

MAY

YEAR IN REVIEW



BAHRAIN: In one of many acts of repression, at least six people were killed by police at a peaceful sit-in in the town of Diraz.



EGYPT: A new NGO Law introduced further restrictions for civil society, in a context where civic space is severely limited.

In Mozambique in May, government and rebel groups agreed a **ceasefire**, after a flare-up of civil conflict following disputed October 2014 elections. The conflict fuelled **restrictions** on civil society's fundamental freedoms, including threats and various forms of harassment for civil society groups operating in Mozambique's central regions, where most hostilities occurred. The ceasefire sparked hopes that conditions for civil society could improve.

France's presidential elections, held in April and May, offered further evidence of the turbulence in contemporary politics in many countries. While avowedly centrist candidate Emmanuel Macron scored a **decisive triumph** in the run-off vote, he represented a party founded only a year before, En Marche!, that attracted support from disaffected voters from across the political spectrum. Neither of France's two previous parties of government made it to the run-off vote: the centre-right Republicans came third, beaten by the far-right Front National, while the Socialist Party of incumbent President François Hollande, who did not run, was placed a distant fifth, beaten for fourth place by a new left-wing party, La France Insoumise. In the run-off election, the Front National recorded its highest-ever vote, at 34 per cent. As in several other countries, French voters showed themselves willing to abandon traditional affiliations and embrace novel, sometimes extreme, political platforms, leaving French civil society with a need to understand the anger behind political choices, and be part of a response to offer alternatives to extremism.

Ahead of **May elections** in Algeria, the government forbade the media from reporting on organisations that called for a boycott of elections. Several pre-election demonstrations were held, including by young people protesting about economic problems and governance deficits, and by trade union members. The authorities responded with detentions and forced dispersion, and accused protesters of destabilising the country. In the run-up to the June/July elections in **Papua New Guinea**, supporters of one candidate **harassed and attacked** TV news workers, and demanded they delete footage. Other reporters were **threatened** as the elections approached.

A **proposed bill** in Fiji threatened to introduce heavy fines and jail sentences for "defaming, demeaning or undermining the sanctity of the parliament," sparking civil society concern about its implications for the freedom of expression in the run up to 2018 elections. With presidential elections due in the restricted space of Egypt in 2018, the **passing of a new NGO law** added further to the architecture of repression.

The government of Oman chose to mark World Press Freedom Day by **blocking access** to the Mowatin (Citizen) website, a rare independent news source. It was not the first time Mowatin was targeted; following **harassment in 2016**, the site felt forced to suspend its operations for a spell. In May the government also arrested several human rights defenders who were active online and extended the suspension of the independent newspaper Azamn. The newspaper, an independent publication with a track record of reporting on corruption, was first forced to close in August 2016, and key members of its editorial team were detained. In October, the supreme court issued a final ruling confirming its **closure**. Iraq continued to be another country in which the conditions for independent journalism were very difficult, with several deaths of reporters covering conflict. In addition, in May the authorities in western Al-Anbar province **ordered** satellite news channel Diljah TV to close its Ramadi office after it aired a report on the complicity of local officials in smuggling.

Journalists in Croatia experienced a number of **physical attacks and threats** in April and May. In April in the city of Split, journalist Sinisa Vickov was left concussed after being evicted from a local government meeting, while in May the confrontation with local government was more direct, as the mayor of Požega city physically attacked journalist Mladen Mirkovic. Threats against journalists **continued** as the year went on. In Tunisia, **Sami Ben Gharbia**, a well-known journalist with the Nawaat website, was detained and interrogated for six hours after the site published a leak of a draft law that could pardon officials involved in corruption. During the interrogation, he was reportedly pressured to give the source of the leak and provide information about Nawaat contributors. In a more positive move, Tunisia's Independent Press

Council was launched the month before, following intensive advocacy by the Tunisian National Union of Journalists. The government of Côte d'Ivoire also responded to advocacy in May by agreeing to **withdraw** a controversial draft media law introducing heavy punishments for press offences. Following protests and a civil society petition, the government agreed that it needed to give the proposed law further consideration.

A more troubling development came in Thailand, where a new **media law** was passed requiring anyone generating income by providing news content to register with the National Media Council, and for media workers to carry media identity cards at all times. A jail sentence of up to three years can be imposed for failure to comply with the new regulations. 2017 also saw many instances of punitive application of Thailand's notorious *lèse-majesté* laws, which strictly prohibit criticism of the monarchy. In a single day in May, **six people** were charged with *lèse-majesté* offences, including Prawet Prapanukul, a well-known human rights lawyer and critic of the government, who faced the prospect of spending the rest of his life in jail.

Jail was almost the fate of **two civil society leaders** in Chad. Nadjo Kaïna and Bertrand Solloand were given six-month suspended sentences for attempted conspiracy and organising an unauthorised gathering after meeting the previous month to plan a day of action on poor governance. The protest was to be held on the first anniversary of the latest renewal of President Idriss Déby's 27-year rule. Nadjo Kaïna was the spokesperson of the IYINA ('we are tired') citizen movement. Twelve IYINA members were subsequently arrested on the day of the attempted protest, while other attempted protests, by students and by workers about the non-payment of wages, were **banned**.

Greece experienced a one-day **general strike** against public spending cutbacks and an anti-austerity protest in the capital, Athens, in which around 12,000 people participated, with some people clashing violently with the police. Mass **sit-at-home** protests were called by Biafran secessionist groups in five south-eastern states in Nigeria. These marked the 50th anniversary of

Biafra's attempt to secede from Nigeria. Protests continued beyond May and had the impact of effectively closing down the economies of states involved. In September the government responded by launching a military operation, Python Dance II, resulting in deaths and injuries during a raid on the home of a separatist leader. The government of Bahrain continued to suppress dissent ruthlessly, **killing at least six people in response to a peaceful sit-in protest**.

The organiser of a **planned protest** on corruption and socioeconomic issues in Kazakhstan felt compelled to call off the event after experiencing intimidation. Ahead of the planned protest, Marat Dauletbayev's home was searched by police and he was accused of violating residential rules. This was one of many acts of restriction experienced around the launch of EXPO-2017, an international exhibition aimed at burnishing the state's international reputation.

More disturbing demonstrations were seen in Sweden, where an apparently newly emboldened **neo-Nazi group**, the Nordic Resistance Movement (NRM), staged a protest of around 500 people in the town of Falun in May, ahead of which local authorities felt compelled to move residents from a child refugee centre on safety grounds. This was one of many such incidents in 2017, and **violent clashes** resulted between NRM protesters and police officers in September when the NRM held a demonstration during the Jewish holiday of Yom Kippur. In neighbouring Norway, police **banned** an NRM anti-LGBTI march, citing the risk of counter-demonstrations, and in November in Finland a court ruled that the NRM's Finnish branch should be **closed down** because of its use of violence and hate speech.

The dangers for human rights defenders in Libya, where no government has control over the full territory, were demonstrated when **Tarek Milad Mohamed Al Gadhafi**, founder of a human rights association, was abducted by security forces. No information was provided following his disappearance. Many other human rights defenders, notably women rights defenders, received threats.

Qatari authorities appeared to place themselves in clear and flagrant breach of their international obligations under the Refugee Convention when they were reported to have forcibly deported Saudi human rights defender **Mohammed Abdullah Al-Otaibi** to Saudi Arabia. He was in Qatar with his wife en route to Norway, where they had been granted political asylum. The Qatari state also apparently extended the ban on international travel of **Najeeb Al-Nuaimi**, a prominent human rights lawyer.

BAHRAIN: PRO-DEMOCRACY MOVEMENT TRIES TO SURVIVE A WAR OF ATTRITION

Bahrain's civil society has faced severe restrictions since pro-democracy protests surged to the fore in 2011. People mobilised to call for political freedom, equal rights for Bahrain's Shia majority and reform of the kingdom's Sunni minority monarchy, with an occupation of the Pearl Roundabout in the capital, Manama, the heart of the protest. This was brutally crushed following Saudi Arabian intervention in March 2011, and while protests have continued sporadically since, the protest movement has experienced a long war of attrition, in which many protest leaders have been detained and some stripped of their citizenship, and the state uses ruthless violence to suppress demonstrations.

CIVICUS **research into Bahrain's protest movement**, based on interviews with protest leaders and activists, describes how the freedom of assembly is heavily suppressed. Respondents pointed to a battery of repressive measures that are used to silence protests, including excessive force, arbitrary arrests, legal restrictions, state infiltration, restrictions on journalists, social media and civil society groups, and vitriol from the state. The most prominent threats

they identified were excessive force, legal restrictions and arbitrary arrests.

Events of 2017 sadly furnished fresh evidence of these restrictive tactics. In January, police **used teargas** and pellet guns against protesters demonstrating over the execution of three people convicted in unfair trials. And in the worst recent outrage, in May, at least six people were killed in the town of **Diraz** when the police broke up a peaceful sit-in. Demonstrators were protesting in support of Sheikh Isa Qassim, Bahrain's senior Shia cleric and vocal government critic, who was stripped of his citizenship in June 2016 and charged with money laundering. Security forces used live ammunition and teargas. In addition to the six deaths, at least 286 people were arrested.

According to **Michael Payne and Sam Jones** of **Americans for Democracy and Human Rights in Bahrain**, an international CSO of Bahraini and US citizens, the situation for civil society is now worse than before the protest movement began:

Current restrictions effectively constitute an existential threat to independent civil society. Since 2011, we have consistently expressed grave concern that civil and political society space is closing. Since 2016 that space has virtually closed. Nearly every independent civil society activist or organisation in the country has faced some form of attack, from judicial harassment to outright forced dissolution. Many activists and organisations are simply unable to keep up the same pace of work, occupied instead with legal battles or avoiding reprisal. Others have left the country seeking asylum, hoping to continue their work from abroad.

*Since January, the government took several unprecedented repressive measures, including: allowing **military courts** to try civilians; **re-empowering** the National Security Agency (NSA), the country's intelligence body, with domestic arrest authority; ending a *de facto* moratorium on the death penalty by **executing** three torture victims;*

dissolving the last major political opposition group, Wa'ad; *closing* the only independent media outlet, Al-Wasat; *torturing and intimidating* activists and their families, including human rights defender Ebtisam al-Saegh; and *sentencing* Nabeel Rajab, president of the Bahrain Center for Human Rights, to *two years* in prison on charges related solely to free expression.

In many respects, the current level of repression is worse even than in 2011, when the government declared a state of emergency and violently crushed the country's pro-democracy movement. Many of the current restrictions on civil society space have been legislated or implemented under 'normal' circumstances – rather than under a state of emergency – leading some activists to describe the present situation as one of "de facto martial law." The expansion of the military courts' jurisdiction and the restoration of the NSA's arrest authority may, together, constitute the foundation of a parallel legal system for individuals deemed to jeopardise national security, where 'enemies of the state' like civil society activists can be more rapidly and quietly disappeared, tortured, imprisoned, or executed by the authorities.

Michael and Sam point to the need to try to understand the power dynamics at play in Bahrain, and consider what might motivate the repression of civil society:

Given the opacity of a state like Bahrain – with all key positions of power occupied by members of the same Al Khalifa royal family – it is not entirely clear what primarily motivates its current assault on civil society. Notably, at the height of the unrest in 2011, so-called 'reformists' in the monarchy purportedly urged restraint and sought to secure a sustainable political resolution through dialogue with the opposition. Simultaneously, 'hard-liners' pushed to securitise the unrest and crush it with force. If there is a single motivation running through both camps, it is primarily the survival of the monarchy.



Activists for Bahraini human rights protest outside the Saudi Embassy in Washington, DC

Credit: Getty Images

The hard-line approach has ultimately come to dominate the monarchy's strategy. For this camp, and increasingly the monarchy as a whole, the goal appears to be simple maintenance of power, animated by a royal/familial or even sectarian chauvinism aimed at marginalising the non-royal/Shia majority. The hard-line leadership also effectively controls the security establishment, and it has used institutions like the Ministry of Interior, the NSA and the Ministry of Justice to frame the opposition – and independent civil society – as a sectarian security problem to be dealt with through selective law enforcement or sheer violence.

Perhaps the most proximate motivator is the elections for the lower house of Bahrain's parliament, the National Assembly's Council of Representatives, expected in late 2018. The National Assembly, as a whole, is legislatively hamstrung and the upper house remains royally appointed, so it is largely unable or unwilling to act as an effective check on the executive. However, the government likely sees the elections as a symbolic opportunity to persuade the world it has made democratic progress while simultaneously engineering a pliant lower house with a false claim to international legitimacy. To be sure that the monarchy's core supporters secure a large proportion of the vote, the government has been actively clearing the stage of any licensed opposition in advance of the election.

Bahrain's history of vibrant, independent civil society movements and institutions is unique to the Gulf region, and any government strategy to eliminate fully or dominate this landscape requires significant force. The government's embrace of a wholly hard-line position on independent civil society necessarily entails the steady escalation in violence and repression that we have been witnessing recently.

In its many acts of repression, the government is in **clear breach** of its international obligations, something noted by high-level officials: in **October**,

UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, said that democratic space in Bahrain had “essentially been shut down,” while the same month, UN Assistant Secretary-General Andrew Gilmour reported on reprisals against Bahrain civil society members who cooperated with the UN system. And yet the state experiences less international pressure than might be expected. With a population of under 1.5 million, Bahrain is one of the Middle East's smallest countries, but its repression and impunity are underpinned by its positioning as a strategic partner of powerful foreign interests. Michael and Sam set out the key alliances at play:

*Bahrain is a very small country with growing economic problems, chief among them the virtual **depletion** of oil. Both strategically and financially, it is extremely dependent on external allies like Saudi Arabia, the USA and the UK. The governments of all three have had a significant impact on the evolution of repression.*

*Saudi Arabia has played the most visible role, leading a contingent of the Gulf Cooperation Council (GCC)'s Peninsula Shield Force into Bahrain to support the kingdom's final push to clear the 2011 Pearl Roundabout protests. While it is unclear if these troops directly committed any human rights violations, the deployment either forced or confirmed the government's turn towards a securitised, hard-line approach to the unrest. It is speculated that the Saudi leadership, which has rarely abided any semblance of independent civil and political society, long disapproved of Bahraini government concessions or reforms, urging it to quell all dissent forcefully. The Saudi government, competing with Iran for regional dominance, has historically propagated or at least tolerated anti-Shia hate speech and a narrative of sectarian conflict that casts Arab Shia people as a disloyal fifth column. In recent years it has dealt violently with uprisings in its own predominantly Shia Eastern Province and has **reportedly funded** Bahrain's largely pro-government Al-Asala Salafi political society. Saudi influence has fallen squarely behind the hard-*

line approach in Bahrain, entrenching a toxic sectarian narrative and driving a securitised response to dissent.

The USA has taken a complex and often contradictory position on Bahrain in recent years, with the impact dependent on the administration or branch of government in question. Bahrain-US relations are most strongly centred on the defence partnership, which is oriented around the US naval facility in Manama, one of the most important US military bases in the region. In 2011 and its aftermath, the USA largely sought to moderate the Bahraini government's response, urging reform and restricting security assistance over human rights concerns. Privately, it appears the USA failed to bring all possible pressure to bear, allowing the GCC to do what it would with Bahrain in exchange for its support for the 2011 NATO intervention in Libya. In the ensuing years, under the Obama administration, the USA mostly played a rhetorically positive role, while lifting some restrictions on arms holds.

The Trump administration, however, has walked remaining restrictions back even further, approving old and new arms transfers devoid of human rights conditions. President Trump's decision to make Saudi Arabia the destination of his first trip abroad and to meet with Bahrain's King Hamad – promising a relationship without “strain” – cannot be separated from the kingdom's move, just days later, to raid violently the peaceful sit-in in Diraz. It is not a coincidence that Bahrain's bloodiest day since before 2011 occurred only months into the Trump administration; the acting secretary-general of Bahrain's fatally flawed National Institute for Human Rights – which endorsed the executions that ended Bahrain's de facto moratorium on the death penalty – summed up the general sentiment among government officials when he tweeted hopefully after the US election: “With @realDonaldTrump as president, the curse of the Arab Spring is officially over.”

Former colonial power the UK has more consistently and quietly played a very negative role. Having initially created many of Bahrain's security institutions, the British government has continued to advise the authorities in their purported attempts to conduct human rights training programmes and establish human rights oversight mechanisms. These initiatives have been decided failures, if they were ever undertaken in good faith. While core abuses like torture, enforced disappearance, excessive force and arbitrary detention have continued apace and, in some cases, increased, the UK has continued to help institutions like the Ministry of Interior Police Ombudsman to obscure or cover up government malfeasance. Though ostensibly created with good intentions, these oversight mechanisms are stymied by flawed mandates and a lack of political will to hold officials accountable. Rather than restrict support

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or forcefully rebuke the Bahraini government, the UK still backs these institutions, ultimately allowing the Bahraini authorities to pretend they are implementing reforms while the security forces continue to suppress dissent violently.

Evidence of the detrimental roles of international business interests is found in the security sector. While arms manufacturers are not typically sympathetic when individuals are killed using the weapons they produce, Bahrain has caused controversy in the arms industry regarding their lethal misuse of non-lethal crowd control weapons. Bahraini security forces have on many occasions fired long-range teargas canisters at individual protesters at close range, using these gas canisters as projectiles themselves. Ministry of Interior forces also often fire birdshot shotgun blasts at protesters at close range, as happened in the lethal Diraz raid. Industry experts have commented that the extent of Bahrain's violation of end use agreements and abuse of teargas and other crowd control weapons was "unprecedented." As a result, a number of countries, including the USA and South Korea, have ceased all teargas and light arms sales to Bahrain.

And yet despite the widespread repression, the public hunger for change remains. According to the [Bahrain Center for Human Rights](#), 2,373 protests took place in the first half of 2017 alone, although over a quarter of these were suppressed. Michael and Sam see the potential that still exists, and describe the fightback in which international civil society is a strong partner, helping to keep Bahrain on the international agenda and claiming important victories:

Bahrain's mainstream civil society and opposition movements have remained steadfastly committed to nonviolent activism and international engagement, and if they can endure the government's intensifying restrictions they will play the key role in building sustainable democratic institutions.

Bahraini civil society has long sought the support of the international community, including international institutions and mechanisms, and of international CSOs. We have worked extensively with a range of Bahraini civil society actors to empower their engagement in forums like the UNHRC, and helped to bring their documentation of human rights abuses to the attention of the UN Special Procedures. We have worked with our partners to document and report on hundreds of human rights violations in Bahrain. This has helped to create a growing body of documentation and reporting by UN human rights experts, endorsed by the UN system.

Bahrain has enjoyed a significant amount of attention in international political forums. Since 2011, there have been a series of five successive, multilateral and cross-regional joint statements issued by the UNHRC on the human rights situation in Bahrain. With as many as 48 governments raising collective concern over ongoing abuses in the kingdom, these statements have served as a valuable tool for maintaining scrutiny on Bahrain's human rights record, and have provided validation and protection for the work of domestic human rights actors. In the EU, Bahrain has received repeated scrutiny from members of the European Parliament through repeated human rights resolutions that have addressed cases of human rights defenders, political prisoners and executions, among other systematic abuses.

Given today's increasingly closed domestic civil society space, Bahraini human rights defenders and activists rely more and more on external protected spaces for furthering their human rights work. Access remains a key problem, both for international actors to enter Bahrain to carry out human rights work, and for Bahraini civil society to travel freely outside Bahrain without fear of arbitrary travel bans, or violent reprisals upon return. However, civil society still works to organise conferences, events and training programmes within their region and further abroad, and has relied increasingly on exiled Bahraini communities to further their work from outside the country.

Advocacy campaigns with coalitions of Bahraini civil society groups, the UN, EU and other international actors have resulted in a number of victories and success stories over the years. In response to diverse international pressure, the Bahraini government has, at times, released various political prisoners or human rights defenders.

But Bahrain's protest movement needs more support. In CIVICUS interviews with activists and protest leaders, most said that they do not believe Bahrain's protest movement receives enough support from international CSOs, other protest movements, international media, international organisations and other states. This is a critical deficit because protest movement members also assessed that the factors that could most enhance the sustainability of their movement are the easing of domestic restrictions on CSOs and international diplomatic pressure and support.

Because it relies on its foreign alliances, Bahrain's government is acutely sensitive to international criticism, as indicated by its repression of those who share dissent on social media or participate in international forums. Ahead of its May examination under the UNHCR's Universal Periodic Review (UPR) process, **at least 32 activists**, human rights defenders and journalists were arrested and issued with travel bans, in a clear move to stop them sharing their testimony. Many of those detained were held in poor conditions, with reports of people being shackled, unable to leave their cells for medical treatment and receive family visits.

The role this suggests, for civil society in the USA and UK in particular, is to use the Bahrain government's sensitivity as a lever, work to embarrass their governments for their complicity in egregious human rights abuses, and press their governments to take a stronger human rights line in their dealings with the Bahraini state. Despite a fearsome campaign of repression, Bahrain's pro-democracy movement remains alive. There is still something valuable and worthy of support.

EGYPT: NEW LAW ANOTHER PROBLEM FOR CIVIL SOCIETY

The optimism that characterised **Egypt's 2011 revolution** has long dissipated, replaced by a grim struggle for civil society survival under a sustained assault from a military state. With a **state of emergency** in almost permanent operation, a highly restricted environment got worse in May when Egypt's draconian new **NGO Law** came into effect. The law, **described** by the Arab NGO Network for Development as "a death knell for independent civil society," imposes a fresh wave of bureaucratic regulations and restrictions on international CSOs in Egypt. It prevents domestic CSOs from publishing results from surveys and studies without first obtaining state permission. It is estimated that over 46,000 organisations were affected by the new law, with which they must comply within a year or be penalised.

Mohamed Zaree of the **Cairo Institute for Human Rights Studies (CIHRS)** reflects on the motivations of control that lie behind the new law, and the wider climate of restriction it reinforces:

The government was, and is, trying to close civic space completely. Or rather, the president along with the security apparatus is, since the president is in practice ruling alone.

*The **NGO Law** is clearly not an isolated piece of legislation; it fits perfectly within a wider strategy to restrict civil society. Under the new law, a CSO can be fined and its director can be jailed for up to five years for conducting a poll or publishing a report that has not been approved by the government, or for hiring a foreign worker. A sentence of two years in prison can be imposed merely for changing an organisation's headquarters without notifying the authorities.*



Egyptian lawyers protest in the capital, Cairo

Credit: Getty Images

The law provides for an entity known as the National Agency for the Regulation of Foreign Non-Governmental Organizations. This agency will determine all matters related to the affairs of international CSOs, funding and cooperation between Egyptian associations and any foreign body. In an attempt to combat civic action by all means, the law gives the government the right to object to all internal CSO resolutions, nominations to their boards of directors, and the regularity of their meetings. In utter disregard for constitutional principles, the law specifies that applications to the agency receiving no response within two months will be considered denied.

So this law is truly a declaration of intentions from the president toward civil society. The message is: you will work under very strict supervision, and if you are not able to work at all, that is fine with us, because you are not wanted.

As Mohamed indicates, the NGO Law was one of a suite of laws recently passed or pending to constrain civil society. In another move, a draft **trade union law** introduced in November threatened to make it impossible to operate independent trade unions. And ahead of presidential elections scheduled for 2018, the various repressive laws can be seen as part of a series of measures designed to ensure the re-election of incumbent President Abdul Fattah al-Sisi by suppressing the expression of dissent and alternative viewpoints. Another indication of this strategy came in May, when prominent human rights lawyer and potential presidential candidate **Khalid Ali** was arrested for “violating public decency.” In September, he was sentenced to three months in jail, in a move widely seen as preventing him from mounting a serious challenge to the incumbent. For Mohamed, what these actions make clear is that Egypt is a dictatorship rather than a democracy:

There is no democracy in Egypt. It is obvious to everyone here that this is a dictatorship: there is no rule of law, there is a lack of an active civil society and political parties, and civic space is closing. Even if there

is an appearance of democratic institutions, including parliament, there is no democracy of any kind. Institutions are controlled by the security apparatus. Even elections for parliament have not been a competition among political parties as much as competition between security apparatuses. Members of parliament don't represent the people as much as they represent the security apparatus.

In the upcoming presidential elections we are supposedly going to vote for a president, but the election could easily become a referendum on the incumbent, since there is no democratic atmosphere that can guarantee that there is a meaningful competition among candidates for office.

We are currently living under a state of emergency, with military courts and military trials for civilians. The highly repressive NGO Law cripples the ability of CSOs to monitor the elections. The 1914 Assembly Law and the 2013 Protest Law severely restrict the ability of citizens to gather and demonstrate. The state and security agencies control the media, even nominally private channels, so there is no chance for a variety of opinions to be heard. So the elections are likely to turn into a referendum.

Mohamed and his organisation have direct experience of restriction. In May Mohamed was summoned for questioning as part of the ongoing Foreign Funding Case against CSOs, also known as **Case 173**, in which 37 CSOs have been targeted for receiving international funding. At the time of writing, Mohamed faces charges under the foreign funding case, along with other charges, that could lead to life imprisonment. This means, reports Mohamed, that while the impacts of the NGO Law are still to work through, other parts of the machinery of repression have already constrained him and his organisation:

Many human rights organisations have downsized or moved some of their staff abroad. I am still in Cairo, but many people with CIHRS have left the country and the organisation has been based in Tunisia since 2014.

The assets of our director have been frozen, but this happened as a result of the application of the Penal Code rather than the NGO Law. I have been under a travel ban because of the Penal Code. I have been under investigation and faced three charges, two of them under the Penal Code and the third, the softest, under the NGO Law.

The latter charge is punishable with up to six months in prison. The other two can lead to life imprisonment. The two most serious charges I face are related to receiving unauthorised foreign

WE NEED THE INTERNATIONAL COMMUNITY TO KEEP PUTTING PRESSURE ON THE GOVERNMENT, FACILITATING THE WORK OF HUMAN RIGHTS ORGANISATIONS IN EGYPT AND ABROAD, AND PROVIDING PROTECTION FOR THREATENED HUMAN RIGHTS DEFENDERS



funding and setting up an organisation of an international nature without a permit. Although this case, Case 173, dates back to 2011, these crimes became more serious after the Penal Code was amended in 2014. As I am facing two charges, I could receive two back-to-back life sentences.

In October Mohamed was awarded the Martin Ennals Foundation **annual award** for human rights defenders in recognition of his contribution to promoting human rights amid the crackdown, although he was not allowed to travel to accept it. Mohamed testifies to the personal impacts of these attacks:

As a result of a travel ban, I was unable to travel to Geneva to receive the Martin Ennals Award. The organisers tried to contact the President and the Minister of Foreign Affairs to have it lifted, but they didn't receive any response, so my wife and two daughters travelled to receive it on my behalf.

Of course all of this has affected me. I am in denial; I try not to think that I may be going to prison. I avoid this kind of thought and try to live a normal life. My family are also worried, and this has affected their morale, so it was good for them to go to Geneva to get my award. In Egypt you cannot predict anything; there is always fear of what could happen next. I could finish this interview only to find the police knocking on my door to arrest me. This could happen at any time, so it's better not to think too much about it.

Mohamed is not alone, and 2017 threw up numerous other examples of state-led attacks on activists and organisations, particularly those involved in Case 173. As Mohamed's experience indicates, one continuing tactic was the imposition of limitations on the movements of civil society activists. In October, **Magdy Abdel Hamid Belal**, chair of the Egyptian Association for Community Participation Enhancement, was stopped from travelling to

Jordan. The month before, **Ibrahim Metwally**, a prominent human rights lawyer and coordinator of the Association of Families of the Disappeared, was arrested and detained ahead of a planned trip to Geneva, where he was due to give evidence to the UN Working Group on Enforced and Involuntary Disappearances. His detention was subsequently extended, and worse still, credible allegations emerged of torture. He remains in detention at the time of writing, while others affiliated with the Association for Families of the Disappeared also experienced arbitrary detention and torture. As the experience of this group suggests, torture is an increasing danger for Egypt's activists: the UN Committee Against Torture's **annual report** highlighted the state's systematic use of torture against people in arbitrary detention, and the lack of impartial investigations into torture allegations.

Another tactic is the forced closure of CSOs. In February, the **Al-Nadeem Center** for Rehabilitation of Victims of Violence, a CSO that treats victims of torture and trauma and documents police abuses, was forcibly shut down. Following intervention by the State Council Commissioner Authority, it was allowed to reopen the following month, but its future remains imperilled. And naturally the media has not been exempt from the crackdown, as the state tried to control what its citizens may read, see and say. In May, for example, the government **blocked access** to 21 websites, including popular news sources such as Al Jazeera and the Huffington Post Arabic, accusing them of "spreading lies" and "supporting terrorism."

In highly restricted conditions, it has been difficult for civil society to respond. Mohamed, however, sets out the actions CIHRS has taken, placing a strong emphasis on international-level work:

We keep trying to do our normal work on a daily basis. As we monitor human rights abuses, we have more work than ever. We are experiencing the worst restrictions just at the time we are needed the most.

*We keep challenging the legality of the procedures followed on our cases. Some human rights defenders have challenged the legitimacy of the judge presiding over their cases. CIHRS has **questioned** the decision to extend the appointment of the judge presiding over Case 173 and claimed that this and other legal and procedural violations have marred the case.*

But we have learned that challenging restrictions such as travel bans and freezing asset orders through legal means can be useless, given the destruction undergone by the Egyptian judicial system. What we are doing instead is raising these issues with the international community. Pressure from the international community doesn't automatically make our situation better, but at least it helps so that our situation does not get any worse. International actors have been in many meetings with government officials, in Cairo and abroad, to put pressure so that no additional charges are raised and the cases against us are closed.

In sum, we are pursuing two strategies to counteract restrictions: legal challenge and international pressure. But in terms of effectiveness, international pressure definitely comes first.

As in Bahrain, the state imposes travel bans on civil society because it wants to be saved from international exposure. It is partly in the international arena that Egyptian civil society can be supported, not least to challenge the rhetoric of combating terrorism and extremism that the state uses to try to justify repression. Mohamed identifies what Egypt's embattled civil society needs from the international community:

We need the international community to keep putting pressure on the government, facilitating the work of human rights organisations in Egypt and abroad, and providing protection for threatened human rights defenders.

*The leaders of democratic societies are in the best position to put this kind of pressure. I don't want French President Emmanuel Macron to lecture anyone on human rights. That is not his job; it is actually my job. What he could do is show integrity by providing protection and using his leverage to bring about slight improvements in the human rights situation, instead of **selling Rafale warplanes** and other military equipment to Egypt. So far, remaining silent and praising a dictator has been the price tag of those Rafale fighters.*

The Egyptian government is now facing the threat of extremism, and insists that we should all stand together against terrorism. But what they need to understand is that security and human rights are very much linked. Rather than dealing individually with terrorists by arresting or bombing them, they need to deal with the root causes of radicalisation in Egypt. It is important that they realise that repression is not part of the solution as much as part of the problem.

With the odds overwhelmingly stacked against it, these can be times of despair for Egypt's civil society. We asked Mohamed to reflect on what the events of 2017 meant for the hopes of the 2011 revolution, and where the optimism of those times has gone:

I wouldn't like to say that the 2011 democratic revolution has been defeated, but at least we must acknowledge that it has been momentarily set back. We put high expectations on the 25 January Revolution, and it gave us some hope, which still lives on. But technically, nothing is left from the revolution except the benefits for the army, the police and the judiciary. There have been no gains for the people who participated in or led the revolution. Many people who took part in it are in jail or exile. But it is not over yet; even if we are going through the hardest of times, a step was taken on 25 January 2011 that is very difficult to erase. So I would rather say the revolution is in hibernation right now.