

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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EGYPT: AUTHORITIES MUST IMMEDIATELY AND UNCONDITIONALLY RELEASE BDS COORDINATOR RAMY SHAATH

The Egyptian authorities must immediately and unconditionally release Egyptian-Palestinian national, Ramy Shaath, coordinator of the Boycott, Divestment and Sanctions (BDS) movement in Egypt, Amnesty International said today.

Amnesty International considers Ramy Shaath to be a prisoner of conscience, as his detention stems solely from the peaceful exercise of his right to freedom of expression and his right to participate in public affairs. Pending his release, he must be granted access to his lawyers and his detention must be in line with the Standard Minimum Rules for the Treatment of Prisoners. Amnesty International is also calling on the Egyptian authorities to investigate the denial of consular assistance to Ramy Shaath's wife, Céline Lebrun Shaath, a French national, and her subsequent unlawful expulsion from Egypt, and to provide effective remedies.

Ramy Shaath has been in pre-trial detention since 5 July 2019 pending investigations into an unfounded charge of "aiding a terrorist group in achieving its objectives". His detention was most recently renewed on 27 August 2019 for 15 days.

His family launched a campaign on 21 August 2019 calling for his release.

ARBITRARY ARREST AND ENFORCED DISAPPEARANCE

According to Ramy Shaath's family, on 5 July 2019 at approximately 12:45am, at least a dozen of heavily armed policemen stormed his house in Cairo, without identifying themselves or presenting an arrest warrant. Police officers then started to search his house and seized computers, hard drives and mobile phones. They arrested both Ramy Shaath and Céline, a history teacher and community organizer, who was subsequently subjected to an unlawful deportation, despite living in Egypt since March 2012.

In the meantime, security forces transferred Ramy Shaath to an undisclosed location, and concealed his whereabouts for about 36 hours. When his family and lawyers reported his disappearance to the Qasr el-Nil police station, in Downtown Cairo, police officers denied that he was in their custody. Later, the family was informed by a lawyer that Ramy Shaath appeared before a prosecutor at the Supreme State Security Prosecution (SSSP) in New Cairo. He was not allowed to call his family or legal counsel and was represented during the interrogation session by a lawyer who happened to be present in the building at the time.

According to the family, the prosecutor informed Ramy that he is accused of "aiding a terrorist group in achieving its goals". However, he only questioned Ramy about the nature of his political activities in Egypt and did not produce any evidence against him, but instead relied on a secret file gathered by the National Investigation Agency (NSA), despite a 2015 decision by one of Egypt's top courts, the Court of Cassation, which ruled that NSA investigations do not constitute evidence on their own. Further, the prosecutor has not allowed Ramy or his lawyers to examine the NSA investigation file.

Ramy Shaath is currently detained pending investigations as part of a case known as "Hope cell", which involves at least 105 individuals, many of whom are also detained. According to the authorities, the investigations in the case relate to a "plot by civil activists in cooperation with the Muslim Brotherhood to undermine the state". The case includes people from extremely diverse political backgrounds, who are not connected to one another. Amongst them are at least 15 politicians, students, journalists and a labour rights activist who are arbitrarily detained over unfounded charges that relate to their legitimate political activities, human rights work, and the peaceful expression of their opinions.

On 6 July, the prosecutor ordered Ramy Shaath's detention for 15 days pending investigations and has been renewing it every 15 days since then in automatic renewal hearings. Under Egypt's Code of Criminal procedures and the 2015

counter-terrorism law, prosecutors can issue pre-trial detention orders against individuals accused in “terrorism-related” cases for up to 150 days, without referring them to a judge.

POOR DETENTION CONDITIONS

Ramy Shaath is currently held in Tora prison in the south of Cairo. According to his family, during the first month of his detention, he was kept in an overcrowded room measuring about 30 meters, together with about 30 other detainees. He did not have sufficient space to lie down and was not allowed any outdoor exercise. In the first week of August, he was moved to a room with fewer people and has since been allowed one hour of access to fresh air per day. However, his family continues to be very worried about his conditions, given that Ramy has high cholesterol, which requires regular exercise, a healthy diet and medication.

Following a statement on Ramy’s detention issued by his family on 21 August, he has faced a smear campaign in both government-owned and private media channels, who have claimed that he is not Egyptian, and have falsely accused him of embezzling Palestinian money to support the Muslim Brotherhood, to fund violence and to “target” the Egyptian military and police.

Peaceful political and human rights activism

Ramy Shaath is a political activist, who has played a role in co-founding several secular political movements in Egypt, including El-Dostour party. He is also the co-founder of the BDS movement in Egypt and has been its Egypt coordinator since 2015. The BDS movement campaigns to hold Israel accountable for human rights and other international law violations through the use of non-violent means. As part of his activities, Ramy raises public awareness about Palestinians’ rights and has been vocal in the media in denouncing the Israeli occupation of Palestinian territory. Prior to his arrest, he participated in public events and gave media interviews in which he expressed his strong opposition to the US plan to end the Israeli-Palestinian conflict, referred to as the “deal of the century” by the US administration, and against Egypt’s participation in the Manama meeting on 25-26 June aimed at discussing it.

The Egyptian authorities have been harassing Ramy for years because of his political activism. In April 2012, the Ministry of Interior refused to renew his Egyptian passport in an attempt to deny him his Egyptian nationality. Although he won a case in 2013 in front of Cairo Administrative Court, the Ministry of Interior appealed the verdict in 2018; the appeal is still pending.

Amnesty International believes that the charges against Ramy Shaath are unfounded and stem solely from the peaceful exercise of his right to freedom of expression and participation in public affairs, in contravention to the Egyptian constitution and the obligations Egypt has acquired under international human rights law. Article 65 of the Egyptian constitution guarantees the right to freedom of expression. Further, articles 19 and 25 of the International Covenant on Civil and Political Rights, to which Egypt is a party, guarantee the right to freedom of expression and participation in public affairs, respectively.

UNLAWFUL EXPULSION OF CÉLINE LE BRUN SHAATH

After the police stormed the couple’s house, Céline attempted to call her friends and the French embassy, but was prevented by an officer. When she asked the policemen on what grounds she was denied her right to call the embassy, one officer responded: ‘Well, since you insist on calling the consulate, then it is our right as a state to deport you.’”

She said that the police gave her 10 minutes to collect some of her belongings and took her to Qasr el-Nil police station in Downtown Cairo, before transferring her to the airport in preparation for her expulsion. They confiscated her phone and laptop and did not allow her to communicate with anyone, including the French embassy, until she was deported.

She was made to buy a ticket to France and was kept in custody in a room from 2:00am until the scheduled departure of her flight to Paris at 9:00am. At no point did any official explain the grounds for her expulsion or allow her to challenge the decision.

Based on the available information, Amnesty International believes that Céline’s deportation was unlawful. Expulsions of foreign nationals from Egypt must be in line with Egyptian law as well as Egypt’s obligations under international law. Accordingly, the authorities were obliged to explain to Céline the reasons for her deportation and grant her the opportunity to challenge this decision, in accordance with Article 13 of the *International Covenant on Civil and Political Rights*, as well as Article 12 of the *African Charter on Human and Peoples’ Rights*. Further, the Egyptian authorities’ refusal to allow a French citizen to contact the French embassy represents a violation of her rights under Article 36 of the *Vienna Convention on Consular Relations*.

OPEN-AIR PRISON FOR CRITICS

Ramy Shaath's arrest comes amid an unprecedented crackdown on individuals critical of the Egyptian government, including political activists, journalists, football fans, artists and human rights defenders. In many of these cases, individuals face charges based on secret NSA investigations that neither lawyers nor defendants are able to examine, and are held in pre-trial detention for months, before being released without trial.

After their release, they are usually placed under strict probation measures, where they have to report to police stations on a weekly basis. These measures facilitate further human rights violations, such as arbitrary detention, ill-treatment and arbitrary restrictions on the rights to freedom of movement and freedom of expression. They also interfere in the enjoyment of other human rights, including the rights to work, education and to an adequate standard of living.

CRACKDOWN ON THE BDS MOVEMENT

In recent years, several governments worldwide have limited the work of the BDS movement and targeted its activists through different policies and legislations for supporting the protection of the rights of Palestinians. At the forefront, the Israeli government has introduced several laws that criminalize the work of BDS and ban the entry into Israel or the Occupied Palestinian Territories of anyone supporting or working for an organization that it perceives as promoting a boycott of Israel or Israeli entities, including those profiting from illegal Israeli settlements, as defined under the 2011 "anti-boycott" law.

Several European countries are also taking legal measures against the BDS movement. For example, Spain brought legal action against municipal cities following their support to boycotts of Israel, while France criminally charged BDS activists with hatred and discrimination. Earlier this year, the German parliament introduced a non-binding resolution defining the BDS movement as anti-Semitic and calling on the German government not to support the BDS movement or groups that call for a boycott of Israel or actively support the BDS movement, either through financial support or the allocation of premises for events.

Amnesty International takes no position on boycotts but supports the right to advocate for or participate in boycotts as a form of advocacy protected by the right to freedom of expression. It is up to individuals and organizations to determine what strategies to use in furtherance of human rights. The organization believes that advocates of BDS should be allowed to express their views and take forward their campaigns without harassment, intimidation, threats, unfounded prosecutions or any other measures that violate the right to freedom of expression.