

ABUSE OF COUNTER-TERRORISM LEGISLATIVE FRAMEWORK TO RESTRICT CIVIC SPACE

EGYPT

The counter-terrorism legislative framework has provided a malleable and expansive legal framework for the government to justify an extensive crackdown on peaceful dissent, targeting its non-violent critics, and erasing basic rights and fundamental freedoms.

HISTORY

1981

Assassination of Anwar al-Sadat by the Egyptian Islamic Jihad.

Misuse of security provisions worsens in the name of fighting terrorism, until its official legitimization after 9/11.

2001

2013

Arab Spring and military coup, which relies on a strong counter-terrorism narrative and new waves of arrests.

2015

Adoption of the Anti-Terrorism law. A vague definition of terrorism allows Egyptian leaders to silence any form of dissent, violent or not.

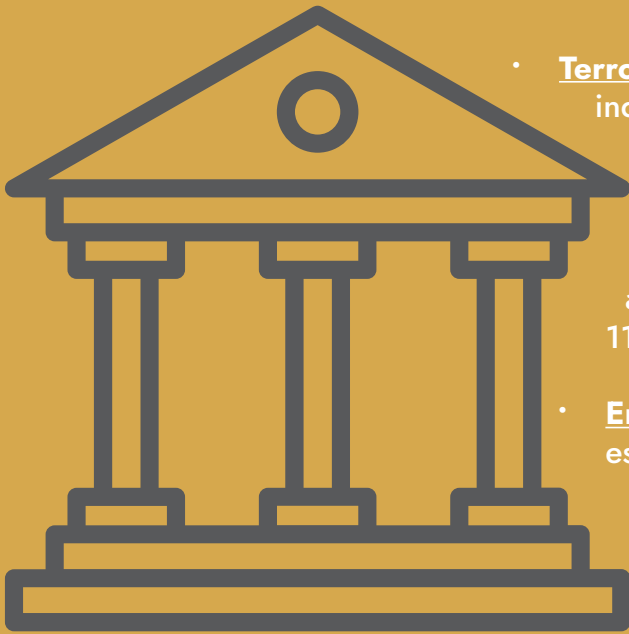
2023

EU and Member States express deep concerns about the situation, while recognising Egypt as an ally in the fight against terrorism, regardless its human rights violations. The EU-Egypt co-chairing of the Global Counter-terrorism Forum is a good example of this attitude.



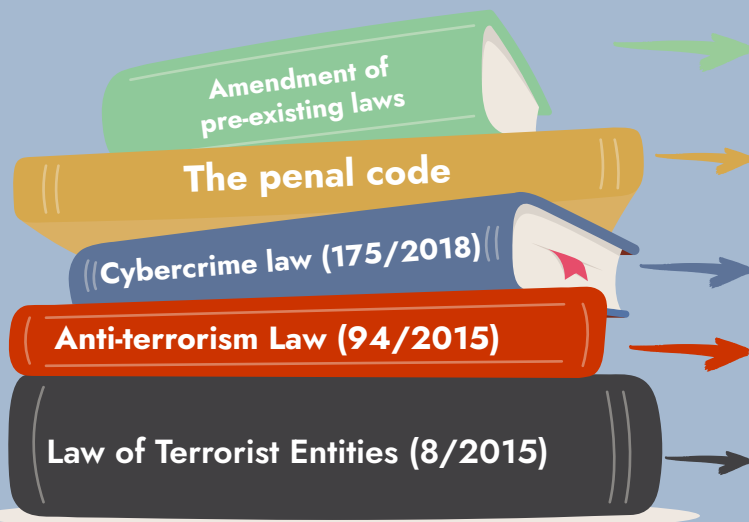
Egypt's legal framework and practices have criminalized the lawful and legitimate exercise of fundamental rights and freedoms, notably freedoms of expression and association, and hindered the work of independent NGOs.

INSTITUTIONS ESTABLISHED TO CONTROL AND RESTRICT CIVIL SPACE



- **Terrorism Circuits Courts (TCCs):** target and prosecute non-violent individuals, such as HRDs, without any guarantee of fair trial rights.
- **State Security Prosecution (SSP):** special branch of the Public Prosecution which has more powers in deciding on the detention of suspects (over 700 citizens charged with terrorism affiliation for allegedly calling to participate in demonstrations on 11 November 2022, which never took place).
- **Emergency State Security Courts (ESSC):** special courts established by the Egyptian Emergency Law, which infringe multiple fair trial rights and guarantees, and breach the independence and impartiality of the judiciary, as the President is entitled to appoint its members.

EGYPT COUNTER-TERRORISM LEGISLATIVE FRAMEWORK



To criminalise the work of CSOs and civic space (e.g. law on Military Courts, NGO law regulations, law controlling the media and cybercrime laws).

Contains broad provisions affecting freedom of expression, assembly, association, and access to funding for Egyptian NGOs.

Widely restricts freedom of expression, to the point that Tik Tok content creators face terrorism-related charges for "misusing social media and spreading false news".

Expands the scope of "terrorist" acts (including infringing "public order" or "society's safety"), subjecting non-violent citizens, journalists and HRDs to prosecution under terrorism legislation.

Allows prosecutors to request criminal courts to add individuals, companies, unions, associations, and organisations or other entities of equivalence to terrorist lists, without trial, for more than three years and subject them to restrictions including asset freeze and travel ban.

COMMON PRACTICES



Burdensome registration procedure for CSOs

Registering in Egypt requires authorities' approval and exposes CSOs to heavy surveillance and restrictive measures, including forced disclosure of financial information (then used as evidence for prosecution), possibly heavy fines and sentence to prison if they fail paying.



Judicial and extra-legal harassment by security authorities

Including widespread use of pre-trial detention, arbitrary arrest, torture, closure and asset seize, violation of fair trial principles with no possibility for appeal.



Online surveillance and restriction of online space

Including website blockage, unauthorized collection of personal data and stopping ordinary citizens in the street to check their social media posts in moments of political turmoil and tension.



Exploitation of Egypt's role on the international stage

To present itself as an indispensable ally in the fight against terrorism in multilateral fora (UNOCT), and to secure partnership with key actors (EU-Egypt co-chairmanship of the GCTF), while shifting the counter-terrorism narrative away from the UN counter-terrorism strategy, weakening language on States' human rights obligations towards counter-terrorism.