

09 July 2021

United Nations Working Group on Arbitrary Detention

Sent via email: [wgad@ohcr.org](mailto:wgad@ohcr.org)

RE: Update to the Working Group in regard to the petition submitted on behalf of Ahmed Samir Santawy (Egypt)

Dear Members of the Working Group on Arbitrary Detention,

This letter is intended to update the Working Group on new and concerning developments in the case of Ahmed Samir Santawy in Egypt since we filed our initial petition with the Working Group on 15 June 2021.

On 22 June 2021, Ahmed Samir Santawy was sentenced by the Emergency State Security Court, a special court whose proceedings are inherently in violation of due process rights, to four years imprisonment and a fine of 500 EGP for publishing “false news to undermine the state, its national interests [and] public order and spread panic among the people.”<sup>1</sup> At the time of the filing of our petition, the Egyptian authorities were “investigating” Mr. Santawy over unfounded terrorism-related charges on the basis of secret NSA investigations that neither he nor his lawyers have been allowed to examine. Following a global campaign for his release, the Egyptian authorities referred him to trial in a separate case.

On 22 May 2021, the authorities opened a new criminal investigation against him over social media posts, and on 28 May 2021, referred him to trial under article 80 (d) of the Penal Code. His conviction is based on social media posts criticizing human rights violations in Egypt and the perceived mishandling of the pandemic by the Egyptian government - a brazen violation of his right to freedom of opinion and expression.

Unfortunately, verdicts issued by the Emergency State Security Court, a special court that operates under a state of emergency, cannot be appealed and are only subject to the president's review. The state of emergency, imposed by President Sisi since April 2017 and renewed every three months with parliamentary approval, further undermines the rule of law in Egypt.

On 23 June 2021, Mr. Santawy, who is presently jailed at the notorious Liman Tora prison and has been arbitrarily detained since 1 February 2021, went on a hunger strike in protest of this unjust conviction by the Emergency State Security Court. On 6 July 2021, Mr. Santawy was transferred to the prison hospital after his health deteriorated significantly<sup>2</sup> - his health continues to be at serious risk of decline.

In light of these new developments, we respectfully request the Working Group to:

1. Expedite the consideration of our petition on behalf of Ahmed Samir Santawy and issue a favourable opinion;
2. Investigate urgently the violations of Egypt's obligations under international law in the conviction and continued detention of Mr. Santawy;
3. Strongly urge the President Abdel Fattah El-Sisi to quash Mr. Santawy's conviction on these unfounded charges;
4. Request that the Government of Egypt take steps to ensure that Mr. Santawy returns to his academics in accordance with the government's obligations under regional and international human rights law.

Sincerely,

**Angelita Baeyens and Ikechukwu Uzoma**

Robert F. Kennedy Human Rights

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<sup>1</sup> A statement on the charges may be found here: [https://afteegypt.org/j\\_press\\_releases/2021/06/23/23149-afteegypt.html](https://afteegypt.org/j_press_releases/2021/06/23/23149-afteegypt.html).

<sup>2</sup> An update on Mr. Santawy's Health has been published [here](#).