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For Immediate Release

Egypt: Planned Presidential Vote Neither Free Nor Fair *EU, US Should Speak Out*

(Beirut, February 13, 2018) – The [Egyptian](#) government has trampled over even the minimum requirements for free and fair elections for the planned March 26-28, 2018 vote for president, fourteen international and regional rights organizations said today. The government of President Abdel Fattah al-Sisi has relentlessly stifled basic freedoms and arrested potential candidates and rounded up their supporters.

“Egypt’s allies should speak out publicly now to denounce these farcical elections, rather than continue with largely unquestioning support for a government presiding over the country’s worst human rights crisis in decades,” the groups said.

The United States, European Union, and European states, which provide substantial financial assistance to the Egyptian government, should consistently integrate human rights into their relations with Egypt. These countries should halt all security assistance that could be used in internal repression and focus aid on ensuring concrete improvements to protect basic rights.

The repression in advance of Egypt’s presidential election is a substantial escalation in a political environment that denies people’s rights to political participation and to freedom of expression, association, and peaceful assembly. The Egyptian authorities should immediately release all those arrested for joining political campaigns or stating their intention to run as presidential candidates in the elections, the groups said.

The authorities have successively eliminated key challengers who announced their intention to run for president. They have arrested two potential candidates, retired Lt. Gen. Sami Anan and Col. Ahmed Konsowa. A third potential candidate, Ahmed Shafik, a former prime minister and air force commander, apparently was placed under undeclared house arrest in a hotel until he withdrew from the race. Two other key potential candidates, the human rights lawyer Khaled Ali and a former parliament member, Mohamed Anwar al-Sadat, backtracked on formally registering, citing the repressive environment, concerns over the safety of their supporters, and government manipulation.

The only current candidate running against al-Sisi is Mousa Mostafa Mousa, the leader of the Al-Ghad Party, which supports the government. He registered his candidacy on January 29, the [last possible day](#), [after efforts from pro-government parliament members](#) to convince him to run. Until the day before he registered his candidacy, [he was a member](#) of a campaign supporting al-Sisi for a second term. In this context, the right of every citizen to freely stand and vote in elections that reflect the free expression of the will of the electors appears meaningless.

These government actions are in contravention to Egypt’s Constitution and a clear violation of its international obligations and commitments, including the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights (ACHPR), and the 2002 [African Union Declaration](#) on the Principles Governing Democratic Elections in Africa. Article 25 of the ICCPR and Article III of the African Union declaration link political participation, as a voter and as a candidate, to the freedoms of assembly, expression, and

association. An EU [handbook for elections observations](#), detailing standards of fair elections, says that these are rights “without which it [elections] cannot be meaningfully exercised.”

The current atmosphere of retaliation against dissenting voices and the increasing crackdown against human rights defenders and independent rights organizations have made effective monitoring of the elections extremely difficult for domestic and foreign organizations. Media [reports have said](#) that the number of organizations that were granted permission to monitor the elections was 44 percent fewer than in the last presidential election in 2014 and that the number of requests, in general, has gone down.

Several opposition parties called for boycotting the elections. A day later al-Sisi threatened to use force, including the army, against those who undermine “Egypt’s stability and security.” On February 6, the Prosecutor-General’s Office [ordered an investigation](#) against 13 of the leading opposition figures who called for a boycott, accusing them of calling for “overthrowing the ruling regime.”

“Seven years after Egypt’s 2011 uprising, the government has made a mockery of the basic rights for which protesters fought,” the groups said. “Egypt’s government claims to be in a ‘democratic transition’ but move further away with every election.”

Signatories

Cairo Institute for Human Rights Studies

CIVICUS “World Alliance for Citizen Participation”

CNCD-11.11.11

EuroMed Rights “The Euro-Mediterranean Human Rights Network”

Human Rights First

Human Rights Watch

International Commission of Jurists

International Federation for Human Rights (FIDH)

International Service for Human Rights

Project on Middle East Democracy

Reporters Without Borders (RSF)

Robert F. Kennedy Human Rights

Solidar

World Organisation Against Torture (OMCT)

For an account by Human Rights Watch of the government’s actions against opposition candidates, and for more information on requirements for free and fair elections and on the US and EU response to Egypt’s repressive actions, please see below.

For more Human Rights Watch reporting on Egypt, please visit:

<https://www.hrw.org/middle-east/n-africa/egypt>

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Arrests, Harassment of Key Challengers and Potential Candidates

Colonel Ahmed Konsowa

On December 19, the North Cairo Military Court sentenced Konsowa to [six years in prison](#) for “actions that undermine the military system,” three weeks after he announced his intention to run for president in a [YouTube video](#). Konsowa, an army colonel and architect working for the Defense Ministry, said that he offered his resignation to the ministry many times over the past four years, saying he wanted to run for election, but it was “arbitrarily” rejected every time without offering reasons. Serving military officers are not permitted to run for president in Egypt.

A military appeals court upheld his sentence on January 29. He can still appeal to the Supreme Military Court of Appeals. Konsowa had filed several lawsuits against the Defense Ministry [before administrative courts](#) concerning his resignations. One case is ongoing, and [another case is being reviewed by](#) the Supreme Constitutional Court.

Konsowa’s prison sentence appears to be extremely disproportionate, and authorities should allow him to access to all legal documents concerning his case and a meaningful chance to challenge these claims, Human Rights Watch said.

Lieutenant General Sami Anan

On January 19, retired Lieutenant General Anan announced his intention to run for president in a recorded [video statement](#). Anan was the army chief of staff until he was retired by an order of former President Mohamed Morsy in August 2012.

Hours after Anan announced his intention to run for president, al-Sisi issued [statements on the upcoming presidential elections](#) during a conference, in which he reviewed his “achievements” over the past four years, saying: “I know the corrupt, I know them well... I will not control who you vote for. You can choose whoever you want. But there are corrupt people. I will not allow them to approach this position [the presidency].”

Security forces, mostly likely officers of the Military Intelligence and Reconnaissance that functions under the Defense Ministry, [arrested Anan](#) on unclear grounds on January 23 as he was in his car on a Cairo street and held him incommunicado for several days, Amnesty International reported. His lawyer, Nasser Amin, and his son, Samir Anan, were only able to [meet him in a military](#) prison on January 27. Hours before his arrest, the Defense Ministry released a [statement](#) accusing Anan of document forgery and “incitement against the armed forces,” and claiming that he needed armed forces’ approval to run for the presidency. It said it would take the “necessary legal action.”

A source close to Anan, who wanted to remain anonymous for security reasons, told Human Rights Watch that military prosecutors interrogated Anan on January 23 and ordered him detained for 15 days pending investigations, but accused him only of violating military rules and engaging

in politics. On February 6, the prosecutors renewed his detention for seven days, the source said.

On January 27, three men armed with knives attacked Judge Hesham Geneina, a member of Anan's campaign and the [former head](#) of the Central Auditing Agency, as he rode in his car with his wife, daughter, and a driver near his Cairo residence. The Interior Ministry said in a [statement](#) that he was injured as a result of a fight Geneina and his family had with three men in another car following a dispute over a minor car accident.

But Geneina's lawyer told reporters that [the attack was an attempt to "kidnap" him](#), and that Geneina yelled for help and was eventually rescued by bystanders. The next day prosecutors [ordered the detention](#) of the three men who attacked Geneina, pending investigations, and accused them of armed robbery. Days later, Geneina [told reporters](#) that the attack had political motives and that it happened while he was on his way to file an appeal against disqualifying Anan.

Gamal Abdel Rahim, a board member of the Journalists' Syndicate, [also alleged that](#) one of the three defendants was sighted among the men in civilian clothes accompanying [security forces who raided the Syndicate](#) in May 2016 and attacked journalists.

Ahmed Shafik

On January 8, Shafik, who was prime minister in 2011 and air force commander (1996-2002), [backtracked on his intention to run](#) for presidency after weeks in which he appeared to have been under house arrest imposed without judicial orders. Shafik had announced his intention to run in a November 29, 2017 [video statement on Al Jazeera](#), and hours later [said in another statement](#) that the UAE authorities had prevented him from leaving the country, where he had lived since 2012.

On December 3, Shafik's lawyer, Dina Adly, said on her Facebook page that Shafik had been arrested and was being deported from the UAE to Cairo. After Shafik arrived at Cairo Airport, media reported [his family and lawyer said](#) that they did not know where he was. They later found out he was forcibly taken to a hotel in a Cairo suburb. Shafik apparently spent the next several weeks under house arrest in the hotel in Cairo, [surrounded by](#) security agents who prevented him from communicating with journalists, in an apparent attempt, the family and lawyer said, to pressure him not to run for the presidency.

At least three of Shafik's supporters, Ahmed al-Dahshory, Hani Fouad, and Mohamed Imam, were arrested on December 13. Reuters, citing two unnamed security sources, said that [the three were accused of publishing news](#) that "harmed national security." [Shafik issued a statement](#) on December 16 "apologizing" for those arrested for connections to his campaign.

a person close to one of the people arrested who wished to remain anonymous said

A relative of one of the people arrested, who wished to remain anonymous, told Human Rights Watch that his family member was released later. "We repent to God," the relative said. "We won't be involved in politics again." Human Rights Watch has not been able to find out if the other two are still in custody.

Khaled Ali and Anwar al-Sadat

Ali, the human rights lawyer, and al-Sadat, the former parliament member, terminated their presidential campaigns citing the country's repressive environment. On December 27, al-Sadat said that [he sent a complaint](#) to the National Election Authority, saying that the National Security Agency had prevented his campaign from holding news conferences.

At a January 24 press conference to announce his withdrawal, Ali said that many of his supporters had been arrested since the summer of 2017. Hala Fouda, his campaign manager, told Human Rights Watch that authorities had arrested several members of Ali's yet-to-be-formed Bread and Freedom Party, as well as activists from other parties who supported him since he announced he might run for elections in mid-2017. Authorities arrested at least [190 political activists](#) in two major waves of arrests, in April and June, most during anti-government protests.

Fouda said that while no one was arrested during the campaign to collect endorsements for his candidacy, there were other "security interventions," including security agents intimidating and threatening people filing endorsements required for Ali to qualify as a candidate. She said that people with no connection to Ali's campaign were also collecting these signed endorsements from citizens but refusing to file them.

She cited as an example a woman in the town of Tala [in al-Monufia governorate](#) who was not known to the campaign and who collected hundreds of endorsements but then refused to deliver them. Fouda said that the campaign filed complaints with the National Elections Authority about these incidents but received no responses.

The electoral law requires presidential candidates to obtain 20 nominations from parliament members or 25,000 endorsements from citizens, including at least 1,000 from 15 different governorates. The National Election Authority gave candidates only 20 days to collect these endorsements. Out of 596 parliament members, 549 (about 92 percent), including the parliament speaker, filed nominations to support al-Sisi's candidacy. Mousa, the only other registered candidate, obtained 20 nominations from members of parliament after pro-government members apparently [appealed for him to run in the election](#).

Basic Requirements for Free and Fair Elections

Local authorities in Egypt and existing laws have imposed numerous additional restrictions to undermine the possibility for free and fair elections. Egypt's highly restrictive [Protest Law No. 107 of 2013](#) requires organizers of demonstrations and gatherings to secure prior approval from the Interior Ministry, further weakening opposition candidates' chances. Both this law and the Assembly Law No. 10 of 1914 criminalize the simple act of meeting in groups of five or more, and they set lengthy prison sentences as punishment.

In practice, the police have shown much more tolerance for rallies and meetings supporting al-Sisi than for opposition figures. Al-Sisi also declared a [nationwide state of emergency](#) in April 2017 and has extended it three times. Under the state of emergency, people charged with violating the protest laws are to be tried by the infamous Emergency State Security Courts, reinstated in October, whose decisions are not subject to appeal.

Al-Sisi's government has also [greatly restricted](#) freedom of expression and the press, effectively almost eliminating the space for public criticism of the government and especially criticism of the president. From May to December, the Association of Freedom of Thought and Expression, a local rights group, [identified at least 496 websites blocked in Egypt](#), including those of news and media sites, as well as human rights and political movements.

The government tightly controls state media, and companies with direct and indirect links to the intelligence services [have taken over](#) several privately owned television stations and newspapers, according to Reporters Without Borders and other [media reports](#). The Committee to Protect Journalists has documented the arrest of scores of journalists, at least 20 of them still in jail,

making Egypt one of the biggest jailers of media workers in the world.

In May, the government passed [a new law](#) with draconian restrictions on the freedom of association and nongovernmental groups in Egypt. The government has also [harassed rights activists](#) by dragging out investigations of the case 173 of 2011, based on accusations of receiving foreign funding by nongovernmental groups. Authorities seized their assets and placed them on travel ban lists and frequently summoned them for interrogations. The harassment has effectively barred independent Egyptian and international nongovernmental groups from monitoring elections.

Al-Sisi's government has also severely [undermined the independence of the judiciary](#) by firing scores of judges for offering critical opinions, as well as approving several legislative amendments that undermined due process.

Following the Defense Ministry's statement concerning Anan, dozens of private and government businesses, such as the [Egyptian Railway Company](#) and [Al-Asema television network](#), as well as groups including the [Journalists' Syndicate](#), immediately issued statements supporting al-Sisi, the Defense Ministry's statement against Anan, or both. Some government entities also issued statements openly supporting al-Sisi, including the [Egyptian Olympic Committee](#) and the Egyptian Football Association, which [held a conference](#) on January 21 at the association headquarters in Cairo to support al-Sisi.

Egyptian opposition parties held a news conference and called for boycotting the elections. One day later, on January 31, al-Sisi gave [statements](#) warning that he intended to use force against those who want to undermine "Egypt's security or stability."

"Now I see [people] talking, excuse me [sarcastic laughter]. Be warned! ... It seems that you still don't know me well ... I'm not a politician," he said. At least 13 prominent political figures are subject to public prosecutor's investigations.

On February 8, security forces raided the house of Mohamed al-Qassas, the deputy head of the Egypt Strong Party that joined calls for boycotts. A friend of al-Qassas told Human Rights Watch that security forces searched and destroyed al-Qassas' possessions. Amnesty International said that he "[might have been forcibly disappeared](#)" by security forces since February 8.

After he went missing, [lawyers were told](#) that al-Qassas was seen by State Security Prosecutors who ordered him detained 15 days, pending investigations on accusations of him "joining a banned group." Al-Qassas' wife said that when she tried to file a police report on security agents damaging their possessions, the police refused to allow her to do so. Accusations against al-Qassas violate basic rights including freedom of association. Authorities should release al-Qassas immediately, Human Rights Watch said.

International Failure to Criticize Egypt's Rights Crackdown

The groups cosigning this statement said that the US, EU, and European states should uphold their own principles, [according to which](#) "there is no meaningful right to participate as a political representative if one's party cannot be registered, one's supporters cannot attend a rally, and one's opinions are not allowed to be published," as mentioned in the EU Handbook for Election Observation.

Egypt's international allies continue to support Egypt's government and rarely offer public

criticism. In April during al-Sisi's visit to Washington, DC, US President Donald Trump said that, "he has done a fantastic job in a very difficult situation." Both Vice President Mike Pence and Secretary of State Rex Tillerson [said very little](#) on Egypt's poor rights records when they visited the country separately in January and February and did not comment on the elections. When Tillerson [faced journalists' questions](#) in Cairo about the US position on the violations ahead of the presidential elections, he gave a generic answer saying the US supported free elections but did not express any concerns with the Egyptian government.

In August, the United States cut US\$100 million and held back another US\$195 million of its aid to Egypt, citing human rights violations, in particular the law concerning nongovernmental groups. An August 22 State Department memo to Congress, required by law for a national security waiver to allow US assistance, stated: "The overall human rights climate in Egypt [continues to deteriorate](#)," the Associated Press reported.

In September, the US resumed the Bright Star joint training exercises with the Egyptian Army, after eight years of suspension. The US Senate Appropriations Committee approved a bill withholding 25 percent of the US\$1 billion in military assistance for fiscal year 2018, until the Secretary of State can certify that Egypt has taken "effective steps to advance democracy and human rights," specifying the release of political prisoners and holding security officials accountable. While the bill was approved by the committee, it has not yet been passed. The bill would also withhold US\$75 million in economic aid until the convictions of staff of nongovernmental groups in the "foreign funding" case are quashed or set aside.

The European Union and Member States

In July, the European Union-Egypt Association Council convened for the first time in seven years in Brussels and adopted new Partnership Priorities, a reference document that shapes policies within EU-Egypt bilateral relations. At the Association Council, human rights were downplayed. The EU report on EU-Egypt relations only mentioned a few shortcomings under the heading of "enhancing stability". More substantial coverage of rights issues, including the restrictions on independent rights groups, appeared in the Member States' "EU Position" document.

On February 8, the European Parliament adopted a resolution [criticizing human rights violations in Egypt](#), including executions, and the crackdown on nongovernment organizations and human rights defenders. The resolution pressed "President Sisi and his government to fulfil their commitment to genuine political reform and respect for human rights" and mentioned the need for "transparent and genuine elections."

The resolution called on the EU and its member states to take a "strong and unified position on Egypt in the upcoming sessions of the UN Human Rights Council."

Several European countries including Italy, France, and the United Kingdom, have been publicly supporting the Egyptian government's counterterrorism efforts in recent years and have largely remained silent about the wider human rights crisis in Egypt.

German Chancellor Angela Merkel visited Cairo in March 2017, and in April the German Parliament approved a security agreement with Egypt's Interior Ministry that has weak human rights provisions and risks making German authorities complicit in torture in Egypt. In October, the German government said it had canceled a training program for Egyptian police on combating cybercrime, saying that the skills could be "used to pursue other groups."