DEFENDERS ON TRIAL: "WE MUST REFUSE, CHALLENGE AND RESIST THIS PSYCHOLOGICAL STATE OF SURVIVAL"

Interview with Hossam Bahgat,
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Egypt

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Hossam Bahgat, journalist and founder and current director of the Egyptian Initiative for Personal Rights (EIPR), has already witnessed five criminal cases being brought against his organization, his colleagues and himself. In the most recent case, opened in January 2025, Bahgat is accused of spreading false information and financing terrorist activities with the intent of threatening national security—a charge that could lead to the death penalty or life imprisonment.

In February 2025, just weeks after being interrogated for four hours over a public statement on Egypt's prison conditions, Bahgat spoke to *Sur* about what he describes as a "campaign of extermination" of the civil and human rights space waged by Abdel Fattah Al-Sisi's government. He calls on civil society to reject the psychological "survival mode" imposed by repression and insists on the need to remain relevant, vocal and rooted in grassroots resistance.

Bahgat gave a comprehensive overview of the challenges and the resistance strategies of civil society in Egypt—an ecosystem he helped to shape when he founded EIPR in 2002, during his final year studying political science. At the time, the human rights movement in Egypt was primarily focused on the public sphere and issues related to democracy and political violence. EIPR chose to centre its work on the personal sphere, which had been largely neglected: privacy, sexuality, reproductive rights, health and bodily integrity and the freedom to choose, practise and change one's religion or belief. However, as the political situation in the country worsened and a nascent movement demanding political reform was born, it gradually demanded that this mandate be expanded to include civil liberties such as freedom of association, assembly and expression, women's rights in general

(beyond sexual and reproductive rights), criminal justice reform and economic and social rights.

After a seven-year hiatus, during which he returned to journalism, Bahgat resumed leadership of the organization in 2021, during an especially difficult period for the defence of rights in the country—a challenge he continues to face with resilience, humility and perspectiveness: "Every day, my email has heartbreaking news about environmental defenders being killed in Latin America, about journalists being assassinated, about fellow activists being sentenced to prison terms… I look at Palestine, and I just feel ashamed to complain."

1. You are currently facing criminal charges. Could you describe the nature of these accusations?

Hossam Bahgat – I was director of EIPR for the first ten years. I stepped down in 2013 to go back to journalism for seven years, but then, I was forced to come back to lead EIPR in December 2020 because of the government crackdown on our organization. My interrogation by the State Security Prosecution Office in January 2025 was basically the fifth attack on our organization since 2011.

In 2011, the new military regime that replaced [Muhammad Hosni] Mubarak[1] in power started a big criminal investigation on what became known as "the foreign funding case", in which most of the country's independent human rights organizations and their leaders were criminally investigated for receiving foreign funding to undermine national security, as punishment for the role they had played in the lead-up to the revolution and during the so-called transition. The investigation continued for 13 years, and in 2016, as part of the investigation, I was placed under a travel ban and a freeze on my personal assets and bank account that lasted

for eight years. The case was then closed a little over a year ago, in March 2024, as the judicial authorities appointed to run the investigation concluded that there was insufficient evidence to initiate criminal proceedings.

This first attack was followed by others, even after I had left EIPR between 2013 and 2020. Then, in November 2020, three of our directors were detained from their homes in the worst crackdown on a human rights organization, which specifically targeted EIPR. First, the administrative director and then, the criminal justice director, and then, our executive director[2], who had succeeded me in leading the organization. National and global campaigns led to their release a few weeks later, but they remained under a travel ban, and their personal assets and bank accounts have been frozen for five years now.

In 2021, shortly after I returned to leading the organization, I was prosecuted—and for the first time referred to trial—under the accusation of insulting the National Election Commission, as I had criticized the management of the 2020 parliamentary elections on Twitter. I was sentenced, thankfully, to only paying a fine, even though the charge carried the possibility of prison terms. It was my first and only conviction, which nevertheless means that I now have a criminal record.

Then, a year later, in 2023, our researcher, Patrick Zaki, was sentenced by an emergency state security court to three years in prison for disseminating false information because of an article he had written about the rights of Christians in Egypt.[3]

And, finally, we have this new and, to a large extent, the most serious of these five episodes of targeting. In January 2025, I was summoned to the State Security Prosecution Office, the most notorious part of our judicial system, known to target, prosecute and detain tens of thousands of political prisoners, human rights defenders, journalists, lawyers or

just really ordinary citizens for expressing dissenting views. I was immediately placed under arrest when I arrived. I was interrogated for four hours about the work methods and the goals of EIPR, and then, about a particular statement we had issued demanding an investigation into reports of an inmate strike in one particular state prison, in protest against open-ended pretrial detention on political charges and the worsening detention conditions.

I was released on bail, but then, I was formally charged with aiding and financing terrorism and disseminating false information abroad with the purpose of undermining national security. The charge of financing an unspecified terrorist organization, in particular, is a serious one for two reasons: one, it was introduced in an anti-terrorism law[4] issued in 2015 under President [Abdul Fatah Khalil] Al-Sisi, one year after his election in 2014, which carries the death sentence that can be commuted to life imprisonment; two, the charge qualifies the work and publications of our human rights organization as a form of financing terrorist activities.

This provision, introduced in the 2015 anti-terrorism law, has a very broad and deliberately vague scope that defines financing as anything from weapons and money to information and statements directly or indirectly, materially or immaterially, or literally through any other means. The way the article is phrased means that basically, just doing human rights work or publishing human rights reports can now be qualified as a form of financing terrorist activities and punished by life imprisonment or the death penalty.

Right now, I am waiting for the prosecution to decide when to refer me to trial, which would likely be before a terrorism court. And so, because of the opaque criminal justice system under Sisi, and especially in terrorism cases, this can happen tomorrow, or in 13 years' time, or they could just decide to drop the charges, and there is nothing that we can do to control this.

2. What is the background of this case? How did it all begin?

HB – As you may remember, Mubarak was ousted within 18 days in 2011. At the time, Sisi was the Director of Military Intelligence and a member of the Supreme Council of the Armed Forces, who became the *de facto* ruler of Egypt until 2012. Sisi was deeply shaken by that experience and also by the fact that he had gone into the military in middle school.

In other words, Sisi had no experience with civilian life or political activity. He had deep contempt for civilians and for the democratic process and extreme intolerance towards any form of criticism, which he sees as disrespect for his authority. Ironically, he is a very socially and religiously conservative person as well, although he became president in 2013 after ousting the Muslim Brotherhood, purportedly in order to save Egypt from Islamist rule.

Nevertheless, he became the leader of one of the most conservative regimes in our country, when one takes into consideration the unprecedented increase in the prosecution of citizens for their religious views, or the number of arrests through entrapment of gay men and trans women, or the prosecution of women on morality charges because of the social media content they produce.

The Muslim Brotherhood, who were elected in July 2012, stayed one year in power, during which they managed to alienate most sectors of society, paving the way for the army to intervene under the pretext of saving the country from rising Islamist authoritarianism. What happened after the coup was not just the worst massacres of protesters in our history, but also a very careful, deliberate, systemic destruction of all of the civic and political forces that contributed to that revolution in 2011. It started first by a severe crackdown on Islamists and Islamist sympathizers and then expanded to target leftist and liberal groups and youth organizations and destroy civic space.

To put it in context, Egypt has always been an authoritarian state, with a controlled civic space and a problematic human rights record, with many areas of concern, some of which were systemic. However, Sisi added new features that are different from any of the previous regimes since the establishment of the Republic in the 1950s.

The first feature is that he moved Egypt from an authoritarian state into a country with one of the worst human rights records globally. This is not an emotional statement. If you look at any global ranking on any aspect of human rights, in the last few years, you will see that for the first time, Egypt has become among the top ten, top five, top three, or sometimes the number one worst violator of that criterion.

That is new. It did not used to be the case. This can be measured, for instance, in terms of the highest number of journalists in prison, the highest number of death sentences issued every year. If you look at Amnesty International's global survey on the death penalty last year, you will see that Egypt is second in the world, only after China. If you take the number of actual executions per year, the number of blocked websites, the population of political prisoners, deaths in prison, the global ranking on the rule of law, on transparency, on media freedom—on any of these elements, you will see that Egypt ranks at the very bottom of all 190-plus countries in the world.

The second thing that Sisi did was to transform Egypt, once a place with a controlled civic space under authoritarian rule, by eviscerating the civic space completely, as Egypt, even under authoritarianism, had always had a vibrant society with pockets of resistance, as we call them. He cracked down on the student movement, social protests and social movements, the labour unions, the media, political parties and the feminist movement, among others.

Naturally, our turn came as the human rights community. He really went after each of those groups and systematically destroyed any space available for us to operate. What we are fighting for in this context is really survival, because after ten years in power, there are only a few voices of resistance left inside the country.

Most of the media have either been shut down, moved abroad or literally purchased by the security agencies. We basically have maybe two independent news websites operating from within Egypt, both of which are blocked by the authorities illegally. So, they publish on social media or mirror sites.

When I left EIPR in 2013, there were maybe 30 independent human rights organizations operating in Egypt. When I came back in 2020, there were only 4 or 5 organizations left in Egypt, with many other organizations moving into exile, shutting down or significantly scaling down their activities. This is the context.

3. What forms of intimidation or harassment have you experienced throughout this process?

HB – It starts from criminal prosecutions and judicial harassment, making use of anti-terrorism and anti-free speech laws; then, there is a wave of severely restrictive and punitive legislation. It's the arsenal of new, extremely repressive legislation that this regime has issued, besides the anti-terrorism law, such as the cybercrime law, an NGO law, an anti-protest law, a media regulation law and a data protection law.

The most important and primary tool of governance for this regime is incarceration. Not only has the population of political prisoners and prisoners of conscience grown to unprecedented levels, but there is also

a culture of fear whereby people know that they can be detained without breaking any law and that once they are detained, there is no due process, no criminal defence and no independent judiciary to end their detention. Most seriously, there is nothing that people can do to avoid mass incarceration like this.

There is a very wide net that traps dozens of victims every day, if not hundreds. There are also the smear campaigns that accuse any dissenters, and especially human rights activists, of being agents of the West, members of the Muslim Brotherhood or just unpatriotic.

Finally, they cut off our oxygen by denying us any access to public or private media, by using travel bans to isolate us from the outside world, global community and networks of solidarity and by applying asset freezes to punish us financially as well. Needless to say, there have been numerous cases of imprisonment for human rights defenders, lawyers and journalists over the years; many of them remain in jail as we speak.

4. How have you experienced this situation? What has been the most challenging moment and why?

HB – Well, it certainly hasn't been easy. There is a serious mental health impact that comes from being constantly targeted, but also from this permanent state of vulnerability, knowing that you can be targeted any day, and that there are no rules of the game.

The travel ban and asset freeze that I endured for eight years obviously had a professional, financial and psychological toll on me—not just cutting me off from the world, but also derailing my career for most of the last 10 years. It's had an effect on my mother, too, who lives in constant fear for my safety and freedom. The travel ban was lifted less than a year

ago. And now, with this new case, each time I go to the airport, I have to wonder whether a new travel ban will be issued, how long it will last and if it will ever be lifted again.

It has also had an impact, as I described, on the movesment. The community of human rights organizations inside the country has shrunk significantly over the years. It has pushed our organization—and the movement in general—into survival mode, where, instead of expanding our services or increasing our impact, we have to constantly fight just to stay alive and also find tools of activism in a country where all the traditional tools—the judiciary, parliament, media and social movements—have been as struck as we have.

5. What personal, political and legal strategies have you employed to address this situation?

HB – On a personal level, during my travel ban, the most helpful tool, in addition to therapy and friendships, has been to really fight as if this situation was never going to change. It helped once I decided that I wasn't going to live waiting for the travel ban to be lifted or for charges to be dropped. Instead, I chose to assume that this is my life now and to find a way to live it fully—enjoying my friendships, being professionally productive, building my skills and staying relevant and engaged, even if I face possible imprisonment or travel restrictions.

The second strategy was to use the only tool I have: my voice. If I'm already being targeted, that means I'm in a position where I have less to lose than others who aren't yet targeted. So, I use my voice publicly, internationally, on social media and in any independent media that will speak to me in order to counter the regime's narrative and expose its abusive practices. I did that both as an investigative journalist and, more recently, after I came back to lead my organization.

And the third is to refuse to remain trapped in a psychological survival mode. I took inspiration from movements in countries that endured military dictatorships—your country, Brazil, included—and said: no, the role of a human rights movement is not to lie in waiting for the storm to pass, but to work to help it pass faster, while protecting as many people as possible during it.

What I've been trying to do over the last five years, since I came back to EIPR, is to move us away from survival mode and into relevance mode. I say relevance because it's unrealistic to aim for impact right now, but at least we can be engaged in the struggle, connected and constantly innovating with new tools and ideas for activism in the absence of traditional channels like litigation, policy advocacy, mainstream media or public protest.

6. What role has solidarity played throughout this process? What kinds of support have been most crucial for you?

HB – There's been a lot of solidarity within Egypt because basically everyone is a potential victim or knows a victim of this current, long wave of repression. Global solidarity was also crucial, of course. I mentioned the episode when our three directors were detained in November and December 2020 and the fact that they were released is to a large extent due to an unprecedented global solidarity and outcry campaign in almost all corners of the world, sending a clear message to the Egyptian government that this case could be a source of headache, trouble and costs, which prompted their release.

I always joke that Covid has been great for us. It's a bad joke, of course, because it cost so many lives and caused a lot of suffering. But in terms of our disconnection from the outside world, those years of Covid really

pushed everything online and encouraged people to invest in remote participation, which helped decrease our isolation from the world. We have to think of people who are unable to travel, not just because of restrictive travel bans, but also because of how expensive travel can be, or people with a family situation that prevents them from being there. It is our collective duty to make sure that people are in the room, even if they are unable to be physically in the room.

7. What is the current status of the charges against you?

HB – There are now two state security cases that are in the investigation phase, which could be referred to trial any time. My recent case, started in January 2025, and the case against my three colleagues, that goes back to December 2020, who have been under a travel ban and asset freeze since then.

The case of my colleague, Patrick Zaki, who was sentenced to three years, was part of a pardon in 2023 and is therefore closed. As mentioned, the big foreign funding case was closed after a 13-year investigation. Lastly, on my own sentence for insulting the election commission, I paid the fine, I appealed and I lost the appeal. The case is closed, but I now have a criminal record, which has some minor but annoying effects on my life.

The general situation is one where Sisi issued an NGO law in 2019 that basically declares that any entity that engages in civic work or development work is illegal if it doesn't register under this new and highly repressive law.

Traditionally, the human rights movement—which this year turns 40, since 1985—has managed to find alternative forms of organizing and registration, either because it was not allowed to register as an NGO or in order to avoid repressive NGO laws that give security agencies massive

powers to interfere and control the work of organizations. So, groups were registered either as legal offices, medical clinics, publishing houses or research centres. In our case, we are registered as a consultancy firm that works on research and offers consulting and training.

We now live in this constant fear of the government deciding to enforce these new provisions to declare us illegal (which would lead to our immediate dissolution and penalties) or force us to register under this new legislation. This is the current state we are in.

8. What terminology would you use to characterize this specific form of political violence?

HB – In terms of the overall situation, I try to differentiate between authoritarian and autocratic and military autocracy. To describe Egypt, I use "military autocracy". There are more severe places where we can really talk about totalitarian military regimes. Like in Syria, for instance, under Bashar [al-Assad].

In terms of our own situation, I also try to differentiate... There are countries where we can describe judicial harassment or civic space restrictions. There are higher cases where we can talk about the crackdown or a systemic crackdown. And then, there are other situations, I think like in Egypt, where we can only really describe it as an extermination attempt.

Because the goal is not to keep us under control or facing attacks. The ultimate goal is to wipe out human rights activism altogether or to push the entire movement abroad. As we see in places like India and Egypt, there is an effort to exterminate any human rights presence in the country.

We now live under a fragile ceasefire where our existence is at best tolerated, with regular harassment and acts of retaliation and under harsh restrictions. But we know this unspoken truce could collapse any time.

9. How does this relate to the state of democracy in your country?

HB – It's a bit confusing these days. You look at the United States and you see a candidate of a main political party who presented an electoral programme, and based on it, he was voted in with a majority of the popular vote and went on to carry out his electoral programme and fulfil his campaign promises with—to a large degree—support from parliament and the judiciary.

People talk about it as if it was a coup, but it's not really a coup, right? It is the deficiency of the democratic system that we have, but it's also the popular will, at least of a majority of the people. This is something that we experienced in Egypt as well.

Unlike Brazil, Argentina and the United States, where you've experienced a degree of democracy and now you're experiencing a backtracking of democracy, Egypt was never really a democratic country. But we had the promise of democracy after the revolution in 2011.

Just like in the US and in other places, we have to take responsibility for this current state of defeat that we are in right now because part of the elite, part of the progressive movement and the democratic forces supported the military in order to save the country from the religious right.

We see this happening in a country like Tunisia, where a constitutional coup led by the president received support from feminist organizations, human rights organizations, secular political parties and now, they are

paying the price, just as we are right now. This is something that we need to take responsibility for, as well as try to counter, by going back to the roots and going back to the basics, which is a theme that was widely discussed during the colloquium of Conectas in November 2024. We have allowed ourselves, over the last few years, to turn into technocratic experts and government lobbyists, sometimes lawyers. But really, we need to go back to being militants—democratic, radical, grassroots militants and organizers organizing on the ground. This may require a change in our psyche or individuals and organizations with a different DNA than the one we have right now.

10. How have different state institutions positioned themselves regarding this situation? Can you rely on any state institution right now?

HB – Unfortunately, not anymore. Before Sisi, even under authoritarian rule and within the restricted space and occasional harassment, we still could count on some independent judges, some judicial oversight and a vocal minority of opposition members of parliament. We relied on independent media to disseminate our views. We even did some government advocacy with certain ministries.

Under Sisi, none of this really exists. The judiciary, in particular, has been completely co-opted by the regime. Large sectors of the judiciary volunteered to become supporters of the regime, again because of the trauma they had from the one-year Muslim Brotherhood administration targeting them or its attempts to curb their influence.

But the independent judges have either been dismissed or moved to non-judicial roles or significantly intimidated into silence. We have almost 600 members of parliament. Not even one of them is identified

as opposition because it has almost become a bad word. There isn't a single opposition newspaper printed in the country currently, and 90% of the privately-owned media outlets are only privately-owned in name, because they were purchased by companies owned by the intelligence agencies and government ministries. We are completely blocked in terms of our efforts to conduct advocacy through them.

We still believe in the media, the strategy of the Occupy movement where we try to be there, be present and be vocal and occupy every available space. When COP27 was organized in Egypt in 2022, we were present. We occupied that space. When the government convened a national dialogue on political issues, including human rights, we went, we participated, we spoke and we presented our views. We try to really use any space available in order to defend not just our presence, but, in principle, defend the fact that human rights activism belongs inside the countries and on the ground and refuse to either shut down or to move into exile.

11. How have international networks and bodies responded, and what impact has this international reaction had on the progression of your case?

HB – We've managed to mobilize and have received a lot of solidarity and support. Since my travel ban was lifted last year, I have been investing in reconnecting with these spaces and networks and coalitions, but also in resuming our international advocacy work in Geneva and Brussels, as well as contacts with international and financial institutions.

Obviously, there has been a lot of reflection and thinking about these partnerships since the genocide that started in Gaza in 2023, about what we really need to do in order to deal with this, with a fresh approach to global activism, and especially Global South activism, and about some

degree of accountability for those whose positions on the genocide have been disappointing or outright deplorable. This has both benefited and boosted some international spaces, where much thought is going into the meaning of global structures and convenings—but it has also, unfortunately, led to ruptures in partnerships and friendships.

12. How does your experience compare to that of other human rights defenders in the Global South?

HB – Even with everything I'm going through, that I described to you, I am still lucky. I mean, I can spend the weekend in Cairo, at home with my dog, and I can speak to you... Every day, my email has heartbreaking news about environmental defenders being killed in Latin America, about journalists being assassinated, about fellow activists being sentenced to long prison terms. About cases of torture...

And I look at countries like India, where you have a very powerful president that has managed to clean out almost every human rights organization in a country as big as India without even a single statement of concern or criticism by any of the Western powers who want to keep [Narendra] Modi close and need India to counter China.

And I look at Palestine, and I just feel ashamed to complain. How can one complain? When I see the number of journalists, the number of activists, even the number of United Nations staff that have been killed over the last years. I am humbled by the experiences of other human rights defenders. I'm a bit embarrassed to complain, but I take great inspiration from them as well.

Notas

1 Hosni Mubarak was President of Egypt from 1981 to 2011, when he stepped down from power following mass protests and handed authority to the Supreme Council of the Armed Forces. Mubarak died in 2020 due to health complications, after facing multiple legal proceedings and spending more than three years in prison. He was ultimately acquitted of all charges before his death.

2 The EIPR team members detained in 2020 are Muhammad Bashir (Administrative Director), Karim Ennarah (Criminal Justice Director) and Gasser Abdel Razek (Executive Director). *Al Jazzera*, "Egypt rights group says third member arrested in less than a week", November 20, 2020, accessed July 27, 2025, https://www.aljazeera.com/news/2020/11/20/egypt-arrests-leader-of-prominent-human-rights-group.

3 Patrick Zaki was a Gender and Human Rights Researcher at EIPR and was arrested at Cairo airport in February 2020, after returning from a period of study abroad. He was accused, among other things, of joining a terrorist organization and spreading false news following the publication of an article about his experience as a Coptic Christian. He spent 22 months in detention before his trial. In 2023, he was sentenced to three years in prison, but received a pardon the day after the verdict.

4 "The new counterterrorism law: another blow to the constitution encourages extra judicial killing," *Cairo Institute for Human Rights Studies and Egyptian Initiative for Personal Rights*, August, 2015, accessed July 27, 2025, https://eipr.org/sites/default/files/reports/pdf/the_new_counterterrorism_law.pdf.

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