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VIA EMAIL URGENT-ACTION@OHCHR.ORG, SR-TORTURE@OHCHR.ORG,
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September 15, 2017

Professor Nils Melzer
Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH-1211 Geneva 10
Switzerland

Mr. Dainius Pūras
Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable
Standard of Physical and Mental Health
c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland

RE: Request for Urgent Appeal in the Case of Ola Al-Qaradawi and Hosam Khalaf

Dear Professor Melzer and Mr. Pūras:

I am writing on behalf of my clients, Ola Al-Qaradawi and Hosam Khalaf, to provide you with information about their current detention and health conditions and to ask for your urgent assistance. There is a well-founded reason to believe that Ola and Hosam's lives are at serious risk and, therefore, urgent intervention is required for both of them.

Ola Al-Qaradawi and Hosam Khalaf are a married couple. Ola is a Qatari citizen of Egyptian heritage and Hosam is an Egyptian citizen. Both were approved to be U.S. legal permanent residents at the time of their detention. On June 30, 2017, Ola and Hosam were arrested in Egypt without a warrant by Egyptian State Security, and have been continuously detained since.

To date, Ola and Hosam have not been formally charged with any crime. Currently, Ola and Hosam are held pursuant to temporary detention orders that are renewed every 15 days. Unofficial media reports suggest they have been included in one of the mass terrorism investigations in Egypt. It is a common practice in Egypt for the Government to use charges of

terrorism and consequent arbitrary arrest and detention as a means of persecution.¹ Neither Ola nor Hosam, nor their lawyers, have received any documents or evidence from the Government. Ola and Hosam have repeatedly affirmed that they are not, nor have they ever been, members of the Muslim Brotherhood or any terrorist organization. In fact, Ola has never been politically active. Hosam was once a senior member of Al-Wasat, a moderate Islamist political party created in 1996 as an alternative to the Muslim Brotherhood. However, Hosam has since ceased any political activity.

We are deeply concerned for the health and well-being of Ola and Hosam. In their detention, they face a wide array of deprivations and poor conditions, which constitute cruel, inhuman, and degrading treatment, possibly amounting to torture. Amnesty International has confirmed that, among other violations, Ola and Hosam are being held without access to their lawyers and family, and are subjected to solitary confinement 24 hours a day in dark, small cells without beds or toilets.² Unlike other prisoners, they are not permitted to purchase food and water from the canteen, and must rely on low-quality and contaminated food and water. They are further denied necessary medical and personal care, as well as visits from family and legal counsel.

On September 8, 2017, Amnesty International issued an Urgent Action appeal confirming the inhumane conditions under which Ola and Hosam are being held and calling on the Egyptian authorities to immediately end the solitary confinement and poor prison conditions under which they are being held. They urged the Egyptian authorities to protect Ola and Hosam from mistreatment and torture and to permit them access to their families and lawyers.³ The full Amnesty International Urgent Action Appeal is attached.

On September 14, 2017, Human Rights Watch also published a statement affirming that Ola and Hosam's basic rights have been violated under international law.⁴ The full Human Rights Watch statement is attached.

Based upon the information provided in the model questionnaire, we respectfully request that in accordance with your Working Methods, you **investigate the situation and immediately reach out the Government of Egypt and urge it to uphold Ola and Hosam's physical and mental health and integrity during their detention.**

Sincerely,

Jared Genser
International Counsel to Ola Al-Qaradawi and Hosam Khalaf

¹ EGYPT 2016/2017: ARBITRARY ARRESTS AND DETENTIONS, AMNESTY INT'L, 2017, *available at* <https://www.amnesty.org/en/countries/middle-east-and-north-africa/egypt/report-egypt/>.

² *Urgent Action: Couple Held in Solitary Confinement for 66 days (Egypt: 206.17)*, AMNESTY INT'L, Sept. 8, 2017, *available at* <https://www.amnestyusa.org/wp-content/uploads/2017/09/uaa20617.pdf>.

³ *Urgent Action: Couple Held in Solitary Confinement for 66 days (Egypt: 206.17)*, AMNESTY INT'L, Sept. 8, 2017, *available at* <https://www.amnestyusa.org/wp-content/uploads/2017/09/uaa20617.pdf>.

⁴ *Egypt: Detained Couple Denied Fundamental Rights*, HUMAN RIGHTS WATCH, Sept. 14, 2014, *available at* <https://www.hrw.org/news/2017/09/14/egypt-detained-couple-denied-fundamental-rights>.

QUESTIONNAIRE AND EXPLANATION OF ALLEGATIONS OF CRUEL, INHUMAN AND DEGRADING TREATMENT POSSIBLY AMOUNTING TO TORTURE

a. Full name of the victims

Ola Yusef Al-Qaradawi and Hosam Al-Din Khalaf.

b. Date on which the incident(s) of torture occurred (at least as to the month and year)

June 30, 2017 to present.

c. Place where the persons were seized (city, province, etc.) and location at which the torture was carried out (if known)

On June 30, 2017, Ola and Hosam were detained at their vacation home on the northern coast of Egypt by State Security agents from Egyptian State Security, a branch of the Interior Ministry. Ola and Hosam were asked to accompany the agents to local Burg al-Arab State Security office for questioning. The officials did not have an arrest warrant, nor were Ola and Hosam told they were under arrest.

Ola and Hosam were detained for two days completely *incommunicado*. Neither their family nor lawyers knew their whereabouts during those first two days.

On July 2, 2017, Ola and Hosam were taken to the State Security's Prosecutor's Office, where they were told that they were under investigation, but no documentation was provided. They were then immediately transported to prisons in or near Cairo controlled by the Egyptian Interior Ministry. Ola was transferred to Al-Anater Prison (other spellings include 'Qanatir' or 'Qanater') women's prison; Hosam was sent to Tora Prison. Ola and Hosam remain at Al-Anater and Tora Prison, respectively, to this date.

d. Indication of the forces carrying out the torture

Egyptian State Security, a branch of the Interior Ministry of Egypt and the high domestic national security body in Egypt. Ola and Hosam were arrested by Egyptian State Security agents, and their detention has been repeatedly renewed by State Security prosecutors.

e. Description of the form of torture used and any injury suffered as a result

Ola is currently being held in a cell that measures 160cm by 180cm (5.25 feet by 5.9 feet), with no bed or toilet. There are no windows or ventilation in the cell, except for a small hole towards the hallway that admits some light. She is held *incommunicado* and in solitary confinement for 24 hours a day. The only time Ola is able to leave her cell is for approximately five minutes each day to use the bathroom. Amnesty International has confirmed these conditions and has reported that Ola finds herself compelled to reduce her food intake in an

attempt to avoid the need to use the toilet.⁵

Unlike other detainees, she is not permitted to purchase food or water from the canteen and must rely on low-quality and insufficient prison rations. The food that she is brought is often inedible, therefore there have been times where she does not eat for several days in a row. Additionally, the water she drinks comes from the prison washroom and is contaminated, coming out of the faucet murky and foul-smelling.⁶ The little information the family has been able to glean on Ola's prison conditions is substantiated by several recently-published reports, which allege that the water in Al-Anater smells of sewage and is known to cause infections. According to her lawyers, who have only seen her during the detention renewal sessions, she has lost a significant amount of weight and appears very weak.

Similar to his wife, Hosam is held *incommunicado* and in solitary confinement 24 hours a day. He is in a small cell without windows or ventilation. He is also prohibited from purchasing food and water, and has been denied medical treatment. Recently, he reported pain in his eyes to the prison doctor and requested a medical checkup at his own cost. However, this request was refused by prison authorities. A second request was submitted to the prosecution, but thus far nothing has happened.

As a result of these conditions, both Ola and Hosam are suffering severe mental and emotional stress. Previously, in speaking about solitary confinement, a former Special Rapporteur on Torture stated the following: "Whatever the name, solitary confinement should be banned by States as a punishment or extortion technique... Considering the severe mental pain or suffering solitary confinement may cause, it can amount to torture or cruel, inhuman, or degrading treatment or punishment when used as a punishment, during pretrial detention, [or] indefinitely..."⁷

Ola and Hosam have been denied all contact with their family; they have not been permitted any visits or phone calls. Ola and Hosam have only seen their legal counsel for brief moments during the temporary detention renewal "hearings"; their communications are not confidential. Ola, a Qatari citizen, has also been denied consular visits.

Given the lack of access to Ola and Hosam, there are serious concerns that Ola and Hosam may be subjected to further mistreatment and abuse that is not yet known. Their respective ages, 55 and 58 years old, make Ola and Hosam particularly vulnerable to cruel, inhuman and degrading treatment, and torture.

f. What injuries were sustained as a result of the torture?

Because Ola and Hosam are prevented from seeing and speaking to family, consular affairs, and their legal counsel, the extent of the injuries they may have sustained as a result of

⁵ *Urgent Action: Couple Held in Solitary Confinement for 66 days (Egypt: 206.17)*, AMNESTY INT'L, Sept. 8, 2017, available at <https://www.amnestyusa.org/wp-content/uploads/2017/09/uaa20617.pdf>.

⁶ *Life in an Egyptian Prison*, AL JAZEERA, Aug. 14, 2015.

⁷ UN Special Rapporteur on Torture Call for Prohibition of Solitary Confinement, United Nations, Oct. 18, 2011.

the cruel treatment under which they are being detained is unknown. Both Ola and Hosam have lost a significant amount of weight and Hosam is suffering pain in his eyes.

However, given widespread reports of the systematic use of torture in the prisons in which they are being held, the family fears that they might also be subjected to additional physical torture.

g. What was believed to be the purpose of the torture?

It is believed that Ola and Hosam are being detained due to false accusations that they are associated with the Muslim Brotherhood. Under the Sisi government, the Muslim Brotherhood is a banned political organization. Ola and Hosam have repeatedly affirmed that they are not, nor have they ever been, members of the Muslim Brotherhood or any terrorist organization. In fact, Ola has never been politically active. Hosam was a senior member of a political group that publicly disassociated itself from the Muslim Brotherhood decades ago.

h. Was any person, such as a lawyer, relatives, or friends, permitted to see the victim during the detention? If so, how long after the arrest?

Ola and Hosam have been denied all visits from relatives and friends.

Ola has been denied all consular visits from the Qatari government.

Ola and Hosam have been denied all access to legal counsel, with the exception of a few moments during their renewal hearings. These communications are extremely brief and are not privileged.

i. Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?

To the family's knowledge, Ola and Hosam have not received necessary medical care.

Ola recently became very ill and was brought to the prison clinic. However, no information is known about the medical examination, or whether she was given any medication or treatment.

Hosam raised concerns about his eye pain to the prison doctor, but his request for a medical examination at his own expense was denied. Hosam also brought this request to the prosecutor, but no action has been taken.

j. Was appropriate treatment received for injuries sustained as a result of the torture?

It is not known what medical treatment, if any, Ola has received.

Hosam have not received any medical treatment.

k. Were any domestic remedies pursued by the victim or his/her family or representatives (complaints with the forces responsible, the judiciary, political organs, etc.)? If so, what was the results?

At this point, there are no viable domestic remedies to pursue. Ola and Hosam have been given no meaningful opportunity to contest their detention, or challenge their detention conditions. Their lawyer has unsuccessfully appealed the detention renewals. However without any official charges or evidence against Ola and Hosam, the lawyer has no means of further defending them or challenging their detention.

Even if there were domestic remedies available, it is very unlikely that Ola and Hosam would be able to successfully challenge their detention conditions. The Egyptian state has been repeatedly cited by international and human rights organizations for systematically denying its citizens due process rights and their fundamental human rights. Preventative custody and pretrial detention are used routinely to detain civilians for months and even years before charges are filed and court proceedings are initiated.⁸

Furthermore, the Egyptian judiciary cannot be categorized as independent. Several reports have documented the judiciary's pattern of issuing politically-motivated decisions.⁹ The judiciary has also shown that it cannot be counted on to restrain other branches of government and agencies to uphold the rule of law.¹⁰ Of particular concern in the case of Ola and Hosam are the expedited procedures in the Egyptian Criminal Procedure Code that diminish the legal and personal rights for those accused of political crimes.¹¹

Conclusion

Thus, given the extent of the cruel and inhuman treatment to which Ola and Hosam are subjected on a daily basis by state authorities, in combination with a lack of viable domestic remedy due to the current state of the Egyptian government and legal systems, we submit this report to the United Nations and ask that, in accordance with your working methods, you undertake urgent action in the case of Ola Al-Qaradawi and Hosam Khalaf.

Information Concerning the Author of the Present Report

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⁸ EGYPT 2016 HUMAN RIGHTS REPORT, US DEPARTMENT OF STATE, 2016, *available at* <https://www.state.gov/documents/organization/265706.pdf>.

⁹ *Id.* See also WE DO UNREASONABLE THINGS HERE: TORTURE AND NATIONAL SECURITY IN AL-SISI'S EGYPT, HUMAN RIGHTS WATCH, Sept. 5, 2017, *available at* <https://www.hrw.org/report/2017/09/05/we-do-unreasonable-things-here/torture-and-national-security-al-sisis-egypt>.

¹⁰ For example, despite numerous reports of forced disappearances, torture, and extrajudicial killings, the Ministry of the Interior has claimed that "there were no forced disappearances in the country and no detainees held incommunicado or beyond judicial oversight in contravention of Egyptian law." EGYPT 2016 HUMAN RIGHTS REPORT, US DEPARTMENT OF STATE, 2016, *available at* <https://www.state.gov/documents/organization/265706.pdf>.

¹¹ WE DO UNREASONABLE THINGS HERE: TORTURE AND NATIONAL SECURITY IN AL-SISI'S EGYPT, HUMAN RIGHTS WATCH, Sept. 5, 2017, *available at* <https://www.hrw.org/report/2017/09/05/we-do-unreasonable-things-here/torture-and-national-security-al-sisis-egypt>.

URGENT ACTION

COUPLE HELD IN SOLITARY CONFINEMENT FOR 66 DAYS

Ola al-Qaradawy and her husband Hossam Khalaf have been detained in solitary confinement since 3 July. On 30 June, security forces arrested them on charges of belonging to the Muslim Brotherhood. They are both detained in poor prison conditions.

Hossam Khalaf, a 59-year-old Egyptian engineer and member of the legally registered Al Wasat Islamic Political Party, is held at Tora Maximum Security Prison 2, in Cairo, while his wife **Ola Al-Qaradawy**, a 55 year-old Qatari national of Egyptian origins, has been detained at Al Qanater Women Prison in Qalyubia. On 3 July, State Security Prosecution ordered their detention on charges of belonging to the Muslim Brotherhood. Prison authorities immediately placed them in solitary confinement, and denied them access to their lawyers and families.

Prison authorities placed Ola al-Qaradawy in a small solitary cell of about 160cmx180cm in size without a bed or a toilet and which lacks sufficient ventilation and lighting. Prison guards allow her only five minutes every morning to use an external toilet. She finds herself compelled to reduce her food intake to avoid the need to go to the toilet. Lawyers who saw Ola al-Qaradawy in the office of the State Security Prosecution on 27 August said that she appeared very weak. Also, unlike other inmates, she is denied time outside her cell.

Hossam Khalaf has been suffering from pain in his eyes since his detention. Prison authorities rejected his request to undergo medical checks at his own expense in an external hospital. He is confined to his cell for 24 hours a day.

Hossam Khalaf and Ola al-Qaradawy's lawyers and relatives filed six requests and complaints to the State Security Prosecution asking for the end of their solitary confinement and allow them to receive family and lawyers' visits. Despite the fact that prison regulations grant those on pre-trial detention the right to receive at least two visits every month, the Prosecutors rejected all of these requests.

Prolonged solitary confinement can amount to torture or other ill-treatment, according to UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) and must not be imposed under any circumstances.

Please write immediately in Arabic, English or your own language:

- Calling on the Egyptian authorities to immediately end the solitary confinement of Ola al-Qaradawy and Hossam Khalaf, ensuring that they are held in humane conditions and receive adequate healthcare;
- Urging them to provide Ola al-Qaradawy and Hossam Khalaf with access to their families and lawyers;
- Urging them to ensure that Ola al-Qaradawy and Hossam Khalaf are protected from torture and other ill treatment and are treated in accordance with the Mandela Rules at all times.

PLEASE SEND APPEALS BEFORE 20 OCTOBER 2017 TO:

Minister of Interior
Minister Magdy Abd el-Ghaffar
Ministry of Interior
Cairo, Arab Republic of Egypt
F: +202 2794 5529
E: center@moi.gov.eg or
HumanRightsSector@moi.gov.eg
Salutation: Dear Minister

President
President Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax +202 2391 1441
Salutation: Your Excellency

And copies to:
Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa El Din
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Fax: +202 2576 7967
Email: Contact.Us@mfa.gov.org
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

COUPLE HELD IN SOLITARY CONFINEMENT FOR 66 DAYS

ADDITIONAL INFORMATION

Relatives and lawyers of Ola al-Qaradawy and Hossam Khalaf believe that isolating them in solitary confinement, preventing visits and not providing them with adequate food and medical care make them more vulnerable to medical problems. International standards on the treatment of prisoners prohibit prolonged or indefinite solitary confinement.

On 30 June, security forces raided Ola al-Qaradawy's summer house, in the North Coast of Alexandria, while she was there on vacation with her husband, Hossam Khalaf, who is a member in Al Wasat Islamic Party. Police forces took them to Burj Al-Arab police station and referred both of them to State Security Prosecution in Cairo. Prosecutors interrogated them for two days and ordered their detention for 15 days on charges of belonging to and financially supporting the Muslim Brotherhood group. Prosecutors have been renewing their detention since then. Security forces also raided their apartment in Cairo and confiscated money and Ola al-Qaradawy's personal jewellery and Hossam Khalaf's work documents.

On 17 August, a state-appointed committee tasked with overseeing the finances of alleged Muslim Brotherhood affiliates froze Ola al-Qaradawy and Hossam Khalaf's assets along with those of another 14 individuals. The committee claimed that they belonged to the Muslim Brotherhood. On 30 August, the Cairo Criminal Court designated Ola al-Qaradawy and Hossam Khalaf as "terrorists" according to the Terrorist Entities Law number 8 of 2015.

Ola Al-Qaradawy is the daughter of Youssef Al-Qaradawy, an Egyptian national who lives in Qatar and is designated by the Egyptian authorities as a "terrorist" since June 2017. Hossam Khalaf is an engineer and a member in the legally-registered Al Wasat Islamic political Party. Authorities had detained him for two years between 2014 and 2016 on charges of belonging to the Muslim Brotherhood. Public Prosecution ordered his release on 22 March 2016 without charging him.

Name: Ola Al-Qaradawy (f) and Hossam Khalaf (m)
Gender m/f: both

UA: 206/17 Index: MDE 12/7069/2017 Issue Date: 8 September 2017

**AMNESTY
INTERNATIONAL**



September 14, 2017

Egypt: Detained Couple Denied Fundamental Rights

Arbitrarily Arrested; Held Absent “Official” Charges

By Human Rights Watch

(Beirut) – Egyptian authorities have repeatedly violated a married couple’s due process rights since their June 30, 2017 arrest and subsequent detention, Human Rights Watch said today. Interior Ministry forces arrested Ola al-Qaradawi, 55, and her husband, Hosam Khalaf, 58, without a warrant over an alleged Muslim Brotherhood link while they vacationed in Egypt’s North Coast and have held both in solitary confinement for at least 70 days.

According to a statement provided to Human Rights Watch by the family’s United States-based lawyer, National Security agents went to the couple’s summer house and took them for questioning at a nearby police station. While the agents did not show a warrant, the couple complied. Their family was unaware of where police kept them for two days, until a lawyer told the family that he saw them by chance in the Supreme State Security Prosecution’s building in Cairo.

“Egypt’s Interior Ministry is bulldozing not only over the embattled judiciary’s authority but also over everyday Egyptians like Ola al-Qaradawi and Hosam Khalaf’s basic rights,” said Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch. “Their case is a sad example of what has become all-too-familiar in Egypt.”

Since the army’s forcible removal of former President Mohamed Morsy in July 2013, prosecutors in Egypt have been holding thousands of people in pretrial detention for periods up to several years.

Egyptian security claimed the reason for the interrogations was the couple’s presence in the summer house, owned by Ola al-Qaradawi’s father, Yusuf al-Qaradawi, an Islamic cleric whose assets are frozen for alleged links to the outlawed Muslim Brotherhood. But the family’s lawyer and Ola al-Qaradawi’s daughter, Aayah, both told Human Rights Watch that the property officially belonged to Ola’s deceased mother.

On the night of June 30, National Security agents searched the couple’s home in Mokattam, a neighborhood in Cairo, without a warrant, and confiscated the Ola’s jewelry, her passport, and other possessions, her daughter said.

The family's lawyer said that Supreme State Security prosecutors interrogated the couple separately without a lawyer present. On July 2, prosecutors ordered them detained pending investigations on terrorism-related accusations but failed to present any charges in an official way. Prosecutors have since renewed their detention without judicial review.

One family member told Human Rights Watch that a prosecutor who interrogated the wife told her during the interrogation that he knew "there was nothing" to her case but that he "couldn't do anything."

Prison authorities refused to allow lawyers to visit the couple in detention and prosecutors denied them access to legal documents pertaining to the case, including an official written copy of the charges. These violations have hampered the couple's ability to mount a legal defense, their lawyer said. Additionally, Ola's lawyer claimed that authorities have denied her consular rights to the Qatari Embassy, as she is a dual Qatari-Egyptian national. Hosam has been held in the Maximum Security Prison II in the Tora Prison complex, while his wife is in the al-Qanater Women's Prison, both in Cairo.

Relatives of the couple and their lawyer said they have been held in inhumane prison conditions. They are confined to their 1.6 x 1.8-meter cells with no windows or ventilation for 24 hours a day, with Ola allowed to leave her cell once a day for five minutes to use the bathroom. The lawyer said they are inadequately fed and that authorities have not allowed family members to deliver food or other items to supplement the inadequate prison diet. Lawyers said Ola appeared to have lost a considerable amount of weight.

In 2016, Human Rights Watch found that the authorities' treatment of prisoners in Scorpion Prison, a maximum-security facility within the Tora Prison complex where many prominent opposition and Muslim Brotherhood political figures have been held since 2013, violated a host of protections afforded to detainees.

One of the family's lawyers said that he has been able to meet with his clients only on four occasions for just a few minutes during the pretrial detention renewal sessions. Hosam was an active member of al-Wasat Party between 2011 and 2013, holding several senior administrative roles. Al-Wasat Party opposed the 2013 military coup, and has become a target of the widespread government crackdown on dissent. Authorities have detained its vice-president, Essam Sultan, in Scorpion Prison for four years and held Abu al-Ela Mady, the party leader, in pretrial detention for two years, releasing him in August 2015 with no trial.

Hosam was arbitrarily arrested in 2014 and detained for two years without trial. As with thousands of politically motivated arrests in Egypt, prosecutors periodically renewed Hosam's detention, but never sent him to trial. He was released in March 2016. Ola's father is the well-known Qatar-based Islamic preacher and scholar Sheikh Yusuf al-Qaradawi, head of the International Union for Muslim Scholars. He is critical of the 2013 military coup that ousted president Morsy.

In May 2015, a group of 159 Muslim scholars issued a statement endorsing “al-Qasas” or “retaliation” against those who are responsible for killing “innocents” in Egypt, including retaliation against judges, politicians, and media figures. The statement was signed by the Union for Muslim Scholars’ vice president, Sheikh Ahmed Raissouni, but not endorsed by al-Qaradawi. However, Egyptian officials and pro-government media focused their criticism on al-Qaradawi.

The religious endowments minister, Mohamed Goma’a, encouraged placing al-Qaradawi on Egypt’s “terrorist list.” Al-Qaradawi was sentenced to death in absentia along with Morsy and 98 other defendants, only six of whom were in custody, in June 2015. Human Rights Watch’s analysis of the case shortly after the verdict found that the trial was flawed and that the judges failed to establish individual criminal guilt.

In February 2017, a Cairo criminal court placed more than 1500 people, including al-Qaradawi, on a terrorist list. Egypt has repeatedly demanded al-Qaradawi’s extradition from Qatar. A government-controlled committee also froze his assets for alleged links to the outlawed group; the Muslim Brotherhood. On August 17, the same committee ordered an asset freeze of 16 more people, including six of al-Qaradawi’s children, his daughter, Ola, and her husband, Hosam Khalaf.

The International Covenant on Civil and Political Rights, which Egypt has ratified, prohibits arbitrary detention. According to the United Nations Human Rights Committee, the body that monitors compliance with the covenant, detentions are arbitrary if not in accordance with due process of law or are manifestly disproportional, unjust, or unpredictable.

International law also requires that detainees be presented speedily before a judge, usually within 48 hours, to review their detention. It also provides for a trial within a reasonable time. Pretrial detention in the Egyptian Criminal Procedure Code should only be used in certain cases such as when fearing the escape of a defendant or when a defendant has the ability to affect the evidence. But prosecutors rarely, if ever provide an explanation of their decisions and have been using pretrial detention unjustly to keep political dissidents in prisons.