

# BEYOND COUNTERTERRORISM

HOW COUNTERTERRORISM POLICIES AND LEGISLATION IN EGYPT HAVE EVOLVED FROM INSTRUMENTS FOR CLOSING CIVIC SPACE INTO TOOLS OF TRANSNATIONAL REPRESSION

## POSITION PAPER LAW AND DEMOCRACY SUPPORT FOUNDATION

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## Executive Summary

This paper examines how the Egyptian authorities have extended counter-terrorism policies and legislation, already used to close civic space and restrict freedom of expression, into tools of transnational repression. While the paper does not deny that Egypt has faced genuine terrorist threats during different periods, it argues that these threats have been used to entrench permanent restrictions that are inconsistent with both the Egyptian Constitution and the international human rights obligations undertaken by Egypt.

The paper analyzes the legislative framework through a re-examination of three key laws: the **Counter-Terrorism Law (Law No. 94 of 2015)**, the **Law on the Regulation of Terrorist Entities and Terrorists Lists (Law No. 8 of 2015)**, and the **Anti-Cyber and Information Technology Crimes Law (Law No. 175 of 2018)**.

It explains how these laws are built on vague and overly broad definitions, extensive powers, and weak safeguards for the rights of defendants and victims of human rights violations, allowing them to be applied to peaceful activities. The paper further demonstrates that actual practices frequently go beyond even the limited safeguards provided by these legal texts through their misuse and instrumentalization against journalists, human rights defenders, and political opponents.

The paper identifies eight patterns of transnational repression based on counter-terrorism policies and legislation and supports them with documented examples:

1. Criminalizing cooperation with individuals or entities operating abroad.
2. Targeting the families of individuals residing abroad (punishment by proxy).
3. Smear campaigns and character assassination.
4. Blocking websites and online accounts belonging to activists and journalists.
5. In absentia prosecutions.
6. Misuse of regional security cooperation mechanisms and INTERPOL.
7. Designation on terrorism lists.
8. Enforced disappearance in the context of transnational repression.

The paper concludes that transnational repression is not a separate or exceptional policy, but rather a direct extension of the authorities' broader approach to closing civic space. This approach is characterized by prioritizing security-based measures over dialogue, pluralism, and political and economic reforms. Accordingly, the paper argues that any effective response must begin with genuine political will and the restoration of the principle of separation of powers and the independence of each branch of government.

Although the paper finds a clear absence of effective separation of powers and a significant concentration of authority in the hands of the executive branch, it nevertheless

puts forward a set of recommendations addressed to the legislative, judicial, and executive authorities, as well as to the international community. These recommendations include reviewing and amending legislation that restricts fundamental rights, ending security-led targeting and practices of transnational repression, regulating the use of security cooperation channels and INTERPOL mechanisms, and ensuring protection for targeted individuals in host countries.

## **First: Introduction and Overview of the Use of Counter-Terrorism to Close Civic Space**

Terrorism constitutes a genuine threat to security, stability, and the right to life. States' authority to combat terrorism and adopt measures necessary to protect their populations is firmly recognized in international law, as well as in United Nations and human rights frameworks. Indeed, this is not merely a right but also a responsibility incumbent upon states. Over the past decades, particularly since 2001, there has been a significant expansion in counter-terrorism policies and legislation at both the international and national levels. At the same time, these same frameworks require that any restrictions on rights and freedoms be exceptional, temporary, necessary, proportionate, grounded in clear legal authority, subject to independent judicial oversight, and respectful of the core essence of fundamental rights.

Despite these safeguards, many states, particularly authoritarian regimes, have exploited this expansion to consolidate their rule, close civic space, and restrict freedom of expression. Rather than remaining narrowly tailored and exceptional measures designed to address specific security threats, such restrictions have, in countries including Egypt, evolved into a permanent framework that enables pervasive security control over public life, the exclusion of political opponents, and the targeting of journalists, human rights defenders, and dissenting voices more broadly.

This paper does not deny that Egypt has faced genuine terrorist threats at various points in time, including the assassination of Public Prosecutor Hisham Barakat in 2015 and repeated attacks targeting military personnel and security checkpoints in North Sinai. However, the state has used these threats to justify the imposition of permanent legislative restrictions through the enactment of laws such as the Counter-Terrorism Law and the Law on the Regulation of Terrorist Entities and Terrorists Lists. These measures have been accompanied by an expanded definition of terrorism-related offenses, the use of vague and overly broad terminology susceptible to arbitrary interpretation, and the granting of sweeping powers to security agencies, in ways that are inconsistent with international human rights standards and the principle of legality in criminal law. They have also been accompanied by unlawful practices that violate public, political, and civil rights, transforming exceptional measures into a permanent reality used to close civic space and suppress freedom of expression.

The practices of Egypt's political system reflect a deeply rooted belief that its survival and continuity depend on security-driven solutions and restrictive measures rather than political approaches based on openness, pluralism, and public participation. As a result, counter-terrorism has increasingly been employed not as a legitimate response to specific security threats, but as a tool for restricting civic and political space.

Government efforts presented as part of the fight against terrorism have also been marked by a profound lack of transparency and a deliberate withholding of information, facilitated by legislative, executive, and judicial actors alike. The issue extends beyond the suppression of information to the persecution of those who seek to investigate, verify, or disseminate it. This environment has contributed to a situation in which extrajudicial killings and summary executions have become recurring occurrences, while authorities routinely refrain from conducting transparent investigations or disclosing relevant details. Official statements are often limited to reporting the number of individuals killed and linking these deaths to counter-terrorism operations, without providing information regarding the circumstances, evidence, or other relevant facts. Taken together, these practices raise serious questions about both the effectiveness and the credibility of these counter-terrorism efforts, as well as whether the authorities derive political benefit from the continuation of a perpetual state of counter-terrorism and have a genuine interest in bringing it to an end.

Moreover, beyond the deficiencies of these laws and their incompatibility with both the Egyptian Constitution and the international treaties ratified by Egypt, the state frequently fails to comply even with the limited legal safeguards contained within them. Violations of these safeguards are widespread, demonstrating that the problem extends beyond the text of the law to its implementation and enforcement in practice.

The use of counter-terrorism rhetoric has not been confined to silencing dissent within Egypt's borders. It has increasingly evolved into a tool of transnational repression manifested through a range of practices, including:

- **Criminalizing cooperation with individuals or entities operating abroad**, whether journalistic, human rights, media, or political in nature, and prosecuting individuals inside Egypt for collaborating or working with persons residing abroad, including Egyptian nationals, with the aim of isolating Egyptians in exile, restricting their influence, and limiting their ability to engage in public affairs.
- **Targeting the family members of individuals living abroad** through intimidation, threats, and criminal accusations designed to exert pressure on their relatives.
- **Smear campaigns and character assassination**, portraying Egyptians abroad as terrorists or as seeking to undermine the state.
- **Blocking websites, pages, and online accounts** belonging to activists, journalists, and media professionals living outside Egypt.

- **In absentia prosecutions**, through the filing of criminal charges against opposition figures, human rights defenders, and academics residing abroad and referring them to criminal proceedings conducted in their absence.
- **The instrumentalization of regional security cooperation mechanisms and the misuse of INTERPOL**, including the exploitation of cooperation frameworks within the Council of Arab Interior Ministers and related coordination arrangements to facilitate the transfer or deportation of dissidents and individuals targeted for their opinions from other countries to Egypt.
- **Placement of opponents residing abroad on terrorism lists**, restricting their access to consular services and other rights associated with citizenship.
- **Enforced disappearances in the context of transnational repression.**

This paper seeks to document and analyze these patterns in light of international standards and to provide recommendations to relevant stakeholders aimed at ensuring that terrorism is addressed through lawful and rights-respecting means, while ending the misuse of counter-terrorism measures to close civic space and facilitate transnational repression.

## Second: International Standards Governing Counter-Terrorism and Transnational Repression

Throughout its modern history, Egypt has acceded to a number of international human rights instruments, most notably the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR),<sup>1</sup> which it signed in 1967 and subsequently ratified, with both treaties entering into force for Egypt in 1982. Egypt also ratified the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)** in 1986. In addition, it is a party to the Arab Charter on Human Rights<sup>2</sup> which entered into force for Egypt in 2019. Furthermore, Article 93 of the Egyptian Constitution<sup>3</sup> provides that Egypt is bound by the international agreements, covenants, and conventions it ratifies, which acquire the force of law following ratification and publication.

Accordingly, violations of the international standards discussed in this section do not merely constitute departures from recommended practices or non-binding normative standards; they amount to breaches of binding legal obligations.

### 1. The Interdependence of Counter-Terrorism and Human Rights

International law does not deny or diminish the right of states to protect individuals from terrorism. On the contrary, it recognizes such protection as a state obligation. However, it

<sup>1</sup> - Ratification Status for Egypt : [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=54](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=54)

<sup>2</sup> - Arab Charter on Human Rights : [https://www4.ucegypt.edu/CMRS/Files/2.2 Arab Charter on Human Rights\\_EN.pdf](https://www4.ucegypt.edu/CMRS/Files/2.2%20Arab%20Charter%20on%20Human%20Rights_EN.pdf)

<sup>3</sup> - The Egyptian Constitution in Arabic : <https://www.presidency.eg/ar/المصر/الدستور/>

requires that counter-terrorism measures be implemented in full compliance with human rights standards. In Security Council Resolution “S/RES/1456 (2003)”<sup>4</sup>, the Security Council affirmed that states must ensure that all measures taken to combat terrorism comply with their obligations under international law, particularly international human rights law. Likewise, the United Nations Global Counter-Terrorism Strategy<sup>5</sup> identifies respect for human rights and the rule of law as a fundamental basis for an effective response to terrorism.

The issue, therefore, is not the existence of counter-terrorism legislation per se, but rather the philosophy underpinning such legislation and the extent to which it complies with international obligations and international human rights standards.

## **2. Scope and Conditions for Restricting Rights**

Article 19 of the International Covenant on Civil and Political Rights permits certain restrictions on rights protected under the Covenant, but only subject to strict conditions. Such restrictions must be prescribed by law, pursue a legitimate aim such as national security or public order, and be necessary and proportionate to that aim. Articles 21 and 22 of the Covenant, which protect the rights to peaceful assembly and freedom of association, further require that any restrictions be necessary in a democratic society, underscoring the exceptional nature of such measures. These provisions must also be read in conjunction with Article 5 of the Covenant, which prohibits any interpretation of the Covenant that would result in the destruction or undue limitation of the rights and freedoms it guarantees.

The Covenant was not intended to provide exhaustive definitions of its general terms, as it is fundamentally a framework instrument establishing overarching principles for the protection of fundamental rights. Nevertheless, this does not relieve states of their obligation to draft domestic legislation in a precise and accessible manner consistent with the principle of legality and capable of minimizing the risk of arbitrary interpretation and application. In this regard, the Human Rights Committee, in paragraph 46 of General Comment No. 34 on freedom of expression,<sup>6</sup> emphasized that offences such as “encouragement of terrorism” or “extremist activity” must be clearly and narrowly defined to prevent unnecessary or disproportionate interference with freedom of expression.

Even temporary derogations from Covenant obligations during states of emergency, as provided for under Article 4 of the ICCPR, are subject to stringent conditions. Such derogations require the existence of an exceptional threat to the life of the nation, an official proclamation of a state of emergency, and measures strictly limited to the extent required by the exigencies of the situation. Certain rights remain non-derogable even in such circumstances.

These requirements confirm that exceptional measures cannot lawfully be transformed into permanent rules or embedded within ordinary legislation.

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<sup>4</sup> - Security Council Resolution S/RES/1456 (2003) : [https://main.un.org/securitycouncil/en/s/res/1456-\(2003\)](https://main.un.org/securitycouncil/en/s/res/1456-(2003))

<sup>5</sup> - The United Nations Global Counter-Terrorism Strategy : <https://docs.un.org/en/a/res/60/288>

<sup>6</sup> - General Comment no. 34 on freedom of expression : <https://docs.un.org/en/CCPR/C/GC/34>

### 3. Findings and Concerns Raised by United Nations Human Rights Mechanisms Regarding Egypt

United Nations human rights mechanisms have repeatedly highlighted many of the concerns examined in this paper.

In 2020, several UN Special Rapporteurs, in communication OL EGY 4/2020,<sup>7</sup> warned that Egypt's Counter-Terrorism Law and the Law on Terrorist Entities and Terrorists Lists, in their current form, are inconsistent with the country's international obligations and called for legislation that is narrowly tailored to conduct that genuinely constitutes terrorism.

In its concluding observations on Egypt's fifth periodic report (CCPR/C/EGY/CO/5)<sup>8</sup> issued in April 2023, the Human Rights Committee expressed concern regarding the use of counter-terrorism legislation, alongside other restrictive laws, to silence actual or perceived critics, including peaceful protesters, lawyers, journalists, political opponents, and human rights defenders.

In joint communication AL EGY 7/2025<sup>9</sup>, several Special Procedures mandate holders expressed concern regarding the practice commonly referred to as *tadweer* ("case rotation" or "recycling"), whereby new cases are initiated to prolong pre-trial detention beyond legal limits.

Moreover, in its 2017 review<sup>10</sup> of Egypt, the Committee against Torture concluded that torture was being practiced in a systematic manner.

### 4. Transnational Repression

While there is not yet a universally agreed definition of transnational repression, nor a dedicated international treaty specifically addressing it, one of the most authoritative definitions currently used within the United Nations system appears in the first guidance paper issued by the Office of the United Nations High Commissioner for Human Rights in June 2025. The paper defines transnational repression as:<sup>11</sup>

"Acts carried out by a State or its proxies to deter, punish, or silence opposition, criticism, or human rights advocacy expressed from outside its territory."

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<sup>7</sup> Communication OL EGY 4/2020 : <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25072>

<sup>8</sup> - Concluding observations on the fifth periodic report of Egypt : [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/EGY/CO/5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/EGY/CO/5&Lang=en)

<sup>9</sup> - joint communication AL EGY 7/2025 : <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30469>

<sup>10</sup> - Report of the Committee against Torture Fifty-eighth session (25 July-12 August 2016), Sixtieth session (18-April-12 May 2017) : <https://digitallibrary.un.org/record/1291355?v=pdf>

<sup>11</sup> - the first guidance paper issued by the Office of the United Nations High Commissioner for Human Rights in June 2025 about the TNR : <https://www.ohchr.org/sites/default/files/documents/publications/transnational-repression-1-en.pdf>

According to the guidance paper, such practices may take multiple forms, including harassment through extradition requests, the extraterritorial misuse of national security legislation, restrictions on freedom of movement, digital attacks, and punishment by proxy against family members.

On 23 September 2026, members of UN treaty bodies and Special Procedures also issued a joint statement emphasizing that transnational repression frequently takes the form of coercion and punishment by proxy extending to family members, and that targeting individuals who cooperate with the United Nations may constitute intimidation and reprisals.<sup>12</sup>

Among the relevant international references in this field, despite focusing on a different country context, is the report of the Special Rapporteur on the situation of human rights in the Russian Federation (A/HRC/63/60, September 2026). The report affirmed that the principle of non-refoulement limits extradition, deportation, and informal transfers, even when requested pursuant to bilateral or multilateral arrangements. It further noted that trials in absentia, while not inherently unlawful, may become instruments of transnational repression when they fail to meet international fair trial guarantees. The report also identified the misuse of international legal cooperation mechanisms and INTERPOL procedures as forms of unlawful extraterritorial exercise of criminal jurisdiction targeting peaceful expression, and emphasized that host states have an obligation not to become complicit in such practices and to ensure protection for those at risk.<sup>13</sup>

## **5. INTERPOL and Arab Security Cooperation Mechanisms**

Article 3 of the Constitution of INTERPOL strictly prohibits the Organization from undertaking any intervention or activities of a political, military, religious, or racial character. Article 34 of the INTERPOL Rules on the Processing of Data establishes criteria for assessing the political nature of a case. Under INTERPOL's institutional framework, the Commission for the Control of INTERPOL's Files (CCF) is empowered to order the deletion of data that contravenes the prohibition established under Article 3.<sup>14</sup>

By contrast, cooperation conducted through the Council of Arab Interior Ministers is not subject to comparable safeguards. According to an analysis by MENA Rights Group, the Council's founding statute of 1982 contains no reference to human rights standards. Unlike INTERPOL, individuals are not afforded the ability to access arrest requests circulated against them, nor are effective mechanisms available to challenge or request the

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<sup>12</sup> - Joint Statement by United Nations Human Rights Experts on Transnational Repression : <https://www.ohchr.org/en/statements-and-speeches/2026/09/joint-statement-united-nations-human-rights-experts-transnational>

<sup>13</sup> - Nowhere is safe: exporting the rule of fear beyond borders –transnational repression by the Russian Federation : <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session63/advance-versions/a-hrc-63-60-aev-14th.pdf>

<sup>14</sup> - The legal documents of INTERPOL, including the INTERPOL Rules on the Processing of Data and the Statute of the Commission for the Control of INTERPOL's Files : <https://www.interpol.int/en/Who-we-are/Legal-framework/Legal-documents>

deletion of such requests. The Council also lacks an independent oversight body comparable to the CCF.<sup>15</sup>

Its operational framework is primarily based on the Riyadh Arab Agreement for Judicial Cooperation (1983)<sup>16</sup> and the Arab Convention on the Suppression of Terrorism (1998).<sup>17</sup> Although both instruments prohibit extradition for political offences, they contain exceptions for certain categories of conduct, including offences against kings and heads of state. In practice, these exceptions may be interpreted expansively and used to pursue political opponents or individuals targeted for their views. Furthermore, neither instrument expressly incorporates the principle of non-refoulement.

On 23 June 2023, United Nations experts addressed communication OL OTH 71/2023 to the League of Arab States,<sup>18</sup> raising concerns regarding the Council and the compatibility of some of its procedures with member states' obligations under international law. The communication also expressed concern regarding certain provisions of both the Riyadh Agreement and the Arab Convention on the Suppression of Terrorism.

According to MENA Rights Group, and citing information provided by an INTERPOL spokesperson, INTERPOL and the Council of Arab Interior Ministers maintain separate databases and operate under distinct legal frameworks. INTERPOL does not intervene in procedures conducted by states through the channels of the Council of Arab Interior Ministers.

### **Third: Legislative Framework**

For decades, Egypt has operated within a legislative framework characterized by a restrictive approach that prioritizes expanding the powers of the state and security agencies. Examples include the longstanding Emergency Law, provisions of the Penal Code, and other legislation. Although significant aspects of this legal framework are inconsistent with both the Egyptian Constitution and Egypt's international human rights obligations, the authorities have not pursued comprehensive legislative review or reform to ensure the protection of fundamental rights and freedoms. Instead, they have continued to adopt new restrictive laws granting broad powers to state authorities under various justifications, most notably counter-terrorism and cybercrime legislation, as well as the Law Regulating Civil Society Organizations and the Protest Law.

The following section examines three of the most significant laws in this regard: the Counter-Terrorism Law (Law No. 94 of 2015), the Law on the Regulation of Terrorist Entities and Terrorists Lists (Law No. 8 of 2015), and the Anti-Cyber and Information

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<sup>15</sup> - Understanding the Arab Interior Ministers' Council and its role in transnational repression by MENA Rights Group : <https://menarights.org/publication/aimc/>

<sup>16</sup> - Riyadh Arab Agreement for Judicial Cooperation : <https://www.refworld.org/legal/agreements/las/1983/en/39231>

<sup>17</sup> - Arab Convention on the Suppression of Terrorism (1998) : [https://www.unodc.org/images/tldb-f/conv\\_arab\\_terrorism.en.pdf](https://www.unodc.org/images/tldb-f/conv_arab_terrorism.en.pdf)

<sup>18</sup> - communication OL OTH 71/2023 to the League of Arab States : <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28070>

Technology Crimes Law (Law No. 175 of 2018). These laws have played a central role in restricting freedom of expression and closing civic space, while also intersecting with several forms of transnational repression addressed in this paper.

## **1. Counter-Terrorism Law No. 94 of 2015<sup>19</sup>**

The Counter-Terrorism Law is among the most significant pieces of legislation used in recent years to close civic space and restrict freedom of expression in Egypt. Its impact extends beyond expanding criminal liability and granting exceptional powers to state authorities. It has also facilitated the referral of a large number of opinion-related and public affairs cases to the Supreme State Security Prosecution.

The jurisdiction of the Supreme State Security Prosecution derives from the Minister of Justice decree establishing it on 8 March 1953 and subsequent amendments thereto, including Decree No. 1270 of 1972. Under this framework, it is often sufficient for an individual to face a single accusation based on provisions of the Counter-Terrorism Law, or allegations such as disseminating false news, for the case to fall within the prosecution's jurisdiction. The prosecution has played a notable role in restricting defence rights by denying defendants and their lawyers full access to case files in numerous cases and, in certain instances, by conducting interrogations in the absence of legal counsel chosen by the accused. Such practices undermine fair trial guarantees and limit the ability of defence lawyers to effectively represent their clients.

At the same time, the prosecution has frequently failed to conduct prompt, thorough, and effective investigations into allegations of enforced disappearance, torture, and ill-treatment attributed to security agencies, contributing to a climate of impunity. Furthermore, both the prosecution and the specialized terrorism circuits have played a significant role in entrenching the prolonged use of pretrial detention as a punitive measure and a de facto substitute for the administrative detention previously exercised under the state of emergency. This has included the practice known as *tadweer* ("case recycling"), whereby detainees are added to new cases after exhausting statutory limits on pretrial detention.

The law's impact is not confined to Egypt's domestic sphere. The designation of individuals as terrorists and their inclusion on terrorism lists provides the authorities with a legal basis that may be invoked in certain requests for extradition, criminal pursuit, and the forcible return of Egyptians from abroad. It has also been used to justify the blocking of media platforms and websites operating from outside Egypt, extending the law's impact beyond national borders and into various forms of transnational repression.

The restrictive impact of the law on fundamental freedoms is reflected in several of its key provisions, which facilitate expansive criminalization, restrict freedom of expression, and weaken procedural safeguards associated with the right to a fair trial. Among the most notable are:

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<sup>19</sup> - Counter-Terrorism Law in Arabic : [https://mlcu.org.eg/upload/uploadeditor/files/قانون مكافحة الارهاب\\_v2.pdf](https://mlcu.org.eg/upload/uploadeditor/files/قانون مكافحة الارهاب_v2.pdf)

**Article 2**, which adopts an exceedingly broad definition of a terrorist act and employs vague terminology such as “disturbing public order,” “harming social peace,” and “endangering interests,” without defining what constitutes public order, social peace, or the interests concerned. Such terms are readily susceptible to expansive interpretation and may be applied to a wide range of peaceful activities, creating significant risks for the exercise of fundamental freedoms.

**Article 6**, which equates the penalty imposed for an underlying offence with that imposed for incitement to commit it, even where the alleged incitement produces no criminal act or tangible consequence. In the absence of clear definitions, this provision is particularly vulnerable to use against individuals exercising their right to freedom of expression.

**Article 28** imposes a prison sentence of no less than five years on anyone who directly or indirectly promotes the commission of a terrorist offence. The article further considers the promotion of ideas or beliefs advocating the use of violence to constitute indirect promotion. Given the ambiguity surrounding the concept of “indirect promotion,” the provision can readily be used against journalists, human rights defenders, opposition figures, and other individuals expressing dissenting views.

**Article 29** poses serious risks to freedom of expression online by imposing aggravated imprisonment of no less than five years on any person who establishes or uses a website to promote terrorist ideas, disseminate content intended to mislead authorities or influence the course of justice, or exchange messages related to the movements of alleged terrorists. The provision relies on several broad and undefined terms that may facilitate extensive targeting of critical or dissenting expression.

In addition to financial penalties, **Article 49** authorizes the blocking of websites deemed to be in violation of the law and permits the seizure of relevant equipment and devices. This allows authorities to block entire websites rather than specific content and can effectively disrupt or halt media operations through the confiscation of equipment.

In the absence of legislation guaranteeing the right of access to information, **Article 35** effectively establishes official state statements as the benchmark for truth. It provides for fines against anyone who publishes, broadcasts, displays, or promotes information relating to terrorist acts or counter-terrorism operations that contradicts official statements issued by the Ministry of Defence. This provision directly affects journalistic work, freedom of expression, and access to information, and may be used to target critical reporting and fact-checking initiatives.

Against the backdrop of extensive documentation by human rights organizations and international mechanisms regarding the systematic use of enforced disappearance in Egypt, **Articles 40 and 41** effectively provide a legal framework for incommunicado detention for a period of up to 28 days. Article 40 authorizes security agencies to detain a suspect for 24 hours before presenting them to the Public Prosecution or the competent investigative authority, which may authorize continued detention for up to 14 days and renew that period once. Article 41 provides that the law enforcement officer responsible for the detention shall inform the detainee of the reasons for detention and that the detainee may contact family members and seek legal counsel, provided that doing so does

not prejudice the interests of the investigation. This broad exception allows security agencies to deny detainees access to family members and lawyers whenever they consider such contact contrary to investigative interests.

## **2. Law on the Regulation of Terrorist Entities and Terrorists Lists (Law No. 8 of 2015)<sup>20</sup>**

The Law on the Regulation of Terrorist Entities and Terrorists Lists constitutes one of the principal legislative instruments relied upon by the Egyptian authorities within their counter-terrorism framework. It establishes a legal mechanism through which individuals and entities may be designated as “terrorists” or “terrorist entities.”

One of the law’s most significant concerns is that it permits the imposition of wide-ranging restrictions and measures on listed individuals and entities before any final criminal judgment establishes responsibility for a terrorist offence. This raises serious concerns regarding compliance with the presumption of innocence and fair trial guarantees.

The law’s application has also been notably expansive. It has not been limited to groups or individuals accused of violent acts but has extended to political opponents, human rights defenders, journalists, and Egyptians residing abroad. Designation has resulted in the deprivation of a range of rights associated with citizenship, including restrictions and obstacles in accessing certain consular services and official procedures, alongside significant legal, financial, and reputational consequences that may endure for extended periods. As a result, the law has become a powerful tool for restricting opposition activity both within Egypt and beyond its borders.

The law contains several provisions that raise significant human rights concerns, including the following:

**Article 1** reflects the same legislative approach characterized by expansive definitions and vague terminology. It defines “terrorist entity” to include associations, organizations, groups, gangs, cells, companies, unions, and other forms of collective organization where their activities or objectives are deemed to involve harming individuals, endangering rights and freedoms, damaging facilities, disrupting laws, or preventing state institutions from carrying out their functions. As drafted, the provision encompasses virtually all forms of organization, whether formal or informal, as well as legal entities and individuals. Its broad wording facilitates expansive interpretations that may extend to peaceful activities protected under both the Constitution and international human rights standards, including certain forms of expression, association, and peaceful assembly.

**Articles 2 and 3** provide that the Public Prosecution shall prepare terrorism lists and submit requests for designation to a criminal court circuit on the basis of investigations, documents, intelligence reports, or other information. The court is then required to decide the request within one week of receiving a complete file. Despite the significant consequences attached to listing, these provisions permit designation on the basis of

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<sup>20</sup> - Terrorist Entities and Terrorists Lists Law in Arabic : [https://mlcu.org.eg/upload/uploadeditor/files/قانون\\_تنظيم\\_قوائم\\_الكيانات\\_الارهابية\\_والارهابيين\\_v2.pdf](https://mlcu.org.eg/upload/uploadeditor/files/قانون_تنظيم_قوائم_الكيانات_الارهابية_والارهابيين_v2.pdf)

security investigations or preliminary inquiries alone and before any final criminal conviction. In practice, this has transformed inclusion on terrorism lists into a measure with punitive effects despite the absence of a final determination of criminal responsibility.

**Article 4** establishes a listing period of five years and allows further renewals if no final judgment has been issued within that timeframe. This creates the possibility that the consequences of designation may continue indefinitely despite the absence of a final criminal conviction.

**Article 7** imposes a series of automatic consequences upon designation. For entities, these include prohibition or suspension of activities, closure of premises, bans on meetings, freezing of assets, and prohibitions on membership, advocacy, promotion, or the display of symbols. For individuals, the consequences include travel bans, suspension or cancellation of passports, loss of eligibility requirements related to good reputation or standing, exclusion from public employment, suspension from employment on reduced pay, asset freezes, restrictions on civil society and religious activities, and suspension of membership in professional associations and governing boards. These measures affect a broad range of civil and political rights and take effect immediately upon listing, even in the absence of a final criminal judgment.

**Article 8 bis** authorizes the Public Prosecutor, where serious information or indications exist, to order the freezing of assets linked to alleged terrorist individuals or entities, regardless of whether they have been formally listed, subject to judicial review within one month. The provision therefore permits restrictions on financial rights prior to any listing decision on the basis of a broadly formulated evidentiary threshold.

**Article 6** establishes a single avenue of appeal before the Court of Cassation within 60 days of designation. However, the filing of an appeal does not suspend the immediate legal consequences of listing. As a result, even where a designation is subsequently overturned, the affected individual may already have suffered substantial harm.

### **3. Anti-Cyber and Information Technology Crimes Law No. 175 of 2018<sup>21</sup>**

Despite longstanding calls by journalists, civil society organizations, and freedom of expression advocates for legislation guaranteeing the right to access information, requiring government institutions to disclose information, and establishing a clear legal framework for obtaining it, Egyptian authorities have consistently failed to adopt such legislation. Instead of enacting a law that promotes transparency and gives effect to the constitutional right to information, they adopted the Anti-Cyber and Information Technology Crimes Law, adding a new layer of restrictions on freedom of expression, access to information, and digital rights more broadly.

Although the law does not formally constitute counter-terrorism legislation and contains few explicit references to terrorist offences, it relies on many of the same vague concepts

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<sup>21</sup> - Anti-Cyber Crimes Law in Arabic : <https://www.tra.gov.eg/wp-content/uploads/2020/11/-مكافحة-جرائم-تقنية-المعلومات.pdf>

and broadly framed terms found in Egypt's counter-terrorism framework, particularly concepts such as "national security" and "protecting public order." As a result, it has become one of the legislative tools employed within broader state policies pursued under the banner of combating terrorism and addressing security threats, despite its significant implications for freedom of expression, journalism, and peaceful human rights activities.

The law reinforces and expands restrictions already contained in other legislation, providing them with a more comprehensive and permanent legal basis. It imposes mandatory obligations on internet and telecommunications service providers to participate in the state's digital surveillance architecture and subjects them to criminal and financial penalties for non-compliance, effectively integrating them into the implementation of state monitoring policies.

Its impact is not confined to the domestic sphere. The law has also been used as a legal basis for blocking websites, social media pages, and online accounts operated by Egyptian opposition figures, journalists, and activists residing abroad.

Among the provisions most relevant to restrictions on fundamental freedoms, particularly in the context of the authorities' stated war on terrorism and the exercise of transnational repression, are the following:

**Article 2** requires service providers to retain and store records relating to information systems and means of information technology for a continuous period of 180 days. It also obliges them to provide the technologies, equipment, software, and systems necessary to enable national security authorities to exercise their functions. The information covered includes user-identifying data, data relating to the content available through information systems, communications traffic data, and information concerning communications devices. Collectively, these requirements facilitate extensive surveillance of internet users and enable authorities to monitor communications between individuals inside Egypt and those residing abroad. This creates a legal framework that may facilitate one of the forms of transnational repression documented in Egypt, namely the prosecution of journalists and activists accused of cooperating with human rights organizations or media outlets operating outside the country.

**Article 6** authorizes investigative authorities to issue reasoned orders, valid for 30 days and renewable once, permitting the seizure, collection, retention, and preservation of data, information systems, software, and devices allegedly connected to offences under the law. It also empowers authorities to search individuals and premises and to seize devices, equipment, software, and storage media. Administrators and operators of information systems, websites, and online accounts are required to provide all information necessary to establish the facts of a case. Given the law's vague terminology, the provision may be used to obtain access to the digital devices, records, and data of journalists and other individuals expressing critical views whenever they are accused of offences under the law.

**Article 7**, which has been relied upon to block websites, pages, and accounts operated by Egyptian journalists and activists abroad, authorizes investigative authorities to request the blocking of websites, pages, or content hosted either within or outside Egypt where such content is deemed to constitute an offence under the law or a threat to national security, the

security of the country, or the national economy. In cases of urgency, the provision also allows for immediate blocking orders before judicial review. This grants authorities broad powers to restrict online content on the basis of broadly formulated and expansively interpreted concepts.

**Article 9** authorizes the Public Prosecutor to issue travel bans or place individuals on arrival watchlists whenever authorities consider there to be sufficient evidence that they have committed an offence under the law. This power is particularly significant in the context of transnational repression, as it may be used to restrict freedom of movement and target political opponents or individuals expressing dissenting opinions, thereby creating ongoing legal risks for Egyptians residing abroad who may seek to return to or transit through the country.

**Article 30** reinforces the digital control framework established by the law by imposing significant criminal and financial penalties on telecommunications and internet service providers that fail to comply with blocking orders or judgments issued by the competent authorities. Consequently, service providers do not merely deliver communications services but become an integral component of the enforcement mechanism for censorship and blocking measures, ensuring the effective implementation of restrictions on digital content, websites, and online platforms, including those operated by Egyptian opposition figures, journalists, and activists residing outside the country.

## **Fourth: Patterns of Transnational Repression Linked to Counter-Terrorism**

The concerns arising from Egypt's counter-terrorism policies and legislation are not limited to the broad and vaguely drafted provisions they contain, or to the extensive powers they grant in ways that are inconsistent with the Egyptian Constitution and international human rights standards. They also extend to the manner in which these laws are implemented in practice. Actual practice demonstrates that the authorities do not merely rely on legal provisions that raise serious human rights and rule-of-law concerns; they also apply and interpret these provisions expansively, often beyond their intended scope, and in many instances disregard even the limited safeguards contained within the laws themselves.

Having been used for years to restrict civic space within Egypt, counter-terrorism policies and legislation have increasingly been extended beyond the country's borders. In many cases, the authorities appear to rely on the broad international legitimacy and acceptance accorded to counter-terrorism as a legitimate objective, using terrorism-related allegations and the rhetoric of the "war on terror" to justify measures and practices that exceed the requirements of addressing genuine security threats. These measures increasingly target political opponents, journalists, human rights defenders, and other critical voices residing abroad.

The following section examines some of the most prominent patterns of transnational repression carried out through the use of counter-terrorism policies and legislation.

## 1. Criminalizing Cooperation with Individuals or Entities Operating Abroad

Cooperation between individuals and institutions operating across borders is a legitimate and routine aspect of life in an interconnected world. It forms a normal part of the work of journalists, civil society organizations, and political actors, and does not in itself constitute unlawful conduct or give rise to criminal liability. At the same time, the closure of civic space and restrictions on freedom of expression and public participation in Egypt have compelled many journalists, human rights defenders, activists, and political opponents to continue their work from abroad. This, in turn, has led the authorities to extend their restrictive practices beyond Egypt's borders.

As a result, Egyptian authorities have increasingly criminalized or pursued various forms of cooperation with individuals and entities operating abroad, whether Egyptian or foreign, and whether human rights, journalistic, media, or political in nature. This approach appears to pursue two principal objectives. First, it seeks to isolate exiled opposition figures and human rights defenders from their constituencies and networks inside Egypt, thereby limiting their ability to exert influence. Second, it seeks to restrict the flow of information and alternative narratives, while preserving official control over public discourse relating to domestic affairs and conditions within the country. Consequently, professional, human rights, and media-related cooperation with individuals or organizations outside Egypt has become associated with significant legal and security risks for those residing within the country.

### Examples of this pattern include:

#### 1.1 The “Matsda2sh” Journalists Case<sup>22</sup>

The case involving journalists associated with the independent fact-checking and investigative platform Matsda2sh (“Don’t Believe It”) is among the most recent and prominent examples illustrating the intersection of multiple patterns of abuse linked to the use of counter-terrorism legislation against independent journalism.

On the evening of 28 September 2026 and in the early hours of 29 September 2026, Egyptian security forces raided the homes of journalists Mohamed Ashraf Abu Omeira and Abdallah Kadry and arrested them. Security forces subsequently raided the homes of Islam Barakat and Omar Helal in Gharbia and Port Said governorates, respectively, as well as those of Mohamed Mahmoud and Mohamed Adel in Cairo. Their mobile phones and personal computers were confiscated, and they were subjected to enforced disappearance for five days at a National Security Agency facility without access to family members or independent legal counsel.<sup>23</sup>

On 5 October 2026, the six journalists appeared before the Supreme State Security Prosecution for questioning in Case No. 8083 of 2026 (Supreme State Security).

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<sup>22</sup> - Human rights organizations call for immediate investigation into security agencies' abuses of Matsadaksh journalists : <https://idsf.info/blog/2026/10/08/egypt-torture-of-journalists-indicative-of-state-policy-rather-than-isolated-incident/>

<sup>23</sup> - Global Call for the Release of Entire Newsroom at Egyptian Investigative Journalism Platform Matsadaash : <https://idsf.info/blog/2026/09/30/global-call-for-the-release-of-entire-newsroom-at-egyptian-investigative-journalism-platform-matsadaash/>

The prosecution charged them with joining a terrorist group, spreading false news, using social media platforms for that purpose, and committing a terrorism-financing offence. Following the investigations, the Supreme State Security Prosecution ordered their pretrial detention for fifteen days pending investigation.

During questioning, the journalists and their lawyers informed prosecutors that they had been subjected to serious abuses while held incommunicado, including physical restraints, blindfolding, beatings, electric shocks, threats against them and their families, and coercion to record confessions under duress. These allegations suggest that the case extends beyond the targeting of an independent media outlet specializing in fact-checking and investigative journalism, reflecting broader patterns of enforced disappearance, torture, and prolonged pretrial detention that have characterized the prosecution of journalists, human rights defenders, and political opponents in recent years.

The case also constitutes a clear example of the criminalization of transnational professional cooperation. According to the authorities' allegations and official narrative, the case relied, in part, on the platform's professional relationships, including links with individuals residing abroad, professional communication with persons outside Egypt, participation in transnational digital networks and online groups, and financial arrangements through entities operating from outside the country. These are all routine and legitimate practices within modern media organizations, yet they were presented as indicators of criminal or terrorist activity.

## **1.2 The Case of Human Rights Lawyer Youssef Mansour**

On 24 March 2022, Egyptian authorities arrested human rights lawyer Youssef Mansour from his home in Cairo. He was subsequently subjected to enforced disappearance for two days before appearing before the Supreme State Security Prosecution in connection with Case No. 330 of 2022 (Supreme State Security).<sup>24</sup>

Mr. Mansour was known for his work defending human rights and freedom of expression and was among the lawyers affiliated with the Egyptian Group for Legal Support and Advocacy, a human rights organization specializing in legal defence in freedom of expression cases. His arrest took place amid increasing restrictions on the organization's work, which had led it to relocate part of its activities outside Egypt before it was eventually compelled to cease operations because of sustained security pressure.

Authorities charged him with joining a terrorist group, incitement to commit terrorist offences, spreading false news inside and outside Egypt, and misusing social media platforms. These are among the same charges that have frequently been brought against human rights defenders, journalists, and political opponents in recent years.

According to human rights organizations and United Nations mechanisms,<sup>25</sup> the case was fundamentally linked to his legitimate human rights work and his legal representation of

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<sup>24</sup> - Letter on the arrest and detention of Youssef Mansour by Lawyers for Lawyers : <https://www.lawyersforlawyers.org/letter-on-the-arrest-and-detention-of-youssef-mansour/>

<sup>25</sup> - Communication UA EGY 3/2022 : <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27301>

clients, particularly his criticism of detention conditions and restrictions imposed on his communication with one of his detained clients. He remained in pretrial detention for approximately eighteen months before being released in August 2023 as part of a broader release of detainees held in politically related cases.

### **1.3 The Case of Researcher Ahmed Samir Santawy**

The case of Egyptian researcher Ahmed Samir Santawy illustrates the expansion of Egypt's use of counter-terrorism and national security legislation to target academics and researchers affiliated with educational institutions abroad.<sup>26</sup>

At the time of his arrest, Ahmed Samir Santawy was a master's student at the Central European University in Austria. He was arrested upon his return to Egypt in February 2021 and was subsequently subjected to enforced disappearance and questioning regarding his academic studies and research, including research topics related to women's rights and sexual and reproductive rights.

During his detention, he was implicated in multiple cases before the Supreme State Security Prosecution. In Case No. 65 of 2021 (Supreme State Security), he faced accusations including financing a terrorist group. He was later added to Case No. 877 of 2021 (Supreme State Security), where he was charged with joining a terrorist group while knowing its objectives, and disseminating false news and information from abroad that could harm security and public order. Prosecutors also confronted him with technical reports alleging links to social media accounts and online content deemed by the authorities to contain false information, allegations that he denied.<sup>27</sup>

Parallel to the investigations before the Supreme State Security Prosecution, Ahmed Samir Santawy was referred to trial before the Emergency Supreme State Security Court in Case No. 774 of 2021, a special court whose judgments are not subject to ordinary avenues of appeal. In June 2021, he was sentenced to four years' imprisonment and fined on charges of spreading false news. Following a retrial, a new sentence of three years' imprisonment was issued in July 2022.

On 30 July 2022, he was released pursuant to a presidential pardon after spending approximately eighteen months in detention. However, the restrictions imposed on him did not end with his release. On 3 June 2023, Egyptian authorities prevented him from travelling abroad to resume his university studies. Officers at Cairo International Airport stopped him from leaving the country without providing reasons or presenting a judicial order. Human rights organizations viewed the travel ban as a continuation of punitive measures imposed on him despite the end of his detention.

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<sup>26</sup> - Opinion No. 83/2021 concerning Ahmed Samir Santawy (Egypt) : [https://kennedyhumanrights.org/wp-content/uploads/assets/UNWGAD-Decision\\_AHMED-SAMIR-SANTAWY.pdf](https://kennedyhumanrights.org/wp-content/uploads/assets/UNWGAD-Decision_AHMED-SAMIR-SANTAWY.pdf)

<sup>27</sup> - Human rights organizations condemn the referral of researcher Ahmed Samir Santawy to the Emergency Supreme State Security Court and demand his immediate release : <https://cihrs.org/egypt-human-rights-organizations-condemn-the-referral-of-researcher-ahmed-samir-santawy-to-the-emergency-supreme-state-security-court-and-demand-his-immediate-release/?lang=en>

## **2. Targeting the Families of Individuals Residing Abroad (Punishment by Proxy)**

The authorities' targeting has increasingly extended to family members and relatives within Egypt. When political opponents, activists, or human rights defenders residing abroad cannot be directly targeted, the authorities often resort to pressuring their relatives, who are perceived as more vulnerable and more readily subjected to coercion. This practice falls within what is commonly referred to in international human rights literature as **“punishment by proxy.”** It takes multiple forms, including the arrest of family members, their enforced disappearance, investigation and prolonged pretrial detention, the bringing of charges under counter-terrorism legislation, and various forms of intimidation and pressure, including threats of legal action should their relatives continue their human rights, political, or media activities abroad.

This pattern is not primarily aimed at punishing the individuals directly targeted. Rather, its purpose is to exert indirect pressure on relatives residing outside the country and compel them to cease or curtail their activities. In practice, it turns family members into de facto hostages in their relationship with the state, exposing them to arrest, intimidation, or prosecution not because of their own actions, but because of activities or positions attributed to their relatives abroad. As such, this approach constitutes a clear violation of the principle of individual criminal responsibility, which prohibits holding a person accountable for acts they did not personally commit. It also represents a serious infringement on fundamental rights and contributes to a climate of fear and intimidation extending beyond exiled activists themselves to encompass their wider family and social networks.

Documented cases in recent years demonstrate the repeated use of allegations such as membership in a terrorist organization, terrorism financing, or spreading false news against relatives of opposition figures and Egyptians residing abroad. This reflects the use of the counter-terrorism framework as an instrument of transnational political pressure and retaliation, rather than solely as a means of addressing genuine security threats.

**Examples of this pattern of transnational repression include:**

### **2.1 Targeting the Family of UK-Based Opposition Figure Mona El-Shazly**

The case of British-Egyptian opposition figure Mona El-Shazly is one of the clearest examples of punishment by proxy directed against political opponents living abroad. Mona El-Shazly has resided in the United Kingdom for more than two decades and regularly uses social media platforms to comment on political, economic, and social developments in Egypt. The Egyptian authorities did not limit their response to indirect efforts to discredit or counter her political expression; rather, the targeting increasingly and systematically extended to members of her family inside Egypt.<sup>28</sup>

In the early hours of 19 May 2026, security forces raided the family home in Alexandria Governorate and rearrested her brothers, Hassan Saber El-Shazly and Eid Saber El-Shazly,

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<sup>28</sup> - Statement By LDSF Targeting UK-based opposition figure Mona El-Shazly and five members of her family over her peaceful expression : <https://ldsfi.info/blog/2026/08/23/egypt-authorities-escalate-transnational-repressiontargeting-uk-based-opposition-figure-mona-el-shazly-and-five-members-of-her-family-over-her-peaceful-expression-is-a-stark-example-of-collective-pu/>

who had previously been detained in connection with Case No. 855 of 2020 (Supreme State Security) before being released in March 2023. Reports indicate that excessive force was used during the operation, including physical assaults against their elderly mother and the building's caretaker.

The two brothers were subjected to enforced disappearance for five days before appearing before the Supreme State Security Prosecution in Case No. 4489 of 2026 (Supreme State Security), where they faced terrorism-related charges. At the time of writing, they remained in pretrial detention. During the same operation, their cousin, Saber Mohamed Eid Hassan El-Shazly, was also arrested and has remained forcibly disappeared since then, with authorities neither disclosing his whereabouts nor permitting contact with his family or legal representatives.

In August 2026, the campaign expanded further to include two of Mona El-Shazly's sisters. On 17 August, security forces arrested Iman El-Shazly, who was brought before the Supreme State Security Prosecution the following day. She was charged with promoting the ideas of a terrorist group through social media and spreading false news, and was ordered into pretrial detention. One day later, on 18 August, her sister Shaimaa El-Shazly was arrested from her home in Alexandria and detained at an undisclosed location before appearing before the Supreme State Security Prosecution the following day, which similarly ordered her detention pending investigations.

## **2.2 Targeting the Family of UK-Based Politician Amr Abdel Hadi**

The case of Egyptian politician Amr Abdel Hadi, who resides in the United Kingdom, provides another example of the targeting of relatives of opposition figures abroad as a means of exerting pressure on them because of their political activities and public expression.<sup>29</sup>

In the early hours of 16 August 2026, officers affiliated with the National Security Agency raided the home of Amr Abdel Hadi's mother while searching for his maternal half-brother, Ahmed Samir Mohamed El-Amin. The officers then proceeded to his residence, arrested him in front of his wife and three children, and transferred him to a security detention facility. The following day, 17 August, he appeared before the Supreme State Security Prosecution, which ordered his detention for fifteen days pending investigation in Case No. 6252 of 2026 (Supreme State Security) on charges of joining a terrorist organization and committing a terrorism-financing offence.

According to information documented by the Law and Democracy Support Foundation (LDSF), the mother of both Ahmed Samir Mohamed El-Amin and Amr Abdel Hadi was interrogated for approximately five hours following her son's detention. During this period, security personnel reportedly conveyed a direct message to her: *“Tell your son Amr to calm down a bit.”* The incident provides a direct indication of the connection between the measures taken against Ahmed Samir Mohamed El-Amin and the political activities carried out by his brother abroad.

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<sup>29</sup> - Statement By LDSF about Amr Case : <https://ldsinfo.info/blog/2026/08/19/egypt-not-hostages-lds-condemns-the-detention-of-politician-amr-abdel-hadys-brother-and-calls-for-an-end-to-targeting-exiled-dissidents-families/>

Ahmed Samir Mohamed El-Amin was employed by the Ministry of Justice and was not known to have engaged in opposition political activities. Available information further indicates that he held political views that differed from those of his brother. Nevertheless, his arrest formed part of a broader pattern of measures targeting the family of Amr Abdel Hadi over a number of years, including restrictions imposed on family members, travel bans placed on his mother, repeated interrogations, and actions taken directly against Amr Abdel Hadi because of his political activity abroad.

### **2.3 Pressure on the Families of Human Rights Defenders and Exiled NGO Staff**

In March 2026, the impact of reprisals against relatives of human rights defenders and staff of Egyptian human rights organizations operating from abroad became particularly visible.

On 26 March 2026, the Egyptian Network for Human Rights announced the suspension of its human rights activities due to what it described as “circumstances beyond its control,” after years of documenting human rights violations and supporting victims of enforced disappearance and arbitrary detention. The decision came amid escalating pressure and risks facing Egyptian human rights organizations operating outside Egypt, including concerns relating to the safety of staff members and their families inside the country.<sup>30</sup>

One day earlier, another incident reflected those pressures more directly. On 25 March 2026, Islam Khalil, the brother of human rights defender Nour Khalil, director of the Refugees Platform in Egypt and residing abroad, was reportedly targeted by security authorities. Security forces surrounded the family home and threatened family members in circumstances linked to Nour Khalil's human rights activities in exile and his advocacy on behalf of refugees.<sup>31</sup>

### **2.4 Targeting the Family of Researcher Seif El-Islam Eid**

On 22 October 2025, Egyptian security forces arrested Sobhy Eid (63), the father of Egyptian researcher and podcast host Seif El-Islam Eid, following a raid on the family home in Alexandria Governorate. The operation also included a raid on the residence of Seif El-Islam Eid's 82-year-old maternal grandfather.<sup>32</sup>

From the moment of his arrest, Sobhy Eid was subjected to enforced disappearance. Authorities refused to disclose his place of detention or the legal basis for his arrest, while his family reported being unable to communicate with him or obtain information regarding his fate.

This was not the first instance in which the family had been targeted. In November 2022, family homes in Alexandria and Kafr El-Dawwar were raided, and several family

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<sup>30</sup> - Statement By LDSF “Egypt: Exile Is Not a Safe Haven — Escalating Transnational Repression Targeting Human Rights Defenders”: <https://ldsfs.info/blog/2026/03/31/egypttnr310226/>

<sup>31</sup> - Egypt's Transnational Repression Reaches HRD Nour Khalil's Family By LDSF : <https://ldsfs.info/blog/2026/03/25/nourislam250326/>

<sup>32</sup> - Statement by LDSF : <https://ldsfs.info/blog/2025/10/31/31-10-25-1/>

members, including his elderly mother, were subjected to repeated security harassment. On 30 April 2025, authorities detained Sobhy Eid for eighteen days, during which he was interrogated primarily about the activities and public work of his son abroad.

Seif El-Islam Eid has lived outside Egypt since January 2019. He is a researcher and academic holding a Master's degree in Political Science and International Relations and currently hosts the podcast "*Anbar Kollo Yasmaa*" ("The Entire Cell Can Hear"), which documents testimonies from former political detainees regarding conditions of detention and abuses within Egyptian prisons. He has himself been subjected to restrictive measures, including the refusal of Egyptian authorities to renew his passport through the Egyptian embassy in Qatar in 2023, unless he returned to Egypt.

## **2.5 Targeting the Family of Journalist and Human Rights Defender Ahmed Gamal Ziada**

On 22 August 2023, plainclothes security officers arrested Gamal Ziada, the father of journalist and human rights defender Ahmed Gamal Ziada, who resides abroad. He was taken from the vicinity of his home in the village of Nahya, Giza Governorate, and held incommunicado.

The following day, 23 August 2023, he appeared before the Supreme State Security Prosecution in connection with Case No. 2064 of 2023 (Supreme State Security).

The prosecution charged Gamal Ziada with joining a terrorist organization, spreading false news, and misusing a means of communication. He was subsequently placed in pretrial detention for fifteen days and transferred to Tenth of Ramadan Prison.

These measures were imposed despite the fact that Gamal Ziada, then 58 years old, was not known for any political or human rights activity and suffered from several chronic health conditions, including hypertension and thyroid disorders.

Beyond the cases documented above, the Law and Democracy Support Foundation has received testimonies from a number of Egyptian human rights defenders and opposition figures residing abroad indicating that their relatives in Egypt had been summoned, interrogated, or subjected to security questioning in connection with their human rights or political activities outside the country. Those providing testimonies declined to disclose their identities or provide further details out of concern that their family members could be subjected to additional reprisals or security harassment.

These accounts suggest that the cases documented in this section represent only a portion of a wider phenomenon that extends to many other incidents that remain unreported due to fears regarding the consequences for victims and their families.

## **3. Smear Campaigns and Character Assassination**

The Egyptian authorities also rely on smear campaigns and character assassination as a tool of transnational repression. These campaigns are facilitated by a highly centralized media environment that is directly or indirectly dominated by the state, reflecting extensive control over media institutions, broadcasting platforms, and channels of mass

communication. They are further enabled by strong indications of close coordination between certain media outlets and security agencies in their coverage of opposition figures and activists.

Pro-government media outlets, alongside affiliated online accounts and platforms, have repeatedly targeted Egyptian opposition figures abroad, independent journalists, and human rights defenders by portraying them as terrorists, accusing them of belonging to or supporting terrorist organizations, receiving suspicious foreign funding, conspiring against the state, or seeking to undermine it. These campaigns have also relied on networks of coordinated social media accounts, commonly referred to as “electronic committees” or “electronic flies,” which amplify and replicate the same narratives through coordinated smear campaigns, incitement, disinformation, and abusive content directed at targeted individuals and organizations. These networks have also been used to attack statements and reports issued by independent human rights organizations, challenge their credibility, and stigmatize both the organizations and their staff as linked to terrorist groups or acting on behalf of hostile foreign actors.

The impact of these campaigns extends beyond reputational harm. They serve multiple interconnected purposes: discrediting critical voices, undermining public confidence in their work, justifying security and judicial measures taken against them, and generating public acceptance of violations committed against them or their family members. These campaigns also seek to discourage individuals inside Egypt from communicating or cooperating with targeted persons or organizations, isolate them politically and socially, and reduce their ability to influence public opinion or mobilize support for their causes.

Such campaigns form part of a broader strategy aimed at controlling civic space and monopolizing public narratives. For decades, similar tactics have been systematically used against human rights defenders and dissenting voices within Egypt. More recently, they have evolved into a form of transnational repression, whereby opposition figures abroad are portrayed not as individuals expressing political opinions or pursuing legitimate advocacy, but rather as enemies of the state or instruments of foreign actors seeking to harm Egypt. This contributes to a hostile environment for any independent or critical discussion of human rights conditions or public policy in the country.

### **3.1 Media Campaign Against Abdelrahman Mansour and Independent Fact-Checking Platforms**

Following the arrest of several staff members of the independent fact-checking platform *Matsda2sh* in September 2026, Egyptian journalist and media commentator Abdelrahman Mansour, who resides in the United States, became the target of an extensive media campaign. Coverage shifted from reporting on the platform itself to directly targeting him personally.

The Law and Democracy Support Foundation documented forty-one media reports, visual publications, and official statements published between 30 September and 4 October 2026 across state-owned and private media outlets, digital platforms, television programs, and social media channels.

The monitoring found that the campaign was overwhelmingly centered on Abdelrahman Mansour. His name appeared in all identified items (100 percent of the sample), with particular emphasis placed on his political background, residence outside Egypt, and international professional connections. The campaign repeatedly used labels such as “the fugitive Muslim Brotherhood member” and included allegations relating to terrorism, foreign funding, incitement against the state, and the dissemination of misleading information. References linking him to the Muslim Brotherhood appeared in thirty-nine of the forty-one identified items, making him the central focus of the media narrative during the monitoring period.

At the same time, the campaign extended beyond Abdelrahman Mansour as an individual and indirectly targeted independent fact-checking initiatives and digital journalism more broadly. A significant portion of the media coverage portrayed *Matsda2sh* as part of a wider network allegedly connected to actors hostile to the state. Some reports also referred to other media organizations, professional networks, and transnational media initiatives in a manner suggesting that fact-checking activities and independent journalism formed part of an organized political structure aimed at undermining the state.

As a result, the campaign moved beyond targeting a single individual and sought to undermine the legitimacy and credibility of an entire model of journalism based on independent fact-checking and scrutiny of public discourse.

This case demonstrates how traditional media and digital platforms can be mobilized simultaneously to reproduce security-based narratives targeting journalists and media professionals residing abroad, while also weakening public confidence in independent media institutions and fact-checking platforms by repeatedly associating them with terrorism, foreign funding, or conspiracies against the state.

### **3.2 Media Campaign Against the Sinai Foundation for Human Rights and Its Director Ahmed Salem**

In February 2024, the Sinai Foundation for Human Rights and its director, Ahmed Salem, an Egyptian human rights defender residing in the United Kingdom, were subjected to a broad smear and intimidation campaign following the publication of a report documenting the construction of a fortified security zone along Egypt’s border with the Gaza Strip. The report was based on witness testimonies, photographs, and video footage collected from the field and received significant international media attention.<sup>33</sup>

Following its publication, the Foundation and its director became the target of an extensive campaign across both traditional and digital media.

According to a joint statement issued by eighteen international and regional human rights organizations, the campaign involved television programs, newspapers, and social media platforms aligned with the authorities. Ahmed Salem was accused of links to terrorist organizations and foreign actors, while the credibility of the Foundation and its human rights work was questioned without evidence being presented to support these allegations.

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<sup>33</sup> - Rights Group and its Director Threatened and Smeared : <https://www.hrw.org/news/2024/02/26/egypt-rights-group-and-its-director-threatened-and-smeared>

The campaign was accompanied by the circulation of inflammatory content and disinformation across traditional media and pro-government online accounts.

Ahmed Salem also reported receiving indirect threats through intermediaries believed to be close to the authorities. These messages warned him against continuing his human rights work and reportedly included statements suggesting that he was “not beyond the reach of retaliation, even abroad.” He further expressed concerns that his family members in Egypt could become targets because of his documentation of violations committed in North Sinai.

This case illustrates how smear campaigns and character assassination can extend beyond individual activists to encompass the organizations through which they operate. By questioning their credibility and portraying them as serving foreign agendas or linked to terrorism, such campaigns seek to undermine public trust in their work, reduce their influence, and limit their ability to document violations and disseminate independent information.

#### **4. Blocking the Pages and Social Media Accounts of Activists and Journalists Abroad**

Restrictions imposed by the Egyptian authorities on civic space have increasingly and systematically extended into the digital sphere, which has become one of the principal channels through which journalists, activists, and opposition figures residing abroad communicate with audiences inside Egypt. For years, the authorities have pursued a systematic policy of website blocking and information control as part of broader efforts to dominate spaces for public expression and maintain control over narratives relating to political and human rights issues.

This policy reached a new level with the large-scale wave of website blocking that began in 2017, during which dozens of news websites were blocked without publicly disclosed legal grounds. Over subsequent years, the practice expanded to encompass hundreds of websites. Available estimates indicate that more than 600 websites have been blocked, including numerous independent news outlets, human rights websites, opposition media platforms, and services designed to circumvent online censorship. This reflects a comprehensive effort to control the information space and limit public access to independent sources of information.

As digital censorship tools evolved, targeting no longer focused exclusively on websites. It increasingly extended to personal accounts and pages on social media platforms. Authorities began relying on broadly worded provisions of the Anti-Cyber and Information Technology Crimes Law, particularly Article 7, to restrict online content and block accounts publishing criticism of, or opposition to, state policies, regardless of whether those accounts were operated from inside or outside Egypt.

On 19 May 2026, the Economic Affairs and Money Laundering Prosecution ordered the blocking of a number of personal social media accounts and channels and restricted access to them from within Egypt in Case No. 1038 of 2026. The decision relied on broadly

framed allegations including “publishing content offensive to state institutions” and “disseminating incitement and hate speech.”<sup>34</sup>

The order included accounts belonging to several Egyptian journalists, commentators, and activists residing abroad on the X platform, including Abdullah El-Sherif, Mohamed Nasser, Osama Gaweesh, Sami Kamal El-Din, Haitham Abu Khalil, Yahia Moussa, Sherif Othman, Khaled El-Serti, Hisham Sabry, and Amr Waked. The competent authorities were instructed to engage with social media companies to implement the blocking measures within Egypt.

This development reflects a shift from blocking media outlets and websites to directly targeting individual accounts, thereby broadening the scope of digital repression to encompass individuals themselves. It limits their ability to reach audiences within Egypt even while residing abroad and represents a continuation of broader policies aimed at controlling civic space through digital means designed to silence independent and opposition voices beyond Egypt’s borders.

## **5. In Absentia Prosecutions of Egyptians Residing Abroad**

Egyptian authorities have increasingly relied on in absentia prosecutions against Egyptians residing abroad as a tool of transnational repression. This practice involves opening criminal investigations, initiating criminal proceedings, referring individuals to trial, and securing convictions in their absence, based on their peaceful political, human rights, or media activities outside the country.

The impact of these proceedings extends beyond the direct legal risks they create. They also serve as a mechanism of intimidation, pressure, and silencing directed at critical voices in exile by maintaining a constant threat of prosecution and punishment should those targeted return to Egypt. In some cases, such proceedings may also be used to justify extradition requests, forcible returns, or forms of cross-border judicial and security cooperation directed against targeted individuals, including where the underlying allegations are political in nature.

These prosecutions also perform an important political and propaganda function. They are frequently used to discredit targeted individuals and portray them publicly as fugitives from justice or as persons implicated in offences related to national security or terrorism. This contributes to undermining their credibility, isolating them from support networks, and providing a veneer of legality to measures that are politically motivated. In this way, the judiciary becomes another instrument within a broader framework aimed at restricting the activities of Egyptian opposition figures abroad.

The Law and Democracy Support Foundation has recently documented a number of cases involving human rights defenders residing abroad who have been subjected to this pattern of repression, while others have publicly disclosed similar experiences.

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<sup>34</sup> - Statement by LDSF |Following Saudi Arabia and the UAE, Egypt Expands Blocking to Personal Social Media Accounts : <https://ldsfi.info/blog/2026/05/22/following-saudi-arabia-and-the-uae-egypt-expands-blocking-to-personal-social-media-accounts/>

**Examples of this pattern include:**

### **5.1 Referral of Exiled Academic Taqadom Al-Khatib to Trial in Absentia**

In October 2025, Egyptian authorities referred Egyptian academic and researcher Taqadom Al-Khatib, who has resided in Germany since 2013, to criminal trial in absentia in Case No. 29 of 2025 (Fifth Settlement Felony Case), registered under No. 2 of 2025 (New Cairo Felony Prosecution), alongside 168 other defendants. The first hearing before the Badr Court circuit designated for terrorism-related cases took place on 26 October 2025 and was subsequently adjourned until 30 December 2025.

The prosecution brought charges of a political nature against Taqadom Al-Khatib, including joining a terrorist organization and participating in a criminal agreement, despite the fact that he had been living abroad for years and was engaged in academic and research activities outside Egypt. The case also included a number of human rights defenders and activists residing abroad, as well as journalists detained inside Egypt, including photojournalist Hamdy El-Zaeem.<sup>35</sup>

Taqadom Al-Khatib holds a joint doctoral degree from Freie Universität Berlin and Princeton University. Since 2017, he has been associated with efforts to collect and analyze documents related to the Tiran and Sanafir case, which were used to support legal challenges to the maritime border agreement between Egypt and Saudi Arabia.

A series of retaliatory measures reportedly followed, including his dismissal from his position at Damietta University while he was abroad, demands that he repay the value of his academic scholarship, and recurring obstacles in obtaining official documents and consular services through the Egyptian Embassy in Berlin.

### **5.2 The In Absentia Conviction of Human Rights Defender Bahey El-Din Hassan**

On 25 August 2020, the Fifth Terrorism Circuit of the Cairo Criminal Court sentenced prominent human rights defender Bahey El-Din Hassan, founder and director of the Cairo Institute for Human Rights Studies, to fifteen years' imprisonment in absentia.

Bahey El-Din Hassan, who has lived outside Egypt since 2014, was prosecuted on charges including “spreading false news” and “insulting the judiciary,” based on opinions and statements he had published on X (formerly Twitter) regarding human rights conditions and judicial independence in Egypt.<sup>36</sup>

The case relied on social media posts in which he criticized torture practices and the erosion of judicial independence. Case documents also referred to his human rights advocacy, participation in international forums, and engagement with international human rights issues.

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<sup>35</sup> - Rights Groups Condemn the Arbitrary Referral of Exiled Academic Taqadom Al-Khatib to Trial and Call for an End to Transnational Repression : <https://idsf.info/blog/2025/10/27/27-10-25-1/>

<sup>36</sup> - Joint statement: Veteran human rights defender Bahey el-Din Hassan sentenced to 15-years in prison punished for his critical tweets : <https://www.amnesty.org/en/documents/mde12/2951/2020/en/>

The judgment was widely viewed as part of a broader pattern of judicial measures directed against him because of his human rights work, documentation of violations, and engagement with international human rights mechanisms. He had previously received another in absentia sentence of three years' imprisonment and a financial penalty based on a social media post criticizing the conduct of the Public Prosecution. He was also subjected to smear campaigns and threats linked to his human rights work and international advocacy.

This case illustrates how in absentia trials and judgments are used against human rights defenders residing abroad not only to punish them for their activities and opinions, but also to cloak politically motivated measures in judicial legitimacy and create enduring legal risks linked to their human rights work and engagement with international institutions and mechanisms.

## **6. The Instrumentalization of Regional Security Cooperation Mechanisms and the Misuse of INTERPOL**

The Egyptian authorities' practices of transnational repression also extend to the use of regional security cooperation mechanisms and the alleged misuse of INTERPOL channels to pursue political opponents and dissenting voices residing abroad.

Over recent years, Egyptian authorities have increasingly relied on Arab security cooperation agreements and mechanisms, particularly those associated with the Council of Arab Interior Ministers, as tools for extending the reach of repression beyond national borders through arrest requests, deportation efforts, and the exchange of security information.

The risks associated with this pattern are compounded by what appears in many cases to be a deliberate conflation between Arab regional security cooperation mechanisms and INTERPOL procedures. Such practices often create the impression that measures taken against targeted individuals originate from INTERPOL or derive from binding international obligations, when subsequent review reveals that the procedures were initiated through regional Arab security cooperation channels. In several documented cases, targeted individuals only discovered the true legal basis of the measures after obtaining specialized legal assistance and reviewing the relevant documents and requests.

The impact of these practices extends beyond cases that result in actual detention or removal. They also create a persistent climate of legal uncertainty and intimidation for Egyptians residing abroad. Merely suggesting the existence of arrest warrants, security listings, or “INTERPOL requests” may discourage public engagement, encourage self-censorship, and deter travel. Such measures may also be used to support extradition or deportation requests involving individuals who would face a risk of arbitrary detention, unfair trial, or other human rights violations if returned to Egypt.

**Examples of this pattern include:**

### **6.1 The Case of Mariam Abdel Basset and Her Husband Ahmed Moussa**

The case of Egyptian activist Mariam Abdel Basset and her husband Ahmed Moussa, both residents of Oman since 2021, provides a recent illustration of how transnational security cooperation mechanisms, coupled with references to INTERPOL, can be used as tools of intimidation and pursuit.

According to documentation collected by the Law and Democracy Support Foundation, Omani authorities detained Ahmed Moussa on 26 March 2026 without announcing any judicial decision. He was subsequently deported to Cairo on 9 April following an oral notification referring to an alleged INTERPOL request, without any official documentation being provided either to him or to his family.<sup>37</sup>

Since his deportation, his whereabouts have remained unknown. Egyptian authorities have not disclosed his place of detention or legal status, prompting his family to submit a complaint to the Public Prosecutor seeking information regarding his fate.

On 15 April, Mariam Abdel Basset was prevented from travelling through Muscat Airport and was verbally informed that she was subject to a travel ban linked to an INTERPOL-related listing, again without any supporting documentation. She was also questioned regarding her political and media activities. Following the birth of her child on 25 May, she was reportedly registered at a military hospital as a “prisoner” and prevented from leaving without any publicly disclosed legal basis.

Mariam Abdel Basset faces charges in Case No. 1871 of 2026, including “leading a terrorist organization,” “spreading false news,” and “incitement to civil disobedience,” in connection with her peaceful online activities. Through her legal representatives, she submitted a complaint to the Commission for the Control of INTERPOL’s Files (CCF) on 5 May 2026. Subsequently, the Foundation obtained information indicating that no Red Notice had been issued against either her or her husband in INTERPOL’s databases.

The case illustrates the difficulty faced by targeted individuals in determining whether measures taken against them originate from INTERPOL mechanisms or from regional Arab security cooperation frameworks, particularly in the absence of transparency regarding their legal basis.

Six United Nations experts and Special Rapporteurs subsequently addressed formal communications to both the Egyptian and Omani governments expressing concerns

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<sup>37</sup> - Egypt’s Misuse of INTERPOL as a Tool of Transnational Repression: Detention of Egyptian Opposition Activist in Oman Raises Fears of Forced Return by LDSF : <https://ldsf.info/blog/2026/05/26/egypts-misuse-of-interpol-as-a-tool-of-transnational-repression-detention-of-egyptian-opposition-activist-in-oman-raises-fears-of-forced-return/>

regarding enforced disappearance, refoulement, freedom of expression, and the use of transnational security cooperation mechanisms against political opponents.<sup>38</sup>

Following months of legal advocacy, human rights engagement, and international campaigning, Mariam Abdel Basset and her three children were able to leave Oman in September 2026 without being deported to Egypt.

Nevertheless, the outcome remains incomplete, as her husband has remained disappeared since his deportation, while his family and legal representatives continue to be denied information regarding his fate or whereabouts. The case demonstrates how references to INTERPOL and similar mechanisms can themselves function as tools of pressure and intimidation against exiled opposition figures, even where they do not ultimately result in extradition or deportation.

## **6.2 The Case of Activist and Blogger Sherif Othman**

The case of activist and blogger Sherif Othman, a dual Egyptian-American national and former military officer, provides another example of the use of regional security cooperation mechanisms in a transnational repression context.<sup>39</sup>

On 31 October 2022, Sherif Othman published a video on his YouTube channel calling for peaceful protests in Egypt on 11 November, coinciding with the visit of the President of the United States to Egypt for the UN Climate Conference. On 6 November, while visiting family members in Dubai, he was stopped by plainclothes security personnel outside a restaurant without being shown an arrest warrant or provided with any explanation for his detention. He was initially held at a Dubai police facility before being transferred to Dubai Central Prison on 8 November.<sup>40</sup>

The Public Prosecution informed him that his detention had been requested by Egypt, referring to several video recordings, some dating back to 2019, without specifying their content. Given that he had travelled to Dubai in 2020 without incident, his family believed the detention was linked to his public call for peaceful protests. Human rights organizations also reported that he was denied the opportunity to challenge the legality of his detention and was prevented from meeting with legal counsel.

The case highlights the uncertainty surrounding the legal basis of such measures. Sherif Othman was initially informed that his detention was based on an INTERPOL Red Notice issued at Egypt's request. Human rights organizations later reported that the request had instead been circulated through the Council of Arab Interior Ministers. At the same time,

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<sup>38</sup> - Six UN Experts Address Egypt and Oman Over the Case of Egyptian Activist Mariam Abdelbasette, Warn of Transnational Repression and the Risk of Refoulement: <https://idsf.info/blog/2026/08/28/six-un-experts-address-egypt-and-oman-over-the-case-of-egyptian-activist-mariam-abdelbasette-warn-of-transnational-repression-and-the-risk-of-refoulement/>

<sup>39</sup> - Political commentator Sherif Osman facing extradition from UAE to Egypt after calling for protests during COP27 by MENA Rights Group : <https://menarights.org/case/sherif-osman/?utm>

<sup>40</sup> - UAE: Egypt critic Sherif Osman will face torture if extradited by Article 19 : <https://www.article19.org/resources/uae-dont-extradite-sherif-osman-egypt/>

the United Arab Emirates informed the United Nations that the detention had been based on an international Red Notice issued by Egyptian authorities.<sup>41</sup>

These contradictory accounts illustrate the difficulties faced by targeted individuals and their legal representatives in determining the precise mechanisms being used against them.

The case also raises broader concerns regarding protection against refoulement. Both Egypt and the United Arab Emirates are parties to the Riyadh Arab Agreement for Judicial Cooperation, which does not incorporate safeguards relating to the risk of torture in the requesting state. By contrast, the Committee against Torture concluded in 2017 that torture is practiced systematically in Egypt. Human rights organizations argued that extraditing Sherif Othman would therefore have violated the principle of non-refoulement under Article 3 of the Convention against Torture, to which the United Arab Emirates has been a party since 2012.

On 7 December 2022, several UN Special Rapporteurs issued an urgent appeal calling on the UAE to release him. He was subsequently released on 22 December and departed for the United States on 27 December 2022. UAE authorities stated that the release occurred because a formal extradition request had not been submitted within the time limit specified under the bilateral agreement between the two countries.

## 7. Designation on Terrorism Lists

Egyptian authorities have used the **Law on the Regulation of Terrorist Entities and Terrorists Lists** as a tool of transnational repression against opposition figures residing abroad. In recent years, its use has expanded significantly to encompass political opponents, journalists, media professionals, human rights defenders, and other individuals expressing dissent from outside the country. The consequences of designation extend well beyond Egypt's territorial borders, affecting the legal status, personal lives, and professional activities of those targeted abroad.

Under the law, designation on terrorism lists entails the deprivation of a range of rights associated with citizenship, restrictions on freedom of movement, and limitations on access to certain consular services and official documentation. In addition, some designated individuals become subject to asset freezes and other measures that create complex legal situations affecting their ability to travel, work, or manage their financial affairs both inside and outside Egypt. These consequences are particularly concerning given that designation frequently relies on security investigations or information whose underlying evidence is not disclosed either to the public or to the individuals concerned. In many cases, no publicly available evidence is provided that would enable meaningful scrutiny of the allegations or their assessment through effective judicial oversight, despite the far-reaching restrictions imposed on fundamental rights.

The consequences of designation are not limited to legal restrictions. They also extend to social and reputational harm. Authorities have used designation as a means of stigmatizing opposition figures, damaging their reputations, undermining professional and academic opportunities, and adversely affecting their personal and professional relationships. The

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<sup>41</sup>- UAE response : <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=37355>

continual threat of designation or repeated renewal of listings further creates a climate of pressure and intimidation, leading some individuals to self-censor, reduce their participation in political, human rights, or media activities, or withdraw from public engagement altogether for fear of further reprisals.

**Examples of this pattern include:**

### **7.1 Designation of Opposition Figures and Journalists Residing Abroad on Terrorism Lists During 2023**

In March and April 2023, Egyptian authorities issued a series of decisions renewing the designation of hundreds of individuals on terrorism lists for additional periods. The renewed listings included a large number of political opposition figures, journalists, media professionals, and human rights defenders residing outside Egypt.

According to decisions published in the Egyptian Official Gazette, the renewed listings included several prominent media figures and journalists working abroad, among them Moataz Matar, Mohamed Nasser, Hamza Zobaa, Osama Gaweesh, Hossam El-Ghomry, and Youssef Hussein, along with dozens of journalists affiliated with media organizations broadcasting from outside Egypt. The lists also included opposition political figures, among them former presidential candidate Ayman Nour, as well as other public figures.<sup>42</sup>

On 8 November 2023, United Nations experts expressed grave concern regarding the continued targeting of journalists affiliated with Al Jazeera, including the re-designation of nine of its journalists on a newly established terrorism list following the expiration of previous listings issued in 2017 and 2021.<sup>43</sup>

### **7.2 Designation of More Than 1,500 Individuals on Terrorism Lists, Including a Football Player and Journalists**

In 2017, Egyptian authorities designated more than 1,500 individuals on terrorism lists despite the absence of final criminal convictions establishing their responsibility for terrorist offences.

Among those designated was former footballer and prominent sports analyst Mohamed Aboutrika, who resides in Qatar and whose inclusion on terrorism lists was repeatedly renewed over an extended period. The list also included prominent journalist and former prisoner of conscience Hisham Gaafar and publisher Mostafa Saqr.<sup>44</sup>

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<sup>42</sup> - Egypt's terror lists target opposition figures, by MEM : <https://www.middleeastmonitor.com/20230502-egypts-terror-lists-target-opposition-figures>

<sup>43</sup> UN experts express their concerns about the re-listing of 9 Al Jazeera journalists on terrorism lists in Egypt. By CFJ : <https://www.cfjustice.org/un-experts-express-their-concerns-about-the-re-listing-of-9-al-jazeera-journalists-on-terrorism-lists-in-egypt/>

<sup>44</sup> - Egypt: Court Names 1,500 to Terrorist List by HRW : <https://www.hrw.org/news/2017/01/24/egypt-court-names-1500-terrorist-list>

## 8. Enforced Disappearance in the Context of Transnational Repression

Committee for Justice and the Law and Democracy Support Foundation, in a report submitted to United Nations human rights mechanisms, documented what they described as the systematic use of enforced disappearance by Egyptian authorities in the context of transnational repression. According to the report, counter-terrorism legislation has been used to provide a legal veneer for the targeting of human rights defenders, journalists, and activists residing in exile.

The previously discussed case of Ahmed Moussa, referenced in the section on INTERPOL and regional security cooperation, constitutes a clear example of enforced disappearance following forcible return and illustrates how this practice can operate within a transnational repression framework.<sup>45</sup>

In addition to the cases discussed in the section on targeting family members inside Egypt, the report documented further examples of enforced disappearance linked to retaliation against relatives remaining in Egypt, a practice sometimes described as “proxy intimidation.” These cases involved relatives being secretly detained by security authorities for periods ranging from several days to several weeks.

Among the documented examples were:

- **Mohamed Bakry**, the brother of journalist Ali Bakry, who was arrested and subjected to enforced disappearance for several days. Following his appearance, authorities reportedly refused to implement a judicial release order issued upon payment of bail, and his detention continued.
- **Hasiba Mahsoub**, a 56-year-old engineer who was subjected to enforced disappearance for 68 days. She was subsequently detained and added to a new criminal case through the practice commonly known as *tadweer* (“case recycling”) solely because she was related to opposition politician Mohamed Mahsoub, who resides abroad, despite having no known political activity of her own.
- **Sobhy Eid** (63), the father of human rights activist Seif El-Islam Eid, who was subjected to repeated home raids and was arrested and forcibly disappeared on two separate occasions, first in April 2025 for eighteen days and again in October 2025, in what was reported to be retaliation for his son’s work documenting testimonies from former detainees abroad.

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<sup>45</sup> - CFJ and LDSF Submit a Joint Report to UN Mechanisms on Enforced Disappearance in the Context of Transnational Repression : <https://ldsfi.info/blog/2026/02/09/tnrun090226/>

## **Fifth: Conclusion**

The facts, legislation, and practices examined throughout this paper demonstrate that the Egyptian authorities remain far from showing genuine political will to address the country's worsening human rights crisis. Transnational repression is neither a separate nor an exceptional policy; rather, it represents a natural extension of the same approach that the state has employed for years in managing civic space domestically, an approach characterized by prioritizing security-based and coercive measures over dialogue, political reform, and respect for fundamental rights and freedoms.

These practices further reveal how tools long used against political opponents, journalists, and human rights defenders within Egypt have gradually been projected beyond the country's borders. These tools include security and judicial harassment, the targeting of family members, smear campaigns, digital censorship, and the misuse of counter-terrorism measures and security cooperation mechanisms.

Any meaningful reform of this trajectory requires genuine political will grounded in respect for pluralism, human rights, and the rule of law. Such reform must begin with restoring the principle of separation of powers and the independence of state institutions. In recent years, the growing dominance of the executive branch over both the legislative and judicial branches has enabled state institutions to facilitate and legitimize repression rather than restrain it or hold those responsible accountable.

This dynamic is particularly evident in the performance of the Supreme State Security Prosecution and the specialized terrorism circuits, as well as in the legislative philosophy underlying many laws that restrict fundamental freedoms. Together, these developments have contributed to a coordinated role by all three branches of government in narrowing civic space, justifying violations, and protecting those responsible for practices such as torture and enforced disappearance from accountability.

Without addressing these structural deficiencies, any reform initiative is likely to remain limited in impact. Transnational repression will continue to reflect the deeper crisis arising from the absence of the rule of law and the lack of effective protection for rights and freedoms within Egypt itself.

Accordingly, this paper concludes with a set of recommendations directed to the relevant stakeholders, organized according to the institutions and actors responsible for addressing these concerns.

## Sixth: Recommendations

### First: To the Legislative Authority

1. Review the **Counter-Terrorism Law (Law No. 94 of 2015)** to ensure its compliance with Egypt's international human rights obligations and the principle of legality in criminal law.
2. Repeal the **Law on the Regulation of Terrorist Entities and Terrorists Lists (Law No. 8 of 2015)** or undertake a comprehensive revision to ensure compliance with the presumption of innocence and Egypt's international obligations, including the introduction of explicit safeguards preventing its use against political opponents and individuals exercising their right to freedom of expression.
3. Amend the **Anti-Cyber and Information Technology Crimes Law (Law No. 175 of 2018)** and restrict the use of website-blocking measures in a manner consistent with freedom of expression, access to the internet, and international standards on personal data protection.
4. Enact a law guaranteeing the right of access to information in line with international standards, requiring government transparency and disclosure, while defining exceptions narrowly, precisely, and exhaustively.
5. Explicitly criminalize transnational repression within domestic legislation, criminalize punishment by proxy against family members, and reinforce the principle of individual criminal responsibility.
6. Ensure effective parliamentary oversight of the security sector and the executive branch, including accountability mechanisms for complaints related to enforced disappearance and torture.
7. Amend the Criminal Procedure Code to establish a genuine and enforceable maximum limit for pretrial detention through provisions that cannot be circumvented or expansively interpreted, and explicitly prohibit the practice of *tadweer* ("case recycling"), with sanctions for those responsible.
8. Ratify the **International Convention for the Protection of All Persons from Enforced Disappearance** and the **Optional Protocol to the Convention against Torture**, and withdraw reservations that undermine compliance with relevant international obligations.

### Second: To the Judiciary

1. Safeguard judicial independence from the executive branch, ensure the independence of judicial appointments and jurisdictional assignments, prohibit participation in exceptional courts or circuits, and establish clear criteria governing the composition and jurisdiction of judicial circuits.
2. Counter overly broad interpretations of counter-terrorism and cybercrime legislation by applying the principle of strict interpretation of criminal laws and rejecting

terrorism-related charges brought against conduct protected under the Egyptian Constitution and international human rights obligations.

3. Reject the criminalization of legitimate transnational professional, academic, journalistic, and human rights relationships.
4. Address the excessive use of prolonged pretrial detention as a punitive measure by scrutinizing requests from the Supreme State Security Prosecution for repeated detention renewals, preventing the use of *tadweer*, and favoring non-custodial precautionary measures where appropriate.
5. Uphold the principle established by the Egyptian Court of Cassation that security investigations alone are insufficient as evidence, whether in decisions concerning pretrial detention, designation on terrorism lists, or in absentia convictions.
6. Protect fair trial guarantees and the right to defence, including full access for defendants and their lawyers to case files and evidence, and respond effectively to requests concerning allegations of enforced disappearance or torture.
7. Directly apply the provisions of international treaties in accordance with Article 93 of the Egyptian Constitution.

### **Third: To the Public Prosecution, in Its Capacity as Both Investigative and Prosecutorial Authority**

1. Exercise effective oversight over the Supreme State Security Prosecution, end the excessive use of pretrial detention based solely on security investigations, discontinue requests for prolonged detention extending for years, and either refer cases to trial promptly upon completion of investigations or release defendants.
2. Respect the right to defence by ensuring that defendants may choose and communicate privately with legal counsel and have full access to investigation records and the evidence against them.
3. Refrain from facilitating the misuse of legislative provisions, particularly those contained in counter-terrorism legislation, to justify enforced disappearance or incommunicado detention, and avoid issuing or extending detention orders on the basis of Article 41 of the Counter-Terrorism Law.
4. Conduct prompt, effective, and impartial investigations into allegations of torture and ill-treatment, ensure that such allegations are formally recorded in investigation files, and refer complainants for forensic examination.
5. Immediately and unconditionally release all prisoners of conscience and detained family members of Egyptian opposition figures residing abroad, and drop all charges brought against them.

#### **Fourth: To the Executive Authority**

1. Immediately cease all forms and patterns of transnational repression, including the targeting of family members and coordinated smear campaigns against opposition figures, journalists, and human rights defenders residing abroad.
2. Reveal the fate and whereabouts of all individuals subjected to enforced disappearance, including Ahmed Moussa and Saber Mohamed Eid Hassan El-Shazly, ensure access by their families and lawyers, and end the practice of enforced disappearance in all circumstances.
3. Conduct independent, effective, and transparent investigations into allegations of torture and enforced disappearance, hold those responsible accountable, initiate legal proceedings against perpetrators, and provide victims with effective remedies and reparations.
4. Guarantee the right of Egyptians abroad to obtain passports and consular services without conditioning access on their return to Egypt or their political activities.
5. End the blocking of websites, pages, and online accounts associated with peaceful journalistic, human rights, and political activities, and lift restrictions imposed on news websites and human rights organizations.
6. Ensure that regional and international security cooperation mechanisms are used only in connection with serious criminal matters and are never employed against political opponents or individuals exercising their right to freedom of expression.
7. Engage constructively with UN human rights mechanisms, respond transparently to communications from UN experts, issue invitations to Special Rapporteurs concerned with counter-terrorism, freedom of expression, enforced disappearance, and torture, and implement relevant UN recommendations.
8. Publish transparent information regarding counter-terrorism operations, including information on fatalities resulting from security operations and the circumstances surrounding them, and investigate allegations of extrajudicial killings.
9. End the targeting of civil society organizations and independent media, cease the security and criminal prosecution of individuals cooperating with organizations abroad, and discontinue the criminalization of legitimate professional remuneration and financial transactions.

## **Fifth: To the International Community**

### **1. To the United Nations and Its Mechanisms**

**1.1** Continue active engagement and follow-up with the Egyptian government through communications and monitoring procedures, and request country visits to Egypt.

**1.2** Develop practical guidance within the Office of the High Commissioner for Human Rights and relevant UN mechanisms concerning transnational repression, including the misuse of counter-terrorism legislation and security cooperation arrangements.

**1.3** Strengthen protection for individuals cooperating with the United Nations against reprisals and activate rapid-response mechanisms.

**1.4** Ensure that the UN Counter-Terrorism Committee and the United Nations Office of Counter-Terrorism review cooperation and technical assistance programs with Egypt to ensure that such support does not contribute to restrictions on fundamental rights and freedoms.

### **2. To the League of Arab States and the Council of Arab Interior Ministers**

**2.1** Review the Council's legal framework, the Riyadh Arab Agreement for Judicial Cooperation, and the Arab Convention on the Suppression of Terrorism; incorporate explicit human rights guarantees and the principle of non-refoulement; and establish oversight mechanisms allowing individuals to access, challenge, and seek the removal of arrest and extradition requests.

**2.2** Respond to the concerns raised in UN Communication **OL OTH 71/2023** and ensure compliance with member states' international human rights obligations.

### **3. To INTERPOL**

**3.1** Apply enhanced scrutiny and review procedures to INTERPOL Red Notices, other alerts, extradition requests, and requests for judicial and security cooperation, including those originating through regional mechanisms such as the Council of Arab Interior Ministers. States and competent authorities should notify INTERPOL of decisions rejecting extradition requests based on human rights concerns or risks associated with transnational repression.

#### **4. To Host and Partner States**

**4.1** Refrain from deporting or extraditing Egyptians who face a risk of torture, unfair trial, or other serious human rights violations, and fully respect the principle of non-refoulement.

**4.2** Avoid complicity in the persecution of political opponents and dissenting voices by Egyptian authorities and reject politically motivated requests for extradition, surveillance, or information-sharing.

**4.3** Formally recognize transnational repression as a distinct human rights concern and protect Egyptians residing within their jurisdictions from threats, surveillance, smear campaigns, and pressure exerted through family members. Establish reporting channels for transnational repression cases, incorporate transnational repression into domestic legal frameworks, ensure accountability and sanctions where appropriate, and involve targeted communities in the design of protection policies.

**4.4** Strengthen international cooperation aimed at combating transnational repression.

#### **5. To Donors and States Providing Security or Economic Support to Egypt**

**5.1** Condition security, judicial, technical, training, assistance, and counter-terrorism cooperation programs on Egypt's compliance with international human rights standards and its refraining from practices of transnational repression.

**5.2** Suspend the provision of financial support, digital surveillance technologies, censorship technologies, and related technical assistance unless accompanied by effective safeguards ensuring that such tools are not used against journalists, human rights defenders, or individuals exercising their freedom of expression, and unless they are consistent with Egypt's international human rights obligations.

**5.3** Consistently raise concerns regarding human rights, prisoners of conscience, and the targeting of opposition figures and their families in both bilateral and public engagements with Egyptian authorities.