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Egypt: Civil society faces existential threat

In recent months, civil society in Egypt has faced unprecedented attacks by the authorities, who are attempting to crush them. Many people working with non-governmental organisations (NGOs) have been detained and ill-treated, charged with offences under the draconian Counter-terrorism law, or subject to a judicial request to ban them from travel and freeze their assets. The undersigned 11 international non-governmental organizations urge the Egyptian authorities to end such attacks against human rights defenders and uphold their obligations under international and Egyptian law, and to respect the right of human rights defenders, individually and in association with others, to work for the protection and realization of human rights.

The international community must also demand an end to these grave violations against human rights defenders, both individuals and independent human rights groups, in Egypt, and ensure that their human rights and fundamental freedoms are respected. Individuals and independent human rights groups must be able to work freely, without intimidation, harassment or hindrance from the authorities simply for doing their human rights work.

“For years we have had shrinking space for civil society in Egypt but the space is now closing completely,” says Mozn Hassan, director of Nazra for Feminist Studies. Hassan is the leader of one of several prominent Egyptian civil society organizations whose funding and registration are being investigated by the authorities in Case 173 of 2011, referred to by the media as the “foreign funding case.” Under Article 78 of the penal code, individuals may face a 25-year prison sentence and a 500,000 Egyptian pound fine (US\$56,300) for receiving money or material for acts that would harm Egypt’s “national interest, undermine the country’s “territorial integrity” or disturb “the public peace.” Egypt’s laws restricting foreign funding have been repeatedly criticised by UN bodies monitoring Egypt’s compliance with international human rights treaties. The right to freedom of association is established under Article 75 of Egypt’s constitution, passed in 2014, and Article 22 of the International Covenant of Civil and Political Rights, to which Egypt is a state party.

Staff from groups, including the Arabic Network for Human Rights Information (ANHRI), Cairo Institute for Human Rights Studies (CIHRS), Nazra for Feminist Studies and [Andalus](#) Institute for Tolerance and Anti-Violence Studies, have been summoned for investigation. Judges investigating the case have ordered asset freezes against directors or founders of CIHRS, Egyptian Initiative for Personal Rights (EIPR), ANHRI, the Hisham Mubarak Law Center, and the Egyptian Center for the Right to Education, and the Andalus Institute and also against the Andalus Institute as an [organisation](#). These orders are currently

under review by criminal courts. A judicial committee has imposed a gag order on the press, prohibiting media outlets from publishing anything on the case other than statements issued by the presiding judges until the investigations are complete.

Leaders of Egyptian civil society organizations, such as Mohammed Zaree, director of the CIHRS office in Cairo, Mohamed Lotfy, director of the Egyptian Commission for Rights and Freedoms (ECRF), Gamal Eid, director of ANHRI, and investigative journalist Hossam Bahgat, who founded the EIPR, have been banned from travelling outside Egypt, while several employees of Egyptian groups have been detained. Since February, the Egyptian authorities have repeatedly tried to shut down El Nadeem Center for Rehabilitation of Torture Victims after the government ordered its closure.

“The current situation is terrible and more dangerous than ever for Egyptian civil society. Several of our projects to improve women’s rights were stopped by the Ministry of Social Solidarity with the excuse of security concerns but no reasons for the security concerns are given. The Egyptian courts, police and military are all working together against civil society and the Egyptian Constitution,” says Azza Soliman, Chair of the Center for Egyptian Women’s Legal Assistance.

In the early hours of 25 April, ahead of planned protests that day, the co-founder of ECRF, Ahmed Abdullah, was arrested from his home by security forces and subjected to ill-treatment. According to Amnesty International, who spoke with his representatives, an arresting officer struck him repeatedly on the head using the butt of his gun. On 5 May, lawyer Malek Adly from the Egyptian Center for Economic and Social Rights was arrested and has since suffered ill-treatment in Tora Prison, where authorities have held him in isolation and temporarily refused to allow his family to deliver him food and medicine. On 19 May, minority rights expert Mina Thabet from ECRF was also arrested from his home and ill-treated by security officers, who beat him and cursed his family. Thabet and Abdullah are being investigated on accusations of violating Egypt’s Counter-Terrorism Law (Law 94 of 2015) and Protest Law (Law 107 of 2013).

The Counter-Terrorism Law, passed by presidential decree in August 2015, contains a vague and overly broad definition of “terrorist act” that can be used to effectively criminalize freedom of expression, peaceful assembly and association. The Protest Law, signed into law by former President Adly Mansour, gives security forces sweeping powers to disperse demonstrations, which have not been approved by the authorities.

These measures come as the Egyptian government closes down almost all spaces for civic participation in the country, imposing harsh restrictions on the right to peaceful assembly and freedom of expression, as well as on the work of lawyers, journalists, academics, student unions, trade unions and others. According to the Front of Defence for Egyptian Protestors, police arrested 1,277 people between 15 and 27 April in relation to protests regarding the Egyptian government’s transfer of two Red Sea islands to Saudi Arabia. More than 600 faced trial for breaches of the Protest Law, and on 14 May, 152 were given prison sentences of between two and five years. Forty seven of those sentences were later reduced to fines of 100,000 pounds (US\$11,270) each, and the rest remain on appeal.

On 7 May, a court announced it intended to sentence two Al-Jazeera journalists [to death](#) in

their absence on espionage charges. The judgement will either be approved or reduced in June after consultations with Egypt's mufti, the highest Sunni religious leader in the country, whose opinion is not binding. On 23 May French journalist Remy Pigaglio was [denied entry](#) without any explanation. According to the ECRF, in the eight months between August 2015 and March 2016 at least 540 people were forcibly disappeared, many of them subjected to torture and other ill-treatment.

The international community must not overlook the serious violations of rights in Egypt while it engages in political and security cooperation that assists the Egyptian government in its crackdown. Long-term stability in Egypt can only be achieved through rule of law, respect for human rights and freedoms, and independence of the judiciary. There are few chances left to save Egyptian civil society from being completely crushed. "The aim of the government with the foreign funding case is not only to eliminate civil society today but to make sure that we will not be able to build up even ten years from now" Mohamed Zaree, director of the CIHRS office in Cairo, says.

The undersigned organisations urge the Egyptian authorities to immediately take the following steps to address the severe violations against human rights defenders:

- Abide by their own pledges made in March 2015 at the conclusion of Egypt's Universal Periodic Review before the United Nations Human Rights Council to "respect the free exercise of the associations defending human rights," and comply with their obligations under Article 75 of the 2014 Constitution, which protects civil society organizations from interference by the government.
- Close the politically-motivated Case 173 of 2011, known as the "foreign funding case," and withdraw all measures of harassment and intimidation of human rights defenders taken with reference to that case, including travel bans, the asset freeze order and trumped-up tax investigations.
- Amend penal code Article 78, which in very broad terms penalises the receipt of foreign funding without government approval and imposes a penalty of up to life imprisonment, which in practice in Egypt is 25 years, in addition to a 500,000 Egyptian pound fine (US\$56,300).
- Cease all additional forms of legal and other harassment of human rights defenders.
- Repeal the Protest Law (Law 107 of 2013), which severely restricts the right to peaceful assembly, or amend it in order to bring it in line with international human rights law and the Egyptian constitution.
- Repeal the Counter-Terrorism Law (Law 94 of 2015), which effectively criminalizes freedom of expression, association and assembly, or amend it substantially to bring it in line with international human rights law and standards.
- Immediately release all individuals imprisoned solely for the peaceful exercise of their rights to freedom of expression, association and assembly; drop the charges against them and ensure that any who have been convicted have their convictions

quashed.

Signed by:

1. **Amnesty International**
2. **CIVICUS: World Alliance for Citizen Participation**
3. **EuroMed Rights**
4. **FIDH, in the framework of the Observatory for the Protection of Human Rights Defenders**
5. **Front Line Defenders**
6. **Human Rights Watch**
7. **IFEX**
8. **International Commission of Jurists**
9. **International Service for Human Rights**
10. **People in Need (Člověk v tísni, o. p. s.)**
11. **World Organisation Against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders**