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هود
ل دعم المدافعين والمدافعات عن حقوق الإنسان
TO SUPPORT HUMAN RIGHTS DEFENDERS

THE YEARS OF OPPRESSION AND ISOLATION

THE SITUATION OF HUMAN RIGHTS DEFENDERS IN EGYPT DURING THE COVID-19 PANDEMIC



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You are always threatened by every word you write being used to inflict you, and causing a national security case to be built against you, and that every activity you carry on can be interpreted from the state as one that threatens the national security.”

Maha¹ , Feminist and human rights activist

¹ pseudonym, we used pseudonyms throughout the report to protect the safety of the human rights defenders who shared their testimonies

INTRODUCTION

Similar to the rest of the citizens, human right defenders were affected by the COVID-19 pandemic repercussions, but because of their engagement in different activities to defend human rights while facing a government that spares no effort to blockade and denounce them, the pandemic's impact on their lives, security, in addition to their physical, psychological and professional well-being, was different.

This report seeks to document the situation of male and female defenders during the years of the pandemic by monitoring and analyzing the patterns of targeting defenders during those years, the impact of the pandemic on the life, work and safety of defenders, and the additional burdens imposed on them due to the pandemic. In addition to monitoring and analyzing legislative changes related to the work of defenders, and how the consequences of the pandemic contributed to shaping these legislative changes.

The report also discusses the current and expected impact of the national dialogue process occurring currently in Egypt on the safety and work of defenders. It also presents a set of general recommendations to improve the human rights defense environment in Egypt and to protect the overall safety of human rights defenders.

Based on the nature and objectives of the report, a common methodology was used, which includes content analysis of relevant legislations and policies. The descriptive approach was also used to identify and detail patterns of violations against human rights defenders in Egypt.

To write this report, we conducted 11 interviews with male and female human rights defenders from Egypt, during the period from April 15, 2023 to May 20, 2023. The report also relied on a variety of secondary sources, including available data from Egyptian human rights organizations, international human rights organizations concerned with Egyptian affairs, official statements and case reports, in addition to news content related to the subject of the report.

The report covers mainly the situation of persons who have the status of a human rights defender, in their different categories. And although there is no legal definition of defenders, we will be guided in determining the personal scope of this report by the definition developed by the United Nations High Commissioner for Human Rights, and included in Issue No. 29 of the fact sheet, which considers that **“(human rights defenders) is a phrase used to describe those who work, alone or in association with others, for the peaceful promotion and protection of human rights. Human rights defenders are identified primarily by what they do”**² The same document also considered that a human rights defender **“is one who works for any human right (or group of rights) on behalf of individuals or groups of individuals.”** In addition, human rights defenders seek to **promote and protect civil and political rights, as well as promote, protect and fulfill economic, social and cultural rights.** ³

² Office of the High Commissioner for Human Rights of the United Nations: : Issue No. 29 of the Fact Sheet **“Human Rights Defenders”: Protecting the right to defend human rights”**

³ Previous Reference.

This report adopts a broad concept to define human rights defenders based on what they do. This concept includes, in addition to people who carry out the traditional activities of defenders such as monitoring, documentation, advocacy, etc., people who work directly to provide a human right such as the right to health, and housing, and whose work usually takes other names such as development, empowerment, and relief work.

This report covers the time period starting from March 11, 2020, when the World Health Organization announced the classification of the spread of the emerging coronavirus as a global pandemic, until May 5, 2023, when the organization itself announced that the COVID-19 disease caused by the emerging coronavirus had become an existing and continuing health problem, and no longer represents a public health emergency of international concern. In terms of the setting, the report covers incidents that occurred inside or outside the Arab Republic of Egypt, as long as these incidents affected Egyptian human rights defenders, or non-Egyptian defenders whose work is primarily related to the human rights situation in Egypt. This report does not include all the incidents of violations against defenders during that period, but it includes a number of the most prominent ones, which we relied on to identify the main patterns of targeting defenders.

In order to protect the safety of the defenders whom we met during the data collection process for this report, their names have been concealed and replaced with pseudonyms, while concealing some additional details that may endanger their safety, such as the organizations in which they work, and their current whereabouts in relation to the ones who had to leave the country to escape oppression.

CHAPTER ONE:
THE CONTEXT
AND LEGISLATIVE
DEVELOPMENTS
RELATED TO THE WORK
OF HUMAN RIGHTS
DEFENDERS

The legislative environment related to the work and activities of human rights defenders in Egypt was not devoid of restrictions during the years preceding the January 25 revolution in Egypt. These restrictions are usually embodied in a repressive law regulating the work of civil associations, similar laws regulating or restricting trade union work, and some vague articles in the Penal Code that are used to restrict the right to demonstrate or the freedom of expression. However, the period following the events of July 3, 2013 witnessed great strides towards Restricting and besieging the public sphere in a way that makes practicing any form of activism in Egypt an imminent danger for those who do it.

Post-July 3, 2013 State Laws

The first step - and perhaps the most important one - in the years following the events of July 3, 2013 in Egypt, and preceding the Covid-19 pandemic, was the issuance of Law No. 107 of 2013 regulating the right to public meetings, processions, and peaceful demonstrations⁴, known as the "Protest Law." The law was issued on November 24, 2013 by decision of the Interim President of the Republic, Adly Mansour, in the absence of the Parliament. **Despite the widespread objections of human rights organizations, many political forces, public opinion platforms, and six ministers, the former United Nations High Commissioner for Human Rights, Navi Bly, warning that the law may lead to serious violations of the right to freedom of peaceful demonstration,** according to a statement issued by the Cairo Institute for human rights studies.⁵

This law empties the constitutional right to peaceful demonstration of its meaning, as it places multiple restrictions on peaceful

demonstration, the most prominent of which is the imposition of prior notification to the Ministry of Interior of the demonstration, and giving it the right to object to the organization of the demonstration based on vague and broad concepts such as "threatening security and peace," as well as the absolute prohibition of the demonstrations on the campuses of the presidential headquarters, government, military and security forces facilities, and courts. Because of this law, hundreds of people were prosecuted for demonstrating without a permit, over the ten years following its promulgation.

Also, during the year 2015, the President of the Republic, Abdel Fattah El-Sisi, also in the absence of Parliament, issued Decree Law No. 8 of 2015, regarding the organization of lists of terrorist entities and terrorists⁶, on February 17, 2015, and Decree Law No. 94 of 2015 promulgating the anti-terrorism Law⁷, on August 15 2015. The first law, according to a press release issued by the Egyptian Front for Human Rights, **"led to the ease of including activists and independent entities on terrorist lists based on security background checks without any investigation."**⁸ According to the same statement, this effect is synergistic with the second law, which **"legalized the commission of crimes of enforced disappearance, torture and extrajudicial killings by the security services in the context of combating terrorism during the past years."**⁹ These two laws - and their amendments that took place in March 2020 - constitute the legislative basis for the anti-terrorism system in Egypt. However, this legislative system has often been directed to abuse human rights defenders.

The authorities in Egypt also issued Law No. 175 of 2018 on combating information technology crimes.¹⁰ This legislation attempted in various

4 **Law No. 107 of 2013 Regulating the Right to Public Meetings, Processions, and Peaceful Demonstrations**

5 Cairo Institute for Human Rights Studies Press release, **«The President of the Republic must repeal the unjust protest law and immediately release thousands of innocent people,»** issued on November 25, 2015.

6 **Law No. 8 of 2015 on organizing lists of terrorist entities and terrorists**

7 **Law No. 94 of 2015 on issuing the Anti-Terrorism Law**

8 The Egyptian Front for Human Rights, and other organizations: **The statement, "The permanent state of emergency in Egypt continues with other repressive laws," issued on October 26, 2021.**

9 The previous reference.

10 **Law No. 175 of 2018 on combating IT offenses**

ways to restrict the freedom of expression on the Internet, so it legalized monitoring as a general principle for all INTERNET users, as it obligated telecommunications service providers to store information about all users for a period of one hundred and eighty days, and granted national security agencies that include the Presidency of the Republic, the Armed Forces, the Ministry of Interior, General Intelligence, and the Administrative Control Authority have the right to access that data.

The legislation also codified the blocking of websites and made it a decision by the investigation authority or the security services in a “state of urgency”, the law also used loose and undefined terms as justifications for blocking websites, such as “threatening national security” and “endangering the security of the country or its national economy.” The articles of the law also included a number of crimes that entail custodial penalties for violating them, without defining these crimes precisely or clarifying their limits.

On May 24, 2017, the authorities in Egypt issued Law No. 70 of 2017 on regulating civil work ,¹¹ which can be classified as the “worst” law in Egypt’s history to regulate the work of civil associations and institutions. The law considered that the practice of civil work is monopolized by entities registered in accordance with its provisions, and included severe penalties that may reach 5 years in prison for violating its provisions. The law also entrusted everything related to regulating the work of non-governmental organizations in Egypt to a new entity called the “National Apparatus for Regulating the Work of Foreign Non-Governmental Organizations”, which consists mostly of representatives of government security and oversight agencies. The authorities in Egypt failed to implement this repressive law, and its executive regulations were never issued until it was repealed by Law No. 149 of 2019,¹² Which was released on August 19, 2019.

The new law preserved the blockade and almost complete control over the work of associations and NGOs, but custodial penalties were abolished and replaced with financial fines that may reach one million Egyptian pounds. The current law also abolished the “security” entity created by Law 70 and entrusted it with managing the affairs of associations and civil institutions in Egypt.

The current law resumed the approach of its predecessor in restricting the practice of civil work to entities registered in accordance with its provisions exclusively, which violates international standards for freedom of organizations, and set complex conditions for the registration of associations, and absolutely prohibited them from practicing political or partisan activities, without providing a clear definition of what political activities are. This threatens part of the activities of human rights organizations with regard to the engagement of these organizations with the process of legislations and with the general policies of the state. The law also prohibited associations from conducting field research and opinion polls without prior permission from the authorities. This is in addition to restricting the right of associations to obtain foreign financing for their activities, and granting great power to administrative authorities with regard to monitoring the work of associations.

¹¹ Law No. 70 of 2017 on regulating associations and other institutions working in the field of civil work

¹² Law No. 149 of 2019 on regulating the practice of civil work:

The Track legislative changes during the pandemic years:

During the years that followed March 2020 - the years of the pandemic - the authorities completed building the system of repressive laws necessary to control the public sphere and legalizing “the practice of repression.” But the most prominent legislative change here is the amendment of Law No. 162 of 1958, known as the “Emergency Law,” in May 2020. It is the amendment that the authority in Egypt marketed as necessary to deal with the various consequences of the pandemic.

The new amendment to the Emergency Law promulgated by Law No. 22 ¹³of 2020 included the amendment of Article 3 of the original law by adding 18 new items to the list of exceptional powers granted to the executive authority when declaring a state of emergency. The new provisions included granting the authorities the right to suspend studies and work in the public and private sectors, ban mass events such as meetings, demonstrations, celebrations, etc., and place people coming from abroad under quarantine. And a number of additional procedures.

Article Four, which relates to the security or armed forces implementing the decisions of the President of the Republic issued under the declaration of a state of emergency. It was the focus of the rest of the amendment, as the article included in its new text the granting of judicial control to all officers and non-commissioned officers of the armed forces without distinction of rank, if the armed forces took over the implementation of the orders of the President of the Republic, in violation of the old text that allowed the granting of judicial control to men of the armed forces starting from a specific rank to be determined by a decision of the Minister of Defense. It is an unjustified encroachment on the civilians’ rights and on

the public atmosphere that can be described as “militarization”. What is even more dangerous is that the new amendment also included the principle of compulsorily referring civilians who are caught by the armed forces during the state of emergency for investigation before the military prosecution, regardless of the type of crimes they are accused of committing. The President of the Republic may also refer to the military prosecution the accused who are arrested by the civilian police forces. In both cases, the final disposition of the case is within the competence of the public prosecution.

The amended article blatantly violates the right of citizens to initiate all trial procedures, including the investigation stage, with the knowledge of the natural judiciary, and expands in granting of power to the military judiciary, which is directly affiliated with the Ministry of Defense, and thus is considered part of the executive authority, which makes it lose its independence assumed by the ordinary judicial authorities.

The previous amendments constitute an infringement of the constitutional rights and public freedoms granted to citizens, in a way that cannot be justified by the existence of a health-related or non-health related emergency. The history of the use of the emergency law in Egypt testifies that its primary use was not to deal with “emergencies” but rather to expand the oppression on citizens and blockade of the public sphere with exceptional powers to the executive authority. In this context, we find that Egypt is one of the few countries in the world that did not declare a state of emergency with the emergence of the pandemic, as it is already in place in Egypt almost permanently, starting from April 2017. Until the President of the Republic ceremoniously announced that it would not be extended in October 2021.¹⁴

¹³ Law No. 22 of 2020 on amending some provisions of Law No. 162 of 1958 regarding the state of emergency

¹⁴ BBC Arabic website: News «Egyptian President Abdel Fattah El-Sisi announces the end of the state of emergency that has been in place since 2017.» Published on October 25, 2021.

CHAPTER TWO:
PATTERNS OF
TARGETING DEFENDERS
DURING THE PANDEMIC
YEARS

Over the years preceding the January 25 revolution in Egypt, defenders were subjected to various forms of violations, and they suffered from periods of tension with the authorities, despite the radical change in the form of authority over these years. However, the period following the events of July 3, 2013 is by far the worst. For the first time, human rights defenders are completely defrauded, and according to the different causes in which they are active, dozens of them are imprisoned, and long-established organizations are forced to close or freeze their activities, while hundreds of defenders chose to travel and work from outside the country, so that for the first time we have a significant part of Egyptian human rights organizations working from outside the country. Rather, the repression affected the wives, children and families of the defenders, in a qualitative development of the form of violations practiced against them.

And if the years that followed the events of July 3, 2013 in Egypt were the worst, then the six months preceding the declaration of COVID-19 as a global pandemic were the peak of repression practiced by the authorities not only against defenders, but against all of its citizens. On September 20, 2019, limited demonstrations took place in several Egyptian governorates calling for the departure of the President of the Republic, in response to a lawsuit launched by an Egyptian dissident residing abroad. The security forces responded to these demonstrations by arresting more than 4,400 people¹⁵ in a few days, most of whom were arrested randomly from the streets after a search of their mobile phones for any content criticizing the political system, even if it was a satirical post on their personal Facebook pages, which were known at the time as “the September 2019 events. Most of these people were interrogated by the Supreme State

Security Prosecution, and they were imprisoned for periods that sometimes reached more than two years without charges or evidence, except for the investigation report that the security services submitted to the prosecution.

The process of stopping citizens and searching their phones in the street, and arresting them because of the contents of their personal accounts on social media, was a new form of violation practiced collectively for the first time in Egypt. In the following years, this new violation was localized, to be invoked and practiced in memory of prominent political events such as the January 2011 revolution, or against the backdrop of calls to demonstrate against the ruling regime.

The wave of repression that began in September 2019 and extended to February 2020 affected not only citizens who had the misfortune to be searched in the streets, but also dozens of human rights defenders who were directly targeted, such as blogger Alaa Abdel-Fattah, lawyer Mohamed El-Baqer, and lawyer Mahienour Al-Masry, journalist Esraa Abdel-Fattah, journalist Solafa Magdy, lawyer Amr Imam, Coptic activist Ramy Kamel, feminist activist Asma Dabes, lawyer Mohamed Hamdoun, activist Ahmed Abdel-Fattah, activist Mohamed Abdel-Ghany, researcher Patrick George and others.¹⁶

¹⁵ Egyptian Commission for Rights and Freedoms: **“One year after the events of September 20, 2019, security alerts and mass violations” report, 2020.**

¹⁶ Mahmoud Abdel-Zaher, Report on “The Status of Human Rights Defenders in Egypt, Report Period: October-December 2019”, HARDO Center for Supporting Digital Expression, 2020.
(Not available on the internet)

The previous presentation places us to face the fact that the patterns of abuse of human rights defenders in Egypt during the years of the pandemic, which we will talk about in detail in the following parts, are - for the most part - not a new event, but what is interesting to think about here is that the Covid-19 pandemic, which succeeded in paralyzing different aspects of life in Egypt, and most countries of the world. It was not sufficient to stop or reduce the severity of what defenders are exposed to in Egypt. Lawyer and human rights researcher, Shaimaa, says:

The problem in Egypt is that it exploits any crisis to justify the repression it does, and this is evident now in the case of people who are arrested and prosecuted for complaining about the economic crisis on Facebook.

In the following sections, we review the most prominent forms of violations and targeting of defenders during the years of the pandemic in Egypt.

Various violations on the sidelines of the pandemic

In early April 2020, Rights called on the Egyptian authorities to release “administrative detainees and those who are arbitrarily detained because of their political or humanitarian work.”¹⁷ It is also the demand made by tens of Egyptian and international human rights organizations. However, these calls did not receive acceptance from the authorities in Egypt. This was considered by a group of United Nations experts as “grave and unnecessary risks faced by human rights defenders arrested in Egypt due to prolonged pre-trial detention.”¹⁸

Among the precautionary measures taken by the authorities in Egypt following the declaration of COVID-19 as a global pandemic, the decision of the Ministry of Interior was to stop visits in all Egyptian prisons.¹⁹ The decision stipulated suspending the visit for a period of 10 days, but this period was later renewed. period was later renewed In addition to stopping most forms of investigation sessions and trials before the various courts. According to the researcher and human rights lawyer, Shaima: **In contrast to a number of countries that released large numbers of prisoners at the beginning of the pandemic to reduce overcrowding in prisons, such as Iran, during the first months of the pandemic, the number of detainees in Egypt increased, after new groups entered the circle of repression, such as people who criticized the performance of the authorities in Egypt in dealing with pandemic, including a number of doctors”**

As we mentioned earlier, the epidemic spread of the new Corona virus has begun in Egypt in light of the presence of a number of human rights defenders who are already in prisons. Cessation of visits by families, and suspension of sessions in which prisoners meet with their lawyers led

¹⁷ United Nations news site: COVID-19 news: Bachelet welcomes Iran's measures to ease overcrowding in prisons, and calls on Syria and Egypt to follow suit, published on April 3, 2020

¹⁸ United Nations news site: Human rights experts news: : Activists detained in Egypt are at “extreme risk” of contracting COVID-19”, posted on August 24, 2020.

¹⁹ mobtada website: “The Ministry of Interior decides to suspend visits to prisons for a period of 10 days,” published on March 10, 2020

to an almost complete interruption of news from them for several months. Especially since, a few months after the spread of the pandemic, the Ministry of Justice resorted to renewing pre-trial detention using video-conferencing technology. On October 18, 2020, the Ministry of Justice announced the launch of a system for remote pretrial detention renewal, to reduce the chances of spreading the new Corona virus infection. The Ministry of Justice also began taking rapid steps to change the course of litigation in Egypt to digital litigation. On December 20, 2021, Minister of Justice Decision No. 8901 of 2021 was issued regarding the use of technology to renew pretrial detention.²⁰

During the interview we conducted with him, human rights lawyer Asaad criticizes the impact of the pandemic on the process of renewing the detention of the accused, as the months that followed the spread of the new Corona virus in Egypt witnessed renewals of the detention of thousands of defendants before the Public Prosecution Office without their presence at the Public Prosecution headquarters, in order to reduce the risk of infection transmission, as well as the reliance of the authorities, several months after the start of the pandemic, on the internet to renew the detention of the accused, by holding a virtual meeting that brings together the court or the prosecution with the accused who is in a technically equipped room inside his prison. Asaad says, **“The accused does not see his lawyer, nor does the lawyer see the accused. The accused is in his prison beside the officer (the prison officer). Neither the accused, nor do I, get the chance to speak.”**

Asaad also points to the indirect impact of the broad steps taken by the Ministry of Justice towards the automation and digitization of the litigation process over the past three years, and the imposition of new fees for those electronic services that coincided with those steps, which constitutes an obstacle to the ability of citizens to access litigation services, which switched later into paid services.

As for Shaimaa, a lawyer and legal researcher interested in criminal justice issues, she criticized the impact of the precautionary measures on organizing the prison visitation process itself, despite Egypt and most countries of the world canceling all restrictions related to the epidemic, but after the return of prison visits, only two visits were allowed per month for each remand prisoner, instead of one visit per week before the pandemic, and one visit per month for convicts, instead of two visits. Some prisons also continued to apply physical distancing between the prisoner and his family during the visit by separating them with a barrier that does not allow him to have physical contact with them.

Hassan, a human rights researcher concerned with criminal justice issues, considers that the decision to stop the sessions in the first months of the pandemic, and then resume them electronically, had the greatest impact on the blackout imposed on prisons, as the lawyers' meetings with the defendants during these sessions are the main source to learn about their conditions and the violations they are exposed to inside detention settings. Because these meetings are not subject to the same restrictions as the defendants' meetings with their families due to the arbitrary completion of these visits, or even due to the presence of a prison officer or police secretaries at the time of the visit.

Preventing visits and sessions also imposed a state of uncertainty about the measures taken by the authorities to protect prisoners from the risk of infection with the emerging coronavirus, and even the attempts of defenders' families to help their families protect themselves from infection by providing them with protective tools were often met with the refusal of prison administration to enter supplies for personal protection, such as disinfectants and masks, as a part of the in-kind visit supplies provided by the families to their imprisoned members, which are delivered to the prison administration.

The prominent human rights lawyer, Muhammad

20 The Egyptian Commission for Rights and Freedoms, **“Legal Commentary on Remote Pretrial Detention Renewal Sessions.”**

Al-Baqer, is one of the prisoners to whom the prison administration has refused to deliver protective equipment. His family was not allowed to include any liquid or non-liquid detergents, and any personal hygiene tools, as a part of the visit supplies, in addition to other forms of harassments that included allowing the entry of only a small amount of fruits and vegetables, and of only one of the medicines, he needs. The prison administration also did not allow the prison doctor to sign the examination report.²¹

And in light of the demand for the release of remand prisoners, including defenders and non-defenders, who are prisoners of conscience, to protect them from the risks of infection with the emerging coronavirus. Human rights lawyer Mohsen Bahnasi was subjected to illegal investigations at the headquarters of the National Security Agency in Abbasiya, in March 2020. During these investigations, he was clearly asked to delete posts on his personal Facebook page, calling for the release of prisoners, fearing that they might be infected with COVID-19. Bahnasi responded to what was asked of him and deleted the posts, but the security forces arrested him several days later.²²

During the events of his arrest, Bahnasi was beaten and sums of money were seized from his home and his mobile phone, in addition to the security forces insulting his family. And for the second time, Bahnasi was beaten inside the headquarters of the National Security Agency in Helwan. This was the place where Bahnasi was detained before he was presented to the Public Prosecution Office the day after his arrest.²³

Bahnasy was brought before the Supreme State Security Prosecution, which charged him with joining a terrorist group, spreading false news and misusing social media. During the investigations, the public prosecutor refused to show Hansi and

his lawyers the arrest and investigations reports, and he wasn't confronted with any evidence. The investigation was limited to asking him about his opinion on the constitutional amendments that took place in Egypt in 2019, about the presidential elections, and about his family and work. In the end, the Public Prosecution decided to detain him in precautionary custody pending Case No. 558 of 2020, Supreme State Security.²⁴ This situation continued until the Public Prosecution Office decided to release him at the end of August 2020.

As for the family of the blogger and human rights defender, Alaa Abdel-Fattah, they took another form of protest against the continued detention of prisoners of conscience, despite the dangers that this poses to their safety during the epidemic spread of the emerging Corona virus, as his mother, Laila Soueif, his sisters Mona and Sanaa Seif, in addition to the academic at the American University in Cairo Rabab Al-Mahdi, organized a protest stand on the eighteenth of March 2020 in front of the Presidency of the Council of Ministers, to demand the release of prisoners of conscience and those detained on demand.

A short time after the start of the protest, in which the four participants carried simple banners, the security forces arrested them and brought them before the Public Prosecution, which charged them with incitement to organize a demonstration with the intent of disrupting the interests of citizens, influencing the functioning of public facilities, blocking roads and transportation, and publishing and broadcasting news and false rumors with ill intent, which would disturb public peace, create panic among people, and harm the public interest. After the end of the investigation, the Public Prosecution decided to release the four activists on a bail of 5000 Egyptian pounds.²⁵

21 **A post by the Egyptian Commission for Rights and Freedoms on its Facebook page. Published on March 15, 2020**

22 The Arabic Network for Human Rights Information: **Press release «In the case of the arrest of human rights lawyer Mohsen Bahnasi: Beatings, conscience searches, and degrading treatment of lawyers.» Published on March 29, 2020.**

23 Previous Reference.

24 Previous Reference.

25 The Egyptian Front for Rights and Freedoms: News «after being detained for 12 hours: The release of Mona Seif, Ahdaf and Laila Soueif, and Rabab Al-Mahdi on bail of 5,000 pounds.» Published on: March 19, 2020.

The family's suffering doesn't end here. In June 2020, the administration of High Security Prison 2 in Tora Prison Complex, where Alaa was being held, refused to hand over his mother, an academic and human rights defender. Dr. Leila Soeif a letter from Alaa, a habit maintained by Dr. Leila during the period of banning direct visits, where she used to go to the prison every week to deliver the supplies of the visit, including food and non-food items, to the prison administration to deliver them to Alaa, and the prison administration would hand her a letter from Alaa. And in response to the prison's refusal to give her a letter reassuring her about Alaa, Dr. Leila decided to protest in front of the prison, but a security force forcibly escorted her away from the prison gates where Dr. Leila spent the night, and she was joined in the morning by her two daughters, Mona and Sanaa Seif. where they were all assaulted and beaten by a group of women in civilian clothes under the sight of the police forces present to secure the prison, which did not try to intervene to protect them, forcing the three defenders to leave.²⁶

On the twenty-third of June 2020, Dr. Leila and her daughter Mona, accompanied by a team of lawyers, arrived to the Office of the Public Prosecutor to file a report about the assault against them. and Sanaa was supposed to follow them. However, while she was in front of the gate of the Attorney General's office, she was kidnapped in a microbus without the intervention of the security forces charged with securing the vicinity of the Attorney General's office. Three hours later, Sanaa appeared before the Supreme State Security Prosecution as a defendant in Case No. 659 of 2020 - Supreme State Security, where the prosecution charged her with promoting the commission of a terrorist crime, publishing and broadcasting false news and statements inciting disturbing public security, and misusing a social media platform.

The Public Prosecution decided to detain Sanaa for fifteen days pending investigations.²⁷ And on the ninth of August, the prosecution added two counts of insulting and name-calling a policeman to the list of charges.²⁸ On the seventeenth of March 2021, the Tenth Circuit of the Criminal Court in South Cairo convicted Sanaa of the charges against her and sentenced her to a year and a half in prison.²⁹

The violations against human rights defenders imprisoned in pretrial detention has expanded to include their family members. It was repeated with Maha, a human rights defender and feminist activist, who, while visiting her husband, a human rights lawyer who is in pre-trial detention, was violated. These violations included the prison administration's refusal, during the first months of the pandemic, of part or all of the food and personal necessities that she was preparing for her husband. Maha was also subjected during that period to sexual harassment by some security personnel in charge of securing the prison, or female police officers in charge of personal inspections for the families of women prisoners.

During the same period, Maha received messages on WhatsApp asking her to pay bribes worth half a million pounds in exchange for her husband's release. These are the messages that Maha ignored for the fear that it would be an attempt to implicate her in a new case, or even an attempt to defraud her. She also received other letters bearing personal insults, after it became known to the prison environment, its officials, and the families of the prisoners she meets during visits, the nature of her work in advocating for women's rights.

26 Mahmoud Abdel-Zaher, "The Status of Human Rights Defenders in Egypt, Report for the Period from April 2020 – June 2020", HRDO Center for Supporting Digital Expression, 2020
Not available online.

27 Previous Reference.

28 The Egyptian Front for Human Rights: **A timeline for the Public Prosecutor's disregard of the Ministry of Interior's abuse of the Seif and Soueif families,** published on August 11, 2020.

29 Amnesty International: **Press release «Egypt: The conviction of Sanaa Seif on a false charge is a travesty of justice,** published on March 17, 2021.

For varying periods: Human rights defenders become victims of arbitrary pretrial detention during the years of the pandemic

Pretrial detention is an investigative procedure that can be resorted to in cases specified by the legislator exclusively in Article 134 of the Code of Criminal Procedure in the following cases:

1. If the crime was in flagrante delicto, and the sentence must be executed immediately upon its issuance.
2. Fear of the accused fleeing.
3. For fear of harming the interest of the investigation, whether by influencing the victim or witnesses, tampering with evidence or material clues, or making agreements with other offenders to alter with the truth or obliterate its features.
4. Preventing serious breaches of security and public order that may result from the level of the crime
5. Preventing serious breaches of security and public order that may result from the level of the crime.

By applying this provision to the cases of human rights defenders who are detained in prisons, we find that their imprisonment does not apply to any of the cases in which the law gives the investigation authorities the right to detain the accused in pretrial detention, meaning that we are facing an abuse of pretrial detention, which in itself turns into a punishment which human rights defenders and other groups of activists in Egypt are subject to.

As we have already indicated, the epidemic spread of Covid-19 disease in Egypt and the accompanying measures coincided with the presence of dozens of defenders in prisons, as a result of their human rights activities, or their expression of opinion in public affairs.

One of those held in pretrial detention in the months preceding the declaration of COVID-19 as a global pandemic is the right to health researcher, Kamal, who was arrested from the downtown area in January 2020 after his phone was searched by some policemen in conjunction with phone search campaigns on the streets during the days leading up to January 25 (the anniversary of the Egyptian revolution). After his phone was searched, and because of the posts he was publishing on his personal Facebook page in defense of the detainees, he was arrested and remanded in custody for five months until he was released in June 2020 on charges of spreading false news. The court later acquitted him of these charges.

Many other names languished in prisons during the years of the pandemic, after they were arrested before it. Others joined them during the years of the pandemic, such as human rights lawyer Islam Salama, who joined the list of remand detainees during the first months of the pandemic, when the security forces arrested him on the twenty-fifth of May 2020. Islam was subjected to enforced disappearance for a period of twelve days until he appeared on June 6, 2020 before the Supreme State Security Prosecution, accused of joining a terrorist group in Case No. 1375 of 2018- Supreme State Security. And it is an old case that Islam himself had previously attended its investigations as a lawyer for some of the defendants in the case.³⁰

Recent years in Egypt have also witnessed a new type of violations that have been dubbed by Egyptian human rights organizations as “recycling”, a term that means that the authorities direct new accusations against male and female prisoners who are already in prisons, in anticipation of the prosecution’s decisions to release them, or even to obstruct the implementation of those decisions in practice in the event of its issuance. The release is then carried out on paper only, but in reality the prisoner is transferred from his prison to the Public Prosecution office for interrogation on

30 Mahmoud Abdel-Zaher, “The Status of Human Rights Defenders in Egypt, Report for the Period from April 2020 – June 2020”, HRDO Center for Supporting Digital Expression, 2020. Not available online.

new charges, or he is forcibly hidden for short periods before being brought before the Public Prosecution Office, which usually orders his detention pending the new case. “Recycling” allows the authorities in Egypt to circumvent the legal restriction on the maximum period of pretrial detention, which obliges the authorities to release the accused if his pretrial detention exceeds two years without a guilty verdict.

The idea of arbitrary pretrial detention, or pretrial detention accompanied by “recycling”, can be viewed as an unannounced return of the administrative detention system that was in force in Egypt during the years preceding the January Revolution under the declaration of a state of emergency, which allowed the executive authority to imprison people for unlimited periods, without directing specific charges against them, or the issuance of a judicial decision to remand them in custody, or a ruling condemning them. This system ended in 2013 after the Supreme Constitutional Court ruled that the articles regulating administrative detention from Law No. 162 of 1958, known as the Emergency Law, were unconstitutional.

During the years of the pandemic, the authorities in Egypt continued to practice “recycling” against many human rights defenders. Also, some of them have been rotated twice, or more. The most prominent example here is the human rights lawyer and coordinator of the Association of the Families of the Disappeared, Ibrahim Metwally, who is still imprisoned at the time of writing this report since he was arrested in December 2017 from Cairo International Airport, while on his way to attend a human rights event at the United Nations Headquarters in Geneva.

At first, Metwally was accused of establishing an illegal organization, conspiring with foreign entities to harm state security, and publishing false data and information, in Case No. 900 of

2017 - Supreme State Security, and pending investigations in this case, Ibrahim spent two years in pretrial detention, anticipating his release by the force of the law after exceeding the maximum limit of preventive detention. Ibrahim was rotated in November 2019 and accused of spreading false news, participating in a terrorist group knowing its purposes, and misusing social media in a new case bearing No. 1470 of 2019 - Supreme State Security. In August 2020, the court decided to release him and replace his pretrial detention with a precautionary measure. However, the security services refused to implement the decision to release him, and referred him to the Public Prosecution as a defendant in a third case, No. 786 of 2020 - Supreme State Security. This time, the prosecution accused him of “establishing and leading a group contrary to the provisions of the law,” which was established during his transfer to and from prison.³¹

The rotation also affected a number of human rights defenders who spent different periods in detention before being released in subsequent periods, including the lawyer of the Arabic Network for Human Rights Information, Amr Imam, who was previously accused in Case No. 488 of 2019 - Supreme State Security, and Case No. 855 of 2020 - Inventory of the Supreme State Security, in which he was accused of joining a terrorist group and financing and supplying a terrorist group.³² Amr was imprisoned until he was released in July 2022.

Amr’s story is very similar to the human rights lawyer Mahienour El-Masry, who was arrested in September 2019 by being kidnapped by a microbus in front of the State Security Prosecution while performing her work as a human rights lawyer in the presence of people accused of demonstrating in the events of September 20, accusing her of joining a terrorist group and spreading false news and misuse of

31 Mahmoud Abdel-Zaher, “The Situation of Human Rights Defenders in Egypt, Report for the Period from July 2020 – September 2020”, HRDO Center for Supporting Digital Expression, 2020. *Not available online.*

32 The Arabic Network for Human Rights Information: Statement: «After ten months» imprisonment, human rights lawyer Amr Imam has been remanded in a new case. Revenge against human rights activists and intimidating them with politicized cases has become systematic in Egypt,» published on August 27, 2020

social media, in Case No. 488 of 2019 - Supreme State Security, and she was re-investigated in August 2020 as accused of joining a terrorist group in Case No. 855 of 2020 - Supreme State Security.³³ Mahienour was released in July 2021.

This also happened with human rights defender and activist Esraa Abdel-Fattah, who has been imprisoned since she was arrested in October 2019, and held in pretrial detention pending investigations in Case No. 488 of the Supreme State Security of 2019, until she was rotated and charged in Case No. 855 of 2020 - state security, where the prosecution charged her with joining a terrorist group and participating in a criminal agreement intended to commit a terrorist crime from inside prison.³⁴ Israa was released in July 2021.

The violations against these people were not limited to arbitrary deprivation of liberty by holding them in pretrial detention for indefinite periods and without legal basis, but most of them were subjected to various violations inside detention facilities, including enforced disappearance, torture, denial of medical care, denial of exercise, long solitary confinement, and denial of visits.

Prosecution, judicial rulings and trial before exceptional courts:

The range of violations that defenders are exposed to extends from the phases of catching and arresting, which are usually followed by prolonged pretrial detention, to the stage of ill-trials with regard to unspecified and vague accusations that are usually not based on any evidence other than the investigation report submitted by the security services, led by the security apparatus of the National Prosecution Office and the Court, leading to the trial of defenders before exceptional courts that deprive them of their human and constitutional right to trial before a natural judge, and harsh sentences may end up being issued against defenders, so that the sentences are the conclusion of a long journey of violations that start from the stage of being caught.

In the majority of cases in which defenders have been charged, the trials never reach the verdict stage, whether the person is in pretrial detention or even released, so the defender remains accused forever in a case that does not end in acquittal or even conviction. And the consequent life under the control of anxiety and fear, or life with precautionary measures that include preventing the defender from traveling, or seizing his money, and others. A statement issued by Marie Lawlor, UN Special Rapporteur on the situation of human rights defenders, considered, **“This practice of including human rights defenders in several spurious cases, in some cases in parallel, represents Egypt’s blatant disregard for its international human rights obligations that it has signed up to. It is a practice designed to prevent defenders from promoting human rights in the country and has a chilling effect on civil society.”**³⁵

³³ Mahmoud Abdel-Zaher, “The Situation of Human Rights Defenders in Egypt, Report for the Period from July 2020 – September 2020”, HRDO Center for Supporting Digital Expression, 2020. *Not available online.*

³⁴ Previous Reference.

³⁵ United Nations news: **News «United Nations Expert: Human Rights Defenders in Egypt, Held in Solitary Confinement, Facing Fabricated Charges», published on 15 July 2021.**

Shaimaa is one of the victims of open trials. She is a lawyer and legal researcher interested in criminal justice issues and women's rights. Shaima resides in (...) for more than three years, after she was charged in Case No. 448 of 2019 - State Security, along with a number of other human rights activists, including Mahienour Al-Masry, Esraa Abdel-Fattah, Amr Imam, and others. An order was issued to arrest Shaimaa from the State Security Prosecution on October 10, 2019, but she did not know about the issuance of this decision until November of the same year, and while she was outside the country to participate in a long training program, and before completing her travel procedures at (...) Shaima learned of the existence of this decision that included her with a number of her human rights colleagues in the case, after the events of September 2019. Accordingly, Shaima made a decision not to return to Egypt, even temporarily. During the following period, which witnessed the spread of the Covid-19 pandemic, Shaimaa tried, through a number of mediators, to reach an understanding with the security services that would guarantee her a safe return, but all her efforts to do so were in vain. This case still exists till today.

Prosecutions may affect entire organizations or even a group of organizations combined. The most prominent example here is Case 173 of 2011, known as the Case of Foreign Funding for Civil Society Organizations, whose proceedings began 12 years ago and are still continuing until now, in the face of a number of human rights organizations and dozens of defenders working for them. According to their accusation in this case, a number of defenders are still banned from traveling, and their money is withheld until the time of preparing this report, such as the founder and director of the Egyptian Initiative for Personal Rights, Hossam Bahgat, and the director of the Egypt Program at the Cairo Institute for Human Rights Studies, Mohamed Zaree. Among others.

In addition to the inclusion of its founder in Case No. 173, the EIPR was subject to prosecution in a different case, as the security forces arrested three of its leaders in succession, who are: Jasser Abdel Razek, the former executive director of the organization, Muhammad Bashir, the administrative director, and Karim Enara, director of the criminal justice unit in the organization, and listed them as defendants in Case No. 855 of 2020. The prosecution charged the three human rights activists with a set of charges, including joining a terrorist group with knowledge of its purposes, broadcasting false news and statements, and using a private account on the Internet with the aim of spreading false news. The State Security Prosecution decided to seize the personal funds of the three human rights defenders and banned them from traveling. And although they were released on December 3, 2020.

After a massive international campaign of solidarity and pressure, the Public Prosecution Office did not lift the decisions to freeze funds or ban travel until the time of preparing this report.³⁶

The impact of the arrest of the leaders of the Egyptian Initiative also affected the rest of the workers who were not directly targeted. During the interview conducted with him during the preparation of this report, Mostafa, a researcher at the Egyptian Initiative for Personal Rights, said while we met him during the preparation of this report: **“The place where I work, which is the Egyptian Initiative for Personal Rights, was subjected to security targeting, and the arrest of three of my colleagues (who were later released), raised my and all my colleagues concerns. Although I work in a relatively safe case file, this has greatly affected the way I have come to work, and greatly reduced my freedom and the space available to me to interact with cases”.**

And in contrast to the previous examples, in which no verdicts have yet been issued, whether acquitting or criminalizing, the years of the

³⁶ Cairo Institute for Human Rights Studies, and other organizations: Statement «Egypt: **Continuous repression of EIPR employees,**” published on **November 30, 2022.**

pandemic witnessed the issuance of a number of verdicts against a group of human rights defenders. These rulings varied in their content and harshness.

In August 2020, an Egyptian court specialized in terrorism crimes issued a fifteen-year rigorous prison sentence in absentia against the director of the Cairo Institute for Human Rights Studies, the prominent human rights activist, Bahey El-Din Hassan. The court convicted him on the background of his accusation in Case No. 5370 of 2020 - Dokki felonies, in which the Public Prosecution accused him with charges, including “using social media to insult the judiciary, and publishing false news with the aim of harming the country’s economic status and disrupting the provisions of the constitution and the law, and that was based on National Security investigations, and Hassan’s posts on social media and his participation in international sessions and meetings with the United Nations”³⁷

This ruling comes in the context of a long process of targeting and abuse against Hasan, which included death threats in 2014, and withholding his money, in addition to the issuance of a previous court ruling in absentia in September 2019, imprisoning him for three years on charges similar to the same charges against him in the last trial.

In November 2021, the Third Circuit for Economic Misdemeanors ruled that the human rights defender, Hossam Bahgat, be fined 10,000 Egyptian pounds, after convicting him of insulting the Electoral Commission, publishing false news, and using an account on social media to commit these two crimes, in the case that bore No. 1592 of 2021, where Bahgat was accused of a tweet on Twitter criticizing the performance of the former president of the National Elections Authority during the parliamentary elections that took place in Egypt at the end of the year 2020.³⁸

And before discussing the rulings issued against some defenders by exceptional courts such as the Supreme State Security Emergency Court, it is important to point out that this court was formed under the declaration of the state of emergency in the country, and it is an exceptional court that lacks the minimum requirements for fair trials. The ruling issued by it cannot be appealed in any way, and it does not become effective until after the President of the Republic ratifies it, which is a clear interference and encroachment on the part of the executive authority represented by the President of the Republic on the work and independence of the judicial authorities.

On December 20, 2021, the Emergency State Security Court issued a 5-year prison sentence for the activist and blogger Alaa Abdel-Fattah, and 4 years for each of the lawyer and director of the Adalah Center for Rights and Freedoms, Muhammad Al-Baqer, and the journalist and blogger Muhammad Ibrahim (Mohamed Oxygen) in Case No. 1228 of the year 2021 - State Security Emergency Misdemeanor. This verdict came as a culmination of a long journey of violations that included torture and denial of visits inside their prison for intermittent periods. Even blogger Mohamed Ibrahim was denied visitation for more than fifteen months, which prompted him to attempt suicide in his prison before his life was saved. Also, in November 2020, the court decided to include both Muhammad al-Baqer and Alaa Abdel-Fattah on the terrorist lists.³⁹

Abdel-Fattah, Baqer, and Oxygen have been detained for more than two years pending Case No. 1356 of 2019 - State Emergency Security, with fabricated accusations, and they have exceeded the maximum period of pretrial detention prescribed by law, before they were (recycled) on this new case as a means of extending their detention in an outrageous

37 Cairo Institute for Human Rights Studies, and other organizations: Statement «Egypt: : **Statement «Egypt: Continuous repression of EIPR employees,” published on November 30, 2022.**

38 The Egyptian Front for Human Rights: News: **“The Economic Court Sentenced the Director of the Egyptian Initiative for Personal Rights, Hossam Bahgat, to a fine of 10,000 pounds for accusing him of insulting the Elections Authority and publishing false news on social media.” Published on: November 29, 2021.**

39 Efforts to support human rights defenders and other organizations: **Statement «We reject the rulings of exceptional courts against human rights defenders and activists in Egypt,» published on December 22, 2021.**

and repeated circumvention on law. And in this new case, the prosecution accused them with repeated charges related to some of their posts and opinions on social media in 2019 (before their arrest). Abdel-Fattah is being tried because of a post he made on Facebook about the death of a detainee in Tora maximum security prison, and El-Baqer because of his documentation and publication of medical negligence in prisons. Oxygen is also being prosecuted for publishing videos on his YouTube channel about economic and social conditions in Egypt.”⁴⁰

In addition to this case in which he was convicted, and the first case that is still under investigation, lawyer Muhammad Al-Baqer was rotated in August 2021 in Case No. 855 of 2020 - Supreme State Security. where he was charged with the same accusations as in the first case.

Master’s researcher at Central European University, and human rights defender, Ahmed Samir, also fell victim to a similar ruling, as the Supreme State Security Court sentenced him to four years in prison for his conviction in Case No. 877 of 2021 - Supreme State Security Prosecution, in which he was accused of spreading false news. Despite the harshness of the verdict, the case papers were devoid of any other evidence of guilt, except for the investigation report submitted by the National Security Agency, which indicates the validity of the accusations against Samir and describes him as a member of the “Brotherhood’s”⁴¹ to the established judicial principles of the Court of Cassation, these investigations cannot be treated as evidence of guilt according to the established judicial principles of the Court of Cassation, but they only express the opinion of its editor.

This ruling was annulled on February 17, 2022 by the Office of Verification of Verdicts of the Emergency Supreme State Security Court, and a re-trial was schedule before a new circuit,⁴² which also convicted Samir and sentenced him, in early July 2022, to three years in prison. However, Samir was released at the end of the same month, after a presidential.⁴³

The last example in this context is a court ruling that affected all the staff of a human rights organization. On March 5, 2023, the Emergency Supreme State Security Court issued its ruling in Case No. 1552 of 2018 - State Security, known in the media as: “The case of the Egyptian Coordination for Rights and Freedoms”, with prison terms ranging from five years to life imprisonment for 29 activists, including human rights lawyer and director of the Coordination Committee, Ezzat Ghoneim, human rights lawyer, and former member of the National Council for Human Rights, Huda Abdel Moneim. And the human rights lawyer, Muhammad Abu Huraira, and his wife, Aisha Al-Shater, who are in prison are among the fourteen people arrested in this case, since 2018.

The defendants in this case were tried under a set of accusations, including: Using websites on the International Information Network for the purpose of promoting ideas calling for the commission of terrorist acts by using two accounts on Facebook and Twitter and a YouTube channel on the International Information Network under the name of the Egyptian Coordination for Rights and Freedoms in order to promote ideas about the alleged involvement of police institutions in detaining citizens unjustly, killing, torturing and inflicting cruelty to others, deliberate failure to provide health care to prisoners, the complicity of judicial authorities in investigating reports submitted in this regard and holding

⁴⁰ Cairo Institute for Human Rights Studies, and other organizations: Statement «Egypt: **Human rights organizations condemn the loss of the right to a fair trial for Alaa Abdel-Fattah, Mohamed El-Baqer and Mohamed Ibrahim (Oxygen)**», published on November 10, 2021.

⁴¹ Efforts to support human rights defenders: **Report «From and to prisons... A report on the prosecution of researcher Ahmed Samir Sentawy», 2022.**

⁴² Previous Reference.

⁴³ Al Shorouk newspaper: **News «in pictures.. The release of Hisham Fouad, Tariq Al-Nahri and Sentawi, in implementation of the presidential pardon.» Published on July 30, 2022.**

those responsible accountable, issuing death sentences without evidence, and criminal trials devoid of guarantees of justice, with the intent of inciting citizens to use force and violence against state institutions to disturb public order and jeopardize the society's peace and its security and damage to national unity and social peace⁴⁴. The prosecution also accused the four individuals of “deliberately broadcasting, at home and abroad, false news and statements about the country's internal situation, by broadcasting posts through the two official accounts of the Egyptian Coordination for Rights and Freedoms” on Facebook and Twitter, and video clips through a channel with the same name on YouTube... This was meant to weaken the prestige of the state and its reputation, disturb public security, sow terror among people, and harm public and national interests.”⁴⁵

The previous accusations clearly illustrate the authorities' vision of human rights work in Egypt, as the actions the Coordination Team is accused of committing are activities at the core of human rights work. Nevertheless, the security services that arrested them, the State Security Prosecution that investigated them, and the court that issued its harsh sentences against them, considered that these activities represent extreme crimes and fall within the scope of terrorist crimes.

Restriction of the right to freedom of movement

The right to freedom of movement, which is one of the basic human rights protected under the International Covenant on Civil and Political Rights, includes the right of any person to leave any country, including his own, without restricting this right except in accordance with certain conditions, the most important of which is stipulating the nature and organization of these restrictions within the law, and that restricting the right to freedom of movement is necessary to protect a more important interest, and it being also the least infringing way of protecting that interest. The Egyptian Constitution protects the right to freedom of movement, as Article 62 of the Egyptian Constitution states: **Freedom of movement, residence, and emigration is guaranteed. In addition, no citizen may be deported from the territory of the state, nor prevented from returning to it. And preventing him from leaving the territory of the state, or imposing house arrest on him, or prohibiting him from residing in a specific place, should only occur by a reasoned judicial order for a specific period, and in the cases indicated in the law.”**

In the years that followed the January revolution, especially in the years 2015-2016, the authorities in Egypt began to use the ban on traveling abroad as a restriction and as a new punishment against human rights defenders, as they banned a number of them according to their accusation in Case 173 of 2011 (the foreign financing case to civil society organizations), a situation that continued to face most of these people during the years of the pandemic, the travel ban here is based on a judicial decision from the investigative authorities. In the years that followed the January revolution, especially in the years 2015-2016, the authorities in Egypt began to use the ban on traveling abroad as a restriction and as a new punishment against human rights defenders, as they banned a number of them according to their accusation in Case 173 of 2011 (the foreign financing case to civil society organizations), a situation that continued to face most of these people

⁴⁴ The Egyptian Initiative for Personal Rights, and other organizations: After referring them to an emergency court: **Ten organizations announce their solidarity with the activists of the Egyptian Coordination for Rights and Freedoms, published on September 9, 2021.**

⁴⁵ Previous Reference.

during the years of the pandemic, the travel ban here is based on a judicial decision from the investigative authorities. and completely confiscating their right to travel.

During the years of the pandemic, the authorities in Egypt continued to restrict freedom of movement in the face of defenders in various forms, including the travel ban, which is based on a decision of the investigative authorities, and the ban (security one), which is not based on any legal basis. And the secondary violations accompanying these two forms, such as forcing them to undergo illegal investigations before the National Security Agency, inside or outside airports.

In February 2022, the feminist advocate Maha tried to travel to an Arab country through Cairo Airport. When entering her personal data on the computer of the airport authorities, the officer who completes the travel procedures for her asked her to wait a bit. A few minutes later, a security man came and took her to an office,

which she later learned was the office of the National Security Agency at the airport. Maha was subjected to unlawful interrogations in front of an officer dressed in civilian clothes, where she was asked to give details about her activism and her work in advocating for women's rights, as well as the number of the case she was previously imprisoned for and the duration of her imprisonment. The officer asked her to wait outside for up to four hours, meaning she missed her flight which had already taken off to her destination. In the end, the officer handed her her passport and told her that she was banned from traveling by a decision of the Public Prosecutor, and refused to provide any additional details or even the number or date of the alleged ban.

Maha then went to the Office of the Public Prosecutor to inquire about the existence of a decision to prevent her from traveling. There, the concerned employee told her that there was no decision to prevent her, but without providing her with any official document stating that.

In August 2022, Maha tried to travel again, and she was stopped again, but she was not presented to the National Security officers this time, as one of the passport officers told her, after two hours of waiting, that there was a travel ban issued by the Public Prosecutor's Office.

Maha went to the Passports, Immigration and Nationality Department at the Ministry of Interior to inquire about her position, and there the concerned employee told her that there was a travel ban issued by Office of the Public Prosecutor. Maha returned to the Public Prosecutor's office again. This time, the concerned employee told her that there was a decision banning her from traveling on the grounds of Case 1338 of 2019 - State Security, for which she was imprisoned. And the employee did not provide her with any official papers proving this.

Maha filed a grievance with the Office of the Public Prosecutor asking for the travel ban imposed on her to be lifted, especially since the majority of the activists accused in this case have not been issued similar decisions. Two months after submitting the application to the competent employee within the Attorney General's office. She received a phone message asking her to save her application without explaining any reasons.

Human rights lawyer Assaad was a victim of the second form of ban, which is based entirely on the intentions of the security services without being bound by any legal or judicial framework. In mid-April 2023, while completing procedures to leave the country, heading to visit an Arab country. He was stopped by an officer of the Passports Authority after entering his data on the travel and arrival system computer. And he was taken by a security officer to the National Security Office in Terminal 2 at Cairo Airport. During that period, Asaad's passport was passed from one security officer to another without being handed over to its owner.

Inside the National Security Agency office, Asaad was presented to an officer, who asked him about his destination, the reason for his travel, and whether he had been previously arrested and

charged in any cases. Asaad told the officer some details about the case in which he was previously accused and which is still open.⁴⁶ Asaad was told to wait for several hours until his plane actually took off. The officer confiscated his passport and told him that there was a problem related to him with the branch of the National Security Agency in his hometown, in the city of (...), and he had to solve it first so that he could travel.

By virtue of his work, Asaad is well aware of the illegality of his travel ban, and the absence of an official decision in this matter, but he did not file a complaint against what happened for the fear of being abused by converting his ban from a (security) ban to a (judicial) one.

Asaad tried to reach a solution to this matter through some mediators from the leaders of the human rights movement or some political movements, but he did not try to file an official complaint due to the fact that the whole incident represented a violation of his constitutional and legal rights.

Sometimes the restriction of the right to travel for defenders takes another form, which is preventing the issuance or renewal of a passport by the Passports and Immigration Authority, which practically means depriving a person of travel completely, without the need to prevent him at airports. The human rights defender, and a master's student at a European university, Nada, was subjected to this "comprehensive" type of travel ban while she was on New Year's vacation in Egypt.

In December 2022, Nada tried to renew her passport, which was about to expire, so that she could return to resume her studies abroad, but she faced a refusal from the authorities without a legal basis to obtain a new passport after those authorities destroyed the old passport as a routine procedure that is taken when requesting a new one. At the beginning, the authorities claimed that there was a similarity

between her name and the name of one of the wanted persons, without providing any information related to that, while continuing to procrastinate for a period of up to three months. In the end, one of the leaders of the Passports and Immigration Department told Nada's lawyer that she had a "problem" with a security entity while refusing to identify this entity or provide additional details.

Nada resorted to negotiation and through her family's network of relations, she succeeded in arranging meetings with some officers of the National Security Agency, who interrogated her about her previous human rights and political activities, and allowed her after a short time to obtain a new passport without any obstacles related to the similarity of names!

Frequently and (normally) Nada is stopped at the airport when completing her travel procedures abroad, as her name is included in the travel and arrival watch lists, although she has not been accused of any case now or previously, which means that following Nada's movement when she travels is entirely illegal, according to what Nada told, and when entering her data on the computer, the officer asked her to wait a bit, after which a security officer took her to the National Security office at the airport, where she was asked about the reasons for her travel and the duration of her return before she was allowed to travel.

Nada has been subjected to this procedure for years, and on one occasion in year 2015, she and other activists were banned from traveling, and the authorities illegally seized their passports.

In her repeated problems with traveling abroad, Nada did not consider resorting to the judicial authorities to get her justice, for fear of retaliation from the security services by turning her illegal travel ban into a (legal) one and obtaining a decision from the Public Prosecution to ban her.

⁴⁶ As a result of his activity in providing legal support in a number of opinion and political issues, and his support for political prisoners. In the years following 2015. The security services arrested Asaad in February 2019, and charged him with joining a terrorist group and possessing leaflets. Asaad was imprisoned on these charges for 6 months before he was released a few weeks before the events of September 2019.

The inclusion of defenders on watch lists for travel and arrival, to track their movements, is an illegal procedure against Egyptian and even non-Egyptian defenders who frequently visit Egypt to carry out human rights activities such as documentation, participation in coordination meetings, etc.

In November 2022, on the sidelines of the climate summit in the Egyptian city of Sharm el-Sheikh, Cairo airport authorities prevented human rights defender Giorgio Caracciolo, deputy director of international programs at the Danish Institute Against Torture (Karama), and a member of the Executive Committee of the Euro-Mediterranean for Rights, from entering Egypt, despite his possession of a valid visa to enter Egypt, and a registered code number that allows him to enter the Green Zone that hosts the Climate Summit in Sharm El-Sheikh. The airport authorities asked Giorgio to leave Egypt on a plane bound for Paris.⁴⁷

Restriction of freedom of movement may take other forms, in the case of Kamal, who was acquitted by the court in the charge of spreading false news, which was brought against him after his arrest in January 2020. Kamal was able to travel without problems several times to different countries, but in early 2023. Kamal was planning to travel to Turkey, and after obtaining a travel visa, he applied to obtain the security permit imposed on Egyptians to travel to Turkey⁴⁸, but his request was never answered. Therefore, Kamal could not travel.

The travel ban also affected a number of released human rights defenders, after varying periods of time in pretrial detention, including the young researchers Ahmed Samir and Patrick George, and the human rights lawyer Mahienour Al-Masry, who was subjected to a long delay in the process of obtaining a passport after her release, but she was banned from travelling in the end, after she succeeded in obtaining a passport. One of the National Security officers told Mahienour verbally that there was a decision banning her from traveling issued by the Attorney General's office.⁴⁹

47 Cairo Institute for Human Rights Studies, and other organizations: **A press release, "The Egyptian authorities prevent a prominent Italian human rights activist from entering Egypt to participate in meetings on the sidelines of the Climate Summit," published on: November 10, 2022.**

48 In December 2014, the Egyptian authorities required males wishing to travel to a number of countries (including Turkey) to obtain a security clearance from the Ministry of the Interior before traveling. By August 2015, the list of countries requiring a security clearance included 16 countries. The decision included both genders: **Males and females between the ages of 18 to 45.**Reference

49 Mada Masr website: News **«Prohibition of human rights activist Mahienour El-Masry from traveling... She was on her way to attend the announcement ceremony of the winner of an international award for which she was nominated. Published on October 15, 2022.**

Siege of male and female defenders and their organizations, and threatening their security:

In various ways, the attempts of the security services continued to stifle and besiege the human rights defense movements in Egypt. This blockade takes various forms, some of which affect entire organizations or several organizations with the aim of paralyzing their ability to move, while others aim to affect the defenders involved in those organizations themselves.

Hassan, a researcher in a prominent Egyptian human rights organization, was summoned by phone in May 2020 for an informal interrogation inside one of the headquarters of the National Security Agency, and there he was subjected to violence because of his work in the organization and his activity in defending human rights. Hassan was asked to continue his work within the organization and to spy on his colleagues and on the organization's activities for the National Security Agency.

“You sure don’t like us coming to your house at night, and you sure love your son and are afraid for him,” said the officer who is in charge of the investigation with Hassan, threatening him if he refuses to cooperate with the agency. Several months after this incident, Hassan was forced to leave the country after he decided to refuse what was asked of him. After Hassan traveled, and when two of his colleagues working in the same organization were subject to similar investigations, the National Security Agency officers tried to obtain information from them about Hassan’s work and his current activities in the country he is in.

Hassan was not the only one who was subjected to such summons and illegal investigations. According to Shaimaa, a lawyer and criminal justice researcher, there are a number of human rights defenders who had to leave Egypt and are currently residing in the same country as her, subjected to similar practices. Before their departure, these people were forced to come

to the headquarters of the National Security Apparatus every two weeks or every month, to be interrogated for hours and asked to reveal new details regarding their work and colleagues... This violation affected people who had not previously been accused of any political cases, forcing them to leave the country. To escape this constant restriction and monitoring, which in itself constitutes abuses that include coercive detention and interrogation.

The blockade also includes obstructing the work and daily activities of defenders. At the end of the year 2020, Maha tried to implement some awareness-raising activities directed at women through the feminist organization she runs, but she was surprised when the management of the training halls she rented to implement the event canceled her reservation a few hours before the start of the event. Personally, Maha knew from the managers of those halls, about security instructions that were issued against holding these events. This was repeated with her in Ismailia and Kafr El-Sheikh governorates.

In May 2022, the guard of the property, in which the headquarters of the organization run by Maha is located, was told that some security men dressed in civilian clothes had come to the property and asked about her, the times of her visits to the headquarters, and whether other people frequented it or not.

Regarding the provision of legal support as a common form of human rights advocacy among human rights defenders, lawyers are exposed to multiple violations that affect their person or their clients’ right to a lawyer and to a fair trial. Sometimes lawyers are prevented from entering the prosecution or trials, or attending court sessions, and at other times they are prevented from seeing the original case papers. Asaad, a human rights lawyer, tells of a verbal quarrel that took place between his colleague’s lawyer in one of the Delta governorates and a police secretary affiliated with the National Security Agency in a public prosecution office, which resulted in the arrest of the lawyer the next day and his inclusion as a suspect in a political case.

Surveillance and threats have extended to

digital spaces, too. Ghada, a human rights defender concerned with women's rights, says. That one of the security personnel contacted her, in the second half of the year 2020, claiming that he was a citizen in need of legal assistance, accusing him of a case of (practicing debauchery) – which is one of the accusations commonly leveled against homosexuals in Egypt – and the matter was not discovered until after Ghada gave this person is already her phone number. As a precautionary measure, Ghada changed her phone number and closed all her social media accounts for a period of more than three months. Ghada says: **“Closing my personal accounts on social media has put me in isolation greater than the general isolation caused by the pandemic.”**

In January 2023, the human rights defender and technical researcher, Jamal, was subjected to continuous attempts to hack his account on WhatsApp application, which is linked to his mobile phone number, where they succeeded in taking over his account temporarily after somehow receiving the verification code, before Jamal could recover it. At the end of March 2023, the attempts were repeated again in the same way for several days, but this time they targeted the Signal application for safe conversations - which is commonly used among defenders in Egypt - in addition to the WhatsApp application. The access of the hacker to the code that activates these two applications means that it has either been able to penetrate the systems of the mobile phone company that provides Jamal with its services, or it is a party that the mobile companies cannot refuse to implement their requests even if they are illegal.

Also, the authorities continued to block hundreds of websites in Egypt, a practice they began resorting to in May 2017. The list of blocked websites included media and press websites, websites that provide virtual private network services, in addition to websites of a number of international and local human

rights organizations, such as the Human Rights Watch, The Arab Network for Human Rights Information, The Egyptian Commission for Rights and Freedoms, Journalists Against Torture Observatory, and Sinai Organization for Human Rights.⁵⁰

In January 2023, hours after the Cairo Institute for Human Rights Studies published a report on the human rights situation in Egypt during the past three years, which they had previously submitted - in conjunction with other organizations - to the United Nations Human Rights Council on the occasion of the 3-year anniversary of the review of the human rights situation in Egypt before the Council itself under the UPR comprehensive periodic review mechanism. The center's website was subjected to an electronic hacking attack with the aim of corrupting the site's storage memory, which prevented users in Egypt from accessing the site for several days. And after handling this matter by the center. The authorities have completely blocked the site in Egypt.⁵¹

The policies of siege, targeting, and repression produced by the authority in Egypt against human rights defenders and their organizations had major impacts on the human rights defense movements in Egypt. The first relates to the transfer of a number of organizations of their activities partially or completely abroad, or to the establishment of new Egyptian human rights organizations - initially - abroad. The growth of the Egyptian human rights movement abroad and its severe contraction in Egypt is a pivotal turning point in the history of defending human rights in Egypt. Among the Egyptian organizations that are currently active abroad are the Cairo Institute for Human Rights Studies, the Egyptian Front for Human Rights, the Egyptian Platform for Human Rights, the Freedom Initiative, the Belady Organization, among others.

50 Association for Freedom of Thought and Expression: **«List of blocked websites in Egypt.» Constantly updated.**

51 Cairo Institute for Human Rights Studies, and other organizations: Statement «Egypt: **The CIHRS website was blocked as a retaliatory measure after it submitted a “deliberate crisis” report to the United Nations. Posted on February 8, 2023.**

The second effect relates to the shrinking presence and activities of human rights organizations and groups operating from within Egypt. The most prominent example here is the Arabic Network for Human Rights Information, which announced on the tenth of January 2022 the cessation of its activities in light of its inability to continue amid these restrictions.⁵² The Busay Feminist Project also announced that it will stop working permanently on the 16th of April 2022. Because of the “collective exhaustion that afflicted the team,” and “the context that created many restrictions on the stage, registration forms, and organizing methods, and created many financial and security challenges.”⁵³ There are other organizations and human rights groups that have contented themselves with announcing their cessation without explaining the reasons, such as the African Feminist Choice Group, which suspended its activities in September 2022. Some other organizations have closed their websites and pages on social media without specifying whether the organization has been closed or not, such as the HRDO Center for Supporting Digital Expression.

The third effect relates to drying up the sources on which the human rights defense movements in Egypt rely to renew their blood, by including new male and female defenders who engage in the activities of these movements, a process that was stalled due to the repression and the long siege of human rights movements, during the years of the pandemic, and those that preceded it. Shaimaa, a lawyer and human rights researcher who lives in the diaspora, believes that **“the dangerous environment in which defenders work and exposes them to security prosecutions, imprisonment, travel bans, exile, and others. Made the number of defenders shrink and decrease in a way that poses a threat to the civil society in Egypt.**

The closure of the public sphere affected the human rights movement’s ability to build new cadres. This is in return for the continuous withdrawal of the cadres already present as a result of the increasing repression.”

Shaima continues, **“Also, the absence of capacity-building programs that were organized by Egyptian human rights organizations, the most important of which is the summer school for human rights education, which was held annually by the Cairo Center until it stopped holding since 2016. This coincided with the complete security control over universities, unions, and student activities, which are an important tributary to the human rights movement in Egypt. Students used to receive training programs on human rights, and some of them got involved in the movement later, but now these groups no longer exist, and the students who occupy these positions do not know anything about the activities of the human rights movement.”**

⁵² The Arabic Network for Human Rights Information: Press release: **“In the absence of the minimum level of legal rule and respect for human rights, the Arabic Network for Human Rights Information decides to stop its activities,”** published on January 10, 2022.

⁵³ The BuSSy Project: **Announcing the final cessation of the BuSSy project,** published on April 16, 2022.

Targeting the families of human rights defenders:

Repression and abuse as a punishment for defending human rights in Egypt is not limited to human rights defenders alone, but sometimes also to their families. In June 2020, security forces raided the homes of relatives of US-based human rights defender Mohamed Soltan. During those raids, which took place in the governorates of Menoufia and Alexandria, the security forces arrested five of his young relatives, and forcibly held them for two days, before bringing them to the Supreme State Security Prosecution, which accused them of spreading false news and joining a terrorist organization. The Public Prosecution decided to detain them for fifteen days pending investigation at the time.⁵⁴ These raids were repeated in February 2021 as security forces also arrested one of his cousins.

The targeting of Sultan's relatives - who holds American citizenship - came after he filed a lawsuit before an American court, against former Egyptian Prime Minister Hazem al-Beblawy - residing in the United States - and others, on the grounds that he was subjected to torture and other violations during his imprisonment in Egyptian prisons, between 2014-2015.

In August 2020, security forces arrested nine family members of US-based human rights defender Sherif Mansour, Middle East and North Africa Program Coordinator for the Committee to Protect Journalists, who is based in Washington. Eight of them were released after being questioned about him and his father, who is also in the United States. However, one of his cousins forcibly disappeared him for 44 days before he was referred to trial on charges of joining a terrorist group.⁵⁵

The last example of targeting the families of defenders concerns the wife of the human rights lawyer, Mohammed Al-Baqer, Mrs. Neama Hisham. Where the security forces arrested her from her home at dawn on the seventeenth of April 2023, and transferred her to an unknown destination, on the grounds of her publishing updates on Twitter and Facebook about the attack by the Badr Prison 1 administration against her husband and his cellmates. This caused him injuries to the mouth, wrist and ribs.⁵⁶ Security forces released Naema after thirteen hours of arbitrary detention.

Targeting the families of defenders represents a gross violation of a number of human rights, such as the right to freedom, physical integrity, fair trials, the principles of personal punishment, and the presumption of innocence. It also represents a different kind of blockade and targeting of defenders themselves, dozens of whom resorted to leaving Egypt and working from abroad to advocate for human rights in Egypt, so the authorities developed new means to remind them that they are still able to reach and harm them by abusing their loved ones.

⁵⁴ Mahmoud Abdel-Zaher, "The Status of Human Rights Defenders in Egypt, Report for the Period from April 2020 – June 2020", HRDO Center for Supporting Digital Expression, 2020.

Not available online.

⁵⁵ Cairo Institute for Human Rights Studies, and other organizations: **Press release «Egypt: Escalating reprisals and arrests against families of critics. Posted on February 19, 2021.**

⁵⁶ The Egyptian Initiative for Personal Rights, and other organizations: A press release, **«After the attack on activists and human rights defenders at the hands of the Badr 1 prison administration, the security forces arrested Mrs. Neama Hisham from her home at dawn today,» published on April 17, 2023.**

CHAPTER THREE:
THE IMPACT OF THE
PANDEMIC ON THE
WORK AND LIVES
OF HUMAN RIGHTS
DEFENDERS

The pandemic temporarily changed the entire nature of human life, and left fewer changes, and may continue with them forever. Human rights defenders in Egypt, like others, have suffered from the various psychological, social and economic consequences of the pandemic. In the previous part, we listed the patterns of violations that occurred to defenders during the years of the pandemic, but in this part we try to explore the direct and indirect impact of the pandemic on the work and life of defenders outside the framework of the violations that usually accompany their involvement in human rights activities.

The impact of the pandemic on the work and activities of human rights defenders:

The general effect that can be linked to the pandemic is the decline in global interest in human rights issues in repressive countries - such as Egypt - in exchange for interest in dealing with the health and economic effects of the pandemic, a situation that was also affected by the consequences of the Russian invasion of Ukraine.

The closure of airports in the first months of the pandemic, and the imposition of a partial curfew in Egypt, also affected opportunities for communication and cooperation between Egyptian defenders themselves and between them and their counterparts abroad. Despite the tendency to rely on the internet to arrange meetings and various events, it does not achieve the same effect that can be achieved through face-to-face meetings.

Apart from the general effects of the pandemic, its effects on the work of each defender we interviewed differed according to the cause in which they are active. Feminist activist Souad says: **“Because of the COVID-19 pandemic, and during the first months in particular, many of the activities that we used to carry out periodically were disrupted, such as training workshops and awareness conferences, due to the danger of gatherings to our health**

and the health of people, and because of the curfew, our ability to reach battered women was negatively affected. This coincided with the slowdown in police action in domestic violence reports, which increased during the pandemic.”

The increase in cases of violence against women within the family is also confirmed by Maha, who runs a feminist organization concerned with providing psychological and legal support services to women subjected to violence. In the first months of the pandemic, the reports she received via her organization’s hotline or via the organization’s Facebook page increased, and in light of the partial curfew in effect in the first months, Maha and her team were unable to provide the necessary support to the victims in most cases, but they resorted to converting psychological support services to be provided via the Internet, and proposing alternative solutions for women that they could resort to in curfew times if they were subjected to violence, such as seeking help from neighbours.

Hassan, who was working as a researcher on the criminal justice file in an Egyptian human rights organization during the first months of the pandemic, talks about a different aspect of the impact of the pandemic on his work, saying: **“My work on criminal justice has been greatly affected. As a result of the blackout and withholding of information related to the conditions of places of detention, which we relied on lawyers and prisoners’ families to obtain through their meetings with prisoners during investigation sessions, or through visits. However, with the onset of the pandemic, visits and sessions stopped for several months.”**

She says in the same context: **“Due to the Corona epidemic and the state of social divergence it imposed, it is no longer possible to carry out field monitoring and documentation operations and interviews, or to communicate with various sources. On the other hand, there was a blackout and withholding of information related to the epidemiological situation and the spread of the new corona virus, which is the information that I needed in my work.”**

The economic effects of the pandemic, the most prominent of which was the loss of jobs or the difficulty of finding work, affected some defenders as well. Asaad, a former lawyer at the Adalah Center for Rights and Freedoms, which suspended its activities after the arrest of its director and founder, lawyer Muhammad Al-Baqer, in September 2019, says: **“I could not join work anywhere for a long time due to the lockdown and working from home, which was followed by all the human rights organizations that are still active in Egypt after the epidemic spread of the Covid-19 pandemic. In addition, most court circuits were canceled for several months, and my ability to work as a freelance lawyer in ordinary cases was affected.”**

Finally, Hassan believes that the pandemic and the process of widespread reliance on the Internet that accompanied it opened new opportunities for the future of human rights advocacy. He says: **“On the other hand, the pandemic created a new opportunity to communicate with people, by relying on the Internet to publish content related to human rights education. Of course, this opportunity existed before the pandemic, but the general trend of digitization during the pandemic contributed to enhancing this opportunity... The pandemic contributed to the emergence and spread of new human rights content, such as the podcast projects that have appeared in recent years.”**

The impact of the pandemic on the physical and psychological safety of defenders:

Defenders share with the rest of humanity the feeling of anxiety and fear as a result of the new unknown danger - at the time - represented by the emerging Corona virus, especially since some of them have already been infected with the Corona virus, which threatened their very lives. They also felt fear for their families and loved ones, like all human beings.

In addition to this general impact on the pandemic, and because of the difference in the lifestyles of defenders, and what was previously mentioned about the state of repression and permanent persecution under which they live, the psychological impact - specifically - of the pandemic differed in many cases among defenders compared to others.

During the first three months of declaring COVID-19 as a global pandemic, most people around the world committed themselves to being in their homes, either in implementation of official decisions to impose a total or partial curfew, or to adhere to social distancing policies. In those times of solitude, many people found support through their personal lives with their family and among their circle of friends.

The matter is different for dozens of Egyptian defenders who live far from their families, either because they are forced to live in exile, to escape oppression in Egypt, or they choose to live away from their families, which may often object to their choices and ideologies. These people usually create an alternative social circle consisting of friends and colleagues. By applying the isolation and distancing policies that we talked about previously, we find that defenders have suffered from “double isolation” during the first months of the pandemic. In many cases, the suffering extended beyond these months, according to the testimonies of defenders whom we met on the occasion of preparing this report.

Shaimaa, a lawyer and researcher living in the diaspora, talks about her suffering during the first months of the pandemic, saying: **“For me, the period of the pandemic was a catastrophic period, the state of double isolation that I experienced, as I spent the first months of the pandemic, which witnessed authorization in country (...) In which I live, due to harsh precautionary measures, including a 14-hour daily curfew, the prohibition of movement between neighborhoods, and the closure of all gathering places. This coincided with my experience of living alone for the first time in my life... I wished to return to Egypt, even if it would land me in prison. Once, as a result of the stress, I collected my bags and took them down the streets, intending to return to Egypt.**

Regarding the effect of this pressure on her ability to resume her work, she says: **“All of this affected my energy and my ability to work, especially as violations increased in Egypt at the time of the pandemic, which required extra efforts from me to follow up with my colleagues in the organization in which I work. I was fighting depression and work pressure.”**

Hassan, a criminal justice researcher who lives abroad, tells of a similar effect, saying: **“Because of the events of September 2019, and the Corona pandemic after that, and then the necessity to travel abroad and continue working on the human rights file in Egypt, I have been working remotely, most of the time from home for a period of about three and a half years. This negatively affected my productivity and effectiveness. And the idea of direct communication with people is no longer very common.**

As for Kamal, he is a researcher concerned with the right to health. The first months of the pandemic coincided with his presence in prison after he was arrested from a street after his phone was searched, and he says: **“I felt a lot of pressure and that I had a responsibility to educate people, especially during the first period I was in prison, because I felt that my place is there, outside, to help them, as some of us are used to. Also, working from home had a negative impact on my focus and productivity, and I was afraid for my family and friends.”**

In general, the male and female defenders we interviewed agreed on the negative psychological impact of the pandemic on them, especially in its early stages. Some of them, like Salma, began to see a psychiatrist for the first time in their lives, and others found it difficult to return to their normal life after the abolition of all restrictions imposed to protect against infection, such as Ghada. Some of them also lost one or more of their family members due to contracting Covid-19 disease, and the accompanying grief and great pain.

CHAPTER FOUR:
HOW DO MALE AND
FEMALE DEFENDERS
VIEW THE NATIONAL
DIALOGUE PROCESS?

At the end of April 2022, the President of the Republic, Abdel Fattah El-Sisi, announced the call for a political dialogue with all political forces in Egypt, without exception or discrimination, to propose solutions to the challenges and problems facing the country, as well as to file the requests of these forces and present them to the President.

On the same occasion, the President also announced the reactivation of the Presidential Pardon Committee, which was formed as one of the recommendations of the National Youth Conference in 2016, provided that it expands its work base in cooperation with the relevant agencies and civil society organizations. The committee included in its new formation,

According to press statements by a member of the Pardon Committee and a member of the House of Representatives, Tariq Al-Khouli, about the criteria by which the committee receives requests for pardon. He says: **“The Presidential Pardon Committee bases its work on two criteria. The first is not belonging to a terrorist organization, and the second criterion is not committing violent crimes and that the prisoner has not been found guilty of incitement or terrorism cases, as well as anyone who has blood on his hands and is involved in carrying arms against the state, which is what the committee focuses on and relies on in its work mainly.”**⁵⁷

During the period following the formation of the Pardon Committee, and intermittently the Committee announces that it has mediated the release of varying numbers of prisoners who meet its criteria. These lists usually include persons in remand detention along with others who have been convicted with final rulings, after issuing republican decisions pardoning them, as the President of the Republic has the power to pardon penalties in various crimes after a final ruling is issued, and other means of appeal are exhausted.

It is possible to link the national dialogue process, which was launched in early May 2023, after a full year of preparations and technical arrangements. With other steps taken by the authority lately to improve its image, such as the launch of the National Strategy for Human Rights in September 2021. Although a year and a half had passed since its launch, the human rights situation in Egypt has not witnessed significant improvement, even in regard to the goals that have already been included in the national strategy, such as dealing with the misuse of pretrial detention in a way that makes it a punishment in itself, and dealing with legislative texts that legalize some forms of crimes of violence against women, and others.

(All) the defenders we interviewed agreed on doubting the seriousness of the national dialogue process and the existence of a real desire for reform in the political system in Egypt. Hasan, a criminal justice researcher, says: **There should be certain foundations for dialogue... It can't be that he is holding the stick and beating me, then he tells me that I will leave the stick and say what you want, and then you are expressing, he beats you again... This is not a normal mechanism for dialogue.**

In the same context, a number of defenders we interviewed cited that the number of people arrested in political cases during the period following the start of the national dialogue procedures and the formation of the Amnesty Committee far exceeds the number of those who have been released. Others cited the lack of seriousness of the national dialogue, as government satellite channels cut out and deleted parts of the interventions of certain opposition figures participating in it.

According to the statistics of the Egyptian Front for Human Rights, an Egyptian human rights organization operating from abroad, the period from the end of April 2022 to June 12, 2023 (the period of reactivation of the Presidential Pardon Committee) witnessed the arrest of more than

57 Sky News Arabia website: [Report «Presidential Amnesty in Egypt... Announcing its terms and time limit», published on: May 22, 2022.](#)

3,666 suspects in state security cases (cases of a political nature), in addition to the renewal of the imprisonment of thousands in similar cases, in exchange for the release of about 1,151 persons imprisoned on the background of cases of the same category, according to decisions of the courts or the prosecution, or the issuance of presidential pardons for those against whom final judgments have been issued.⁵⁸

Some of the defenders we interviewed considered that the call for the national dialogue process, and before that the launch of the National Strategy for Human Rights, are nothing but attempts by the authority to gain time, improve its image before the international community, to pass the approval of some foreign loans, and to ease external pressures, especially in light of the economic crisis that Egypt is currently experiencing.

About the work of the Amnesty Committee, Salma, a master's researcher and human rights advocate, says: "I do not see the point of the national dialogue or those who are hopeful about it, especially since the numbers released during the dialogue process do not match the number of people who are in prisons for political reasons, and which are tens of thousands. **At the same time that the dialogue is taking place, we have cases of arrests of activists, human rights activists, and journalists, and we have the arrest and disappearance of a former student activist for more than 15 days without clear information about his whereabouts, and therefore there is no real intention of the regime to engage in dialogue and hear a different voice in the conversation.**

⁵⁸ An update published by the Egyptian Front for Human Rights on its official Twitter account:

CONCLUSION AND RECOMMENDATIONS

This report attempts to provide an accurate picture of the conditions of human rights defenders during the past three years and the impact of the introduction of a new variable in the political, economic and social context in Egypt, which is the Covid-19 pandemic, which has contributed - as we have discussed - to the deepening of violations against defenders in Egypt. In the following points, we offer a set of recommendations that help improve the conditions of defenders in Egypt, and their recovery from the effects of the general repression they are exposed to, and the repression that was linked to the pandemic. These recommendations can be summarized in:

Amending legislative texts that detract from the basic rights and freedoms of citizens, and ensure that these legislations adhere to international human rights standards, especially the emergency law, the law regulating civil work, anti-terrorism laws, the law regulating the right to demonstrate, and the law on information technology crimes.

Ending prolonged pretrial detention, and immediately releasing all human rights defenders in prisons, especially those who have exceeded the two-year period.

Settling prosecutions of human rights defenders and their organizations, especially Case No. 173 of 2011. And the consequent lifting of the travel ban and the freezing of funds.

Ceasing the application of the policy of collective monitoring of defenders and their activities, and reject the security blockade on the activities of defenders in the public sphere. And respecting their constitutional right to freedom of movement.

Allowing the safe return of defenders who are in the countries of exile, while providing sufficient guarantees that they will not be pursued or retaliated against.

Starting a comprehensive accountability process for all those involved within the state authorities in fabricating accusations, torturing and forcibly disappearing defenders, among other violations.