

## **Interview with Egyptian Human Rights Defender Ahmad Seif el-Islam**

**As an Egyptian human rights defender, how do you feel today as we celebrate the 60<sup>th</sup> anniversary of the Universal Declaration on Human Rights (UDHR)?**

I feel that the UDHR is gaining more ground, at least in a country like Egypt, in two ways. On the one hand, it is no longer a point of contention among the active elite in Egyptian society, [it is accepted by all] regardless of their orientation; and, on the other hand, it has become an important tool, together with other international human rights instruments, for lawyers working on human rights, as well as for lawyers in general. Nonetheless, this does not mean that human rights violations have decreased, but rather that resistance to them has increased – and human rights defenders have realized the significance of the human rights instruments available to them.

**What is the role that human rights defenders play in making the promises of the UDHR a reality?**

I believe that in a country like Egypt, human rights defenders have been playing a significant role since 1985. The Egyptian human rights movement has succeeded in making the human rights agenda part of the general political agenda for all the political players in the country, including the president and the ruling party, a notable success for the human rights movement. Such interest in human rights is also reflected in the academic studies of law scholars. A simple comparison between academic legal studies registered with law faculties in the country before 1985 with those registered after 1985 would reveal that human rights have become a major theme, attracting considerable academic law research and study.

However, human rights defenders have had a more important role in exposing human rights violations against ordinary citizens and in working for a better defence of their rights. For example, during the last three years in Egypt I have been witness to, for the first time, people taking to the streets of villages and towns in protest against an assault endured by a citizen at the hands of a police officer. This shows that the human rights movement has left its imprint on people's attitudes, as human rights activists have regularly been part of such demonstrations.

**Can we say that defending human rights is an easier job today than it was when you started your human rights work in the 1980s?**

Certainly - greater societal recognition of the role of activists has made things easier. In the 1980s, the political elite and society at large used to see the Egyptian rights movement as representatives of Western values within Egyptian society, so they treated it with caution, preferring to stay away from it. The government manipulated this skeptical attitude in an attempt to isolate the rights movement from its natural environment. Things have changed since 2000, and that barrier has now ceased to exist. Human rights activists have become among those usually invited to public events organized by other segments of the society's elite.

This process has been observed during the past four years. For example, torture is no longer a controversial issue within the Egyptian political elite, including with the members of the ruling National Democratic Party. Torture is now subject to condemnation by all, and all those interested in public affairs stand up to demand its uprooting. This is new. Only five years ago, this consensus against torture did not exist and now all are against torture, even if there are disagreements on the description of the phenomenon of torture: whether it is systematic, or simply errors on behalf of individuals.

This is a great victory for the Egyptian human rights movement, and a clear imprint of the human rights movement's efforts, which can be seen in other human rights related issues.

### **How do you describe the changes that took place throughout those years?**

Not only have the activists changed, but the environment has also changed. If we take the torture issue as an example, we find that if you tried to publish a news item on torture in the eighties and nineties, newspaper editors would have been very reluctant because of the grip of the Ministry of Interior on Egyptian society. Modern communication tools such as the Internet, blogs and Facebook, run by young activists, together with independent newspapers and satellite channels, have made possible the publishing of news revealing the practices of the Ministry of Interior. This has led to a rush for the monitoring of human rights abuses and the spreading of news about them. We find that during the last three years the most significant torture cases were initially publicized on the Internet, and following that by newspapers or satellite channels. But in no way does this mean that the government does not try to obstruct that publicity, albeit with little success due to the courage and resilience of activists. Two years ago Hwaida Taha was prosecuted for producing "Beyond the Sun", a documentary on torture in Egypt, while at the same time the Egyptian government failed to control video clips of torture in

Egypt. The government thus failed in conveying the deterrent message it wanted to convey by the trial of the human rights activists who had exposed torture. This is because communication tools are no longer under the control of the government and the state controlled, centralized media platform no longer shapes Egyptian public opinion. Now there are independent satellite channels and newspapers, and this has facilitated the work of the human rights movement.

**Talking about youth, how would you evaluate the young generation of human rights defenders in Egypt, and the region?**

I am personally amazed by the great numbers of youth who are ready to get involved in the human rights movement, in terms of their energy, capacity and enthusiasm for learning. The defence teams set up by the Hisham Mubarak Law Centre (HMLC), for example, usually involve one lawyer from HMLC and a large number, sometimes tens, of volunteer lawyers from outside the rights movement.

It is noteworthy that nowadays there is no Egyptian city that does not have great numbers of youth, whether with legal background or not, who are ready to participate in and support the rights movement.

This was quite evident in the "April 6" case. If you go back to the statements of any human rights organization, such as HMLC, during events like this one, you will find that an update was issued every hour. Young activists, deployed at the site of the event, were providing us with latest developments and violations taking place and, after checking the information, we would publish these updates on our websites. So, there is a network of volunteer correspondents and observers composed mainly of young people.

I think the time has come for us to start thinking of how to use this energy to face the events we expect to happen, instead of simply reacting to them when they do. This is the role that the Egyptian human rights movement expects from the younger generation.

**Do you think they will be able to carry the human rights torch in the future?**

They have the strength, the desire and the will. What they lack is experience, but this again will come with time. This generation is the future of the rights movement in Egypt. It is inspiring to see that many of the leaders of the Egyptian rights organizations are now young people who were not there when the movement started in 1985. HMLC, which I consider to be one of the leading human

rights organization in Egypt, is headed by Khaled Ali, a lawyer who only started his career in the legal profession in 1996.

### **How would you describe the human rights movement in Egypt?**

The movement has matured. It is time to pause and contemplate what we have done over the past years – where we have failed, and where we have succeeded – in order to formulate a new 10-year plan, because we will be facing hard times in Egypt, especially with regards to economic and social rights. This dimension needs to be approached more actively and at a wider level, and calls for a formulation of a vision in this regard. The Egyptian rights movement has succeeded in forming a vision for civil and political rights, but nothing of the kind has been achieved with regard to economic and social rights. I think it is time we did this, and if we succeed, such a vision will be a turning point for the whole rights movement.

### **What motivates you to defend human rights and what inspires you to continue your work?**

A personal experience: I was subjected to torture in 1983. I was a member of a leftist group and I was tortured. After this experience I found that it was a great mistake, as a politically-oriented person, to focus on criticizing the regime from an ideological perspective and through political ideas while ignoring what the ordinary citizen goes through.

Torture is like a cancer that eats up the nation's youth and its ability to change, rebel and criticize. Hence I decided that this is my domain. It is no use getting consumed in a political struggle against despotism without securing the ordinary citizen a measure of rights that cannot be touched regardless of whoever takes hold of the country's politics.

This personal experience – being subjected to torture – made me dedicate whatever years I have left to confront this issue.

Of course when I became more involved in human rights, I found it has a much wider scope than torture, though all of it rises from the original basic rule, which the UDHR also upholds, and that is respect for human dignity. All that violates human dignity is an abuse to human rights.

### **Which accomplishments are you most proud of?**

I believe there are three of them. Firstly, legal research, as I was interested in the idea of revising the Egyptian legal structure from

the point of view of civil rights and freedoms. I think I have had some success, as with criticizing *hisba* lawsuits (a legal procedure which allows an individual to file a complaint on behalf of society against another individual) against Egyptian intellectuals and artists.

I have succeeded in the studies I have published in this regard and with regards to cases before the Constitutional Court. Some of my legal briefs were acknowledged by the Constitutional Court, which ruled that certain law provisions we challenged were unconstitutional. Some of these contributions are still under consideration by the Constitutional Court, and I have hope that we will win, especially in the areas concerning freedom of conscience and expression, and those dealing with libel.

My second achievement is in legal research: the new view of Egyptian legislation, the role of lawyers before the judiciary, and how international human rights instruments should be incorporated into the lawyer's daily work when addressing the court. I believe that we have succeeded in this regard, both in the Mahalla case, the December 15 verdict of which we are still waiting to hear, and in other previous cases which we won, including cases related to torture, registration of societies, freedom of conscience and expression and cases concerning the citizens' rights to health care and attempts at privatizing it.

However, connecting with the younger generation that is willing to work and transferring my experience to them has been my most joyful accomplishment. Observers who followed up the April 6 Mahalla case and other former cases, would probably have noticed that the backbone of the defence team of more than 20 lawyers was made up of young lawyers, addressing the court for the first time in a major case involving state apparatus and public opinion. I believe that this is the thing I am happy with most: to hear our young colleagues address the court for the first time in the defence of the public. Regardless of the verdict this case will receive, I think we have won, and I feel we have made a great achievement.

**In your opinion, who are the people who are mostly in need of your help?**

Of course, normally I would say victims of human rights violations. But the question is: which victims? Sometimes there is a general consensus that political reform is needed. During this time, controversial human rights issues remain in confined chambers. This usually leaves the marginalized groups, who are the most vulnerable to violations, in a weaker position than before. Only the aspects of reform which are agreed on are tackled, while contentious issues are put aside. So we find that issues related to

vulnerable groups and minorities in Egypt are excluded from the social focus, and the same applies to freedom of conviction. Such groups need human rights organizations which have the experience – and the awareness – to send a clear message: one which says that they are with the political consensus for democracy and reform, but that this should not be at the expense of the rights of vulnerable groups in society, such as women, minorities and others, and thus they will continue to defend them. This is why, for example, the Egyptian human rights movement focused on the rights of Baha'is and sectarian violence issues.

### **How can Amnesty International and its members support human rights defenders' work in Egypt?**

I think Amnesty International has played a very important role in shaping our human rights awareness. I am one of those whose awareness was shaped by the publications of Amnesty International. Also, Amnesty International plays an important role in supporting human rights organizations in ending violations. But I think that the time has come for Amnesty International to give some thought to reviving its groups in the region, as the region is aptly in need of higher degrees of support for different rights and freedoms. It may also need – which Amnesty International can excel in most – constant and regular attention to important issues. It is successful in tackling torture issues, but does not do so with the same vigor when it comes to unfair trials in the region. This is done occasionally, but without persistent effort. The focus tends to be mainly on victims of violations of freedom of conscience and expression. Such focus is not usually given to cases in which the ordinary citizen's rights are violated in the same way. So with the Mahalla case, Amnesty International has made little effort to observe the trial, despite the fact that the case is before the Emergency State Court and the defendants are not political activists, and were described by the authorities as being criminals and common law breakers. If one compares the attention given to the trials of the Muslim Brotherhood before martial courts to other cases, the results would be disappointing. Ordinary citizens regrettably do not seem to draw the same degree of attention from international organizations.