

## Update to Egypt UPR Briefing paper on HRDs

17 October 2019

The purpose of this briefing is to provide updated information on the situation of human rights defenders since [our joint NGO submission](#) in March 2019. It also provides a set of proposed advance questions that we encourage your government to ask Egypt by 1 November 2019 the latest.

### Emblematic examples of targeting of human rights defenders

- On October 7<sup>th</sup> 2019, Egyptian woman human rights defender and co-founder of El Nadeem Center for Rehabilitation of Victims of Violence and Torture, **Dr. Aida Seif Al-Dawla** was [summoned](#) to the Prosecution. She did not present herself, however her lawyers did and received a copy of the complaint filed against her by a lawyer accusing her of publishing false news on torture that harms the image of the State.
- **Mohammed Al-Baker**, human rights lawyer and executive director of Adalah for Rights and Freedoms, was [arrested](#) on 29 September 2019 and was charged with misuse of social media, belonging to an illegal terrorist organisation and spreading false information – **he was interrogated about his engagement with the UPR**. He was subjected to inhumane treatment and remains detained.
- **Alaa Abdel Fattah**, prominent blogger and activist, was [arrested](#) on the morning of 29 September 2019 and has been charged with belonging to an illegal terrorist organisation and spreading false information– He was serving his probation sentence spending every day in prison from 18h to 6 AM. He reported that he has been subjected to severe forms of torture. He remains in detention.
- **Mahinour Al Massry**, human rights lawyer and activist, was [arrested](#) on 22 September 2019 and has been charged with belonging to an illegal terrorist organisation and spreading false information - she was arrested while representing protestors (as a lawyer). She currently remains detained.
- **Israa Abdel Fattah**, women’s human rights defender, activist and journalist, was [arrested](#) on 12 October 2019 and has been charged with belonging to an illegal terrorist organisation, spreading false information and misusing social media. She was tortured to give the police officers her phone password. She currently remains detained.
- **Asmaa Dabees**, women’s human rights defender and feminist activist, was [arrested](#) on 26 September 2019 and remains in pre-trial detention in harsh circumstances. She is charged with belonging to an illegal terrorist organisation, spreading false information, misusing social media and illegal protest.
- **Zyad al-Elaimy**, former member of Parliament and human rights lawyer, was [arrested](#) on 25 June 2019 alongside seven political opponents. He, along with the others, was charged with attempting to form a coalition for the parliamentary elections and for involvement with the

Muslim Brotherhood, an organisation that was banned and declared a terrorist group in 2013. He currently remains detained.

- **Haitham Mohamedein**, labour lawyer and activist, was [arrested](#) on 13 May 2019 and was charged with belonging to an illegal terrorist organisation and misusing social media to spread false information. He currently remains detained.
- **Ibrahim Ezz El-Din**, researcher for Egyptian Commission for Rights and Freedoms, was [arrested](#) on 11 June 2019. He engaged with the Special Rapporteur on adequate housing during her visit and it is believed that his disappearance is an act of reprisals for his engagement. His whereabouts remain unknown.
- Through a **media defamation campaign**, a large number of official institutions and various Egyptian media groups [have condemned human rights defenders and organisations](#) saying they are instigating the public against the political system in addition to cooperating with terrorist organisations. Death threats and incitement to violence has repeatedly been made against HRDs by state-controlled media channels.
- The most recent and ongoing crackdown against rights defenders appears to have been carried out as a response to [protests that arose throughout the country on September 20<sup>th</sup> and 27<sup>th</sup> 2019](#). **Figures of arrests range from 2097 to 3332 persons according to independent Egyptian human rights groups**. There is no accurate figure because some were arrested and later released without being presented to the Prosecution. These protests follow accusations against the president and the military of rampant corruption, with calls for the resignation of the president. Reports have indicated that Egyptian authorities have stopped people on the street requesting access to their phones and social media accounts to look for indications of political activities or affiliations deemed critical of the government.

#### Updates on situations of defenders ([March 2019 brief](#))

- **Hanan Badr El-Din Othman** was provisionally released in April 2019, and **Ahmed Shawky Amasha**, was provisionally released on October 4<sup>th</sup>, 2019. Their activities included documenting cases of enforced disappearances for special procedures and were cited in the Secretary General's **reprisals reports** in 2017 and 2018.
- LGBTI defender **Malak Al-Kashif** was provisionally released on July 16<sup>th</sup>, 2019.
- **Ebrahim Metwally** was moved on 16 October from the prison to police station reportedly for his release (*as of 17 October, he has not yet been released*).
- However, all of the above defenders are still subject to charges and ongoing criminal cases.
- On October 1<sup>st</sup>, 2019 the Supreme Council for Judicial Oversight rejected the appeal filed by the Prosecution against judges **Hisham Raouf** and **Assem Abdelgabar**. As a result, the two judges were reinstated in their jobs. They had been referred to disciplinary measures for working on an anti-torture law in 2015.

**Official restrictions against human rights defenders:** On August 19, 2019, [the new NGO law \(no.149/2019\) entered into force](#). [Restrictions against civil society from the previous law remain](#).

**Proposed advanced questions:**

1. The **NGO Foreign Funding case** (no. 173/2011) in which dozens of Egyptian independent human rights defenders and NGOs, including those that participated in the previous UPR of Egypt in 2014 are facing charges of up to 25 years imprisonment. As a result of this case, at least 31 HRDs are banned from travelling, 7 organisations and 10 defenders had their assets frozen. **Will Egypt lift the travel bans and allow independent Egyptian human rights organisations to travel to engage with the UPR process?**
2. **Will Egypt release in-full information regarding all individuals and organizations accused of criminal charges under case 173/2011 and provide these individuals and their lawyers, as required under due process guarantees, with all relevant information concerning the charges against them?**
3. In the past weeks, several human rights defenders have been detained for doing their legitimate human rights work. **Mohamed Al-Baker**, head of Al-Adalah Center who engaged with this UPR, was questioned about his engagement in the interrogation against him. **How will the Egyptian government guarantee the safety, psychological and physical integrity of independent Egyptian human rights organisations to continue to engage with UN mechanisms? What steps will the government take to end the “pattern” of reprisals and intimidation that it has carried out?**
4. **What measures has the government taken to ensure the physical and psychological integrity such as access to medical care and humane detention conditions of current human rights defenders that are currently being held in prison by the Egyptian government?; Will the government provide the charges and evidence used to detain Mohammed Al-Baker, Alaa Abdel Fattah, Mahinour Al Massry, Israa Abdel Fattah, Asmaa Dabees, Haitham Mohamadein, Zyad al-Elaimy, Ibrahim Ezz El-Din, [Ebrahim Metwally](#) and [Ezzat Ghoneim](#)?**
5. Would Egypt consider **releasing public lists of those arrested** or remanded in custody on accusations of “founding or belonging to an illegal organisation” “spreading false news” “misuse of social media” “participating in an illegal protest”?
6. **What measures does the government of Egypt intend to take to put an immediate end to the systematic practice of torture as concluded by the Committee against Torture’s confidential inquiry in 2016** (para 16 of the UN compilation report) and what measures has the government taken to implement the Committee’s recommendations?
7. When will Egypt **accept and set dates for visits by UN Special Rapporteurs** on the Situation of HRDs, the UN Special Rapporteur on Torture, the UN Special Rapporteur on Freedom of Opinion and Expression, the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, the Working Group on Arbitrary Detention, the Working Group on Enforced Disappearances, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and the Special Rapporteur on the independence of judges and lawyers?
8. **What measures has Egypt taken to investigate the allegations of reprisals and intimidation as reported by the Special Rapporteurs on adequate housing following her visit to Egypt in 2018**



**and to ensure non-repetition of such reprisals?** In particular, request the Egyptian authorities to reveal the whereabouts of Researcher [Ibrahim Ezz El-Din](#) of the Egyptian Commission for Rights and Freedoms, whose disappearance is believed to be a [reprisal](#) for his cooperation with the UN Special Rapporteur on adequate housing.