

THE IMPRISONMENT OF ALAA ABD EL FATTAH



Alaa Abd El Fattah, one of Egypt's well known dissident voices, is currently serving a five year prison sentence in Egypt.

His release has been called for by dozens of human rights groups and, including the [UN Working Group on Arbitrary Detention](#) and his trial was [judged unfair](#) by Euromed Rights. He is one of thousands of political prisoners in Egypt today.

Alongside his five year prison sentence -followed by five year strict probation- he is currently standing trial in a separate case, charged with insulting the judiciary alongside various defendants including ex-parliament members who are being tried for commentary they made in parliamentary sessions. The sentencing for this case is set to be on the 30th of September 2017.

If Alaa is not found innocent, he could get any sentence from a fine up to six years in a maximum security prison. Which would be added to his current 5 year sentence.

THE SHOURA COUNCIL CASE

Alaa Abd El Fattah is currently serving five years in jail, sentenced in what is popularly known as The Shoura Council Case.

On November 26th 2013 the well-known and internationally respected activist group, No to Military Trials for Civilians, called for a demonstration in front of the Shoura Council (the Upper House of the Egyptian parliament) to protest the failure of the draft constitution to legislate against the military court martialing of civilians. The peaceful protest was [met with serious force](#) by the police and over 50 people were arrested.

An arrest warrant was later issued for Alaa Abd El Fattah. Though he [declared publicly](#) that he would turn himself in for questioning his home was violently raided and both him and his wife were beaten by the police.

Abd El Fattah was charged with organizing the protest. He had 25 co-defendants, charged with: breaking the Protest Law by participating in a protest without prior notification, attacking and mugging a police officer, destroying public property and obstructing traffic.

The activist group No to Military Trials publicly accepted responsibility for the organization of the protest. Several members of the group were arrested at the Shoura Council protest, yet all were released. On release six members attempted to turn themselves as the organisers of the protest, but the prosecution would not pursue it further.

The trial lasted for fourteen months, the majority of which time Abd El Fattah was held in detention.

On 23rd February 2015 Alaa and his co-defendants were all found guilty of all charges. Alaa Abd El Fattah and one other defendant, Ahmed Abd El Rahman, were sentenced to five years in prison. All the other defendants were sentenced to three years.

Of the 26 defendants 24 were given presidential pardon, and only two remain in prison: Abd El Fattah and Abdel Rahman Tarek Mokka, a young activist with the 6th of April movement.

The court of Cassation has refused Abdel Rahman's appeal last January, and has set a date to review Alaa's appeal on the 19th of October 2017.

Dozens of international civil society organisations vociferously [called for](#) their release and a fair trial, along with all those unjustly detained in Egypt.

More about the Shoura council case

POLICE BRUTALITY

The police responded to the Shoura Council protest with disproportionate and unlawful levels of violence. Protesters were beaten as they were arrested and several were sexually assaulted. The police used some officers in uniform, some in balaclavas and others in plainclothes. In detention the beatings continued. When the female protestors refused to be released without the men – aware of the political cover they gave them – they were beaten badly and forced into a police truck. They were then driven an hour south of Cairo and left in the desert at midnight. The 24 men that were kept in detention were beaten in the police station. And though they submitted the name of the principal offending officer, Hossam al Duba, it has not been investigated.

When Alaa was arrested two days later it was by an assault team of twenty officers, some in plainclothes. When Alaa's wife, Manal, asked to see their search warrant, she was beaten as was Alaa as he was taken away. He was taken to an undisclosed location where he was left on a cell floor, blindfolded and with his hands cuffed behind his back. His family was refused any information about his whereabouts.

THE ROLE OF THE PUBLIC PROSECUTOR

The Public Prosecutor's Office, long complicit with state repression, has taken on an active role in the obfuscation and obstruction of due process under the Sisi administration. The office is, by its own admission, completely subordinate to the Ministry of the Interior. An example: the police that stormed Alaa and Manal's home took their laptops and phones with them. They did not have a warrant to search the house, let alone confiscate items. The lack of a warrant was confirmed by the prosecution, yet they still handed over the confiscated items to the police. When asked to how they could do this, they replied "because they wanted them".

Locations for appeal hearings were changed multiple times on court dates. Food, clothes, even insulin, being sent to detainees was stolen. Excuses were made to prevent lawyers from appealing Alaa's detention, stalling until the case got referred to criminal court so rendering appeal impossible. The police and the prosecution work in unison to make legal, physical and psychological support for the detainees as difficult as possible, all in clear violation of their rights.

LINKS:

November 26th 2013 [Police Violently Disperse Peaceful Protest](#)

November 26th 2013	<u>Statement from “No to Military Trials” on the Arrest of Members for Protesting</u>
November 27th 2013	<u>Statement of my intention to hand myself in to the Prosecutor’s Office</u>
November 28th 2013	<u>Human Rights Watch press release regarding violent dispersal of protest</u>
November 28th 2013	<u>Amnesty: Egypt: Beaten and Arrested Under New Protest Law</u>
November 29th 2013	<u>Egyptian Activist Arrested Amidst Government Crackdown on Dissent</u>
November 30th 2013	<u>Video: Detainees of the Shoura Council Protest</u>
December 1st 2013	<u>Statement by Comrades from Cairo: We Don't Need Permission to Protest</u>
January 2nd 2014	<u>On Alaa</u>
January 4th 2013	<u>Video: The Three Arms of Injustice: The Police, Prosecution & Judiciary</u>
January 4th 2014	<u>On the Love of Life and Alaa’s Detention</u>
January 5th 2014	<u>Alaa Abd El Fattah & Mona Seif receive suspended jail sentence [separate case]</u>
January 8th 2014	<u>Prison Flees</u>
January 8th 2014	<u>On Alaa, Learning and the Struggle</u>
January 9th 2014	<u>Manal’s account of the night they violently arrested Alaa from their home</u>
January 22nd 2014	<u>Civil Society to Egypt: Release Alaa Abd El Fattah & All Unjustly Detained</u>
February 20th 2014	<u>Human Rights Watch: High Price of Dissent</u>
March 5th 2014	<u>100 Days in Prison Without Trial</u>
March 15th 2014	<u>Trial Date Set for Alaa Abd El Fattah</u>
March 22nd 2014	<u>Jailed Al Jazeera Journalist Loses Full Use of Arm</u>
March 22nd 2014	<u>No To Military Trials Reaffirms its Responsibility for Organizing the Protest</u>
March 23rd 2014	<u>Video: The moment Alaa was released from Cairo Security HQ</u>
February 23rd 2015	<u>Egyptian activist Alaa Abd El Fattah sentenced to five years in jail</u>
February 23rd 2015	<u>The Verdict</u>
July 20th 2015	<u>Euromed Rights: No Fair Trial for Alaa Abd El Fattah</u>
June 6th 2016	<u>UN Working Group on Arbitrary Detention Opinion</u>
July 5th 2016	<u>Alaa Abd El Fattah Must Be Released, UN Working Group on Arbitrary Detention</u>

More about Alaa

ALAA ABD EL FATTAH

Alaa Abd EL Fattah is an Egyptian blogger, a software developer and a political activist. The persecution of Alaa Abd EL Fattah is a recurring theme in Egypt. He was jailed under the Mubarak regime for 45 days and [again by the Supreme Council of the Armed Forces in 2011](#) - when he [returned from giving a keynote speech](#) at a technology conference in San Francisco to turn himself in. He remained in jail for almost two months, missing the birth of his son, Khalid. He also faced trumped up charges designed to intimidate protest under the Morsi government in 2013 [along with popular satirist Bassem Youssef](#).

When the current arrest warrant was issued Abd EL Fattah [stated publicly](#) that he would turn himself in on Saturday, going so far as to formally inform the Public Prosecutor's office by telegram and registered letter. But the police violently raided his home instead.

Alaa is expected to finish his 5 year sentence in March 2019.

[FREE ALAA FACEBOOK PAGE](#)

Get to know Alaa through his own words. This was a letter by Alaa sent from Tora prison on March 29th to his friends and peers in RightsCon 2017.

To RightsCon:

This week I start my 4th year in prison. I might be released in October, if my appeal is accepted. But then I might not. I might be released in March 2019, when I have served my full sentence. But then I might not. They have other, pending, cases against me. If released I might be able to attend this conference, but then I might not; my sentence comes with 5 years of parole to follow, and who knows if you will be able to find a venue for this conference in a country that gives visas to people like me by the time I am allowed to travel. Now I don't mean to be too pessimistic; the best case scenario is as probable as the worst. The real problem is that there's very little you can do to influence which of them will come to pass.

But that's not really what worries me; we live in hugely reactionary times. My defeat was inevitable.

What worries me is that by the time I manage to make it to this conference or another like it I will simply be a total embarrassment to organizers and attendees. You see, in my isolation I can only build a fragmented picture of what the world outside looks like. And when it comes to tech that picture is solely based on what filters through state-controlled media of the views and actions of governments and giant tech companies. Not what people and communities are doing and saying.

Now you would not enjoy watching a Luddite ramble on about a terrifying dystopia in which labor rights are trampled by startups that don't even plan to make a profit (or pay taxes) but are somehow able to raise enough capital to flood markets, overwhelm regulators, influence policy, litigate perpetually and still have enough left to spend on PR that spins all this as the glorious disruptive effect of the gig economy. A

dystopia in which free debate in a shared public sphere, rooted in a commonly experienced very decentralized reality, is replaced with a newsfeed, selected by an obscure algorithm based on one's circle of friends and choice of celebrities.

I can see you rolling your eyes already while I fret over the bot that will determine which news is not fake, the bot that will determine which policy is better and the question of who owns the data, who controls the cloud and how did it come to pass that we replaced the mystical notion that we are born with all the knowledge of the universe already within us to the no less mystical notion that the only learning we need is Bayesian and that the only abstraction we need is map reduce?

Now lest you think me too pessimistic I will admit that this dystopia is as probable as the utopian vision that insists the killer drones will turn out to be like the good terminators, that Facebook will defeat fake news with a truthbot and its human companions who are happily employed in glorious state of the art call centers as content moderators. That Elon Musk will solve the world energy problem, Bill Gates will end hunger, Google will find a cure for cancer and Uber or Foxconn's effect on labor rights is irrelevant because we'll all be paid a basic universal income, have unlimited credit lines, or run our own Bitcoin minting operation. The counter-revolution never happened, the naive dreams of early internet communities and the free software movement are not lost they have just been updated, cleaned up and stripped of any hint of ideology to make them more universal. And no, the fact that nobody pays tax any more is not a threat to democracy because they all give so much to charity. Yes this utopia is probable too, as probable as the vision of a coalition between Trump, Sisi, Duterte, Orban, Modi, Erdogan, Putin, Bin Salman, and who knows maybe even Le Pen, leading the civilized world into a new age of prosperity and security and stability and sustainable growth. Yes it could happen. Millions upon millions believe it and they can't all be wrong, right?

However, you do have a chance to influence where in the broad spectrum between these equally unlikely (or likely) scenarios the future lies.

Yes, on the simple question of how to stop using the hashtag [#FreeAlaa](#) you have little if any agency, but on the question of whether the internet is a space in which we come together to enjoy, assert, practice and defend universal rights and freedoms you have much agency.

Unlike me, you have not been defeated yet.

I don't have much to say by way of advice. I am, after all, out of touch and slightly outdated. The best I can do is repeat themes I used to touch upon when participating in conferences like these in the past. (The last time was 2011 I think):

1. Fix your own democracy: This has always been my answer to the question "how can we help?" I still believe it is the only possible answer. Not only is where you live, work, vote, pay tax and organize the place where you have more influence, but a setback for human rights in a place where democracy has deep roots is certain to be used as an excuse for even worse violations in societies where rights are more fragile. I trust recent events made it evident that there is much that needs fixing. I look forward to being inspired by how you go about fixing it.

2. Don't play the game of nations: We lose much when you allow your work to be used as an instrument of foreign policy no matter how benign your current ruling coalition is. We risk much when human rights advocacy becomes a weapon in a cold war (just as the Arab revolutions were lost when revolutionaries found themselves unwitting and unwilling recruits in proxy wars between regional powers). We reach out to you not in search of powerful allies but because we confront the same global problems, and share universal values, and with a firm belief in the power of solidarity.

3. Defend complexity and diversity: No change to the structure of or organization of the internet can make my life safer. My online speech is often used against me in the courts and in smear campaigns, but it isn't the reason why I am prosecuted; my offline activity is. My late father served a similar term for his activism before there was a web. What the internet has truly changed is not political dissent but rather social dissent. We must protect it as a safe space where people can experiment with gender and sexual

identities, explore what it means to be gay or a single mom or an atheist or a christian in the Middle East, but also what it means to be black and angry in the U.S., to be Muslim and ostracized in Europe, or to be a coal miner in a world that must cut back on greenhouse gases. The internet is the only space where all different modes of being Palestinian can meet. If I express this precariousness in symbolic violence, will you hear me out? Will you protect me from both prosecution by the establishment and exploitation by the well-funded fringe extremists?

4. Assert your right to be a creator not a consumer: *we love this tech because it allows us to be the performers in our own spectacle, the story-tellers in our own narrative and the philosophers of our own discourse. Not an eyeball for advertisers or a demographic for pollsters. Keep it that way please. Keep it that way.*

ALAA'S TRANSLATED WRITINGS FROM PRISON

January 23rd 2014	A Letter from Alaa to his sisters
January 25th 2014	Graffiti for Two
March 4th 2014	Autism
March 13th 2014	Everyone Knows
March 23rd 2014	Lysenko's Time
August 26th 2014	Open Letter Declaring Hunger Strike
October 7th 2014	On the Sakhorov Prize
January 24th 2016	Jan25: Five Years On

ALAA ABD EL FATTAH'S HISTORY OF RESISTANCE & PERSECUTION

May 8th 2006	Cairo clamps down on dissent
June 21st 2006	Egypt releases blogger jailed for 45 days after 'insulting' President
November 2011	Alaa Abd El Fattah: Last Video Before Imprisonment
November 1st 2011	Egypt's Military May Soon Regret Jailing Alaa Abd El Fattah
November 2nd 2011	"After Egypt's revolution, I never expected to be back in Mubarak's jails"
November 5th 2011	Blog Post from a New Prison
December 6th 2011	Khaled Abd El Fattah is born while his father remains in jail
March 28th 2013	Alaa Abd El Fattah Faces Trial for Shafiq Headquarters Attack
April 3rd 2013	Crackdown in Egypt: Bassem Youssef and Alaa Abdel Fattah Face Charges