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Protest against the Detention and Mistreatment of Ahmed Samir Santawy in Egypt

We protest against the arrest of Ahmed Samir Santawy. Ahmed is a second-year student in the MA Sociology/Social Anthropology program at the Central European University (CEU) in Vienna. His research focuses on women's rights, including the history of reproductive rights in Egypt.

Since Ahmed started studying at CEU in September 2019, initially in Budapest, Hungary, Egyptian security officers have questioned him each time on arrival at and departure from the Cairo International Airport about the reasons for his trips abroad and the nature of his studies. Upon his last arrival, on 15 December 2020 at Sharm El Sheikh International Airport, Ahmed was interrogated by state security officers, but was allowed entry.

However, according to a complaint submitted by Ahmed's family to the Public Prosecutor, and reviewed by Amnesty International, as well as information collected from other informed sources, on 23 January, seven masked and armed policemen raided Ahmed's family home, when he was not there. They did not present an arrest or search warrant, confiscated a digital recorder from the house's CCTV cameras, and instructed for Ahmed to present himself to

the National Security Agency (NSA), without providing any reasons. While there was no warrant to justify this request Ahmed went to the NSA office at a police station in New Cairo on 30 January. There, he was told to return on another day. He did as instructed on 1 February and was arrested. At this point, however, his family and friends lost contact with him. The authorities denied that he was being detained. After having no contact with him for over seventy-two hours, his family contacted the Attorney General's office demanding his release.

On 3 February, Ahmed was transferred to another police station in New Cairo. On 4 February, security forces moved him to an unknown detention location, where he was held before appearing at the offices of the Supreme State Security Prosecution (SSSP) on 6 February. Only at this time, his family and lawyers got information about his exact fate and whereabouts.

During the interrogation, his lawyers learned that he had been subjected to torture — he was slapped in the face and kicked many times — during his incommunicado detention — to force him to confess to acts of which he was not guilty. At this 6 February session, the SSSP denied Ahmed and his lawyers the right to investigate these abuses and ordered his detention for fifteen days pending further investigation of his case (No. 65 of 2021) with charges that include "joining a terrorist group with prior knowledge of its objectives, broadcasting false news aimed at disrupting security and public order, and using an account on Facebook for the purpose of spreading false news." The SSSP prosecutor questioned Ahmed about his studies and academic background, including his research findings in relation to Islam and abortion. The prosecutor also explicitly asked him about what questions NSA officers directed at him during their interrogations. Ahmed said that NSA officers questioned him about his studies as

well as his alleged involvement in a Facebook page titled, "25 January Revolutionaries", critical of the authorities' human rights record, which he denied. The prosecutor also asked him about a Facebook post regarding a detained journalist being subjected to beatings, but Ahmed denied being the owner of the account. His lawyers' request to refer him to the Forensic Medical Authority for examination of the injuries sustained during his detention by the NSA was not granted.

On 17 February, Santawy's pretrial detention was renewed for fifteen days. He was not transferred from his prison cell nor brought before a prosecutor or judge for a renewal hearing, which constitutes a serious due process violation.

On 23 February, a further hearing at SSSP took place in order to "continue investigations". The SSSP charged Ahmed with an additional charge of "funding a terrorist organization". Ahmed reported that he has been held in solitary confinement since he was transferred to Liman Torah Prison on 6 February. He furthermore reported to the Prosecutor that it is extremely cold in his cell and that he does not have any winter clothes. He had been unable to communicate with his family since he was arrested on 1 February. The family tried to transfer money to Ahmed so he can buy food from the prison canteen but the prison did not allow this even though prison regulations stipulate that detainees should be allowed access to money and visits after 11 days of detention.

During all these procedures, authorities flouted the limited guarantees stipulated in Egyptian law, as well as their obligations under international law. Article 54 of the Egyptian Constitution states that: "Every person whose freedom is restricted shall be immediately notified of the reasons ... shall be immediately enabled to contact his/her relatives and lawyer; and shall be brought before

the investigation authority within 24 hours as of the time of restricting his/her freedom". Although article 40 of Law No. 94/2015 on counter-terrorism allows the prosecution or another "investigative authority" to order the detention of suspects in terrorism cases for up to 14 days, renewable once, without being questioned by a prosecutor or judge, suspects have the right to be informed of the reasons for their arrest and to contact their families and lawyers (article 41). Further, the law stipulates for suspects to be held in official places of detention. Under articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a state party, no one shall be arbitrarily detained; everyone arrested has the right to be informed of the reasons of their arrest and must be brought in front of a judge promptly and be allowed to challenge the legality of their detention. The UN Working Group on Arbitrary Detention has found that detention can be arbitrary even when allowed by domestic law if it contravenes international standards or is incompatible with other human rights such as the rights to freedom of expression, assembly or belief. The prohibition of torture and other ill-treatment is absolute under the ICCPR and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, to which Egypt is also a state party.

Ahmed's detention also forms a violation of the 2014 Egyptian Constitution's Article 65, which guarantees freedom of speech and freedom in all means of expression and publications, and of Article 23, which provides for the freedom of scientific research.

In the recent years, thousands of real or perceived political opponents have been arrested and kept in prolonged pre-trial detention by orders of the SSSP pending investigations into unfounded terrorism-related and other charges, sometimes for

periods exceeding the absolute legal maximum limit of two years for pre-trial detention. Those targeted include human rights defenders, activists, lawyers, politicians, protesters, journalists, medical workers and academics. Proceedings against them are generally based on secret police investigations, inaccessible to defendants and their lawyers, and sometimes supported by social media posts deemed to be critical of the authorities. Similar cases of arrests, detention, torture, and, in the tragic and dreadful case of Giulio Regeni, death at the hands of state security forces have been reported before.In February 2020, security forces arrested Patrick Zaki George, a gender researcher and master's student in Bologna, Italy, upon his arrival to Cairo International Airport. He remains detained pending investigations by the SSSP over similar terrorism-related charges. Furthermore, reports by credible international human rights and jurists' organizations in the last few years have warned that the Egyptian Judiciary has been steadily losing its credibility due to the pressure of the security apparatus and the continuous denial of proper right of defense and fair trials in general.

We demand an end to the ongoing attacks on academic freedom and freedom of speech, the repeated violations of due process, and the abuses of the independence of the judiciary in Egypt. Above all, we demand to release Ahmed Samir Santawy from detention without delay, drop all charges against him, and allow him to return to his studies and work.

Sign the petition:
https://docs.google.com/document/d/1S0CF7zx-zfkRouE9nyQw4ngmq6lhIRg4UBPS_jpEocg/edit

Sources:

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https://mesana.org/advocacy/committee-on-academic-freedom/2021/02/22/letter-protesting-the-detention-and-mistreatment-of-egyptian-national-ahmed-samir-santawy?fbclid=IwAR1zFgL0jmO4pDC3O8d7Yk8wngp2-1bINf15TfuIlJQMs8CQJtxflOBF

https://www.facebook.com/FreeAhmedSamir

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