

3D&reserved=0) under former President Hosni Mubarak’s rule , where the police ignored court decisions ordering the release of detainees by simply re-detaining them under the Emergency Law, which allowed people to be administratively detained indefinitely without charge or trial. The article that allowed administrative detention in the Emergency law was struck down by the Supreme Constitutional Court in June 2013.

The SSSP is now seeking to replicate administrative detention by detaining individuals for months and sometimes years without trial or formal charges, solely based on secret investigations that neither lawyers nor defendants are allowed to examine. After initial questioning in the first week, detainees are rarely if ever questioned again during their months or years of pre-trial detention, which has transformed pre-trial detention to a punishment in itself.

“The Egyptian authorities are reviving Mubarak-era tactics of repression including prolonged pre-trial detention to silence peaceful activists, journalists and punish people for their political affiliations by detaining them indefinitely as part of their bid to crush dissent under the guise of combatting ‘terrorism’,” said Najia Bounaim.

In one of the most recent cases documented, instead of complying with a court order to release Ola al-Qardawi, daughter of the cleric Youssef al-Qardawi, on 3 July 2019, the SSSP ordered her detention in another unfounded case a day later. She was re-detained for “membership of a terrorist group” and “funding a terrorist group through her connections in the place of detention”, despite the fact she had been in solitary confinement all the time that she was detained. She had been arbitrarily detained since 30 June 2017, along with her husband Hossam Khalaf, on trumped up charges including being a member of and financially supporting a “terrorist group”. Since then, she had been detained in prolonged solitary confinement (<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.amnesty.org%2Fdownload%2FDocuments%2FMDE1282572018ENGLISH.PDF&data=02%7C01%7Csara.hashash%40amnesty.org%7C0f88a71875e84167711a08d7054c9c8f%7Cc2dbf829378d44c1b47a1c043924ddf3%7C0%7C1%7C636983698910803547&sdata=p36JWDb0HPXIhtzw3J12ihk%2FXmHsoQLRFrhDDTSpcSs%3D&reserved=0>) in conditions amounting to torture. Amnesty International believes her detention is arbitrary and that she is being targeted because of her father’s connections to the Muslim Brotherhood. Ola al-Qardawi began a hunger strike in protest at her treatment after she was returned to solitary confinement last week.

[SOURCE] [SOURCE] [IMG | SOURCE: | ALT: Ola al-Qardawi, daughter of Egyptian cleric Youssef al-Qardawi, was re-detained on 4 July 2019] [IMG | SOURCE: https://www.amnesty.org/remote.axd/aieupstrmediaprd.blob.core.windows.net/media/21295/ola-photo.jpg?center=0.5%2c0.5&preset=proportional_639 | ALT: Ola al-Qardawi, daughter of Egyptian cleric Youssef al-Qardawi, was re-detained on 4 July 2019] [IMG | SOURCE: https://www.amnesty.org/remote.axd/aieupstrmediaprd.blob.core.windows.net/media/21295/ola-photo.jpg?center=0.5%2c0.5&preset=proportional_639 | ALT: Ola al-Qardawi, daughter of Egyptian cleric Youssef al-Qardawi, was re-detained on 4 July 2019]

Ola al-Qardawi was re-detained on 4 July 2019 ©Private

Another prominent case is that of the Al Jazeera producer Mahmoud Hussein, who has been arbitrarily detained since 23 December 2016 in connection with his journalistic work. The SSSP charged him with “membership in a terrorist organization”, “receiving foreign funding” and “publishing false information” in a hearing without a lawyer and ordered his pre-trial detention pending investigations. Throughout his detention for two and a half years he was only questioned once upon his arrest. On 21 May 2019 a judge finally ordered his release on probation and the decision was upheld two days later. The authorities moved him to Abu el-Nomrs police station in Giza governorate in preparation for his release. However, on 28 May the SSSP decided instead to charge him with “membership of a banned organization”, “receiving foreign funding” and “working

for international organizations” for a second time, again in the absence of his lawyer and ordered his detention again. Mahmoud’s detention had already surpassed the two- year maximum term for pre-trial detention under Egyptian law.

[SOURCE] [SOURCE] [IMG | SOURCE: | ALT: Mahmoud Hussein, Al Jazeera journalist detained in Egypt since December 2016] [IMG | SOURCE: https://www.amnesty.org/remote.axd/aieupstrmediaprd.blob.core.windows.net/media/21296/whatsapp-image-2019-07-10-at-14903-pm.jpeg?center=0.5%2c0.5&preset=proportional_639 | ALT: Mahmoud Hussein, Al Jazeera journalist detained in Egypt since December 2016] [IMG | SOURCE: https://www.amnesty.org/remote.axd/aieupstrmediaprd.blob.core.windows.net/media/21296/whatsapp-image-2019-07-10-at-14903-pm.jpeg?center=0.5%2c0.5&preset=proportional_639 | ALT: Mahmoud Hussein, Al Jazeera journalist detained in Egypt since December 2016] Mahmoud Hussein, Al Jazeera journalist detained in connection with his journalistic work in 2016 ©Private

Others targeted include Somia Nassef and Marwa Madbouly who were arbitrarily arrested (<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.amnesty.org%2Fen%2Flatest%2Fnews%2F2018%2F11%2Fegypt-at-least-19-arrested-in-alarming-escalation-of-crackdown-on-human-rights-workers%2F&data=02%7C01%7Csara.hashash%40amnesty.org%7C0f88a71875e84167711a08d7054c9c8f%7Cc2dbf829378d44c1b47a1c043924ddf3%7C0%7C1%7C636983698910803547&sdata=JY7PKygg3rb13Qii5eQFPIFRVcXlxX1A2RpB3%2B6gER8%3D&reserved=0>) in connection with their peaceful activism on 31 October 2018, as part of a crackdown on human rights activists. They were subjected to enforced disappearances for three weeks and, during that time, they were tortured, including through beatings and electric shocks.

They then appeared before the SSSP and were detained pending investigation for “membership in a terrorist group” and “receiving foreign funding” before being held incommunicado in the NSA building in Abbassiya for two months. They were then transferred to Qanatar women prison in January 2019. A judge ordered their release on probation on 25 May 2019 and the decision was upheld three days later, however the SSSP decided to charge them with “membership of a terrorist group” and “receiving foreign funding” in the same case with Ola al-Qardawi and re-ordered their detention.

“Instead of arbitrarily detaining them on baseless charges, the Egyptian authorities must immediately and unconditionally release Ola al-Qardawi, Mahmoud Hussein, Somia Nassef and Marwa Madbouly and all others detained solely for exercising their right to freedom of expression, association and assembly,” said Najia Bounaim.

“Pending their release, the authorities should ensure that they are detained in lawful conditions including being released from solitary confinement and granted access to their family, lawyers and any necessary medical care.”

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ecoi.net summary:

Article on authorities' practice of re-imprisoning formerly arbitrarily detained individuals (case examples)



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