities did not conduct any independent investigation into his death.’<sup>91</sup>
- 5.5.6 Amnesty International reported in August 2019 ‘the death in custody of 30-year-old Hossam Hamed, a prisoner at al-Aqrab prison who has been in solitary confinement since at least 3 August 2019...’<sup>92</sup> The New Arab, a news website<sup>93</sup>, stated that ‘since his arrest at least four years ago, Hamed has been tried several times on terror charges and for belonging to the Muslim Brotherhood organization. In one of these cases, Hamed was sentenced to 25 years in jail.’<sup>94</sup> Associated Press (AP) News, an independent, non profit news cooperative<sup>95</sup>, also reported that Hossam Hamed had been tried several times for belonging to the Muslim Brotherhood<sup>96</sup>.
- 5.5.7 Amnesty International stated in its August 2019 report:  
 ‘Testimony from three sources close to the incident indicate that Hossam Hamed was repeatedly physically assaulted by prison guards while being held in solitary confinement in a “disciplinary cell”...According to these testimonies, Hossam Hamed appears to have been tortured...  
 ‘Since he was transferred to al-Aqrab prison six months ago, Hossam Hamed was not allowed to receive family visits in prison, in violation of Egyptian prison regulations.’<sup>97</sup>
- 5.5.8 The 2019 DFAT report observed:  
 ‘Since the July 2013 military intervention that removed President Morsi from office, Egypt’s security apparatus and courts have carried out a significant crackdown on the Brotherhood’s members and activities...  
 ‘Tens of thousands of Brotherhood members have been arrested and detained since July 2013. Key members of the Brotherhood senior

<sup>90</sup> USSD, ‘Egypt 2019 human rights report’, (section 1c), 12 March 2020, [url](#)

<sup>91</sup> HRW, ‘World report 2020 – Egypt events of 2019’, January 2020

<sup>92</sup> AI, ‘Egypt: calls for investigation into death in custody of Al-Aqrab prisoner’, 23 August 2019, [url](#)

<sup>93</sup> The New Arab, ‘About Us’, undated, [url](#)

<sup>94</sup> The New Arab, ‘Amnesty calls for independent investigation after Egyptian...’, 24 August 2019, [url](#)

<sup>95</sup> AP News, ‘About Us’, undated, [url](#)

<sup>96</sup> AP News, ‘Amnesty: Egypt should investigate death of inmate’, 24 August 2019, [url](#)

<sup>97</sup> AI, ‘Egypt: calls for investigation into death in custody of Al-Aqrab prisoner’, 23 August 2019, [url](#)

leadership have been in detention since the July 2013 military intervention, and much of the leadership has fragmented...

'...In September 2018, a court handed down 75 death sentences and 47 life sentences against Brotherhood members, including the spiritual leader of the organisation, Mohamed Badi. Although the large-scale crackdown on the Brotherhood has largely concluded, arrests of Brotherhood members continue: on 29 January 2019, authorities arrested 54 members of the group over charges of planning to carry out hostile actions against state institutions on the anniversary of the 2011 Revolution.'<sup>98</sup>

#### 5.5.9 Furthermore, the report stated:

'DFAT understands that most, if not all, NGOs affiliated to the Brotherhood have either been shut down, had their assets seized, and/or had their board replaced with government appointees. In September 2018, an Egyptian judicial committee announced that it had frozen the assets of 1,133 charities allegedly connected to the Brotherhood. The committee additionally announced the freezing of the assets of some 118 companies, 104 schools, 69 hospitals, 33 websites and satellite channels, and 1,589 Brotherhood members.

'In-country sources report that the government and state media consistently blame the Brotherhood (and terrorism) for all manner of domestic woes... While there is a degree of (unexpressed) public cynicism about this practice, it has reportedly created a social environment whereby any affiliation or connection with the Brotherhood – or any attempt to express political dissent – is considered evidence of supporting terrorism. This has resulted in a number of arbitrary arrests, prosecutions, and dismissals – in one case, the son of a non-politically active Brotherhood member was reportedly dismissed from his job in a regional hospital for “supporting terrorism”.

'Analysts report that the Brotherhood has undoubtedly been weakened by the government's broadly applied crackdown, and the movement has been driven underground. Broad popular support for the Brotherhood was reportedly damaged considerably by the incompetence demonstrated by their year in power, reinforced by years of anti-Brotherhood propaganda under Sisi... Brotherhood satellite channels broadcasting from Turkey are reportedly popular in Egypt, offering the only opposition voice accessible to the public.'<sup>99</sup>

#### 5.5.10 The report added:

'DFAT assess that Muslim Brotherhood leadership figures and members who continue to pursue political activities actively either within or outside the party structure are highly likely to be arrested and prosecuted. Ordinary inactive members, party supporters and those with family links to members are less likely to be personally targeted, but still face a risk of arrest, prosecution, or dismissal from state employment should their affiliations

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<sup>98</sup> DFAT, 'Country information report - Egypt', (paras 3.52, 3.53, 3.55), 17 June 2019, [url](#)

<sup>99</sup> DFAT, 'Country information report - Egypt', (paras 3.55, 3.56, 3.57), 17 June 2019, [url](#)

become known to authorities. All persons with MB links are likely to be subjected to surveillance and monitoring of their activities.’<sup>100</sup>

5.5.11 Freedom House observed in its report covering events in 2019:

‘...While some Islamist parties still operate in a precarious legal position, the Muslim Brotherhood was outlawed in 2013 as a terrorist organization, and its political party, the Freedom and Justice Party (FJP), was banned. Since then, authorities have systematically persecuted its members and supporters. Former president Mohamed Morsi, who was overthrown in the 2013 coup, died in a Cairo courtroom while on trial in June 2019; like many other prisoners, he had been denied medical care and otherwise mistreated during his years in custody. Muslim Brotherhood leader Mohamed Badie has received multiple sentences of life in prison and death sentences on various charges since 2013.’<sup>101</sup>

5.5.12 In a March 2020 report on the Egyptian Security Forces’ abuse of children in detention Human Rights Watch noted that:

‘Human Rights Watch and the US-based rights organization Belady-IH documented the cases of 20 children who had been abused by security forces in detention, in governorates across Egypt. ...

‘Police arrested Tarek T., then 16, during a raid on the home of a family friend, a supporter of the Muslim Brotherhood, whom he was visiting, and prosecuted Tarek for joining a banned organization. ...

‘Firas, a student, was 14 when police first arrested him, in 2014, at home in Cairo for wearing a t-shirt deemed critical of the government. Other children in the same case, his family said, because they had worn “Ultras Nahdawy” t-shirts, a group supportive of the banned Muslim Brotherhood, and also t-shirts supportive of Amr Hussein, a member of the Zamalek football club Ultras killed by security forces in 2013. ...

‘Sharif S. was 16 when police arrested him in 2015, after he had filmed a protest in the greater Cairo area. ...

‘Sharif described in detail how he was tortured for four days and denied medical care and a change of bandages, to force him to confess. He fainted repeatedly due to pain. On the fourth day he lost consciousness after a man who police at the station identified as a National Security officer handcuffed his wrists together behind his back, then his ankles, and bent him backwards, using a third set of handcuffs to attach his arms and legs. Police then threatened him to make him confess, in a video-recorded statement, that he was paid to film videos and take photographs as a member of a Muslim Brotherhood group that intended to burn down important buildings and institutions. ...

‘Nadeen said she has been arrested five times, the first when she was 13 years old, in 2013, in Cairo. ... In January 2016, when she was 16 years old, police arrested Nadeen again, shortly after detaining some family members suspected of supporting the Muslim Brotherhood, apparently due to her family relationship to her detained relatives rather than any suspicion of

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<sup>100</sup> DFAT, ‘Country information report - Egypt’, (paras 3.58), 17 June 2019, [url](#)

<sup>101</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section B1), 4 March 2020, [url](#)

individual criminal activity. They took her to a police station where she saw one of the family members. “They took off my headscarf and cuffed my hands,” but later released her without charge, she said.’<sup>102</sup>

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Section 6 updated: 13 July 2020

## 6. April 6 Movement

### 6.1 Background

6.1.1 Al Jazeera reported in an April 2018 article that the April 6 Movement was founded in 2008 by Ahmed Maher and Mohammed Adel through social media and coordinated the start of the 2011 Arab Spring strikes in Egypt<sup>103</sup>.

6.1.2 Global Security observed:

‘The April 6 Movement is a Facebook group which emerged as a catalyst for the political upheaval that led to the end of the government of Hosni Mubarak...

‘The movement was started by young activists Ahmed Maher and Ahmed Salah in order to mobilize support for striking industrial workers El-Mahalla El-Kubra who planned a strike April 6, 2008. Activists called on participants to wear black and stay home the day of the strike. Bloggers and citizen journalists used Facebook, Twitter, Flickr, blogs and other new media tools to report on the strike, alert their networks about police activity, organize legal protection and draw attention to their efforts.’<sup>104</sup>

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### 6.2 Treatment of April 6 Movement members

6.2.1 The 2019 USSD report stated:

‘On May 14, authorities arrested political activist Mostafa Maher, the brother of political activist Ahmed Maher, who co-founded the April 6 movement. On December 25, Mostafa Maher received a release order that was immediately appealed by the prosecutor. Both remained in pretrial detention pending charges of “colluding with a terrorist group.”’<sup>105</sup>

6.2.2 Middle East Monitor, an online media monitoring network<sup>106</sup>, reported on 6 January 2020:

‘Prominent Egyptian political activist and co-founder of the April 6 Youth Movement, Ahmed Maher, has completed a three year probationary term which saw him spend 12 hours every night inside a police station.

‘In December 2013 Maher was sentenced, along with fellow April 6 co-founders Mohammed Adel and Ahmed Douma, to three years in prison and

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<sup>102</sup> HRW, “No One Cared He Was A Child” Egyptian Security Forces’ Abuse of Children in Detention’, (p.4, 26, 29, 32, 36), 23 March 2020, [url](#)

<sup>103</sup> Al Jazeera, ‘Seeds of change:revisiting Egypt’s April 6 activists’, 6 April 2018, [url](#)

<sup>104</sup> Global Security, ‘April 6 Movement’, undated, [url](#)

<sup>105</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

<sup>106</sup> MEMO, ‘About us’, undated, [url](#)

an additional three years on probation on charges of violating Egypt's protest law.

'In January 2017, Maher completed his prison term and began turning himself in every evening at 6pm only to be released once again at 6am.'<sup>107</sup>

- 6.2.3 In January 2019, the BBC reported the retrial of activist Ahmed Douma who has been imprisoned since 2013 for 'violating a law that banned unauthorised protests'.<sup>108</sup> Middle East Monitor reported that Ahmed Doumas was a co-founder of the 6 April movement<sup>109</sup>.
- 6.2.4 The BBC article noted that Douma was sentenced for 15 years and fined US\$335,000 (£262,000) at his retrial in January 2019<sup>110</sup>. Douma 'faced the charges of illegal assembly, weapons possession, assaulting police and military forces, setting on fire the Institut d'Egypte, and vandalising other government property, including the cabinet and parliament buildings, according to the Mada Masr website.'<sup>111</sup>
- 6.2.5 Amr Ali, the general coordinator of the 6 April movement<sup>112</sup> since October 2013<sup>113</sup>, was released in September 2018 after three years imprisonment<sup>114</sup> for 'conspiring to overthrow the government'<sup>115</sup>.

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Section 7 updated: 13 July 2020

## 7. Media workers and bloggers

### 7.1 Media

#### 7.1.1 The BBC media profile of October 2018 noted:

'Egypt is a major regional media player. Its press is one of the most influential and widely-read in the region, and its TV and film industry supplies much of the Arab-speaking world with shows from its Media Production City.

'The state is a major force in the media and runs many TV and radio stations, websites, newspapers and magazines...Television is the most popular medium. There are two state-run national TVs and six regional channels. Many private networks emerged in the post-Mubarak era.

'Egypt is a big force in satellite TV. Most leading Arab pay TV networks have a presence at Media Production City in Cairo. Egypt was the first Arab nation to have its own satellite, Nilesat.

'There are more than 20 daily newspapers - state-run or privately-published. Print media are in decline as readers go online for news.

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<sup>107</sup> MEMO, 'Egypt co-founder of April 6 Movement released from custody after...', 6 January 2020, [url](#)

<sup>108</sup> BBC, 'Ahmed Douma: Egyptian activist jailed for 15 years at retrial', 9 January 2019, [url](#)

<sup>109</sup> MEMO, 'Egypt co-founder of April 6 Movement released from custody after...', 6 January 2020, [url](#)

<sup>110</sup> BBC, 'Ahmed Douma: Egyptian activist jailed for 15 years at retrial', 9 January 2019, [url](#)

<sup>111</sup> BBC, 'Ahmed Douma: Egyptian activist jailed for 15 years at retrial', 9 January 2019, [url](#)

<sup>112</sup> Madamasr, 'April 6 cofounder Amr Ali conditionally released ...', 16 Sep 2019, [url](#)

<sup>113</sup> Ahramonline, 'April 6 Movement coordinator Amr Ali released by court...', 16 September 2019, [url](#)

<sup>114</sup> Ahramonline, 'April 6 Movement coordinator Amr Ali released by court...', 16 September 2019, [url](#)

<sup>115</sup> Madamasr, 'April 6 cofounder Amr Ali conditionally released ...', 16 Sep 2019, [url](#)

'There were 49.2 million internet users by December 2017 - around 49.5% of the population (Internetworldstats.com). Mobile platforms account for the largest share of users.

'Egypt leads the Arab region in terms of Facebook users, with nearly 34.5 million accounts by 2017.'<sup>116</sup>

7.1.2 The CIA World Factbook entry on Egypt noted the broadcast media is a '[M]ix of state-run and private broadcast media; state-run TV operates 2 national and 6 regional terrestrial networks, as well as a few satellite channels; dozens of private satellite channels and a large number of Arabic satellite channels are available for free; some limited satellite services are also available via subscription; state-run radio operates about 30 stations belonging to 8 networks; privately-owned radio includes 8 major stations, 4 of which belong to 1 network (2019)'.<sup>117</sup>

7.1.3 Reporters sans Frontiers commented in its 2019 assessment of Egypt:

'Ever since Gen. Abdel Fattah el-Sisi seized power in a coup in 2013, a process of a "Sisification" has been under way in the media. The government has waged a witch-hunt against journalists suspected of supporting the Muslim Brotherhood and has bought up the biggest media groups to the point that it now controls the entire media landscape and has imposed a complete clampdown on free speech.

'The Internet is the only place left where independently reported information can circulate, but more than 500 websites have been blocked since the summer of 2017, including many news sites, and more and more people are being arrested because of their social media posts. Many media outlets have been forced to close because they could not survive economically after being deprived of online visibility... The presidential election in 2018 and the referendum in 2019 on a longer presidential term intensified the censorship and accelerated the pace with which media outlets are closed. Foreign media are also targeted, with articles being blocked online or attacked by officials, and reporters being expelled or banned from visiting Egypt.'<sup>118</sup>

7.1.4 Reporters sans Frontiers ranked Egypt 166 out of 180 countries in its 2020 World Press Freedom Index, compared to 163 in 2019 and 161 in 2018.<sup>119</sup>

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## 7.2 Legal restrictions

7.2.1 The 2019 USSD report stated that 'the constitution provides for freedom of expression, including for the press, but includes a clause stating, "It may be subject to limited censorship in times of war or public mobilization." The government frequently did not respect this right.'<sup>120</sup>

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<sup>116</sup> BBC, 'Egypt Profile – Media', 23 October 2018, [url](#)

<sup>117</sup> CIA, 'World Factbook' (Egypt), updated 20 April 2020, [url](#)

<sup>118</sup> RSF, 'Egypt - One of the world's biggest prisons for journalists', undated, [url](#)

<sup>119</sup> RSF, 'Egypt - One of the world's biggest prisons for journalists', undated, [url](#)

<sup>120</sup> USSD, 'Egypt 2019 human rights report', (section 2a), 12 March 2020, [url](#)



### 7.2.2 Reporters sans Frontiers noted in its 2019 review of Egypt that:

‘Under a terrorism law adopted in August 2015, journalists are obliged on national security grounds to report only the official version of “terrorist” attacks. In 2018, new cyber-crime and media laws enshrined government control over the media and made it possible to prosecute and imprison journalists and close websites for sharing independently reported information online.

‘Journalists and human rights defenders are meanwhile banned from much of the Sinai region and from providing independent coverage of any military operation.’<sup>121</sup>

### 7.2.3 Freedom House in its report covering events in 2019 noted:

‘Two laws ratified in 2018 posed additional threats to press freedom. The Media Regulation Law prescribes prison sentences for journalists who “incite violence” and permits censorship without judicial approval, among other provisions. The Anti-Cyber and Information Technology Crimes Law is ostensibly intended to combat extremism and terrorism, but it allows authorities to block any website considered to be a threat to national security, a broad stipulation that is vulnerable to abuse.

‘Websites that provide independent news and information are regularly blocked in practice, particularly during politically sensitive moments. For example, the online censorship monitoring group NetBlocks reported in April 2019 that internet service providers blocked access to 34,000 internet domains in the run-up to that month’s constitutional referendum.’<sup>122</sup>

### 7.2.4 HRW noted in its report covering events in 2019 that:

‘The Supreme Council for Media Regulation, a government entity established pursuant to the abusive new 2018 media law to monitor and control media, issued in March and September two sets of by-laws that impose drastic restrictions and disproportionate penalties without judicial oversight for any media outlet, including websites and social media pages, that do not abide by the council’s rules. Under these rules, which among other things prohibit “insulting state institutions,” “generalization,” and “harming state interests,” the council has censored newspapers, websites and tv shows.’<sup>123</sup>

### 7.2.5 The USSD report noted that the government has a fake or false news law which ‘... imposes a fine on any person who “intentionally publishes...or spreads false news.” The fine is many times the average annual salary of most local journalists. In March 2018 authorities established hotlines for members of the public to call or leave text messages reporting fake news in either traditional or social media that endangers state security.’<sup>124</sup>

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<sup>121</sup> RSF, ‘Egypt - One of the world’s biggest prisons for journalists’, undated, [url](#)

<sup>122</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section D1), 4 March 2020, [url](#)

<sup>123</sup> HRW, World Report 2020 – Egypt, January 2020, [url](#)

<sup>124</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

- 7.2.6 Reporters Without Borders, Middle East Eye and The New Arab also noted the hotline for reporting ‘fake news’<sup>125 126 127</sup>.

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### 7.3 Censorship

- 7.3.1 The BBC media profile noted:

‘In recent years the authorities have been increasing controls over traditional and social media to an unprecedented degree.

‘Many of the popular TV talk shows that once featured heated political debates have disappeared. The charge of spreading “false news” is widely used as a pretext to clamp down on online activists.

‘Reporters Without Borders says Egypt is “one of the world’s biggest prisons” for journalists. “The authorities have waged a witch-hunt since 2013 against journalists suspected of supporting the Muslim Brotherhood,” the group says... President al-Sisi’s government has tightened its control over the internet. Hundreds of websites have been blocked and online activists have been arrested.

‘A 2018 cyber crime law allows the authorities to block any website deemed to threaten national security or the economy.’<sup>128</sup>

- 7.3.2 Freedom House in its Freedom on the Net report covering events between June 2018 and May 2019 considered:

‘Internet freedom declined further as a result of increased blocking in the period surrounding the April 2019 constitutional referendum as well as two new pieces of legislation that allowed the blocking of websites deemed to threaten national security, compelled service providers to retain user data, and subjected bloggers and social media users to account deletion, fines, and imprisonment if they were found to be spreading false news. Pretrial detention for various journalists and activists was repeatedly extended during the coverage period.’<sup>129</sup>

- 7.3.3 Freedom House observed in its report published in March 2020 on events of 2019: ‘Websites that provide independent news and information are regularly blocked in practice, particularly during politically sensitive moments. For example, the online censorship monitoring group NetBlocks reported in April 2019 that internet service providers blocked access to 34,000 internet domains in the run-up to that month’s constitutional referendum.’<sup>130</sup>

- 7.3.4 The 2019 USSD report noted:

‘Official censorship occurred. The SOE empowered the president to monitor newspapers, publications, editorials, drawings, and all means of expression and to order the seizure, confiscation, and closure of publications and print houses.

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<sup>125</sup> RSF, ‘Egypt creates hotlines for citizens to report fake news’, 14 March 2018, [url](#)

<sup>126</sup> Middle East Eye, ‘Egypt sets up hotline for complaints against fake news’, 13 March 2018, [url](#)

<sup>127</sup> The New Arab, ‘Egypt sets up hotline to combat ‘fake news’’, 13 March 2018, [url](#)

<sup>128</sup> BBC, ‘Egypt Profile – Media’, 23 October 2018, [url](#)

<sup>129</sup> Freedom House, ‘Freedom on the Net 2019’ (Egypt), November 2019, [url](#)

<sup>130</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section D1), 4 March 2020, [url](#)

‘According to media reports, authorities blocked 34,000 websites prior to the April referendum, including sites gathering signatures to oppose the amendments. On June 23, AFTE reported that authorities censored three issues of the leftist Al Tagammaa Party’s weekly Al Ahly newspaper that discussed presidential pardons, corruption, and a planned government cabinet reshuffle. The AFTE report noted the government had previously censored Al-Dostour, Al-Mesryoon, Sawt Al Ummah, Al-Sabah, and Al-Bawaba newspapers.

‘Some activists and many journalists reported privately they self-censored criticism of the government or comments that could be perceived as sympathetic to the MB, due to the overall anti-MB and progovernment media environment. Publishers were also wary of publishing books that criticized religious institutions, such as alAzhar, or challenged Islamic doctrine.’<sup>131</sup>

- 7.3.5 The report further noted, ‘Online censorship... diminished the roles of internet activists and bloggers in publicizing information concerning human rights abuses.’<sup>132</sup>

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## 7.4 Journalists: arrests and harassment

- 7.4.1 According to a December 2018 report by the Committee to Protect Journalists (CPJ), ‘an independent, non-profit organisation that promotes press freedom worldwide’<sup>133</sup>, Egypt was one of 3 countries ‘responsible for more than half of [journalists] jailed around the world for the third year in a row.’<sup>134</sup>

- 7.4.2 The CPJ report also observed:

‘In Egypt, at least 25 journalists are in prison as the administration of President Abdel Fattah el-Sisi has increasingly arrested journalists and added them to existing mass trials. Mohamed Ibrahim, a blogger known as “Mohamed Oxygen” who covered allegations of election irregularities and police abuse, is one of more than 40 defendants in one case charged with false news and being members of a banned group. National security prosecutors have repeatedly renewed Mohamed Oxygen’s 15-day pretrial detention since his April arrest.

‘Even after trial, Egyptian authorities go to transparently ridiculous lengths to keep critical journalists behind bars. Photojournalist Mahmoud Abou Zeid, known as Shawkan, has been in prison since August 14, 2013, when he was arrested covering clashes between Egyptian security forces and supporters of ousted President Mohamed Morsi. First, authorities held him for two years without charge; then they put him on trial for weapons possession, illegal assembly, murder, and attempted murder. On September 8, 2018, a court convicted Shawkan of murder and membership of a terrorist group and sentenced him to five years in prison—time he had already served. Now

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<sup>131</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>132</sup> USSD, ‘Egypt 2019 human rights report’, (section 3), 12 March 2020, [url](#)

<sup>133</sup> CPJ, ‘What we do’, undated, [url](#)

<sup>134</sup> CPJ, ‘Hundreds of journalists jailed globally becomes the new normal’, 13 December 2018, [url](#)

authorities are holding Shawkan for an additional six months for unpaid fines relating to unspecified damages during the 2013 protests, according to his lawyer...'<sup>135</sup>

7.4.3 The Committee to Protect Journalists reported there were 26 imprisoned journalists and one missing journalist in 2019<sup>136</sup>. Whilst Human Rights Watch reported roughly 30 imprisoned journalists in 2019 in its 2020 World report covering events of 2019, stating that 'Egypt was among the top three worst jailers of journalists in the world' and that 'Egyptian authorities severely punish peaceful criticism against the government and routinely silence journalists, bloggers, and social media users.'<sup>137</sup>

7.4.4 Regarding the year 2019, Reporters Without Borders reported, 'Egypt is now one of the world's biggest jailers of journalists. Some spend years in detention without being charged or tried. Others have been sentenced to long jail terms or even life imprisonment in iniquitous mass trials.'<sup>138</sup>

7.4.5 The 2019 DFAT report stated:

'In June 2018, the UN Office of the High Commissioner for Human Rights (UN OHCHR) expressed concern over the significant rise in the number of arrests of political activists, bloggers, and journalists... UN OHCHR noted that in many cases security authorities had not presented those arrested with warrants, including when the charges for which the person was arrested carried long prison sentences, and stated that arbitrary detention had become a 'chronic problem' in Egypt.'<sup>139</sup>

7.4.6 The report added:

'Human rights observers report that authorities have treated reported information related to human rights abuses or criticism of the performance of state institutions as "false information" that requires punishment with prison sentences or prolonged pre-trial detention. The Office of the Public Prosecutor and the Supreme Council of Media have also imposed several gag orders on cases related to public affairs, including corruption. Whereas before 2018 authorities primarily brought defamation charges against imprisoned journalists, over the past year they have increasingly charged journalists (and others, including human rights defenders) with national security-related offences, including terrorism-related charges, membership of a banned group, or 'spreading false news'. Journalists have been tried in the regular court system and in military and state security emergency courts, and have in some cases received prison sentences. Prosecutors have routinely opposed judicial release orders, in many cases insisting on the longterm pre-trial detention of detainees. Some journalists have reported being subjected to beatings and other forms of torture while in detention.'<sup>140</sup>

7.4.7 Furthermore, the report stated:

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<sup>135</sup> CPJ, 'Hundreds of journalists jailed globally becomes the new normal', 13 December 2018, [url](#)

<sup>136</sup> CPJ, 'Egypt/Middle East & North Africa', undated, [url](#)

<sup>137</sup> HRW, 'World report 2020 – Egypt events of 2019', January 2020, [url](#)

<sup>138</sup> RSF, 'Egypt - One of the world's biggest prisons for journalists', undated, [url](#)

<sup>139</sup> DFAT, 'Country information report - Egypt', (para 4.18), 17 June 2019, [url](#)

<sup>140</sup> DFAT, 'Country information report - Egypt', (paras 3.67 – 3.69), 17 June 2019, [url](#)

‘...journalists are often reluctant to report about sensitive “red line” issues including terrorism and government corruption, or to voice opinions that might be deemed critical of the state. Those who have attempted to report on such issues have faced the full weight of the law: in May 2018, a military court convicted a freelance journalist of being a member of a banned organisation and of spreading false news, and sentenced him to ten years’ imprisonment.’<sup>141</sup>

7.4.8 The 2019 DFAT report assessed that ‘...journalists and social media users who attempt to report or comment on issues perceived as sensitive or critical of the state or government are highly likely to face significant interference from the state. This interference may include arrest, prosecution, defamation charges, monitoring, or travel bans.’<sup>142</sup>

7.4.9 Freedom House stated in its report covering events of 2019 that:

‘The Egyptian media sector is dominated by progovernment outlets; most critical or opposition-oriented outlets were shut down in the wake of the 2013 coup. Moreover, in recent years, a number of private television channels and newspapers have been launched or acquired by progovernment businessmen and individuals with ties to the military and intelligence services. Journalists who fail to align their reporting with the interests of owners or the government risk dismissal.

‘Egyptian journalists also continue to face arrest for their work

‘According to Reporters Without Borders, at least six journalists were detained in the weeks following the September 2019 protests. The Committee to Protect Journalists reported that 26 journalists were behind bars in Egypt as of December.

‘In November, security forces raided the offices of the independent English-language media outlet Mada Masr, detained 18 people on the premises for several hours, and arrested four staffers. The outlet had recently published an article reporting that Mahmoud al-Sisi, the president’s son, was reassigned from his senior post at the General Intelligence Directorate to a long-term position with Egypt’s diplomatic mission in Russia, apparently due to his poor performance.’<sup>143</sup>

7.4.10 The BBC reported in November 2019:

‘The office of Egypt’s last major independent media outlet has been raided by plainclothes security officers, its editors say.

‘On Facebook, Mada Masr said laptops and phones were confiscated and three staff members briefly arrested.

‘Despite being blocked in Egypt since 2017, the website is accessible in the country via virtual private networks.

‘The authorities have not commented. There has been a crackdown on dissent and free speech under President Sisi.

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<sup>141</sup> DFAT, ‘Country information report - Egypt’, (paras 3.70), 17 June 2019, [url](#)

<sup>142</sup> DFAT, ‘Country information report - Egypt’, (para 3.74), 17 June 2019, [url](#)

<sup>143</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section D1), 4 March 2020, [url](#)

‘According to Mada Masr, nine plainclothes security forces entered the office on Sunday afternoon and refused to answer questions about their identity.

‘For three hours, they questioned several staff members, including editor in chief Lina Attallah and managing editor Mohamed Hamama, who were later taken to a police station with reporter Rana Mamdouh.

‘Two France 24 journalists who were there to interview Attallah were also prevented from leaving the building. "We asked why we were detained but no-one answered," Eric de Lavarene, one of the reporters, told AFP news agency.

‘He said he had time to alert the French embassy of his arrest, and representatives were sent to the office.’<sup>144</sup>

- 7.4.11 The USSD report also mentioned the raid on Mada Masr in its 2019 report<sup>145</sup>.
- 7.4.12 The 2019 USSD report stated ‘According to media reports and local and international human rights groups, state actors arrested and imprisoned, harassed, and intimidated journalists. Foreign correspondents reported cases where the government denied them entry, deported them, and delayed or denied issuance of media credentials; some claimed these actions were part of a government campaign to intimidate foreign media.’<sup>146</sup>
- 7.4.13 The report added:
- ‘On March 4, a Cairo Criminal Court released photojournalist Mahmoud Abu Zeid (known as Shawkan) following more than five years of detention and a September 2018 sentence to five years’ imprisonment, on condition that he spend 12 hours per day (6 p.m. to 6 a.m.) for the next five years at a police station. Authorities had arrested him in 2013 while he was taking pictures during the security forces’ dispersal of the MB sit-in at Rabaa al-Adawiya Square in Cairo. Authorities charged Shawkan and 739 other defendants with belonging to the MB, possessing firearms, and murder. The court sentenced 75 defendants to death, 47 to life in prison, 215 to 15 years in prison, 23 to 10 years, and 374 to five years’ imprisonment. These sentences were pending appeals to the Court of Cassation.’<sup>147</sup>
- 7.4.14 Regarding journalists and writers, the report noted that ‘security agencies sometimes placed [them] under surveillance, ...monitored their private communications; screened their correspondence, including email and social media accounts; examined their bank records; searched their persons and homes without judicial authorization; and confiscated personal property in an extrajudicial manner.’<sup>148</sup>
- 7.4.15 Furthermore, the USSD report noted ‘on May 17, President Sisi pardoned ... [a] prominent journalist Abdel Halim Qandil, sentenced in 2017 to a three-year prison term for “insulting the judiciary,”... Pursuant to a presidential

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<sup>144</sup> BBC, ‘Mada Masr: Egypt independent news outlet’s office ‘raided’’, 24 November 2019, [url](#)

<sup>145</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>146</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>147</sup> USSD, ‘Egypt 2019 human rights report’, (section 1c), 12 March 2020, [url](#)

<sup>148</sup> USSD, ‘Egypt 2019 human rights report’, (section 1f), 12 March 2020, [url](#)

pardon, authorities released journalist Asmaa Zeidan from al-Haram Police Station on August 19 after she spent more than a year in prison following a February 2018 sentence of five years in prison for “insulting the president” and “possessing narcotics.”<sup>149</sup>

7.4.16 Al Jazeera reported in December 2019:

‘Al Jazeera journalist Mahmoud Hussein has now been held in an Egyptian prison without charge for three years...

‘In May 2019, an Egyptian court rejected an order by the state prosecutor to release him. Authorities opened a new investigation against him with unspecified charges and returned him to prison.

‘While in solitary confinement, Hussein suffered a broken arm and has been refused proper medical treatment.

‘His request to visit his father, Hussein Jumaa, who was in hospital in a critical condition, was also rejected by the prison warden.

‘Jumaa, who had suffered five strokes since his eldest son Hussein was detained, died in November...’<sup>150</sup>

7.4.17 The 2019 USSD report also commented on the arrest and treatment of journalist Mahmoud Hussein<sup>151</sup>.

7.4.18 Al Jazeera noted in its December 2019 article:

‘Since the 2013 overthrow of Egyptian President Mohamed Morsi, a senior member of the Muslim Brotherhood, AJMN [Al Jazeera Media Network] has been portrayed as Egypt’s national enemy for its coverage of the group.

‘That same year, Egypt arrested and later imprisoned Al Jazeera’s Abdullah Elshamy, Baher Mohamed, Mohamed Fahmy and Peter Greste on charges of spreading “false news” - cases that were widely condemned by international media outlets and many politicians. All have since been freed.

‘A former editor-in-chief of Al Jazeera Arabic was sentenced to death in absentia for purportedly endangering national security.

‘Several other Al Jazeera journalists have also been charged in absentia for spreading lies and supporting “terrorists” - a reference to the outlawed Muslim Brotherhood organisation.

‘In 2017, the Egyptian government blocked access to Al Jazeera’s news website along with dozens of others it deemed too critical of Abdel Fattah el-Sisi’s regime...’<sup>152</sup>

7.4.19 Egypt Today reported in March 2019, the Cairo Central Criminal court released journalist Hisham Gaafar, who was arbitrarily arrested in October 2015 under allegations of supporting the Muslim Brotherhood and illegally receiving funds from foreign donors<sup>153</sup>. Middle East Monitor and Alkarama

<sup>149</sup> USSD, ‘Egypt 2019 human rights report’, (section 1e), 12 March 2020, [url](#)

<sup>150</sup> AJ, ‘Al Jazeera’s Mahmoud Hussein held in Egypt prison for 3 years’, 23 December 2019, [url](#)

<sup>151</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>152</sup> AJ, ‘Al Jazeera’s Mahmoud Hussein held in Egypt prison for 3 years’, 23 December 2019, [url](#)

<sup>153</sup> Egypt Today, ‘Court order release of journalist Hisham Gaafar’, 27 March 2019, [url](#)

reported that the United Nations Working group determined that he had been detained without any material evidence, whilst Hisham Gaafar claimed that he was imprisoned because of his political opinions against the state and his work as a journalist<sup>154 155</sup>.

7.4.20 Amnesty International stated in its Egypt country profile for 2019:

‘Security forces arbitrarily arrested and detained at least 20 journalists solely for peacefully expressing their opinions...

‘The authorities added the websites of the broadcasters BBC and Alhurra to the list of 513 websites already blocked in Egypt, including those of news and human rights organizations.’<sup>156</sup>

7.4.21 Reporters Without Borders noted that ‘The authorities have waged a witch-hunt since 2013 against journalists suspected of supporting the Muslim Brotherhood and have orchestrated a “Sisification” of the media.’<sup>157</sup>

7.4.22 A Human Rights Watch report from November 2019 stated:

‘Human Rights Watch documented 28 cases of Egyptian journalists, media workers, and political and human rights activists who have criticized the government and now live abroad. In each case, authorities have harassed or threatened one or more family members in Egypt, or in some cases subjected family members to extrajudicial punishments, apparently as reprisals for their relatives’ activism. The cases Human Rights Watch documented occurred between 2016 and 2019...

‘Of the cases Human Rights Watch documented, security forces raided or visited homes of relatives of 14 dissidents, and in 5 of these raids ransacked or damaged belongings. In no instance did security forces show any arrest or search warrants. Authorities banned from traveling or confiscated the passports of 20 relatives of 8 dissidents.

‘The authorities also detained or prosecuted 20 relatives of 11 dissidents. In 13 cases, authorities accused or charged the relatives themselves, including in one instance a child, with joining “terrorist” groups and disseminating “false news.” Authorities sent to trial at least 5 relatives, and courts acquitted.’<sup>158</sup>

7.4.23 In June 2020 the Committee to Protect Journalists (CPJ) reported that ‘As of June 29, 2020, at least four Egyptian journalists who covered the COVID-19 pandemic remain in prison following their arrests in March and April, according to news reports and local journalists and lawyers who spoke to CPJ.’<sup>159</sup>

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<sup>154</sup> Middle East Monitor, ‘Egypt court orders release of journalist Hisham Gaafar’, 28 March 2019, [url](#)

<sup>155</sup> Alkarama, ‘Egypt: Journalist Hisham Jaafar released after 41 months in prison’, 27 March 2019, [url](#)

<sup>156</sup> AI, ‘Country report – Egypt 2019, (Freedom of expression), February 2020, [url](#)

<sup>157</sup> RSF, ‘Egypt – One of the world’s biggest prisons for journalists’, undated, [url](#)

<sup>158</sup> HRW, ‘Egypt: Families of dissidents targetted’, 19 November 2019, [url](#)

<sup>159</sup> CPJ, ‘At least 4 EGY journalists remain in detn since arrests in March and April’, 29 June 2020, [url](#)



## 7.5 Bloggers and social media

### 7.5.1 The 2019 DFAT report observed:

‘The Law of the Organization of the Press, Media and the Supreme Council of Media (the Media Regulation Law), introduced in August 2018, increases the government’s already broad powers to monitor, censor, and block social media websites and blogs, and criminalises any content that violates vaguely defined political, social, or religious norms...

‘The new law subjects any individual social media accounts with more than 5000 followers to the same level of criminal responsibility as formalised media outlets with regard to acts such as ‘publishing false information’ or ‘inciting the public to disobey laws. In-country sources report that authorities periodically detain ordinary citizens for social media comments made in relation to a wide range of issues, including gender-based violence.’<sup>160</sup>

### 7.5.2 The 2019 DFAT report observed ‘the new law subjects any individual social media accounts with more than 5000 followers to the same level of criminal responsibility as formalised media outlets with regard to acts such as ‘publishing false information’ or ‘inciting the public to disobey laws.’<sup>161</sup>

### 7.5.3 DFAT further added ‘...authorities frequently blocked access to websites: over 500 are currently blocked... According to local NGOs, 62 per cent of the blocked websites provide news services, 24 per cent provide tools for circumventing online censorship and surveillance, 6 per cent belong to human rights groups, and 5 per cent to political groups. The blocking of websites has generally taken place without a court order.’<sup>162</sup>

### 7.5.4 The 2019 USSD report noted:

‘The constitution protects the right to privacy, including on the internet. The constitution provides for the confidentiality and “inviolability” of postal, telegraphic, and electronic correspondence; telephone calls; and other means of communication. They may not be confiscated, revealed, or monitored except with a judicial order, only for a definite period, and only in cases defined by law. The constitution prohibits the government from “arbitrarily” interrupting, disconnecting, or depriving citizens seeking to use all forms of internet communications.

‘Human rights groups claimed authorities inflated or used these charges solely to target individuals suspected of being members of groups in opposition to the government or those who sought to exercise the rights to free assembly or association.’<sup>163</sup>

### 7.5.5 The 2019 USSD report stated, ‘After the September 20 street protests..., a local human rights NGO stated that authorities arbitrarily arrested illiterate individuals charged with “misusing social media” and “disseminating false news,” ...’<sup>164</sup>

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<sup>160</sup> DFAT, ‘Country information report - Egypt’, (para 3.72), 17 June 2019, [url](#)

<sup>161</sup> DFAT, ‘Country information report - Egypt’, (para 3.72), 17 June 2019, [url](#)

<sup>162</sup> DFAT, ‘Country information report - Egypt’, (para 3.74), 17 June 2019, [url](#)

<sup>163</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>164</sup> USSD, ‘Egypt 2019 human rights report’, (section 1c), 12 March 2020, [url](#)

7.5.6 The report added ‘Authorities have held blogger Islam al-Refai, known as Khorm, who ran a satirical Twitter account with 75,000 followers, in pretrial detention since 2017, according to his attorney. NGOs continued to claim that authorities used counterterrorism and state-of-emergency laws and courts unjustly to prosecute journalists, activists, lawyers, political party members, university professors, and critics for their peaceful criticism.’<sup>165</sup>

7.5.7 The report further stated:

‘Some blockages appeared intended to respond to critical coverage of the government or to disrupt antigovernment political activity or demonstrations. On April 15, NetBlocks.org reported that the government blocked 34,000 internet domains to stop an online campaign to gather signatures to oppose the April constitutional referendum. On May 22, a local organization that tracks freedom of association and speech reported the government blocked 26,175 websites to block the Batel “Void” Campaign launched on April 8 to petition against the April referendum.

‘After September 20 street protests ... internet users throughout the country reported difficulty accessing Facebook Messenger and the news websites of the BBC, al-Jazeera, and al-Hurra. A spokesperson for the Supreme Council for Media Regulation said the BBC and other news websites may have been blocked because of their “inaccurate” coverage of the protests...’<sup>166</sup>

7.5.8 Reporters Without Borders stated that ‘In 2018, new cyber-crime and media laws enshrined government control over the media and made it possible to prosecute and imprison journalists and close websites for sharing independently reported information online.’<sup>167</sup>

7.5.9 Reporters Without Borders further reported that ‘The Internet is the only place left where independently reported information can circulate, but more than 500 websites have been blocked since the summer of 2017 and more are more people are being arrested because of their social network posts.’<sup>168</sup>

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Section 8 updated: 13 July 2020

## 8. Non-government organisations

Non-government organisations (NGOs) include non-political charities and human rights defenders, including lawyers.

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<sup>165</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>166</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>167</sup> RSF, ‘Egypt – One of the world’s biggest prisons for journalists’, undated, [url](#)

<sup>168</sup> RSF, ‘Egypt – One of the world’s biggest prisons for journalists’, undated, [url](#)

## 8.1 Size and work of NGOs

- 8.1.1 The International Center for Not for Profit Law (ICNPL) observed in its Civic Freedom Monitor updated on 1 April 2020 that there are ‘[a]pproximately 57,000 [civil society] associations registered with the Ministry of Social Solidarity in late 2019. The vast majority of these, however, are believed to be inactive or to exist only on paper.’<sup>169</sup>

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## 8.2 Legal restrictions

- 8.2.1 The ICNPL observed in its Civic Freedom Monitor updated on 8 July 2020 that:

‘From 2002 until 2017, civil society in Egypt was governed by the provisions of the Law on Associations and Community Foundations (Law 84 of 2002) ... and the Implementing Regulation for Law 84 of 2002 (Ministry of Social Affairs [Now Ministry of Social Solidarity] Decree 178 of 2002)... Despite the highly restrictive nature of these laws, the civil society sector expanded during this time and was relatively large and vibrant when the 2011 Revolution began... Throughout the post-revolutionary period, various government ministries and parliamentary committees also proposed a series of draft laws to replace Law 84 of 2002. With few exceptions, the proposed replacements would have imposed new restrictive measures. The most draconian of the drafts laws emerged in the fall of 2016; it was approved by Parliament in a rushed session and ratified by President el-Sisi in 2017 as Law 70 on Associations and Other Foundations Working in the Field of Civil Work (English) (Arabic). Domestic and international [civil society organisations] CSOs, governments, and UN entities roundly condemned the restrictive new law, which created egregious constraints on CSOs’ formation, funding, activities, contact with international entities, and internal governance, and imposed severe criminal penalties on CSOs for violations. Despite its ratification, however, the law was never fully enforced—the government never issued implementing regulations to guide its application—and in November of 2018, President el-Sisi publicly indicated that he supported amendment of the law.

‘In the years following the revolution, however, the government engaged in a more overt and sweeping crackdown on civil society. A criminal case launched in 2011, focused on Egypt-based international organizations alleged to have received foreign funding without government permission, was reopened and expanded in 2016 to focus on Egyptian organizations. From 2016 through 2019, a number of Egypt’s most prominent civil society leaders have been banned from travel in connection with the case, and several had their personal and organizational assets frozen under court order. Others have been detained and interrogated.

‘The crackdown has included a range of new laws and regulations, as well, to constrain CSOs and individuals’ freedoms of association, assembly, and expression. Among the most severe: A new assembly law passed in 2013 effectively banned protests by requiring government authorization for groups

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<sup>169</sup> ICNPL, ‘Civic Freedom Monitor’ (Egypt), updated July 2020, [url](#)

of ten or more people to assemble (under 2017 amendments to the law, the judiciary—rather than the Interior Ministry—provides ultimate authorization or refusal). In 2014, the government amended the Penal Code to heighten severe penalties that may be applied to organizations that receive foreign funding with the intent to harm the “national interest,” “national sovereignty,” or “public peace.” Restrictive, overbroad counterterrorism legislation was adopted in 2015, with a sweeping definition of “terrorist entities” broad enough to encompass CSOs carrying out legitimate, peaceful advocacy activities. And in 2018, Egypt enacted a cybercrimes law that authorizes the state to block websites deemed to threaten to national security, effectively sanctioning the government’s ongoing practice of blocking websites—including those of CSOs and independent news platforms.

‘In 2017, the government approved a draconian new law to govern CSOs, replacing Law 84 of 2002. Domestic and international CSOs, governments, and UN entities roundly condemned the restrictive new law, Law 70 on Associations and Other Foundations Working in the Field of Civil Work (English) (Arabic), which created egregious constraints on CSOs’ formation, funding, activities, contact with international entities, and internal governance, and imposed severe criminal penalties on CSOs for violations. Despite its ratification, however, the law was never fully enforced—the government never issued implementing regulations to guide its application—and in November of 2018, President el-Sisi publicly indicated that he supported amendment of the law.

‘Following those remarks, a government committee initially formed to develop amendments to Law 70, drafted what the government put forth as a “new” law. Provisions of the draft law were withheld from the public until it was submitted to Parliament on July 9 [2019]. Parliament approved the law in a final vote on July 15 [2019], and President el-Sisi ratified the law, Law 149 Regulating the Exercise of Civil Work per the August 19 [2019] edition of Egypt’s Official Gazette.

‘While Law 149 omits the individual prison sentences provided for in Law 70, it retains the overwhelming majority of restrictions present in that law. It preserves an overall regulatory approach to civil society characterized by excessive government control, including by imposing significant legal and administrative hurdles to organizations’ formation, activities, and access to domestic and foreign resources. Nor does Law 149—as the government claims—align with international standards for the protection of freedom of association. Law 149 perpetuates serious obstacles to freedom of association and will likely hinder rather than enable the realization of a vibrant, independent, and sustainable civil society sector that can support the development and democratization of Egypt.’<sup>170</sup>

#### 8.2.2 2019 DFAT report noted:

‘The ability of individuals and organisations to carry out human rights-related activities has been considerably tightened under the Sisi administration. The government has increasingly restricted the ability of international and domestic NGOs to receive foreign funding. Authorities have frozen the funds

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<sup>170</sup> ICNPL, ‘Civic Freedom Monitor’ (Egypt), updated 1 April 2020, [url](#)

of at least seven prominent NGOs and ten high-profile human rights defenders in relation to the 'Foreign Funding Case' (173/2011), which has also seen 28 activists banned from foreign travel. This case, which began in September 2016, relates to allegations that the NGOs and activists involved received foreign funding illegally in order to destabilise Egypt. The case remains ongoing, with the affected NGOs and activists unable to conduct activities.

'Further restrictions on foreign funding came with the May 2017 introduction of the Law on Associations and Foundations Working in the Field of Civil Work (Law70/2017). This law ('the NGO Law') established the National Authority for the Regulation of Non-governmental Foreign Organisations, a body whose membership includes representatives from a number of key government ministries and the intelligence services. The National Authority's mandate includes monitoring foreign organisations and all NGOs receiving funding from international sources, and verifying that these organisations are spending this money in approved ways. The NGO Law required that all international and domestic NGOs (at least 50,000) re-register with the Ministry of Social Solidarity within a 12 month timeline or face de-registration. A year after the law's introduction, however, the government had still not released the NGO Law's by-laws, making it difficult for NGOs to officially register and causing significant delays for their projects.'<sup>171</sup>

#### 8.2.3 Human Rights Watch observed in its 2019 World Report:

'In August, President al-Sisi approved a new law that maintains most of the drastic restrictions imposed on nongovernmental organizations (NGOs). Despite several government promises to lift restrictions, the law merely removes prison penalties but maintains severe restrictions that make it impossible for NGOs to work freely and independently.'

'The new NGO Law, which parliament passed in July and al-Sisi approved in August, prohibits NGOs from conducting field research, surveys, or opinion polls without government approval. The law also prohibits cooperating with foreign organizations or experts, or participating in any "political" activities or "activities perceived to undermine "national security."

'NGOs face fines up to one million Egyptian pounds (US\$60,000) for sending or receiving funds without government approval or for operating without a license. Organizations refusing to provide information about their activities can expect fines of half-a-million Egyptian pounds (US\$30,000). The new law permits daily monitoring of NGO activities by government or security officials.'<sup>172</sup>

#### 8.2.4 Amnesty International observed in its 2019 Egypt country report that 'In August, the President ratified a new NGO law that maintained the most draconian provisions of the 2017 law it replaced, including giving the authorities wide powers to dissolve independent human rights groups and criminalizing legitimate activities of NGOs.'<sup>173</sup>

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<sup>171</sup> DFAT, 'Country information report - Egypt', (para 3.60), 17 June 2019, [url](#)

<sup>172</sup> HRW, 'World report 2020 – Egypt events of 2019', January 2020, [url](#)

<sup>173</sup> AI, 'Country report – Egypt 2019, (Freedom of association), February 2020 [url](#)

### 8.3 Treatment of NGOs and their members

#### 8.3.1 Freedom House noted in its report on events of 2019:

‘Nongovernmental organizations (NGOs) have faced mass closures as well as harassment in the form of office raids, arrests of members, lengthy legal cases, and restrictions on travel in recent years. A highly restrictive 2017 law banned NGOs from engaging in work deemed to harm “national security, public order, public morality, or public health”; and required a regulator’s approval for any field research or polling and any type of cooperation with foreign NGOs. All NGO funding and basic management decisions are also subject to the regulator’s approval. Violations of the law can lead to dissolution or crippling fines; the possibility of imprisonment was excluded from a revised version of the law signed in August 2019, though conditions for NGOs remained highly repressive in practice throughout the year.’<sup>174</sup>

#### 8.3.2 Amnesty International reported ‘The politically motivated criminal investigation into the activities and funding of staff members of human rights organizations known as Case 173 remained active. At least 31 staff members of civil society organizations continued to be banned from travelling abroad’ in its 2019 country report<sup>175</sup> and Human Rights Watch also reported on Case 173 in its 2020 World Report on events of 2019<sup>176</sup>.

#### 8.3.3 Amnesty International further reported that ‘Following the 20 September protests, human rights defenders were increasingly targeted for arrest, torture and other ill-treatment, prolonged detention and criminal investigations’ and ‘lawyers were often prevented from adequately representing their clients; some were abducted or arrested’.<sup>177</sup>

#### 8.3.4 The 2019 USSD report noted:

‘State-owned and independent media frequently depicted NGOs, particularly international NGOs and domestic NGOs that received funding from international sources, as undertaking subversive activities. Some NGOs reported receiving visits or calls to staff, both at work and at home, from security service officers and tax officials monitoring their activities, as well as societal harassment.

‘A court case brought by el-Nadeem Center for the Rehabilitation of Victims of Violence (also registered under the name el-Nadeem for Psychological Rehabilitation) challenging a 2016 closure order remained pending an expert report ordered by the court. The organization asserted the closure was politically motivated, targeting el-Nadeem because of its work investigating torture, deaths in detention, and impunity for these crimes. The organization continued to operate in a limited capacity.’<sup>178</sup>

#### 8.3.5 The 2019 USSD report continued:

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<sup>174</sup> Freedom House, ‘Freedom in the world 2020 – Egypt’, (section E2), 4 March 2020, [url](#)

<sup>175</sup> AI, ‘Country report – Egypt 2019’, (Human rights defenders), February 2020, [url](#)

<sup>176</sup> HRW, ‘World report 2020 – Egypt events of 2019’, January 2020, [url](#)

<sup>177</sup> AI, ‘Country report – Egypt 2019’, (Human rights defenders), February 2020, [url](#)

<sup>178</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

‘The government-imposed travel bans on human rights defenders and political activists under investigation or formally charged. Local human rights groups maintained that authorities used travel bans to intimidate and silence human rights defenders, including individuals connected with NGOs facing investigation as part of the reopened NGO foreign-funding case.

‘Democracy activist Esraa Abdel Fattah remained unable to depart the country as a result of a travel ban.’<sup>179</sup>

8.3.6 The report added ‘well-established, independent domestic human rights NGOs struggled to operate amid increasing pressure from security forces throughout the country.’<sup>180</sup>

8.3.7 The 2019 USSD report further noted:

‘According to a local human rights organization, Ibrahim Ezzedine, a housing rights researcher, disappeared on June 12 after he criticized the government’s policies for urban slums. On August 1, that organization filed a lawsuit against the Interior Ministry to determine his whereabouts. On November 26, he appeared before the State Security Prosecution accused of “joining a banned group” and “spreading false news.” On December 22, the State Security Prosecution renewed his detention for 15 days pending investigations.

‘In July the organization also filed a lawsuit against the Interior Ministry to determine the whereabouts of Mustafa al-Naggar, a former member of parliament who disappeared in September 2018 after criticizing the government on Facebook. According to local press, al-Naggar was trying to flee the country to avoid a three year prison sentence.’<sup>181</sup>

8.3.8 The 2019 USSD report noted that the ‘Authorities sometimes allowed civil society organizations not registered as NGOs to operate, but such organizations often reported harassment, along with threats of government interference, investigation, asset freezes, or closure.’<sup>182</sup>

8.3.9 The report further stated ‘A local news site reported in April that the government blocked its website and 500 more in Egypt. The blocked sites included international NGOs, local human rights NGOs, and numerous virtual private network services.’<sup>183</sup>

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## **9. Human rights defenders, lawyers and activists**

9.1.1 DFAT observed:

‘Authorities have increasingly used provisions under the Counter-Terrorism Law and other state of emergency measures against human rights defenders and other activists.

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<sup>179</sup> USSD, ‘Egypt 2019 human rights report’, (section 2d), 12 March 2020, [url](#)

<sup>180</sup> USSD, ‘Egypt 2019 human rights report’, (section 3), 12 March 2020, [url](#)

<sup>181</sup> USSD, ‘Egypt 2019 human rights report’, (section 1b), 12 March 2020, [url](#)

<sup>182</sup> USSD, ‘Egypt 2019 human rights report’, (section 3), 12 March 2020, [url](#)

<sup>183</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

'Human rights defenders have reported that the state has attempted to stigmatise their activities as being disloyal or "un-Egyptian". This has included through negative coverage in the state and pro-government media and in the courts: the investigating judge in the foreign funding case criticised the involvement of one of the NGOs in the UPR process (see Human Rights Framework), and the issuing of statements that 'harmed Egypt's reputation'. Authorities have targeted for reprisal human rights defenders critical of the government, including through raids, hostile phone calls, the confiscation of assets, or prosecution. Prosecutors have most often charged human rights defenders (and other government critics) with ill-defined charges such as 'publishing false information for the purposes of harming national security' or 'membership in a terrorist (or banned) group, generally without providing any supporting evidence. Prosecutors have appealed judicial release orders, and in many cases insisted on the long-term pre-trial detention of detainees.

'In addition to those involved in the foreign funding case, dozens of other prominent human rights defenders are the subject of travel bans preventing them from leaving the country. Most bans are not formally announced, and the subject has only learned of their status upon arrival at the airport.

'DFAT assess that human rights defenders engaged in human rights activities face a high risk of arrest and/or prosecution, which is likely to be through the Military Courts and State Security Emergency Courts system. They are highly unlikely to be able to conduct their activities without significant interference from state agents. High profile human rights defenders are likely to be subjected to travel bans prohibiting them from leaving Egypt.'<sup>184</sup>

#### 9.1.2 The 2019 USSD report stated:

'According to local NGOs, Ezzat Ghoneim, a human rights lawyer who worked on enforced disappearance cases for the Egyptian Coordination for Rights and Freedoms, appeared on February 9 for a hearing at the Cairo Criminal Court in which the judge ordered his continued pretrial detention for 45 days. Ghoneim's whereabouts in custody had been unknown since September 2018, when a court ordered Ghoneim's release on probation, but he was apparently never released. Ghoneim was originally arrested in March 2018 on charges of spreading false news and joining a terrorist group and was subsequently added to case number 441/2018, which contains cases involving at least 13 activists, journalists, and researchers facing similar charges of spreading false news and joining a terrorist group. Ghoneim remained in detention at year's end.'<sup>185</sup>

#### 9.1.3 Middle East Eye reported in February 2020:

'Prominent Egyptian activist Alaa Abdel Fattah and his lawyer Mohammed Baqer will be held in remand detention after a criminal court accepted an appeal by the prosecution against their release...

'The court also extended the detention of two other activists...

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<sup>184</sup> DFAT, 'Country information report - Egypt', (para 3.63 and 3.66), 17 June 2019, [url](#)

<sup>185</sup> USSD, 'Egypt 2019 human rights report', (section 1b), 12 March 2020, [url](#)



'Abdel Fattah, 38, was one of the leading voices of the 2011 uprising that led to the ousting of longtime autocrat Hosni Mubarak.

'He was jailed on charges of protesting without permission in 2013 and had been granted conditional release in March.

'The terms of his parole have dictated that he must spend every night in a cell in his local police station, where he was arrested once again in September.'<sup>186</sup>

- 9.1.4 An article published in October 2019 by the Arabic Network for Human Rights Information (ANHRI) stated 'another activist, Solafa Magdi, said on Twitter that Abdel Fattah started a hunger strike, denouncing having been "tortured for 24 hours" after the arrest.'<sup>187</sup>
- 9.1.5 The 2019 USSD report<sup>188</sup>, as well as Al Jazeera<sup>189</sup> and the BBC<sup>190</sup>, have all reported on the arrest treatment of Alaa Abdel Fattah by the Egyptian authorities. Amnesty International also reported on the torture of the activist by the authorities in an October 2019 report 'prison officers blindfolded him, stripped him of his clothing, beat and kicked him repeatedly, and subjected him to threats and verbal abuse'.<sup>191</sup>
- 9.1.6 Amnesty International further reported in its 2019 country profile:  
'On 22 September, security forces arrested Mahienour el-Masry, a human rights defender and lawyer, as she left the SSSP building in Greater Cairo where she had been representing a detained human rights lawyer. The following week, Mohamed el-Baqer, a lawyer and director of the Adalah Center for Rights and Freedoms, was arrested and ill-treated after he represented a detained activist. A few days later, plain-clothes police kidnapped Esraa Abdelfattah, a human rights defender and journalist, then tortured her at an undisclosed location. All three human rights defenders remained in pre-trial detention in relation to unfounded "terrorism"-related charges at the end of 2019.'<sup>192</sup>
- 9.1.7 In October 2019, the Arabic Network for Human Rights Information (ANHRI) reported one of its members, lawyer Amr Emam, was kidnapped by the Egyptian police<sup>193</sup>. ANSmed, a news network and media partner of the European Commission<sup>194</sup>, also reported Emam's detention.
- 9.1.8 The 2019 USSD report also mentioned the arrest of Amr Emam<sup>195</sup>. The report added that 'As of year's end, Emam remained in detention pending investigations in case no. 488 of 2019 on charges of "colluding with a

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<sup>186</sup> Middle East Eye, 'Court extends detention of Egyptian activist Alaa Abdel...', 20 February 2020, [url](#)

<sup>187</sup> ANSamed, 'Human rights activist attorney arrested in Egypt', 16 October 2019, [url](#)

<sup>188</sup> USSD, 'Egypt 2019 human rights report', (section 2b), 12 March 2020, [url](#)

<sup>189</sup> AJ, 'Family says Egyptian activist Alaa Abdel Fattah beaten in jail', 10 October 2019, [url](#)

<sup>190</sup> BBC, 'Egypt protests: Activist Alaa Abdel Fattah...' 29 September 2019, [url](#)

<sup>191</sup> AI, 'Egypt: Torture of activist Alaa Abdel Fattah...', 10 October 2019, [url](#)

<sup>192</sup> AI, 'Country profile – Egypt 2019', (Human rights defenders), February 2020, [url](#)

<sup>193</sup> ANHRI, 'Lawyer Amr Emam from ANHRI kidnapped from his home ...', 16 October 2019, [url](#)

<sup>194</sup> ANSamed, 'About ANSamed', undated, [url](#)

<sup>195</sup> USSD, 'Egypt 2019 human rights report', (section 2b), 12 March 2020, [url](#)

terrorist organization,” “publishing fake news,” and “misusing social media to spread false information.”<sup>196</sup>

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## 10. Social surveillance

10.1.1 The 2019 USSD report stated ‘...there were reports that security agencies sometimes placed political activists, journalists, foreigners, and writers under surveillance; monitored their private communications; screened their correspondence, including email and social media accounts; examined their bank records...’<sup>197</sup> (see [Political opposition and activism](#)).

10.1.2 The report observed:

‘Despite legal protections, the government restricted and disrupted access to the internet and censored online content. There were credible reports the government monitored private online communications without appropriate legal authority including cyberattacks to gain access to devices and accounts belonging to critics of the government. Law enforcement agencies restricted or disrupted individuals’ access to the internet, and the government monitored social media accounts and internet usage, relying on a law that only allows targeted interception of communications under judicial oversight for a limited period and does not permit indiscriminate mass surveillance. The public prosecutor prosecuted individuals accused of posting “insulting” material.’<sup>198</sup>

10.1.3 The report further stated:

‘In October, The New York Times reported that a series of cyberattacks targeting journalists, opposition politicians, and human rights activists, in which attackers installed software on the targets’ phones that enabled them to read the victims’ files and emails and track their locations, was traced to the Ministry of Communications and Information Technology and that geographic coordinates embedded in one of the applications used to track the targeted individuals corresponded to the headquarters of the General Intelligence Service.’<sup>199</sup>

10.1.4 The 2019 DFAT report mentioned that a revision to Law 94/2015 required all property owners to pass ID or passport information of renters to the police ‘within 72 hours of signing the lease. Failure to comply can result in a one year prison sentence and a minimum fine of LE5,000 (AUD400).’<sup>200</sup> The report continued:

‘The government has explained the amendments under its counter-terrorism agenda, focused on catching Muslim Brotherhood members (see following section) hiding under alias-renter identities and/or moving sporadically between properties. Human rights observers have criticised the amendments

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<sup>196</sup> USSD, ‘Egypt 2019 human rights report’, (section 2b), 12 March 2020, [url](#)

<sup>197</sup> USSD, ‘Egypt 2019 human rights report’, (section 1f), 12 March 2020, [url](#)

<sup>198</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>199</sup> USSD, ‘Egypt 2019 human rights report’, (section 2a), 12 March 2020, [url](#)

<sup>200</sup> DFAT, ‘Country information report - Egypt’, (para 3.49), 17 June 2019, [url](#)

for allowing for greater surveillance of ordinary citizens and encroachment on proprietary rights.’<sup>201</sup>

#### 10.1.5 DFAT added:

‘Authorities have also reportedly stepped up efforts to ensure that ride sharing companies comply with a June 2017 law requiring them to provide information on customers and their journeys to security bodies without a judicial or prosecution warrant. Uber, which had reportedly pushed back against the requirement, experienced significant problems with the operation of its app in the opening months of 2019. Although these issues were attributed officially to a now-resolved separate dispute over a taxation charge, in-country analysts have reported that the app’s operational problems are more likely to be related to the data access issue. Uber’s app is now working without any issues, suggesting that the company has agreed to the demand to provide data. Other ride sharing companies have not experienced any such operational difficulties, indicating that they were already complying with the law.’<sup>202</sup>

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<sup>201</sup> DFAT, ‘Country information report - Egypt’, (para 3.49), 17 June 2019, [url](#)

<sup>202</sup> DFAT, ‘Country information report - Egypt’, (paras 3.48-3.50), 17 June 2019, [url](#)

# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Overview of the political landscape, incl:
  - Constitutional changes:2019
  - State of Emergency
- Political opposition and activism
  - Restrictions on association, assembly and the ability to protest
  - Arrests of actual or perceived critics, protestors and political activists
  - Political prisoners
  - Conditions in detention
- Muslim Brotherhood
  - Legal status
  - Background
  - Harakat Sawa'd Misr
  - Violent activities
  - Treatment of Muslim Brotherhood members
- April 6 Movement
  - Treatment of April 6 Movement members
- Media workers and bloggers
  - Legal restrictions
  - Censorship
  - Journalists: arrests and harassment
  - Bloggers and social media
- Non-government organisations
  - Size and work of NGOs
  - Legal restrictions
  - Treatment of NGOs and their members
- Human rights defenders, lawyers and activists
- Social surveillance

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **15 July 2020**

## Changes from last version of this note

Update of COI including information on the Muslim Brotherhood.

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