



Transnational Repression

TARGETING EGYPTIAN HUMAN RIGHTS
DEFENDERS IN THE DIASPORA



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The Egyptian Human Rights Forum (EHRF) is an independent Egyptian human rights organization founded in March 2018. EHRF aims to promote the implementation and dissemination of international human rights law in Egypt, advocate for a human rights-based approach to democracy and the rule of law and mainstream human rights in public policy.



Egyptian Front for Human Rights (EFHR) is an independent European organization established in Czech Republic in 2017. The Front works to improve the human rights situation in Egypt through research, advocacy and legal work, specifically in criminal justice.



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Targeting Egyptian Human Rights Defenders in the Diaspora

Executive Summary

In the wake of Egypt's escalating repressive policies over the past decade, the country witnessed a wave of emigration by people involved in public affairs, politics, and human rights, in an exodus unprecedented in the past forty years. Human rights defenders (HRDs) were at the forefront of those Egyptians who went into exile, seeking to continue their mission of defending human rights, amplifying the voices of Egyptians whose rights were violated at home, and pressuring the Egyptian regime to stop abuses, release detainees, and ensure the most basic rights of justice. In response to their activism abroad, the Egyptian state stepped up its policies of transnational repression. In an attempt to punish defenders and pressure them to abandon their work to ensure their personal safety and that of their families in Egypt, the regime has made use of all means at its disposal: material, moral, legal, and technological.

This report describes the increasing repression of Egyptian human rights defenders at home over the past decade, which forced many into a perilous exile that has not guaranteed safety for them, their families, or their broader social networks. The report also addresses the current situation of human rights defenders abroad and the harassment and persecution they face from the Egyptian security apparatus, regardless of whether they currently live in nations where the rule of law is well established or in states with an authoritarian legacy.

The report relies on ten interviews with human rights activists and defenders who were forced out of Egypt between 2017 and 2020; the interviewees are involved in a broad range of human rights work and currently live in various countries. The interviews were conducted from October 2023 to January 2024, using a qualitative research methodology.

The report concludes that activists in exile face significant challenges due to their continued human rights or political activity, regardless of their country of residence. The Egyptian regime uses legal and judicial tools to harass activists abroad, bringing charges against them, prosecuting them, and placing them on designated terrorism lists. The authorities also freeze their official identification and other documents, deny them consular services, or even revoke their citizenship with the aim of disrupting their daily lives and making their legal status more precarious.

As part of its transnational repression, the Egyptian regime attempts to physically track and surveil activists and their activities in their countries of residence, and it targets their families in Egypt to pressure them, including by summoning them for questioning or detaining them for long periods

in connection with malicious prosecutions. In addition, media outlets and digital platforms close to the state carry out smear campaigns with the aim of besmirching defenders' reputation and assassinating their character. Activists have also been targeted through digital means, including hacking and spyware and attacks on digital platforms, which has adverse impacts on their financial and economic situation.

The report recommends that the Egyptian authorities address the human rights violations discussed here. Specifically, they should end the targeting and harassment of activists and defenders in exile and their families at home, review the designated terrorism lists, suspend their surveillance policies, and stop obstructing the issuance of official documents. The report calls on host countries not to deport activists and defenders to Egypt and to provide them with legal protection. It also recommends that the sale of spyware should be conditional on the commitment that it will not be used to violate human rights, and calls on host countries to offer psychological support to defenders in exile. The report urges Egypt's partners to pressure Egyptian authorities to end pending cases and charges against HRDs in the diaspora and to affirm the Egyptian state's commitment to international frameworks for the right and freedom of movement. The report further demands respect for basic citizenship rights, an end to smear campaigns against HRDs and international human rights organisations.

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Introduction

Egypt has seen unprecedented and still intensifying repression since 2013. The country's jails hold an estimated 60,000–40,000 political prisoners and detainees. The indiscriminate crackdown has been coupled with broad security measures that have shut down the public sphere and quashed political action, including by liquidating many political parties and curtailing the margin for political action and representative politics. The media, both state-owned and independent, is tightly controlled, and media platforms subordinate to the state have been established to propagate the official line. In addition, a spate of repressive laws has been enacted that use expansive, ill-defined legal language to punish and imprison dissidents for speech or any action that departs from the official line.

The human rights movement has been severely harmed by this authoritarian turn. Seen by the political and security establishment as responsible for the political events that culminated in the January 2011 revolution, it is at the forefront of targeted groups. The movement is the final refuge and last public platform for the expression of the broad societal grievances of politicized and non-politicized actors who have ended up in prisons and detention centers and faced multiple abuses.

Over the last decade, public figures and human rights defenders have increasingly fled Egypt for other parts in the world, escaping repressive, authoritarian policies that indiscriminately target groups and individuals for arbitrary detention, torture, and enforced disappearance and searching for a safe haven from which they can continue to work in greater freedom and security to stop the machinery of repression in Egypt. Emigration, however, has not protected human rights defenders or their families, who continue to face persecution. Even abroad, they are monitored and targeted, and face official attempts to forcibly return them to Egypt in order to silence their opposition to the human rights situation in Egypt.

This report outlines the official security and political strategy for dealing with the Egyptian human rights movement in the aftermath of 2013 until the present day. This strategy has been used to circumscribe the human rights movement in Egypt, and monitor and surveil the movement in and out of Egypt, as well as, in consequence, the social circles linked to members of the movement.

Methodology

This report relies on a series of interviews with a broad spectrum of human rights defenders who have been targeted by the security apparatus in Egypt since 2013. This harassment pushed them into exile in an attempt to protect their lives and personal safety and to preserve spaces for them to influence and engage in human rights activism in safe, secure atmosphere. This report draws as well on secondary sources, including reports on the transnational repression of human rights activists, news coverage, and the academic literature on transnational repression and activism. The sample of activists was chosen from among people forced out of the country during the past decade, specifically since the crackdown in 2013.

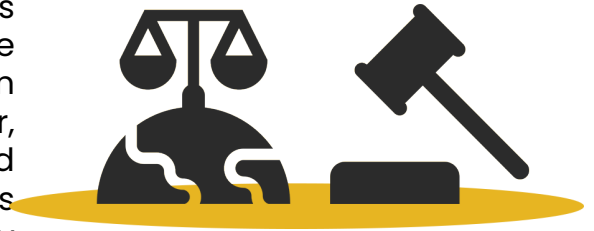
This report is based on ten interviews with human rights defenders in exile (four women and six men), the majority of whom left Egypt between 2017 and 2020. These activists reside in various countries: four live in the Middle East, while six eventually left the region. The activists interviewed have diverse professional and personal interests and work in various fields, including enforced disappearance, torture, indigenous rights, women in places of detention, gender rights, criminal justice, conditions in detention centers and prisons, anti-discrimination, and the rights of detained students. Generationally, the interviewees belong to that cohort of human rights defenders who engaged in human rights work in the aftermath of the January 2011 revolution, with the exception of one person, whose human rights activism predates 2011. Geographically, while in Egypt the interviewees were active in human rights work in Cairo and other governorates. The interviews were conducted from October 2023 to January 2024. This report relies on qualitative research, drawing on semi-structured interviews for information on human rights defenders.

Challenges

Numerous challenges were encountered in preparing this report, including objective issues with information gathering and the logistical challenge of interviewing the activists. One of the most significant objective challenges was the difficulty of obtaining documented information, whether from official sources or the defenders themselves. The threats against defenders, now and in the past, were conveyed verbally or presented as de facto legal measures, but obtaining written confirmation of the legal and judicial actions against each defender, whether investigations or court judgments, was exceedingly difficult. Attempts to procure such information were often unsuccessful because investigations and legal repression take place in a gray area, outside official frameworks. The case files for cases in which the activists were charged were not made available to them or to their attorneys, although they formed the basis for police action against them. The defenders attributed this to the fact that their cases were overseen by exceptional judicial bodies such as State Security and Emergency courts and prosecutors. On the logistical level, it was very difficult to reach a number of the defenders, who feared security harassment, surveillance, and hacking. Some were hesitant to be interviewed, fearing the lack of appropriate communication security, concerned that their families in Egypt would face consequences, or wary of the consequences of sharing their experience and the repression they faced. As a result, the interview phase of the study was longer than originally planned.

Transnational repression in legal frameworks

International and national law guarantees many legal and constitutional rights to all citizens, including human rights defenders. Human rights defenders face several violations and challenges in common with activists working to make their voices heard with the aim of improving their conditions in whole or in part. For the purposes of this report, however, we focus on the most important rights and guarantees that are denied to human rights defenders in the Egyptian context, especially those related to exile. These fundamental rights—which repeated efforts are made to undermine—are the right to movement, the right to return, non-refoulement, the right to international protection and, the right to retain one's citizenship.



Various legal frameworks and international conventions regulate these rights, which intersect with various other rights. Article 3 of the Universal Declaration of Human Rights affirms the right of every individual to life, liberty, and security of person. The charter further upholds the freedom to move and choose one's residence within the borders of the state, and the right of every individual to leave any country, including his own, and to return to his country. Article 14 upholds the right to seek asylum in other countries and enjoy freedom from persecution. Article 15 provides for the right to a nationality and bars arbitrarily stripping citizenship from any individual while maintain the right to renounce one's nationality. Article 12 of the International Covenant on Civil and Political Rights (ICCPR) affirms the right to lawfully move within one's country and choose one's place of residence. The same applies to external mobility: every person is free to leave any country, including his own, and no one may be arbitrarily denied entry to his country. The ICCPR also places obligations on other states, barring them from deporting any foreign citizen with legal residence except pursuant to a legal order. Except when compelling reasons of national security otherwise require, individuals must be allowed to argue against their expulsion and have their case reviewed by the competent authority. The Egyptian constitution of 2014, amended in 2019, is progressive in this regard. Article 62 guarantees freedom of movement, residence, and emigration. No citizen may be expelled from the territory of the state, nor prevented from returning to it. Under the constitution, a person may be prevented from leaving the territory of the state, placed under house arrest, or prohibited from residing in a specific area only by a reasoned judicial order, for a specific period of time, and in the cases specified by law.¹

1- Egyptian constitution of 2014, amended 2019, <https://manshurat.org/node/14675>.

migrants, including children, who are expected to accompany their parents and guardians to the country of emigration.² All these international rules should protect any human being, including the human rights defenders studied by this report, against surveillance and retaliation, or what is known as transnational repression.

Employed by authoritarian regimes around the world, transnational repression is not a novel phenomenon. The aim is to silence dissent abroad, preserve the regime's international reputation, and prevent the publication of domestic news outside the country. Transnational repression is the flipside of transnational contention, which advances the demands and grievances of broad sectors within a particular country through dissidents in exile using the tools available to the protest movement abroad and at home, and in response to the internal situation and developments.³ The two phenomena are therefore complementary and can be understood and observed in tandem.

In the 1970s, 80s, and even the 90s, a wide range of opponents of authoritarian regimes were systematically targeted abroad, and states employed foreign policy and bilateral relations to serve this purpose.⁴ Operation Condor is the most well-known example, as authoritarian regimes in Latin America used their ties with the United States to track down exiled dissidents and their families.⁵ Foreign policy also plays an important role in facilitating this type of repression. Authoritarian regimes deliberately track and harass dissidents abroad using several methods, such as explicit threats, physical and electronic security surveillance, physical attacks, and the submission of extradition requests to the host country. They may also mount smear campaigns against dissidents, their work, and their personal reputation.⁶

Part one:

The context of rights work after 2013

The crackdown in Egypt began in 2013 with the narrowing of the public and political sphere through restrictions on civil rights and freedoms, arbitrary legislation that curtailed the rights of association and peaceful assembly, and a raft of laws designating new crimes. At the same time, a

2- Non-refoulement in human rights law, <https://is.gd/OA7ZJQ>.

3- Sidney Tarrow, *Power in Movement: Social Movements and Contentious Politics*, revised 3rd edn. (Cambridge University Press, 2011), pp. 242–258.

4- Alexander Dukalskis et al., "Transnational Repression: Data Advances, Comparisons, and Challenges," *Political Research Exchange*, vol. 4, no. 1 (2022).

5- Centro de Estudios Legales y Sociales, "Operation Condor: A Criminal Conspiracy to Forcibly Disappear People," May 24, 2016, <https://www.cels.org.ar/especiales/plancondor/en/#una-asociacion-ilicita-para-reprimir-opositores>.

6- Freedom House, "Transnational Repression," <https://freedomhouse.org/report/transnational-repression>.

wide range of individuals and groups, whether legal political parties or any opposition voices and critics of the authorities, were arrested and detained, and subject to related violations such as torture, enforced disappearance, arbitrary prosecution, or extralegal harassment or persecution.

A growing number of people were arrested and detained in connection with political or public activity such that the question of political prisoners itself became an issue requiring some response and intervention, aside from all the other issues related to the management of authoritarian politics. Amid these developments, human rights defenders devoted themselves to documenting the ongoing violations against citizens and lobbying for the improvement of the conditions of detainees or their release, especially considering the expansion of violations of individuals' personal and physical safety, and the physical and psychological abuse, torture, and degrading treatment that accompanied detention. The intensive efforts of human rights defenders to expose and disseminate violations provoked the anger of the authorities, which consequently stepped up their targeting of human rights defenders with the aim of sapping their energies, and diverting them from their defense of detainees and the publication of mounting human rights abuses.

In their efforts, defenders used all available tools to lobby for prisoners and detainees, including the media and the legal system. Defenders were working amid an information blackout given the de facto nationalization of the media and rigidly enforced limits on editorial lines, publishing, and broadcasting, and they had no recourse to institutional tools to ameliorate the arbitrary, unjust conditions of detainees and others who suffered human rights violations

Although the security campaign against public and human rights work intensified after 2013, precursors of this campaign were already evident during and after the January 2011 uprising, when many activists sought to record violations committed in violent confrontations, thereby proving the responsibility of the security apparatus for the dead and wounded, or to document the disappearances of the many citizens whose fate and whereabouts were unknown. It was at this time that human rights work began to be monitored by the authorities, and signs of the future crackdown on defenders became evident. Case no. 2011/173 marks the clear beginning of the policy of targeting civil rights advocacy. Charging human rights organizations with the illegal receipt of foreign funds and operating without a permit, the case was a pretext to undermine the work of human rights associations and put them under threat of prosecution and prohibition. In the wake of the January 2011 uprising, official policy blamed human rights organizations for exposing violations over previous decades, which was perceived as one driver of mass mobilization. In

connection with case no. 2011/173, a broad range of human rights defenders were subject to measures ranging from travel bans to the seizure of personal and association funds.⁷

After 2013, this official mentality justified the escalating repression of the human rights movement, as the security establishment saw it, but this official view of the rights movement did not clearly delineate human rights defenders and dissidents. For the security establishment, after 2013 any activity involving expression and the documentation of physical or psychological violations or the legal rights of citizens was human rights work, even if those doing the expression or documentation did not systematically identify as such. As a result of this official outlook, many people were caught up in the web of repression and abuse—people who, using their own tools and skills, had tried to monitor human rights violations—but the boundary between human rights defender and concerned citizen with an interest in the public affairs was a fuzzy one.

7-For further details on the case, see:

. القضية-173-تمويل-أجنبي-كيف-بدأت-وأين-انتهت-12-عامًا/2/524580/News/www.parlmany.com/

Motivations for leaving Egypt

Egyptian dissident defenders abroad all have in common that they were forced to leave Egypt because of their human rights work. The year 2017 was a turning point for human rights organizations and civic associations, which, until that date, had managed to survive and carry on operating. That year, however, a new draconian legislation was enacted; Law No. 70 of 2017⁸ regulating the work of non-governmental organizations (NGOs) which was considered one of the most restrictive and authoritarian laws on public work.



Due to the criticism this law received from Egypt's international partners in Europe and the United States, as well as from local and international civil society organizations, it was amended by Law No. 149 of 2019⁹. While some observers considered the new law to be an improvement, it continued to adopt the same restrictive policies against civil society organizations and legalized the security grip over them, limiting the scope of their work to the areas explicitly stated in the law on civic associations that severely constrained institutions of all kinds, including human rights associations and civil society. This same period also saw the revival of the foreign funding case, which affected several leading human rights advocates and hindered the ability of human rights organizations to raise the funds necessary to do their work.¹⁰

8- Law No. 70 of 2017 (NGOs Law), Official Gazette no. 20 bis of 24 May 2017.

9- Law No. 149 of 2019, Official Gazette no.33 bis of 9 August 2019.

10- Cairo Institute for Human Rights Studies, "Misr: Qadiyat al-Mujtam' al-Madani Raqam 173 Ma Zalat Mu'allaqa," August 23, 2023, <https://cihrs.org/egypt-civil-society-foreign-funding-case-remains-unclosed>.

Political and legal developments had repercussions for human rights organizations, which were operating under a looming, concrete threat to both their organizations as entities and their staffs, who gradually began to feel the repercussions of their work.¹¹ The defenders who were forced to leave the country all experienced several judicial violations: they were placed on various political blacklists and subjected to physical threats as well, including enforced disappearance, torture, humiliation, ill-treatment, arbitrary arrest, and prolonged detention. Even after leaving Egypt, they and their families are still subject to security monitoring;¹² in addition to defamation campaigns in the media and among their community.

Regarding arbitrary arrest, five of the ten defenders interviewed for this report were arbitrarily detained. Those who were arrested experienced several violations: they were illegally stopped and kidnapped on the street without being informed of the reason for their arrest. As is typical in such cases, they were blindfolded, taken to an unknown destination, and held in illegal detention centers that are not under the authority of the ordinary prosecutor. Rather, they were held in various National Security headquarters and were often unable to specify the exact location.

Several defenders faced arbitrary arrest and enforced disappearance, though the duration of their detention varied. In all cases, they were held without being questioned and were frequently moved between State Security headquarters and the civilian police facilities, making them vulnerable to an array of abuses at each detention facility. Amid the constant movement from one facility to another, they suffered from the poor conditions that are prevalent in prisons: difficulty in obtaining food, difficulty sleeping, a lack of access to clean water for drinking or other basic purposes, the lack of proper ventilation, and denial of family visits. The National Security Agency, which was responsible for these detainees, deliberately exploited these conditions to pressure defenders, denying them their basic rights and the kind of treatment that an ordinary prisoner might receive at the discretion of security personnel.

In most cases, the defenders were detained without legal or judicial basis. Some defenders were arrested and detained briefly for investigation and interrogation, after which they were released. Others were held for prolonged periods though no official charges were filed. In contrast, in other cases, when defenders were arrested, they were informed at the detention center of the charges

11- Egyptian Front for Human Rights, "al-Manfa aw al-Sijn: Kayf Addat al-Siyasat al-Qam'iya li-Nizam al-Sisi ila Nafi Mudafi'at 'an Huquq al-Insan wa-Sahafiyat wa-Nashitat wa-Hirmanihunna min Haqq al-'Awda," February 2023, <https://egyptianfront.org/wp-content/uploads/2023/03/Exile-or-Prison-Feb-2023-Final-edits.pdf>.

12- Mohamed Mandour, "A Homeland Lives Within Us, But We Cannot Live in It: Egyptian Organizing and Activism from Exile," Tahrir Institute for Middle East Policy, March 23, 2022, <https://is.gd/84xkzi>.

expected to be brought against them and referred to the prosecution and Supreme State Security courts for investigation and questioning.

This pattern—or rather, the lack of a pattern—suggests that the defenders’ arrest was not motivated by specific charges and cases. At the same time, the cases in which the defenders were charged typically involved multiple defendants, whether they had actual ties to them or not. This is consistent with the nature of the charges brought against them—a familiar laundry list of broad allegations—such as joining a terrorist group, joining a group established in violation of the law, spreading false news with the aim of disturbing public peace, and harming the state and society. Some cases, however, appeared to be specific to the individual, especially those involving the charge of spreading false, misleading news. The seemingly arbitrary nature of the charges is consistent with the prosecution of these individuals in exceptional courts affiliated with the National Security Agency and the Supreme State Security Prosecution.

In some instances, especially with collective cases involving multiple defendants, the defenders learned they had been named in the case only by chance. Several defenders recounted that they learned they were charged in politically motivated cases when they were preparing to travel abroad. They were subsequently placed on the travel ban and travel watch lists. Some defenders reported that they were detained incommunicado for more than 73 hours, without questioning and without legal representation. This was the case of one female human rights defender working on enforced disappearance, who in 2018 was surprised to learn that she was banned from travel.



I was banned from travel and didn’t even know it. I had a competition in Beirut and when I went to travel, I found my name on the travel ban list.”¹³

Even following release from detention, defenders received no clarification about the status of their case, which is why some of them only discovered that such cases existed when they were stopped while traveling in or out of the country. At this point, they were informed that they were banned from travel—unlawfully in most cases—and their passports were confiscated to ensure that they did not leave the country. Some defenders said that they were detained in unknown National Security headquarters, without being informed of the nature of the charges against them.

13- Interview with L.N.

Upon release from detention, the defenders typically continued to be harassed by security. One of the most prominent forms of this harassment is the requirement that they be available for summons to National Security offices at any time and without prior notice, for the purpose of interrogation or no clear purpose at all. In the case of release after a period of arrest and enforced disappearance, defenders reported that their relationship with the security apparatus did not end. Security personnel imposed precautionary measures on those against whom charges had been filed, and the defenders were required to appear at police stations and/or National Security headquarters two or three times a month. These measures played out differently in each case. Some defenders were interrogated anew each time they appeared, while others were detained at the headquarters without questioning, seemingly absent any objective at all. In some cases, the pressures exerted on defenders including being suddenly transferred from the detention facility of the police station to a National Security headquarters, which entailed violations such as blindfolding, transport in police vehicles, and detention at the headquarters without a clear purpose. According to one female defender:



“The measures continued three times a week, until security took me away, blindfolded and handcuffed. It was cold and there was no place to keep warm. I could hear the sound of torture. I heard someone next to me being beaten and screaming.”¹⁴

According to defenders’ testimonies, the recurrent enforced disappearance and transfer to illegal detention facilities at National Security headquarters without just cause was coupled with arbitrary release procedures. The defenders would be suddenly released on a desert road late at night or at dawn without adequate clothing, forced to find their way back home.

These practices were not sporadic. Some defenders reported that every few days they would be summoned and again experience torture and harassment:



“Four days later, I went again as requested. He blindfolded me again and asked me about people and names and told me, ‘Tell me if you know them.’ He cursed me when I said I didn’t know them. He beat and cursed me and said, ‘Stop pretending. Why do you think you’re here? You all rat on each other.’”

14- Ibid.

In addition to the ordinary monitoring procedures, which required the defenders to go to and stay at security headquarters for long periods of the day, defenders who had been previously arrested were repeatedly summoned to appear ahead of important political occasions when security went on high alert, such as the anniversaries of the January 2011 uprising.

Regarding cases of security harassment without arrest, some defenders reported months of security harassment, prompting them to constantly change their place of residence to elude security. Others slept in the street and public places for fear of arrest at home or at the homes of relatives, which endangered them. In such cases, families of the defenders were also subjected to a degree of harassment and abuse. As a result of defenders' human rights work and activism, security personnel might frequently raid their family's home in search of defenders for arrest and order their families to turn them in.



“For three months before I left, they looked for me in every possible place—at the homes of relatives, friends. Every time I went somewhere, they’d be there after me...I’d sleep in the street until the morning to get some rest and be able to escape at night...I couldn’t sleep...There was nowhere safe or stable.”¹⁵

For many subjected to security harassment and pursuit, this dragnet had a domino effect. It would begin with the arrest of an individual involved in opposition advocacy work, until a full picture was formed of all workers and their social networks, leading to other human rights workers being caught up in the net. This sparked panic among their colleagues, who learned that their names had been mentioned during interrogations and that security had asked questions about them and their activity. The pressure on colleagues who were arrested often meant that those close to them would be targeted next. For some, the warning sign was the arrest of lawyers representing their colleagues before the investigative authorities.

15- Interview with T.G.

In the current climate, the justice system works hand in hand with the security services in human rights cases or those that are security-sensitive. Being brought before the Public Prosecution and the investigatory authorities does not guarantee the defender or the detainee fair redress for arbitrary detention or preemptive detention. Rather, they often to remain in the custody of the security apparatus and may be moved to any detention facility under the full supervision and control of the security services. The Egyptian authorities have been expanding the use of arbitrary pretrial detention in recent years and hold detainees beyond the legally prescribed maximum duration. Given questions about judicial independence, this makes the justice system part of the problem. Being responsible for disseminating news of human rights violations, human rights defenders well understand what the average detainee faces, and know it may be worse in the case of human rights defenders. This spurred some of them to flee the country before they fell prey to the vicious cycle of detention, open-ended cases and charges, and precautionary measures that would make them vulnerable to torture and pressures of various kinds. This was especially true when they had knowledge that a case against them was underway and when the pressure of surveillance had forced to change their place of residence and continually move from one governorate to another. Defenders reported that a number of their friends had already been disappeared for periods exceeding three months, and some had been sentenced to prison for up to fifteen years

It is worth mentioning that even in cases in which the prosecution ordered the lifting of precautionary measures, defenders still had no knowledge of the fate of the cases brought against them, neither the status of the charges nor the possible penalties. Consequently, the case might be reopened at any time. This threat was typically used to pressure defenders if they appeared to engage in any activity or attempted to resume their previous work. Several defenders said that open cases had been pending against them for years, some dating back to the January 2011 uprising, and these cases would be taken off the shelf if they did not keep quiet and keep their distance from human rights work. This might explain why many people who were charged and arrested still have no knowledge about the status and outcome of their cases despite the passage of years—for some, six years.

For HRDs who did spend time in detention and who were released under open-ended precautionary measures, this meant that they could not engage in any activity or activism, and they needed to avoid many of their social circles because they remained under active, round-the-clock

surveillance. Even so, this did not spare them security summonses, and release could not be considered a sign that their security file was closed. In the case of some defenders, this was preceded by a series of direct encounters with security. The defender was summoned to the National Security headquarters and asked about their work as a veiled threat before being informed that things could get worse and that the security apparatus has many cards up its sleeve:



“It starts with the summons and then threats of detention. There, he showed me an investigation file prepared by National Security and told me it just needed a signature to be sent to the prosecution, and then I’d be behind the sun.”¹⁶

The decision to leave Egypt

Leaving does not appear to have been a free choice made by defenders, despite the circumstances described above. Rather, for many of them, their experiences demonstrated that there was little hope of removing the target on their back, and there were concrete signs that their situation in Egypt was becoming more tenuous and would land them back in prison. This was inseparable from the uncertainty around the court cases facing the defenders, many of whom were surprised to find themselves unlawfully placed on travel ban lists.



In Egypt currently, in addition legal travel bans that are based on clear legal orders and provisions, there is what is known as a security ban. These are administrative decisions issued by the security services to monitor attempts leave the country through international portals such as airports. More than one defender said that they did not expect to be arrested and did not know they were on the lists until they attempted to travel, even for a short vacation abroad.



“When I went to travel, I found I was on the travel ban lists. I discovered this at the airport. Not all the lists are legally defined so that they can be contested. These are the State Security lists that only come up at the airport when you try to travel. They can’t be legally challenged because there is no paperwork proving they exist.”¹⁷

16-Interview with R.D.

17- Interview with W.A.

When they were informed of the travel ban, some defenders had their passports torn up or revoked, and they were warned not to attempt to obtain another one any time soon because there were clear directives in place. Some defenders confirmed this: when they tried to obtain another passport through the normal bureaucratic channels, they were told that no passport could be issued in their names. These incidents demonstrated that their security files remained open; they were still under threat, and the situation might escalate at any time.

In the case of defenders who were relatively better off—meaning they were only subjected to security harassment and surveillance, but were not actually arrested—the escalating threats against them and their families played a role in their decision to leave the country to ensure everyone’s safety. According to one defender’s testimony, their children were threatened as well:



“He used my son to threaten me, showing me photos of me and my son in the street and the supermarket next to the house. He told me that usually when the head of the household is arrested, the family falls apart, so imagine what happens when the mother is arrested and a three-year-old child is left who can’t take care of himself. I didn’t hear what he said after that. He used to tell me my son would go to prison with me.”¹⁸

Faced with such threats and uncertainty, some defenders felt compelled to preempt any future warrants and arrest that would permanently prevent them from leaving the country.

This sense of compulsion is common to many defenders’ experiences of leaving the country. Several of them said that they did not plan to leave for good. Some left Egypt legally for a brief period, for professional reasons, to attend training abroad for their journalistic or human rights work. But once they were abroad, something happened that would threaten their safety if they returned. Either charges were brought before a court or a colleague was arrested and forced under pressure to mention their name, meaning they would later be named in the same cases.



“In the middle of a fellowship, a month and a half in, I learned I wouldn’t be able to go back.”¹⁹

18-Interview with R.D.

19- Interview with S.H.

In contrast, defenders who were barred from travel faced the life-threatening, difficult choice to leave the country illegally, across the border of a neighboring country. In these cases, the defenders' situation—the revocation of their passports and the denial of new ones, the weekly or monthly summons to National Security headquarters for questioning, their subsequent detention for various periods of time, their fear of returning to prison and facing more abuse—compelled them to consider any way out, even if it was risky. This group of defenders tried to leave unofficially in fear of being monitored and tracked, and they left in a hurry in fear of being arrested again or of security discovering their attempt to flee. They resorted to trips organized by people who move mostly refugees across the border over deserted desert trails, though the organizers told them that there was a high probability of death.



“It was a very difficult trip, 50/50 life or death, but no one was even 1 percent sure that I wouldn’t be taken away again. I reached Sudan. We were shot at, we got lost in the mountains, the car got stuck, and the driver left us in the desert. It was winter.”²⁰

These sudden turns of events had an impact on defenders, and their hasty exit from the country explains why many of them did not take the necessary papers and enough financial resources to last for a prolonged period. The fear of drawing the attention of security also often led them to abandon even important matters, such as obtaining official papers, for fear of the government bureaucracy taking note of it, which might suggest they were planning to escape the country.



“There wasn’t time or the opportunity to get official papers. It was risky. It would’ve drawn attention to me and my attempt to leave.”²¹

The reluctance to leave Egypt led some defenders to consider return instead of an unstable exile and the unknown, but the continuation and even intensification of the security situation of these defenders and their families contributed to their decision not to return:



“Two weeks after I left, there was a big raid at the house, different from the previous ones. This time there were lots of high-ranking [officers], I don’t know who. Some were wearing civilian clothes and suits. They came two weeks after I traveled. I was thinking about going back, but that motivated to stay outside Egypt because I knew the pursuit would not end.”²²

20- Interview with L.N.

21- Interview with R.D.

22- Interview with T.G.

In contrast, some chose to return to Egypt and endure restrictions instead of staying in exile, which, given the looming security threats, would end any chance of returning home in the near future. But as soon as they set foot in the airport, they were arrested and again questioned, suffering the same cycle of abuses and targeting. For some, this reinforced their decision to leave for good when the opportunity presented itself, given the seeming impossibility of resolving the situation with the security apparatus and the regime.



“I went back to Egypt... I went through passport control at the airport and a State Security officer stopped me. They took me to the security headquarters...and I was beaten and then they interrogated me...and they took my passport. They let me go, but they told me to check in every day with the National Security office in my governorate. Every day it was six or seven hours, even though they didn’t ask me any questions...I started asking about my passport...Every time I asked about it, they’d say it hadn’t come yet, and then I’d go to the airport and they would deny having the passport. I left Egypt again nine days later.”²³

Part two: Targeted in exile

This section of the report deals with the situation of defenders living in conditions of forced exile. These conditions spurred some to move to more than one country in search of safety and stability, and the possibility of resuming their work as human rights defenders, free of attempts to quash their



activities. The departure from Egypt, however, did not mean the end of their problems with the Egyptian security services. It was rather the beginning of a new phase in which they were targeted outside the borders of Egypt, as the energies of the state were devoted to this purpose, in what is known as transnational repression.

The targeted harassment of defenders abroad affects them personally as well as their families and social circles, which are subject to official surveillance and harm. When defenders take the step of leaving the country, it has direct, immediate repercussions for their families. For the activists themselves, the experience of leaving Egypt creates many subsequent difficulties. The majority of defenders interviewed for this report did not freely choose their destination abroad. The haste of their decisions did not allow them the luxury of deliberation, and they typically ended up wherever was most practical or possible.

In the rush to leave, defenders did not possess sufficient information about the destinations that would best allow them to avoid the danger they sought to escape. This is especially true for those who left relatively early, immediately after 2013 and up until 2020; these defenders had no maps pointing them to safe havens.

Having chosen their destinations based on logistical and material access, some defenders' safety was indeed compromised as a result. According to some of their accounts, several of the countries they reached had extradition agreements with Egypt, while others did not have a clear stance on political developments in Egypt after 2013, which of course had an impact on defenders. Some of them were in legal limbo for days immediately upon arrival at these countries' airports. In fact, several defenders had this same experience with only slightly different details.



“I reached Korea...My visa was cancelled...Given a choice between Egypt and Malaysia, I chose Malaysia and was deported there, I stayed at the airport for three days. At the time, Mahathir and Najib were up for election. The Najib government supported the deportation of dissidents, and it was in power at the time. There was talk that it would deport people. But because of the elections, I was released. Mahathir won, and I wasn't deported to Egypt.” ²⁴

Legal and judicial escalation

A number of defenders said that while the violations they were subjected to were unlawful, their departure from Egypt spurred an escalation of the legal and judicial actions against them. State Security cases, which are heard by exceptional courts, tend to be opaque and proceed slowly, not hewing to ordinary legal procedures and timelines. The security apparatus deliberately engineers



24- Ibid.

complex cases against defenders based on vague charges. These cases may become active after a long investigative stage depending on shifting calculations and the relationship between security and the accused, among other considerations.

One defender said that although he was released by the State Security Prosecution, neither he nor his lawyer were able to learn the outcome of the case and its procedural status, though he believed the case was suspended. After he left Egypt via a lawful route to attend occupational training, the case was immediately reactivated—the very same day he left— for inexplicable reasons, but it foreclosed the possibility of his return to Egypt.²⁵

Other defenders had similar experiences. Having been charged while in Egypt or after leaving, their cases remained pending, subject to reactivation and referral to the court based on developments related to the defender and the issues they worked on, or in the event that there was evidence that they were continuing their activism. Escalation may take different forms. For example, the defender might be named in other cases that are more politically sensitive or that include more politically significant defendants.²⁶

After their departure from Egypt, the majority of defenders had no knowledge of the status of their cases, and whether judgments or other court orders had been issued. They do not press their lawyers to make inquiries because it can bring them harm. In any case, it is futile to seek out details since judgments and legal orders are ultimately not a judicial or legal matter, and the resolution of their cases lies outside the remit of courts.

Other defenders were subjected to more severe legal measures. Many were named as defendants in major cases along with numerous important political and opposition figures. Some of these cases were prosecuted, while in other cases, the defenders were placed on the notorious terrorism lists.



“My name was placed on the terrorism list and named in a case. I didn’t expect to be named in something like this. Nothing new happened that would warrant it. I was considering returning to Egypt after such a long time away, relying on the fact that there were no open cases against me. At most, they were just looking for me. But I was surprised to be put on the list. I found out purely by chance.”²⁷

25- Interview with S.H.

26- Interview with L.N.

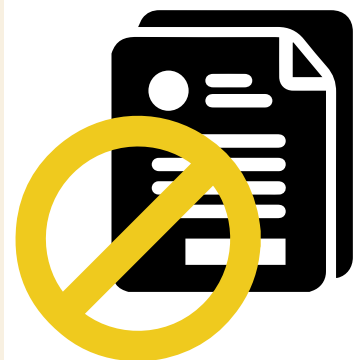
27- Interview with S.D.

The terrorism lists are issued by the public prosecutor, and the legal implications for those designated on the lists are severe: they are placed on watch lists at airports and all border crossings, deprived of civil and political rights, and subject to the confiscation of their property, assets, and wealth. These measures are effective for five years, subject to renewal.²⁸ The reasons for some defenders' inclusion on these lists are unknown, particularly since they tended not to intensify their activism or denounce the performance of institutions. The lack of grounds for the designation of some defenders suggests that the decisions to take escalatory measures against defenders abroad are somewhat decentralized. This is particularly burdensome for defenders because it makes them vulnerable to targeting and inclusion on terrorism lists for unknown reasons that seem an ordinary part of their work. Prominent dissident in exile Ayman Nour was included on the terrorism lists in 2023, according to the Official Gazette. Nour filed a suit challenging the designation with the Court of Cassation, but the court denied his appeal, and he continues to be included on the lists.²⁹

It is noteworthy that in the case of Ayman Nour, many of the people designated on his list have been charged with joining terrorist groups for the purposes of subversion, and their designation followed their indictments. This raises the alarming prospect that activists and human rights defenders who have been officially charged may be similarly designated.

Suspension of official identifying documents and the denial of consular services

As discussed above, the rushed way in which most of the defenders left Egypt did not allow them sufficient time to prepare for a long, open-ended trip. Perhaps the most significant obstacle thrown up by this situation is official identity papers, which are needed to travel outside the country and within other countries. Egyptians residing abroad may obtain official identifying documents in two ways: either on their own behalf through consular services offered in foreign diplomatic missions abroad, or by proxy, represented by their family or personal lawyer pursuant to a power of attorney.



The diplomatic service Law of 1982 regulates consular and diplomatic services,³⁰ including the issuance of official identity papers, granting the diplomatic missions abroad and the Ministry of Foreign Affairs the power to issue various kinds of documents. In contravention of the law, the

28- Law 8/2015 regulating the lists of terrorist entities and terrorists, <https://manshurat.org/node/6579>.

29- Mohammed Abdullah, "al-Naqd Tu'ayyid Idraj Ayman Nur wa-Mu'tazz Matar wa-Muhammad Nasir wa-Zuba' bi-Qawa'im al-Kayanat al-Irhabiya," Sada Elbalad, January 25, 2024, <https://www.elbalad.news/6086568>.

30- Law 45/1982 on the diplomatic and consular service, <https://manshurat.org/node/13690>.

security apparatus has broad authority in diplomatic missions abroad, including the issuance of official documentation. When documents are requested, the approval of the National Security Agency must first be obtained, after which the diplomatic mission proceeds to issue the applicant's documents.

This bureaucratic process violates the provisions of the 1994 law regulating civil status,³¹ Article 64 of which obligates the Egyptian bureaucracy and the various competent state institutions to maintain neutrality and professionalism in granting and issuing identity papers to citizens, regardless of gender, politics, religion, and other forms of sorting and discrimination.

The need for security approval is particularly prevalent in countries that have attracted large segments of the Egyptian political opposition after 2013, such as Turkey. In these places, official identification papers are issued only after background checks by security. In fact, most applications for identifying documents by citizens residing in Turkey are indiscriminately denied simply because of the large opposition community there, which affects apolitical citizens by association.

For defenders whose sole available destination was Turkey, this situation prompted many to leave for other destinations before their identity papers, especially their passports, expired. Just because defenders understood the critical nature of the situation, however, did not mean that they could resolve it. Several defenders reported that their passports did indeed expire, but despite the hardship and danger this posed, they could not risk going to the Egyptian embassy, where their application would likely be denied. If they had managed to stay under the radar, a trip to the embassy might inform security of their whereabouts, and it carried the risk as well of physical threat, especially after the murder of Saudi dissident and journalist Jamal Khashoggi.

The most well-known Egyptian dissident who encountered difficulties in renewing identification documents is Ayman Nour, whose has resided alternately in Lebanon, Turkey, and France. In each place, he should have renewed his passport, but his applications to the diplomatic missions in these countries came to naught.



“The denial started when I was in Lebanon and continued while I was in Paris and Istanbul. The embassies and consulates refused to comply with the law and grant my right to identification documents, pursuant to the passport law and international rights conventions. Even worse is that I filed a suit with the State Council in Egypt and won judgments requiring embassies and consulates to issue a passport. That was in 2015 and now, eight years later, the judgments haven't been executed, which is another crime punishable under Egyptian law.”³²

31- Law 143/1994 on Egyptian civil status, <https://manshurat.org/node/31633>.

32-Interview with Ayman Nour.

Despite the risks, some dissidents chose to apply for official documents at Egyptian consular missions abroad, but their applications for passports have been repeatedly denied.



“I tried to draw up a power of attorney, do individual and family registration, and get a passport, and it all failed. The regular response from the embassy was for me to leave my info and they would inform me when security approval came through. At first, they wouldn’t say that approval had been denied, they just dragged their feet. Then they’d tell me to file another application because the deadline for consideration of the old one had passed. So you file another one and pay again...Until finally they’d say outright that security approval was denied and I should go get the documents in Egypt.”³³

Egyptian diplomatic missions deliberately exploit the complexity of bureaucratic procedures to stonewall defenders or dissidents trying to obtain papers. Egyptian law sets a time limit on applications for official documents, so the missions delay processing the applications until the deadline has passed. Eventually, applicants are told that they need to resubmit their applications—a process that might last for months and even more than a year for some. The process is not contingent on a decision by the diplomatic mission, but rather on security directives. Understanding this, some defenders insist on repeatedly applying for their documents despite the stalling and delays, until they receive the final response that the security check has resulted in a denial.

Faced with such difficulties, a number of defenders—both those who did not have the option of going to a consulate and those whose applications were denied—sought to obtain their official documents by assigning legal power of attorney to a relative or lawyer. Some families in Egypt who tried to procure identity papers for their children stranded abroad learned that there was a flag on their children’s names and thus no legal transactions could be processed by the national digital data system, making it impossible to obtain any personal document.



“When my family needed some official paper for me, they found a freeze on the paper in the system. No transactions could be done in my name. I stopped trying because I didn’t want to endanger my family.”³⁴

33- Interview with S.D.

34- Interview with T.G.

The inability of defenders to obtain official documents has broader implications given the nature of bureaucracy in Egypt, particularly when it comes to civil status matters, which are largely family-based. This problem is evident in the case of deaths in defenders' families. In order for the estate to be divided and distributed, each member of the deceased's family must obtain official documents. If one of the heirs lacks documents and there is no legal agent who can act on his behalf, the estate is held in limbo and no member of the family can obtain their share of the inheritance. The refusal to issue documentation to dissidents thus harms not only the defenders themselves.



“My father died a year and a half ago and we haven’t yet filed for inheritance because they don’t have a copy of my ID card and they need a valid copy. If they need to do a family registration [to prove familial relations], they need my ID card. So everything stopped, and it’s still on hold.”³⁵

Defenders and dissidents face the same intransigence when attempting to obtain documents for children, especially birth certificates. This is a problem for the current generation of defenders as well as their children, who are expected to be second-generation immigrants in the host countries.

Without birth certificates, a child has no legal personality and thus exists in a gray area. Technically, the lack of a birth certificate from the home country means that a child has no nationality, which in turn makes it impossible to obtain citizenship in the host country. This is a source of great uncertainty for citizens and the future of their children, leading to the creation of a cohort of stateless people. Without personal identity documents and other necessary papers, defenders' residence and legal status in their host countries are constantly imperiled, especially for those who do not intend to become dual citizens.

The lack of identity papers is problematic primarily for citizenship and naturalization. Discussions about the category of stateless persons date back to the Second World War and the Nazi policies of stripping dissidents and Jews of their citizenship, which in practice meant depriving them of basic political rights, civil rights, freedom of movement, and by extension the related social privileges.³⁶ The most appropriate treatment for people stripped of their citizenship continued to be debated after the war and the defeat of Nazism. The denial of citizenship, and in consequence identity documents, undermines the safety of defenders abroad, translating into barriers to movement in their host countries and the enjoyment of basic health and educational services. This is especially true as the political climate shifts and we see the rise of right-wing forces hostile to outsiders and foreigners.³⁷

35- Interview with S.D.

36- Lester N. Salwin, “Uncertain Nationality Status of German Refugees,” *Minnesota Law Review*, vol. 30 (1946).

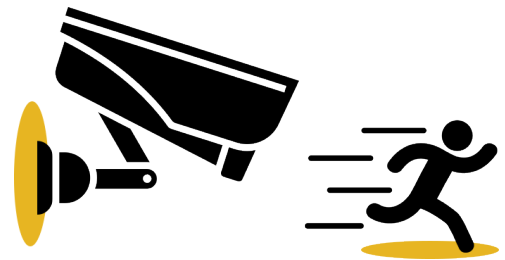
37- Aleksejs Ivashuk, “Statelessness: Europe’s Forgotten Human Rights Issue,” Center for Humanitarian Action, June 21, 2023, <https://www.chaberlin.org/blog/statelessness-europes-forgotten-human-rights-issue/>.

In fact, the Egyptian authorities have already stripped the citizenship of some dissidents. Defender Ghada Najib's citizenship was revoked in 2020 by a Cabinet decree, on the grounds that she resided outside the country where she was engaging actions hostile to the state.³⁸ The Egyptian authorities have broadened the grounds for the revocation of citizenship, especially for naturalized Egyptians, allowing it to be used against those who pursue activism and hold views critical of political conditions. Decrees to revoke citizenship typically claim that the citizen constitutes a threat to the external security of the state and is undermining its social and economic system.³⁹ In some cases, the decree does not clarify the type of activity that is deemed to be undermining the social system or the "foreign bodies" that the state considers a threat to its security.⁴⁰ The revocation of the citizenship of dissidents and defenders is expected to create legal confusion insofar as it renders a person stateless, thereby making it difficult to legalize their status in other countries.

The intransigence on citizenship issues extends to dissidents and defenders who wish to renounce their Egyptian nationality, thus permitting them to hold the nationality of their final countries of residence, especially in states whose citizenship and naturalization laws do not allow dual nationality. There have already been cases of Egyptian defenders who have sought to waive their Egyptian citizenship through official legal channels, but the Egyptian authorities, understanding their plans to integrate into their countries of exile, have disrupted the process, suspending the procedures without further notice or solid legal justification.

Physical tracking and surveillance

Defenders in exile continue to be monitored and harassed for their activism and efforts to document human rights violations inside Egypt. As affirmed by various activists and defenders, leaving the country does not fully guarantee their safety. The lack of security hinges on several considerations and factors, including personal challenges faced by activists abroad, as well as changes in foreign and international policy and even domestic policy in Egypt.



38- "Ta'jil Da'wa Butlan Isqat al-Jinsiya al-Misriya 'an al-Nashita Ghada Najib li-7 Uktubar," September 2, 2021, <https://manshurat.org/node/73840>.

39- See for example, Cabinet Decree 8/2014, <https://manshurat.org/node/4796>.

40- See for example, Cabinet Decree 10/2014, <https://manshurat.org/node/4808>.

For defenders, exile does not mean total escape. Rather, it allows them to seek out a safer environment in which to engage in activism and assume their moral responsibility toward groups who experience human rights violations, many of which the defenders themselves experienced while in detention and prison. One female defender commented:



“I have a special responsibility to uphold a certain principle and it is that we’ll speak up about you because we were with you at one time. Maybe someone who hasn’t had that experience won’t understand. I speak up to make your voice heard and so this issue isn’t forgotten.”⁴¹

These convictions and values spur defenders to resume their human rights activism abroad shortly after they reach the host country or exile. Defenders engage in numerous activities, working with human rights organizations, participating in human rights campaigns on a specific issue, or advocating for a specific human rights victim. At the same time, the political and security apparatus in Egypt directs its energies to monitoring and tracking defenders’ human rights activity abroad in their various countries of residence. In turn, this apparatus is intimately familiar with the activists’ countries of residence, the frameworks through which they work (whether institutional or advocacy), and the social circles within which they move.



“I tried to avoid people as much as possible and not to get to know new people in fear of security monitoring, but I learned recently that security sent people to keep watch on me. They know what I do, where I work, what kind of work I do, and who I know. I found out that this girl [I know] went to Egypt and she turned out to be a security agent.”⁴²

This continues to have repercussions for activists’ freedom of movement and work abroad. There are indications that several activists are under surveillance, and their activities on behalf of Egyptian detainees or specific issues are monitored. One defender recounted:



“There was a conference in [X] and when I finished, I found my hotel room had been tossed...I learned they had asked my family and siblings about me and my activity at the conference.”⁴³

41- Interview with W.A.

42-Interview with L.N.

43- Interview with T.G.

The continuous monitoring of foreign media coverage about Egypt in various forums gives the security services in Egypt the opportunity to monitor events related to Egyptian affairs, and to identify the nature of the topics and the participants, including the Egyptian participants. As a result, a number of activists have been tracked down, their places of residence identified, and their domestic security files used to search for them.



“The day after I attended that conference—and the conference was televised—they went to my house and confiscated a few things, and my father was taken without cause.”⁴⁴

At the same time, multiple testimonies indicate the possible involvement of some members of diplomatic and consular missions abroad in the physical tracking and monitoring of dissidents and defenders in various countries, including in long-standing Western democracies countries such as US⁴⁵ and countries in the Middle East.

According to the testimonies of defenders and activists, surveillance is not limited to events on the human rights situation in Egypt organized by these defenders or to the defenders themselves. Their non-Egyptian colleagues working on human rights in Egypt in the same institution are also monitored to learn about their activities, and to spy on Egyptian defenders through them. It was reported that unknown Egyptians visited the offices of human rights organizations abroad that work on Egypt to ask about their published reports about Egypt and try to identify their authors and sources. According to testimonies, this was repeated in multiple places of residence of defenders in Western and Middle Eastern capitals.



“But there’s always someone who turns up to ask our foreign colleagues about the institution’s work or its relationship with Egyptians in that place or at the institution.”⁴⁶

All these forms of surveillance place additional psychological pressure on defenders in exile. Many of them said they tended not to have a social life and did not openly integrate into society fearing the presence of or surveillance by someone with a security background.⁴⁷ Some defenders said that they chose not to leave the house in their host countries for fear of being monitored or surveilled.⁴⁸ Social isolation may work for some, but this tactic is of little use in countries without well-established, strong institutions of law and justice and without democratic systems.

45- Middle East Democracy Center, “In the Shadows of Authoritarianism: Egyptian and Saudi Transnational Repression in the U.S.,” April 17, 2023, <https://mideastdc.org/publication/in-the-shadows-of-authoritarianism>.

46- Interview with T.G.

47- Interview with F.D.

48- Interview with S.H.

Shifting foreign relations and the status of defenders

The experiences of various defenders show that there are powerful security threats against them in non-democratic countries in the Middle East, and these have been amplified by the political shifts in the region that followed the Arab uprisings in 2011. The uprisings initially cast a shadow over some of Egypt's bilateral relations in the region, and these regional disputes and disagreements meant that defenders and political dissidents could find relative safety in certain countries.⁴⁹



But as political regimes in the region have become more authoritarian, overall regional relations have improved, and diligent efforts have been made to resolve state-level disagreements, it has had consequences for defenders.⁵⁰

Defenders who left Egypt for a Middle Eastern country stated that several incidents confirmed that there is some degree of security cooperation between Egypt and these countries. In cases in which defenders work on specific regional issues that may also concern their current country of residence in the Middle East, the defenders were summoned by the internal security services of these countries. While this is not out of the ordinary, the defenders noticed that these agencies were aware of their activity in Egypt and questioned them about it, confirming that a degree of high-level security cooperation and coordination must exist to allow for the circulation of such details.⁵¹ There have subsequently been many cases in these countries in which foreign dissidents and activists were arrested and deported to their home country, whether Egypt⁵² or elsewhere. One defender who was included on the terrorism and terrorist entities lists attributed the designation to the security cooperation between Egypt and his country of residence, which daily reports to Egypt about his human rights activity and the events in which he participates. These countries also deliver messages from Egyptian security to resident activists warning them to cease their activism for their own safety.⁵³

Some defenders said that Egyptian citizens in these countries appeared at their workplaces to ask about those in charge of Egyptian issues, in an attempt to identify them.⁵⁴

49- Lara Gibson, "What Does Turkey and Egypt's New Relationship Mean for the Region?" The New Arab, June 6, 2023, <https://www.newarab.com/analysis/what-do-revived-turkey-egypt-relations-mean-region>.

50- Middle East News Agency, "Risala min al-Ra'is al-Sisi ila al-Ra'is al-Tunisi Yanquluha Wazir al-Kharijiya," August 8, 2023, <https://mena.org.eg/news/dbcall/table/textnews/id/10292154>.

51- Interview with S.S.

52- Al-Arabiya, "al-Hamla Mustamirra li-l-Ta qarub ma' Misr: Turkiya Tusjun wa-Turahhil 60 Ikhwaniyan," July 10, 2023, <https://is.gd/WfEi6n>.

53- Interview with W.A.

54- Interview with R.D.

Perhaps the most serious impact of this diplomatic policy is the threat of deportation to Egypt by host countries, especially non-Western countries. Several defenders indicated that there are constant threats of deportation, especially in countries that do not fully comply with the principle of non-refoulement; these are typically non-Western countries. These countries attempt to evade the responsibility for non-refoulement by various means. The state bureaucracy may stonewall defenders, dissidents, and activists seeking official residency papers for themselves and occasionally their families, or reduce the duration of permitted residency in anticipation of a denial.⁵⁵ In other cases, the authorities of the host country explicitly told defenders and dissidents that they could not continue to reside in the country due to pressure by Egypt to deport them, deny them residency, or bar them from engaging in activism or opposition work of all kinds,⁵⁶ while encouraging their deportation to their home country pursuant to memorandums of understanding. At times, defenders and dissidents were told openly that they needed to leave the country or they would be extradited to Egypt. This makes it impossible for defenders to obtain residency while engaging in activism. Some human rights defenders residing in Turkey reported that they had received threats from Egypt that they would soon be returned to Egypt in the wake of the imminent improvement in relations with Turkey. According to one defender residing in Turkey, who works on conditions of detention and criminal justice:



“When security went to my house, they made my mom call me in front of them and then one of them took the phone and told me, ‘We’ve mended ties with Turkey and we’re going to get all of you.’”⁵⁷

Several dissidents and human rights defenders have already been deported to Egypt by the authorities of states with which Egypt has resumed diplomatic ties, such as Turkey. In some cases, the Turkish authorities have deported them to Egypt knowing that they are dissidents, on the pretext that they do possess official documents such as passports (due to the denial of their applications at diplomatic missions abroad) or that their residency permits were expired or had been denied. As a result, many defenders have been retried in Egypt on politically motivated charges.⁵⁸ There are ominous signs that this scenario may be repeated in Bahrain, based on an extradition request from Egypt claiming that certain defenders are wanted in connection with largely political cases.⁵⁹

55- Interview with R.D. and L.N.

56-Interview with Ayman Nour.

57-Interview with W.A.

58-Al-Arabiya.

59-Al-Wifaq, “al-Bahrayn Turahhil Qasriyan Mu’aridayn Misriyayn li-Biladihuma Raghm al-Tahdhirat al-Huquqiya,” August 8, 2023, <https://is.gd/aSz5y4>.

In the UAE, Egyptian dissidents who are not permanent residents of the country were arrested without regard for legal procedures and threats of deportation were made without stating cause.⁶⁰ As a result of Egyptian foreign policy and its intensive activities in neighboring countries, a growing number of countries in the region have become unsafe, posing a threat to the lives of defenders and dissidents who risk deportation to Egypt. The Gulf states are the most significant example. Egypt maintains good relations with these countries, while their regimes share much of Egypt's strategic position on human rights work and human rights discourse in general. A number of defenders interviewed for this report said that they were aware that Arab Gulf states are off limits to them because of their status as defenders. This danger extends to their families, who have also encountered difficulties remaining in these countries, unrelated to any political activity, but simply because of their relationship with defenders.

The risk of refoulement is growing amid Egypt's relentless attempts to exploit its foreign relations with various countries to encourage them to close the doors of asylum or residency to defenders and dissidents. This is increasingly dangerous in democratic countries where the rule of law prevails, especially in the West. Take the case of Italy. On May 2024, 7, the Italian ministers of interior, foreign affairs, and justice issued a joint decree designating Egypt as a safe country of origin.⁶¹ This will mean much stricter scrutiny for applications for international legal protection for defenders and political dissidents, as the decision obviates the substantive grounds of risk that underlie their requests for asylum in Italy. The decree sets forth procedures to be followed in the consideration of all asylum applications, requiring the regional committee to examine applications within nine days at most, in an "expedited procedure."⁶² In the absence of strong grounds warranting protection, the application is likely to be rejected. Official identification documents are one tool to strengthen an application and prove its seriousness—the same documents that the Egyptian authorities arbitrarily deny defenders and dissidents. In addition, asylum applicants without a clear or strong basis for asylum do not have the right to apply for asylum while inside Italian territory, which in practice will entail the deportation of refugees and asylum seekers, or at least the denial of entry to the country, no matter how complicated the conditions that prompted them to leave their home countries. This measure will likely encourage other EU states to move in the same direction, especially given the rising right-wing nationalist tide in European countries. Moreover, Egypt's diplomatic efforts are geared to linking European and Egyptian economic and security interests on common issues such as migration, borders, terrorism, and armaments, and it uses these ties to spur European states to deny defenders asylum and deport those already present in their territory.

60- Amnesty International, "UAE: Don't Deport Egyptian-American Dissident to Egypt Where He Will Face Torture," December 8, 2022, <https://www.amnesty.org/en/latest/news/2022/12/uae-dont-deport-egyptian-american-dissident-to-egypt-where-he-will-face-torture/>.

61- Read the decree at: https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2024-05-07&atto.codiceRedazionale=24A02369&elenco30giorni=false.

62- Association for Juridical Studies on Immigration, "Safe Country of Origin," May 31, 2023, <https://asylumineurope.org/reports/country/italy/asylum-procedure/the-safe-country-concepts/safe-country-origin/>.

Punishing families

The response to the human rights activity of Egyptian defenders or activists abroad varies depending on the scope of defenders' work and activity or the degree to which they air political opinions and exercise freedom of expression outside Egypt. Since it is difficult to get to defenders themselves while they are



in exile, their families and social circles in Egypt are where the response to their perceived increased activism is most visible. Some defenders reported that if they were involved in foreign-sponsored events or activities that focused on systematic violations of human rights in Egypt, it made their families a target.

This tactic is known as proxy punishment, which refers to the abuse and harassment of the families of dissident defenders designed to pressure defenders to abandon their positions and, at times, to return to Egypt. States that engage in proxy punishment depend on the presence of dissidents' families in their territory and typically justify their actions by citing their sovereignty over citizens and their authority to pursue lawbreakers. For regimes, this is a less costly way of pressuring defenders than targeting them abroad. The means used to target families as proxies for defenders range from physical abuse, detention, legal and judicial prosecution, threats of harm to family members, economic and financial sanctions on family members, and travel bans or other restrictions for family members.⁶³

To take a step back, it must be noted that defenders' departure from Egypt creates problems for them from the outset. The state's knowledge of their departure often comes after the fact, and their families are often subsequently harassed in order to pressure them to reveal the defenders' whereabouts and to tell defenders to contact the security services personally. This tactic has been successful in several cases, as defenders succumb to the proxy pressure and reach out to security officials to alleviate the pressure on their families, emphasizing that their families were not involved in their decision to flee the country.

63- Dana M. Moss et al., "Going after the Family: Transnational Repression and the Proxy Punishment of Middle Eastern Diasporas," *Global Networks*, vol. 22, no. 4 (October 2022).



My sister called me to say that my mom had to speak to me urgently. State Security was in the house. I was extremely afraid for them. Mom called and when I answered, an officer responded asking where I was. I told him, 'I'm in [X] and my family don't know...He kept asking me and I told him, stop asking me. He said they would interrogate my family.'⁶⁴

The security apparatus's confirmation of defenders' departure from Egypt does not spare their families from further contact with security. Several defenders reported that after they left, their families remained under open-ended surveillance. Family members might be summoned to security headquarters where they were questioned about the defenders, or continually contacted by security for new information about the defenders and the nature of their work, and in order to communicate threats to defenders. The security services engage in such monitoring in part because they expect defenders to resume their activism and, if they have not confirmed a defender's departure, to make sure that he has in fact left the country and has not simply disappeared. There does not appear to be a clear pattern of treatment of defenders' families. Some of them said that security continued to contact and pressure the family for months; the harassment ended once no new developments came to light, and especially if the defender had largely cut family ties and had no communication with them. For others, the harassment persisted for up to five years.



"The calls to my father never end. The last one was in September, from a private number, saying they know that [X] is doing such-and-such and they threaten him...He's constantly threatened and intimidated, it doesn't stop. They want to me make me feel that my family is in constant danger, from the day I left in 2017."⁶⁵

Defenders' families and even their friends and acquaintances are subject to various forms of violation and retaliation. Some defenders said that their friends were threatened simply because of their relationship with them.



"I had a friend from college, a government employee. He was harmed at work and was referred to interrogation more than once because of our relationship. He later cut off our ties. I have a friend who works in media who was harmed because of me, and I cut him off for his own good. But this happens all the time."⁶⁶

64- Interview with W.A.

65- Interview with S.S.

66- Ibid.

This was also common in the case of family members who work in the public sector, which gives the government greater control over their fate. There are several cases in which defenders' family members were subjected to professional sanctions, from the denial of a promotion to arbitrary dismissal, due to their blood relationship with defenders.

State agencies in Egypt exploit the system of appointment to government jobs, under which employment contracts are renewed annually following a comprehensive review, including a security review. Several defenders whose parents held government jobs reported that they were fired or denied promotions because of their filial relationship with the defenders and because of the defenders' continued human rights activism. In a number of cases, the authorities did not hesitate to explicitly inform the family members that their dismissal was linked to their children's human rights advocacy. The same is true of defenders' siblings, some of whom were fired from their jobs because of the activism of a brother or sister. In fact, in some cases, security personnel came to their workplace and threatened family members with consequences due to their relatives' rights activism.⁶⁷

In more extreme cases, family members were held for days and even months in detention on vague charges, especially the head of the household. Testimonies stated that some of these detainees were even charged with spreading false news, disturbing the public peace, and misusing social media.



“My father was arrested in my stead. They didn't physically harm him, He was told at National Security that it was because he was my father and I'm his son, but in the official questioning, it was said that he was spreading false news on Facebook, and he doesn't even have a Facebook account. He was later released. I don't know the situation now, but I hope he's okay.”⁶⁸

Similarly, a number of defenders reported direct security threats to their family members, who were charged with political crimes and added to Supreme State Security cases without any factual basis. It was simply because they were related to the defenders. Messages were delivered through them to the defender telling the latter to cease their activities and in exchange, no legal action would be taken against their family members.



“A few days after I learned of the case, someone called Dad and told him, ‘We're calling you unofficially to let you know that you and your youngest daughter will be named in a case. My sister is very young—she was a child when all these changes happened in Egypt...They asked Dad to come in for a chat and there they showed him the case file and the people named as defendants.’”⁶⁹

67- Ibid.

68- Interview with S.H.

69- Interview with S.D.

Similar to the restrictions on movement experienced by their fellow defenders, the families of defenders suffer from the same restrictions on movement as the defenders did. Their movements appear to be constantly monitored, and family members have been repeatedly stopped at the airport and questioned about their destination, their defender relatives in exile, and whether they are traveling to meet with defenders abroad.

For some families, this has meant the confiscation of their passports, travel bans, and persistent summons to answer questions about the defenders related to them and their work abroad. They become a proxy for the defenders, suffering the same fate as the latter, experiencing physical and psychological abuse, beatings, the stripping of their clothing, and a flag on their names in the national database, which precludes obtaining various official documents.



“When my brother tells them he has nothing to do with his sister’s work, they tell him that for them, he’s just a substitute for me.”⁷⁰

In addition, the usual practices continue. The families’ homes are periodically raided to terrorize them. They are questioned about new developments in their children’s work, how they communicate with them, and any new information about their residence, and they continue to receive phone calls threatening family members if the defenders continue to work. Some families reported that local informants in their neighborhood deliberately smeared the reputation of the defenders and incite area residents against them and their families, encouraging locals to cut off social ties with them. Other defenders said that their family members residing in Egypt were shunned in the neighborhood and even expelled from recreational social clubs where they had been members for generations.



“Every so often, they send informants to the house and to the neighbors, to ask if I’ve returned or not. They deliberately tarnish my reputation among the neighbors and in the neighborhood, saying I’m a criminal and I’m creating problems for the country, even though they know I’m outside Egypt.”⁷¹



“My family is apolitical. Everyone suffered from social isolation. I was expelled from the social club, and all the social institutions I might go to, I’ve been shut out of.”⁷²

The targeting of defenders also extends to their social lives. Their close friends and acquaintances are monitored and questioned about the defenders or pressured to cut off communication and relationships altogether. In some cases, friends were threatened with dismissal from government employment. Such threats spur defenders themselves to cut many social ties for fear that a friend may be threatened or harmed in any way.

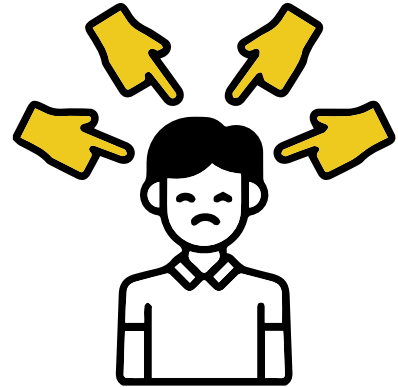
70- Interview with L.N.

71- Interview with S.S.

72- Interview with S.D.

Defamation and social stigma

Escalating action towards defenders and their activities is not limited to targeting their families, but extends as well to media campaigns that smear the reputation of defenders and their families. The security services own several media and press platforms, many of which function as state mouthpieces that convey official messaging to citizens.



Amid such widespread media biases, these platforms have been used as never before to attack rights work, activities, and advocacy campaigns at home and abroad, accusing human rights defenders of treason, inciting against them, and discrediting the claims and activities of the human rights movement.

The usual methods of surveillance and the fact that human rights work relies on social media and other digital platforms provide many openings to identify defenders, the institutions working with them, and the type of the issues they work on. Several well-known media programs that are close to the institutions of governance in Egypt have deliberately smeared, insulted, and slandered defenders, claiming that the people and the organizations that make allegations of enforced disappearance, for example, are terrorists and terrorist entities.⁷³ These programs preempt the work of defenders by publishing details about the programs and events sponsored by such institutions.⁷⁴

One of the most recent examples is the Sinai Foundation for Human Rights. After the institution published an investigative report on the war on the Gaza Strip and the repercussions for the Egyptian border region, a security-propaganda blitz was launched against the organization and its directors. Unlike other campaigns, which are spearheaded by media figures who hold no official or executive position, this campaign involved important figures in media oversight and regulatory institutions. The campaign reached such a tenor that it accused the rights organization of terrorism, treason, and espionage.⁷⁵

For less prominent and visible defenders, the work of character assassination is typically left to the so-called electronic committees—state-sponsored troll armies— and their online accounts, where they disseminate information and discuss ongoing violations on the ground.

73- Sada Elbalad, “‘Ala Mas’uliyati, Ahmad Musa: Munazzamat Ikhwaneya Irhabya Tad’a Kidhban Wujud Ikhtifa’ Qasri,” April 25, 2020, <https://www.youtube.com/watch?v=jWHSsCfmhaU>.

74- Sada Elbalad, “Ahmad Musa: A’da’ al-Watan Yaktubun Taqarir Kadhiba ‘an Huquq al-Insan fi Misr,” October 31, 2021, <https://www.youtube.com/watch?v=DrWEjtezSZI>.

75- Egyptian Front for Human Rights, “Tashhir wa-Tahdidat Tatal Munazzama Huquqiya wa-Mudiraha: Hajma li-l-Intiqam Ithra Taqarir ‘an al-Ahdath ‘ala al-Hudud ma’ Ghazza,” February 26, 2024, <https://egyptianfront.org/ar/2024/02/تشهير-وتهديدات-تطال-منظمة-حقوقية-ومدي>.



“Ahmed Moussa defamed me, doxing me [on air] and casting aspersions on my moral fiber, saying I was working to introduce bad things [into Egypt].”⁷⁶



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“Youm7 published a copy of my ID and a photo of \$20 that was in my wallet. They said I was in possession of flares and a drum, which were supposedly funded from abroad and were subversive.”

When it comes to defamation, women and LGBTQ people are the most vulnerable to attacks because of their human rights work and the most frequently targeted, both by media campaigns and directly on the ground. This is reflected in the gender-specific threats faced by women activists, which are intended to humiliate and stigmatize them socially. Several female activists mentioned being explicitly threatened by security personnel, who said they might be raped and harassed if they continued their defense of human rights. If the defender is a mother, the cost is even higher. One defender described threats made against her and her child:



“Among the threats is that I’d be raped and they could film me in my bedroom and then publish the photos.”⁷⁸

76- Interview with S.D.

77- Ibid.

78- Interview with R.D.



“He used my son to threaten me, showing me photos of me and my son in the street and the supermarket next to the house. He told me that usually when the head of the household is arrested, the family falls apart, so imagine what happens when the mother is arrested and a three-year-old child is left who can’t take care of himself. I didn’t hear what he said after that. He used to tell me my son would go to prison with me.”⁷⁹

Unlike audiovisual media, which has a broader public reach, attacks on X (formerly Twitter) and other social media platforms are led by fake accounts that are loyal to the state. Such campaigns are extremely common against defenders and dissidents, whose posts about violations and their work are met with defamation, verbal harassment, and accusations of treason, collusion with foreign parties, lying, and attempts to destabilize Egypt.

Women human rights defenders spoke of various types of harassment they faced because of their activism, which continued after they went abroad. One female defender said that the security services deliberately sought to impugn her reputation among the people she worked with a sought to represent, exploiting the prevalent social conservatism in Egypt to make insinuations about her social status and her residence abroad alone as a woman.

The situation is similar for LGBTQ defenders, whose non-normativity makes them the weakest link in the societal system and the most vulnerable among activists. Several defenders mentioned the additional strains and social stigma some queer activists endured before of their activism, which affected them and their work directly. This makes them a prime target for public defamation campaigns.⁸⁰ The social stigma extends as well to other defenders and lawyers who defend them and denounce the serious violations to which the LGBTQ community is subjected to.⁸¹

A number of defenders mentioned colleagues who had been forced into exile by repression and threats. If they resumed their activism abroad, it exposed their families to social pressure. Security personnel would personally visit their families’ neighborhoods and workplaces to inform their social circles of the activists’ gender identity, leaving a social stigma on their families. This type of harassment of the families of LGBTQ activists put pressure on the defenders themselves. In some cases, the psychological pressure was too much to endure, Sarah Hegazy being the most well-known example.⁸²

79- Ibid.

80- Interview with S.S.

81- Interview with R.D.

82- Rasha Younes, “For Sarah Hegazy: In Rage, in Grief, in Exhaustion,” Human Rights Watch, June 6, 2020, <https://www.hrw.org/news/2020/06/16/sarah-hegazy-rage-grief-exhaustion>.

The LGBTQ community are the most threatened in exile. Even though they go to countries like Canada, the repression doesn't stop. Sarah Hegazy, for example, continued to be an activist there, and her family here was wrecked. They ruined their reputation. Informers kept going to the neighborhood and spreading rumors about her and her sexual conduct and ideas. Her sister was in secondary school, and the teachers had these stories aired among her peers. The same thing with her brother at work and her cousin—they spread these same stories. They just wrecked them and put a social stigma on all of them before her death. Even after her death too, it continued for a while."⁸³

Digital targeting

The security services are stepping up the use of digital and technological means to target dissidents in general, including human rights defenders, in line with the growing importance of technology in public work in Egypt. While no person active in human right work or public affairs is safe from electronic surveillance and hacking attempts, the technological sophistication of such targeting varies depending on the dissident or defender who is targeted.



According to neutral international reports, the most technologically sophisticated digital surveillance is aimed at top politicians and dissidents with a high public profile, who have been targeted by Pegasus spyware and similar programs. Two Egyptian political dissidents were targeted by these programs: Ahmed al-Tantawi, a candidate in the 2023 presidential elections, and opposition politician Ayman Nour, who ran for president in elections under Mubarak and who has been active after 2013 in several fields, one of which is human rights and the infringement of legal and judicial rights.⁸⁴

Egyptian defenders abroad are also subjected to digital surveillance, particularly since, being outside Egypt, it is more difficult to maintain current information about their work and activities. Activists, defenders, and institutions that work on issues deemed highly sensitive by the Egyptian state, particularly border issues and minorities—which are managed by multiple agencies in Egypt—are the targets of second-tier surveillance. This category of defenders is subject to continuous hacking attempts, often covert and successful to some degree, according to several defenders who only discovered they had been hacked by chance. These hacks were likely successful because more resources are directed to financial, logistical, and technical surveillance for targets that work on perceived issues of national security.

83- Interview with S.S.

84-Bill Marczak et al., "Pegasus vs. Predator: Dissident's Doubly-Infected iPhone Reveals Cytrox Mercenary Spyware," The Citizen Lab, December 16, 2021, <https://citizenlab.ca/2021/12/pegasus-vs-predator-dissidents-doubly-infected-iphone-reveals-cytrox-mercenary-spyware/>.

The general category of human rights defenders is subject to third-tier surveillance. This group also faces continual hacking attempts, which imposes the additional burden of securing their safety and privacy. In particular, they assume the expense of protecting their personal information from attempts to hack their personal devices. The group of defenders interviewed for this report all confirmed that any advocacy campaign in which they were involved was monitored and tracked by electronic committees subordinate to the security apparatus in Egypt, with the aim of smearing the defenders as traitors and collaborators, reporting their content for blocking, and identifying content about human rights violations published on their personal and professional accounts that could be used in criminal charges against them in the future—a scenario that defenders thought likely.

The financial and economic repercussions of targeting

Since the banking system in Egypt, like other countries, requires clients to keep their personal data up to date, defenders have faced difficulties in this respect being out of the country and in the absence of written powers of attorney that allow their families or lawyers to deal with their accounts and the funds in them. Prominent dissident Dr. Ayman Nour spoke of his experience:



“The arbitrary measures included denying me the ability to obtain any official Egyptian document, including powers of attorney or sale contracts for property, real estate, cars, etc. I experienced something like civil death.”⁸⁵

Since assets and property require proof of identity, the lack of identity papers necessarily entails a freeze on financial transactions. Property ownership is thus endangered and may be undermined, with consequences for defenders’ families in Egypt.

Even when families have legal powers of attorney allowing them to dispose of the defenders’ bank accounts, they may still encounter difficulties in accessing funds or updating data. Defenders’ families may be instructed that the defenders need to be personally present for certain transactions, to update data, or to withdraw funds.

85- Interview with Ayman Nour.

84-Bill Marczak et al., “Pegasus vs. Predator: Dissident’s Doubly-Infected iPhone Reveals Cytrox Mercenary Spyware,” The Citizen Lab, December 16, 2021, <https://citizenlab.ca/2021/12/pegasus-vs-predator-dissidents-doubly-infected-iphone-reveals-cytrox-mercenary-spyware/>.

This institutional dimension overlaps with the policy of deliberately targeting defenders. Parents have been explicitly told that no transactions can be done on behalf of their children because their names have been officially flagged by the higher financial authorities, typically at the behest of the security authorities. As a result, defenders' financial transactions are restricted and monitored due to their physical distance from their bank accounts, and they do not pursue legal or institutional avenues for preserving their funds for fear of the danger that legal action might pose to their families.

Because of their history of activism, defenders face difficulties in arranging their financial affairs even abroad. One defender said that he was having a hard time opening a bank account in his current country of residence: the financial authorities require background data on the client, and because he was detained for a time by the Egyptian authorities due to his human rights work, he did not have a clean criminal record.⁸⁶

Decrees adding defenders' names to the designated terrorism lists also has financial implications. Inclusion on the lists entails the confiscation of the property of the designated individual or institution, which accrues to the public treasury. One defender who was named on the terrorism and terrorist entities lists commented:

I'd wanted to do a power of attorney for my family, for my money...I regret not doing it because after the designation, they confiscate the person's money and properties...I was afraid of dealing with the embassy when going to do it...But I unfortunately was late in taking this step."⁸⁷

Civil and political rights

HRDs' ability to exercise their civil and political rights remains in jeopardy due to the uncertainty of their legal status and the lack of official documents, such as passports and identity cards, that allow them to exercise their rights (for example, the right to vote) in exile. One defender said that just prior to the last presidential elections in 2023, he tried to access his election data to see if he would be able to vote but found, to his surprise, that none of his voter data even existed.



86- Interview with S.H.

87-Interview with W.A.

“I tried to look up my ID number on the official election websites and it turned out the number didn’t even exist.”⁸⁸

Defenders and dissidents who have been placed on terrorism lists are denied their civil and political rights for a period of five years, renewable. Defenders who had not been legally stripped of their civil and political rights and who sought to exercise their political rights abroad during the presidential elections only managed to participate in the electoral process with difficulty, especially the endorsement stage for presidential candidates.

A number of defenders said that employees of Egyptian embassies abroad attempted to deter them, along with ordinary Egyptians abroad, from filing endorsements for certain presidential candidates. According to the defenders, embassy staff eventually acquiesced while informing them that their names and choice of presidential candidate would reach Egypt and the competent authorities—meaning the security services—and that this would have consequences.

At the same time, defenders and dissidents reported that they confirmed the presence of informants and security personnel in and around embassies during these elections. These individuals took pictures of them and sought to approach them to identify them.

“At first, the embassy was scaring people, telling them that the names they endorsed were going to Egypt, to certain bodies. Then they started to tell people that the result was a foregone conclusion, so why bother. So this was their game, or they tried to stall...I learned later that people arrested on Tantawi’s campaign in Egypt were asked about the people in charge of his campaign in Saudi Arabia, Qatar, Turkey, the UK, and the US.”⁸⁹

88- Interview with T.G.

89- Interview with T.G.

Conclusion

This report sought to examine the experience of the current generation of Egyptian activists and dissidents who are active on human rights issues in Egypt or whose work intersects significantly with these issues. The report discussed the defenders' departure from Egypt, which is typically set in motion by a series of difficult experiences with the security services that escalate until a defender has no option but to leave Egypt for exile in search of safety and the possibility of continuing their work in a climate of freedom and independence.

The past years have demonstrated that exile was not an ideal solution. Defenders were beset with troubles, as the machinery of repression harnessed its diplomatic, security, and media energies to track them down and pressure them to cease their activities or return to Egypt. The current situation in Egypt and the escalating crackdown on defenders does not portend an imminent end to this chapter of repression and persecution, which has been bolstered by an international climate that supports and normalizes authoritarianism. While the impacts of the repression of defenders in the diaspora will not be immediately apparent, ignoring it may create a complex humanitarian and legal situation for the exiles and their host countries.

Recommendations

To Egyptian Authorities:

- ➡ 1. Ensure that all human rights defenders, both within and outside the country, can carry out their legitimate activities without fear of reprisals, and without any legal or security-related restrictions.
- ➡ 2. Terminate any pending cases or charges against human rights defenders and organizations, and formally commit to refraining from any security or judicial harassment. Additionally, halt ongoing smear and defamation campaigns against HRDs.
- ➡ 3. Work towards annulling politically motivated in absentia convictions against human rights defenders in exile, and allow charged HRDs, both within and outside Egypt, to legally access their case files and any ongoing investigations if they exist.
- ➡ 4. Guarantee that the families, friends, and neighbors of human rights defenders are not subjected to harassment, threats, or used as tools of pressure to compel them to cease their activities.
- ➡ 5. Remove human rights defenders from terrorism lists and immediately cease any legal consequences arising from their inclusion on these lists. And stop the repeated summoning of HRDs to National Security offices, where they are interrogated about their activities both within and outside of Egypt, with the intent of intimidation and information gathering.
- ➡ 6. Immediately cease the arbitrary withholding of official documents and identification papers, and ensure the provision of essential consular services to human rights defenders, all Egyptians abroad, their children, and families. Uphold the right of return for exiled human rights defenders and political activists without subjecting them to security harassment or legal prosecution, and without conditioning their return on concessions or restrictions on their work.

To the International Community and International Partners of the Egyptian Government, particularly the European Union and the United States:

- ➡ 1. Integrate tangible progress in human rights policies and the improvement of the conditions and security of HRDs into any bilateral talks related to financial, security, and military assistance provided to the Egyptian authorities.
- ➡ 2. Ensure that spyware and surveillance technology, imported from companies operating within the European Union and the United States, are not used to violate human rights and target human rights defenders.
- ➡ 3. Provide necessary psychological support to human rights defenders in exile, recognizing that many are unable to seek medical help in Egypt due to surveillance by security agencies aimed at preventing such assistance.
 4. Pressure the Egyptian authorities to launch a formal initiative to resolve the legal cases and pending charges against human rights defenders who have been forced to leave the country.
- ➡ 5. Urge the Egyptian authorities to allow citizens to exercise their basic citizenship rights to obtain identification documents and access consular services without undue obstruction.
- ➡ 6. Encourage host countries of human rights defenders, particularly those in the Middle East and North Africa, not to comply with Egyptian requests for the extradition of these individuals, and ensure that host countries commit to providing as much legal and security protection as possible to resident defenders to protect them from persecution and harassment while in exile.

Annexes

List of defenders

Gender	Age	Focus of activism
Male	60	Human rights-related legislation in Egypt
Male	28	Economic and social rights
Male	32	Enforced disappearance
Male	33	Anti-discrimination
Male	34	Enforced disappearance
Female	29	Enforced disappearance and unfair trials
Female	28	Indigenous population and human rights
Female	31	Conditions in detention facilities and female detainees
Female	32	Unfair trials and enforced disappearance
Male	36	Arbitrary arrest