Joint statement: Egypt must immediately and unconditionally release anti-torture protester Mahmoud Hussein

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The Egyptian authorities must immediately and unconditionally release Mahmoud Hussein who is facing 25 years in prison simply for wearing a T-shirt with an anti-torture slogan, 15 Egyptian and international human rights organizations said today.

Mahmoud Hussein has been arbitrarily detained since August 2023. Since then, his mental and physical health has seriously deteriorated. This is the second time he has been unjustly detained since 2014.

In 2014, Mahmoud Hussein was arrested in the aftermath of peaceful protests marking the third anniversary of the 25 January 2011 Revolution for wearing a T-shirt with the slogan “A Nation without Torture” and a scarf with the “25 January Revolution” logo. He then spent two years in arbitrary pretrial detention before being released on bail in 2016, following global campaigning for his release. In 2018 however, he was convicted and sentenced to life imprisonment in his absence.

Security forces rearrested Mahmoud Hussein at a checkpoint on 30 August 2023 and subjected him to enforced disappearance for five days, holding him at various facilities controlled by the National Security Agency (NSA). During this time, he was interrogated while blindfolded without a lawyer**.** He was subsequently moved to Badr Prison 1, notorious for its inhuman detention conditions and for denial of adequate healthcare to prisoners. Since then, he has been held in pretrial detention. The prison authorities have been withholding his prescribed medication for post-traumatic stress disorder resulting from his first detention in 2014.

Because he was tried in his absence, Mahmoud Hussein is now facing a retrial on bogus charges of membership of a “terrorist” group and involvement in violence, stemming from the exercise of his rights to freedom of expression and peaceful assembly which led to his first arrest in January 2014.

“It is outrageous that Mahmoud Hussein is once again being tried for the simple act of wearing an anti-torture T-shirt. If convicted, he faces up to 25 years in prison, which would be a gross injustice and is an indication of how low the Egyptian authorities will stoop to crush any and every notion of dissent,” said Philip Luther, Amnesty International’s Research and Advocacy Director for the Middle East and North Africa.

Mahmoud Hussein’s retrial is once again being held in front of the Emergency State Security Court (ESSC). ESSC’s proceedings are inherently unfair, including because their verdicts are not subject to appeal, only ratification by the President. His next hearing is scheduled for 23 April.

TORTURED AND DREAMS KILLED

When Mahmoud Hussein was first arrested at the age of 18 in 2014, NSA agents subjected him to torture and other ill-treatment in detention through beatings and electric shocks to his hands, back and testicles to force him to sign a "confession". As a result, he has suffered from chronic health conditions requiring two hip replacement surgeries and dependency on crutches.

In November 2023, he underwent an anal fistula surgery at prison hospital, but his family fear that he is not receiving the adequate follow-up care he needs.

A relative of Mahmoud Hussein has described the devastating impact of his renewed detention: "Mahmoud's return to prison is a nightmare that the family is currently living. He has returned to the place where dreams are killed once again, at a time when he was trying to survive from the effects of his initial imprisonment and look towards his future. This time, he faces even greater health challenges. Please do not forget about him there."

"Mahmoud Hussein's life has been upended twice solely for dreaming of a nation without torture. Instead of investigating his complaints of torture and other ill treatment and providing him with adequate reparations for the harm suffered during his first unjust detention, the Egyptian authorities are doubling down in their absurd injustice. They must immediately and unconditionally release him and drop all charges against him as they solely stem from the exercise of his human rights," said Mohamed Abdel Salam, AFTE'S executive director.

Background

Mahmoud Hussein is among thousands of individuals who continue to be arbitrarily detained in Egypt solely for exercising their human rights or following proceedings violating fair trial rights or without legal basis. Those held include human rights defenders, political activists, members of opposition parties, trade unionists, workers, peaceful protesters, journalists, lawyers, social media influencers, members of religious minorities, and medical professionals.

The UN Committee against Torture reached "the inescapable conclusion" in 2017 that "torture is a systematic practice in Egypt". The Egyptian government has not taken any serious steps to address the issue. Most recently, in its 2023 concluding observations, the Committee highlighted the "numerous and consistent allegations of systematic use of torture and ill-treatment" by Egyptian authorities, emphasising the deeply concerning lack of accountability contributing to a climate of impunity. The Committee further underscored that various human rights violations in Egypt are "widespread" including prolonged pretrial detention.

In October 2023, a coalition of national and international NGOs, namely REDRESS , the Egyptian Initiative for Personal Rights (EIPR), the Egyptian Commission for Rights and Freedoms (ECRF), Dignity, the Committee for Justice (CFJ) and the International Commission of Jurists (ICJ), concluded that that the Egyptian's authorities' use of torture is so widespread and systematic as to amount to a crime against humanity.

In March 2023, the UN Human Rights Committee called on Egypt to "ensure that statutory limits to

the duration of pretrial detention are enforced, including by putting an end to the involvement of security agencies in the decision-making process on the release of detainees and the practice of "rotation" under which detainees are added to new cases on similar charges". According to human rights organizations (the Cairo Institute for Human Rights Studies, Committee for Justice, El Nadeem Center, the Egyptian Front for Human Rights, the Sinai Foundation for Human Rights), at least 251 defendants were rotated to new cases in 2023, and another 620 defendants in 2022, demonstrating the continued involvement of the judicial authorities in violations of the right to fair trial.

The UN Human Rights Committee as well as Special Procedures of the UN Human Rights Council have repeatedly raised concerns about systematic violations of fair trial rights and called repeatedly raised concerns about systematic violations of fair trial rights and called on Egypt to ensure that proceedings, including in terrorism cases, are in line with international law and standards.

Signatories:

- Amnesty International
- Association for Freedom of Thought and Expression (AFTE)
- Cairo Institute for Human Rights Studies
- DIGNITY – Danish Institute Against Torture
- Egyptian Front for Human Rights (EFHR)
- Egyptian Human Rights Forum (EHRF)
- EgyptWide for Human Rights
- EuroMed Rights
- FairSquare
- HuMENA for Human Rights and Civic Engagement
- International Commission of Jurists (ICJ)
- International Service for Human Rights (ISHR)
- REDRESS
- Robert F. Kennedy Human Rights (RFKHR)
- Sinai Foundation for Human Rights (SFHR)

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