

The background image is a photograph of a protest or civil unrest. In the foreground, a person wearing a white tank top, black pants with a blue stripe, and a black head covering is captured mid-air, jumping over a low concrete wall. To the right, a taller, rusted metal barrier stands. In the background, a large plume of white smoke or tear gas rises from the ground. Several people are visible behind the smoke; some are holding cameras or phones, and one person in the upper left is holding a can that appears to have just been thrown, with a small flame or smoke coming from it. The ground is dusty and littered with debris.

BESIEGED UNIVERSITIES

A Report on the Rights and Freedoms of
Students in Egyptian Universities from the
Academic Years 2013-2014 to 2015-2016.

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Student supporters of the Muslim Brotherhood and ousted President Mohamed Mursi flee from tear gas and rubber bullets fired by riot police during clashes at Al-Azhar University's campus, in Cairo's Nasr City district, May 9, 2014. (REUTERS)

Supported by

NORAD and Norwegian students and academics

Published by

SAIH - Norwegian Students' and Academics' International Assistance Fund. SAIH is the solidarity organization of students and academics in Norway. SAIH supports organizations in eight countries in Latin America, Southern Africa and Asia. In addition to long-term development work, SAIH is doing advocacy work in Norway and internationally.

AFTE - Association for Freedom of Thought and Expression. AFTE is a non-profit and independent legal firm, consisting of lawyers and researchers. AFTE works with issues related to defending, promoting and protecting freedoms of thought and expression in Egypt.

Published March 2017

ABBREVIATIONS

AFTE	Association for Freedom of Thought and Expression
ECRF	Egyptian Commission for Rights and Freedoms
GCPEA	Global Coalition to Protect Education from Attack
ICCPR	The International Covenant on Civil and Political Rights
ICESC	The International Covenant on Economic Social and Cultural Rights
UNESCO	The United Nations Educational, Scientific and Cultural Organization
SCAF	Supreme Council of the Armed Forces

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PREFACE

Student movements have an essential role and democratic function in contemporary politics, in regime change and in a society's struggle for democracy and human rights.

In Egypt and in the world in general we see that the struggle for students' rights and the quality of higher education is closely intertwined with a greater struggle for social change. Perhaps precisely because of this, along with the inherent democratic function of higher education in itself, student movements globally have succeeded to engage with the wider political context in their countries and are often in the forefront for change demanding democracy and human rights.

Over the last years, we have witnessed a continuation of attacks on higher education along with a shrinking space for civil society. With increasing restrictions on academic freedom and university autonomy, students face violent repression by means such as persecution, torture, arrests, expulsions and even killings. Students who engage in work for democratic change are often perceived as a threat by authoritarian regimes and are consequently being denied their fundamental right to education. Attacks on students does not only have a devastating impact on the individual's access to education, but on a society's overall development in the long-term.

This report documents and analyses the alarming development in Egypt, and covers a total of 2297 cases of legislative, security and disciplinary violations on students' rights from 2013 – 2016. The current human rights situation in Egypt is characterized by a repressive political atmosphere. The state led crackdown on universities, including various measures enforced to silence students and other critical actors in society, signals an imminent crisis for higher education.

Sadly, the Egyptian situation is not unique. The Scholars at Risk's Academic Freedom Monitoring Project has reported attacks on higher education in 35 countries between May 1,

2015 and September 1, 2016. As many cases go under the radar, we are aware that the total numbers are much higher. Nevertheless, available data display that although contexts and types of incidents differ, they are part of a single global phenomenon of increasing attacks on higher education.

Through advocacy, SAIH works to improve the conditions for higher education internationally, by raising awareness and promoting measures to protect students at risk. SAIH has been a central stakeholder in the establishment of the Norwegian Students at Risk-programme, which makes it possible for persecuted student activists, who struggle for democracy and human rights, to continue their higher education in Norway.

Association for Freedom of Thought and Expression (AFTE), on the other hand, is an independent Egyptian Human Rights organization that works on strengthening and promoting freedom of speech, association and expression. AFTE is one of the first organizations in Egypt to specifically have a program, which highlights the rights and freedoms of students and academics. AFTE instantly monitors and documents violations, publishes reports as well as provides victims with legal assistance.

There is an urgent need for increased awareness and responses to attacks on higher education. We urge for greater support and protection of student activists, documentation of attacks, as well as prosecution of those responsible of the violations. Through this report, we want to shed a spotlight on the violations of human rights and show support to the brave student activists who struggle for human rights and democracy. We call for the international community to respond and hold Egypt accountable to its human rights obligations and other international norms and standards. Being a student is not a crime.

*Executive Committee in SAIH, Inga Marie Nymo Riseth, Thea Willoch Njaastad,
Beathe Øgård and Mohammad El-Taheer, Director of AFTE.*

SAIH **afte** Association for Freedom of
Thought and Expression

EXECUTIVE SUMMARY

Since the successful military coup on July 3rd 2013, which overthrew President Mohamed Morsi, there has been an explicit orientation towards a restoration of the security grip on Egyptian universities. The state has continued its attempts to restore the status of universities prior to the January Uprising in 2011 that overthrew former President Hosni Mubarak.

This report analyzes the nature and context of the human rights violations against the academic community, and specifically students, in the period from the academic years 2013/2014 to 2015/2016. During the past three years, we have witnessed the rise and fall of the Egyptian student movement. Within this reporting period, the state has participated in acts and threats of violence or coercion, such as arresting hundreds of students and killed dozens of others. In the academic year 2013/2014 alone, we witnessed an increase of violations against students and caused huge setbacks in terms of institutional autonomy for universities in Egypt. This report is written at a time when the security grip on political activity in Egypt is at a peak. This tight grip has affected both higher education communities and human rights organizations that provide necessary support to students and academics among other groups against state violations. This report is part of a wider effort by many Egyptian activists and human rights defenders to accurately document this current phase in Egyptian history, despite the many harassments and restrictions they face. The situation for students and academics should be understood within a wider context of a shrinking space for civil society in Egypt. Research and

documentation, and the dissemination of objective data, are important to challenge the current regime on its human rights record and in the long term improve the situation. It is also important to the publishers of this report to disseminate information about the harsh reality student activists' face in their everyday life in Egypt.

The report verifies and documents 1181 cases of student arrests inside or in the vicinity of universities during the past three academic years: 1051 disciplinary sanctions against students, where more than half of these were cases of expulsion; 65 cases of student referrals to military trials; and 21 extrajudicial killings. In 2015/2016 there was a decline in the number of cases of violations. However, this does not necessarily reflect a change in state policies towards student activism. On the contrary, it might reflect the unfortunate success of the many security, legislative, and administrative violations, which has threatened and curbed the movement. The success of independent and opposition student leaders in the recent 2016 student elections, amidst an atmosphere of extremity and state intransigence, reflects an unexpected achievement by student leaders who took it upon themselves to utilize the little space for endogenous university activism. This move to look inwards came after the state had obliterated the public sphere and limited political participation. This can be seen as a significant moment for the independent Egyptian student union, one that needs support and solidarity from local and international actors.

Documented violations on students' rights in Egypt 2013-2016

Arrests	1181
Disciplinary sanctions	1051
Military trials	65
Extrajudicial killings	21
Total	2318

Methodology

This report has benefitted from legal documents, documentation by local human rights organizations and student initiatives, and statements issued by the Egyptian government, university administrations, and student movements. The research is based on a qualitative analysis extracted from semi-structured interviews conducted with 15 informants. The informants are selected and recruited from various political movements and student unions in Egyptian public universities and al-Azhar University¹. The aim of the data collection has been to understand the impact of human rights violations on student activists and on the higher education community in general. The interviews conducted are quoted in the sections on legal and legislative violations, and security and administrative violations.

The raw data acquired is verified through a number of methods, of which official documents and testimonies are an integral part. A significant number of the information received was not verifiable. Access to official documents

is difficult in the Egyptian context, and many victims and witnesses refused to speak to the researchers; fearful of state prosecution, or even worse consequences. Thus, we were unable to document a number of reported cases. Moreover, the restrictions on researchers and the ample violations against academic freedom in Egypt has prevented the authors from reaching out to government officials, in fear of infringements on our personal security and wellbeing.

The decision to document violations in public universities and al-Azhar University was made due to limited capacity. Unfortunately, this prevented us from fruitful engagement with the developments of the student movement in private universities, with the exception of the American University in Cairo. The universities chosen not to be included are characterized by having smaller numbers of students and fewer active student movements, and were influenced by state violations to a significantly lower degree.

Monitoring and documentation

We have documented the following:

- **The number and identity of the students who have been arrested inside or in the vicinity of universities, based on their alleged political activity;**
- **The number and identity of the students who have been subjected to disciplinary sanctions based on their alleged political activity;**
- **The number and identity of the students who were referred to military courts, according to Law No. 136 for the year 2014, which stipulates that the university institution is a military facility that falls under the protection of the armed forces with the help of the police;**
- **The number and identity of the students who were killed by police forces inside or in the vicinity of universities.**
- **Timeline: From the academic year 2013/2014 to the year 2015/2016.**
- **Place: Egyptian public universities and al-Azhar University.**

Report findings were also obtained through AFTE's network of student reporters covering various Egyptian universities, in addition to contacts inside student groups, such as the Freedom for Students movement, or the University for Students movement, whom were independent student initiatives working on monitoring and documenting security violations against students at the time. Additionally, we relied on statements issued by human rights organizations, such as AFTE, al-Adala (Justice) Center, and the Egyptian Commission for Rights and Freedoms, as well as statements from official authorities, elected student unions, and testimonies of victims of violations. Through AFTE's network of human rights lawyers, we were able to gain access to a number of police records and disciplinary reports that laid out accusations and charges against the documented victims.



INTRODUCTION

This report aims to highlight the state's repression of student activism in Egypt since the beginning of the academic year 2013/2014, and situate international principles such as academic freedom, university autonomy, the right to education, freedom of assembly, and freedom of expression, within the general political narrative of Egyptian state and society. The human rights violations by the current military regime against the academic community suggests that they perceive the influential role and potential impact of the Egyptian student movement as threatening.

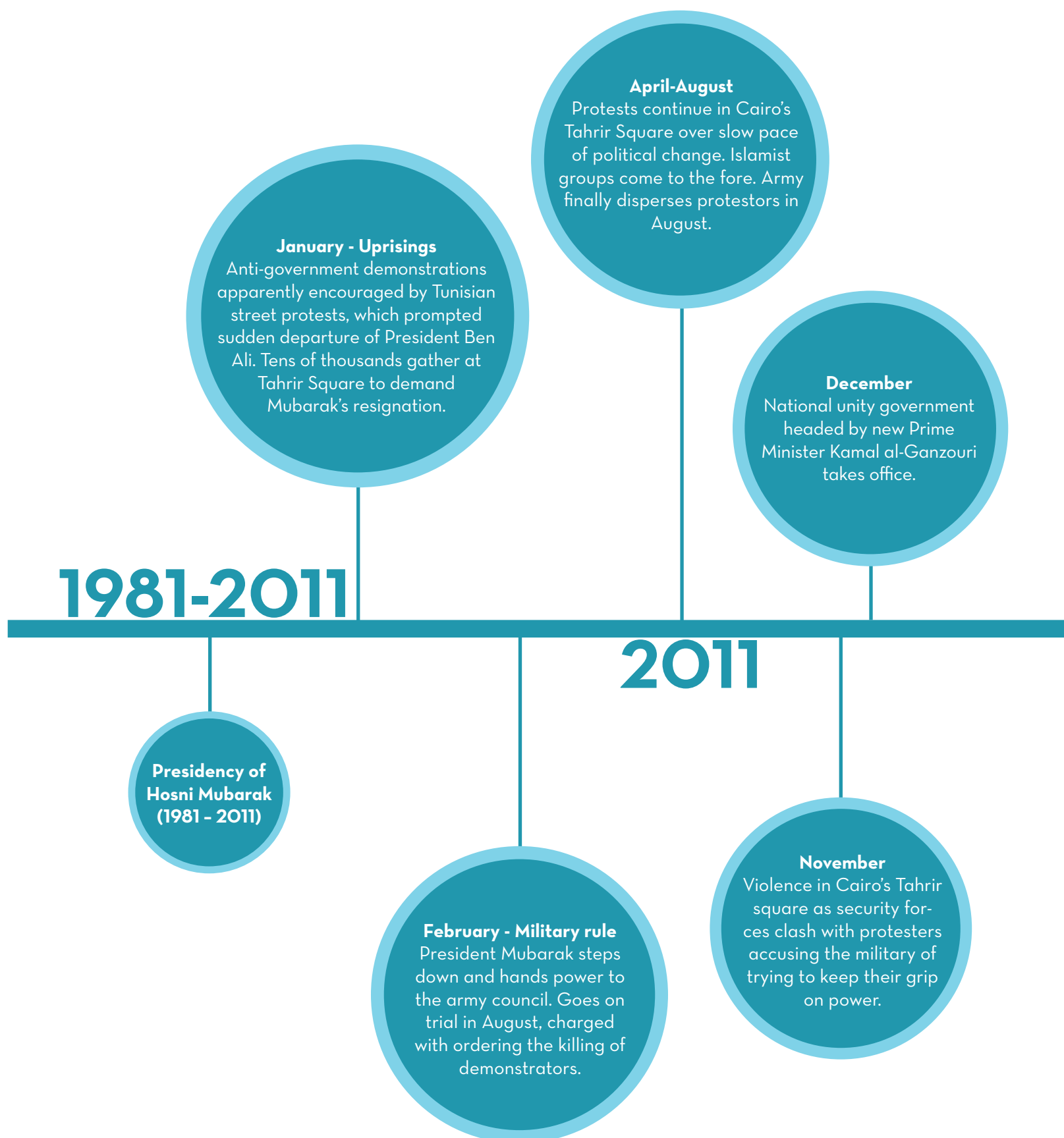
It is important to emphasize the intimate relationship between the human rights violations that have been taking place against the academic community, and the general repressive political atmosphere in Egypt with a shrinking space for critical inquiry and discourse. The flow and structure of this report will illustrate the instrumental nature of the student movement in contemporary Egyptian politics.

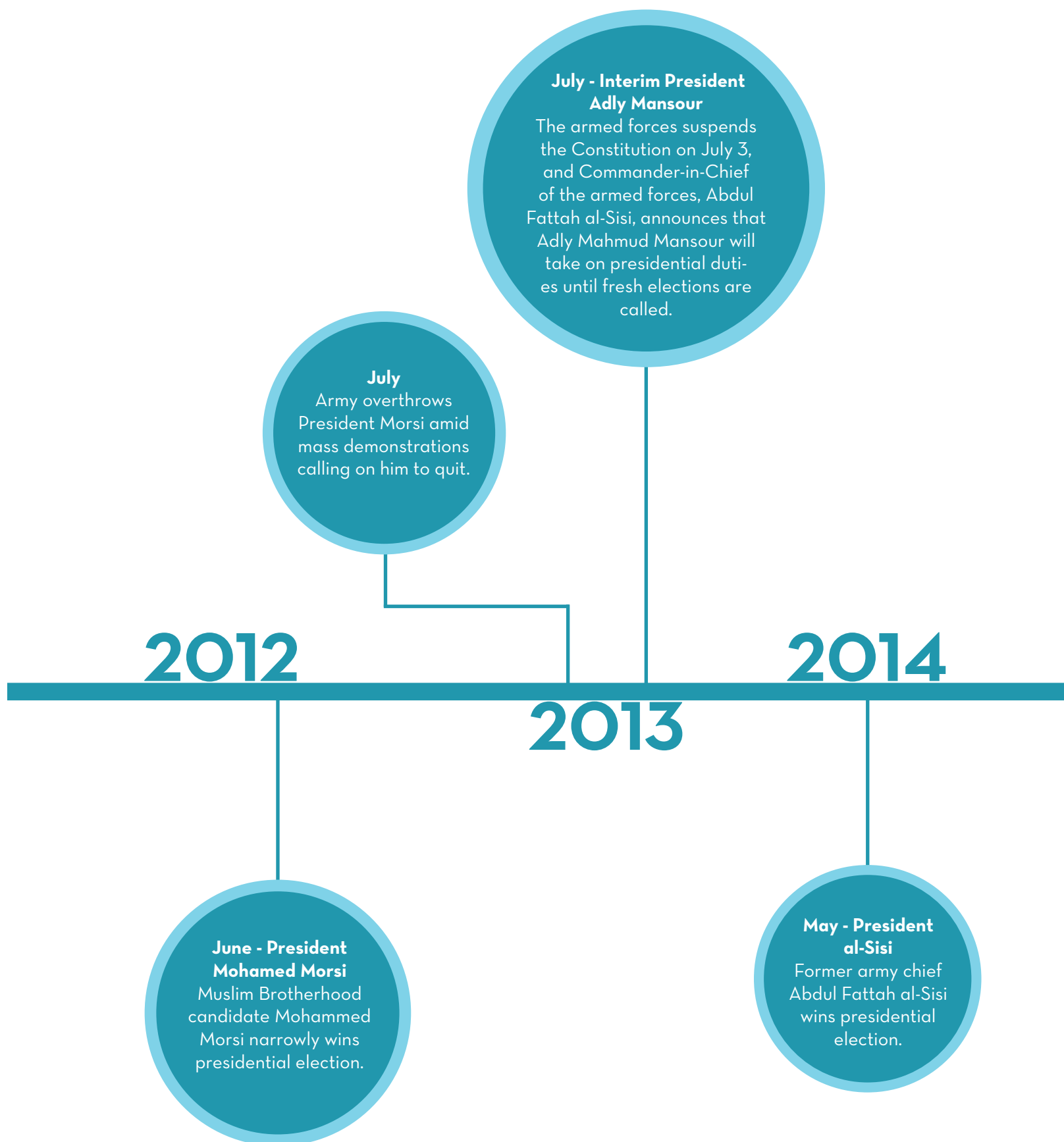
The first section will give a brief introduction to the history of the Egyptian student movement, with an emphasis on its strongest moments directly after the events of January 2011, and

its decline under al-Sisi's regime. This introduction will discuss the achievements and impact of the active student organizations and its initiatives. The following section will examine the human rights violations that took place after the July Coup in 2013, and address the failures and achievements of the student movement. This section is divided into three sub-sections: The first will illustrate the legislative violations that resulted in a complete halt on student activism, in addition to the changes made to student bylaws and the circumstances surrounding student elections in the past three years. The second sub-section highlights security violations, such as student arrests, deaths, and student referrals to military trials, and lastly, the third will demonstrate the administrative violations on the part of university administrations that have been, to a great extent, in line with state policies.

The concluding section will briefly iterate the main findings in the report, and will include an analysis of the action that needs to be taken in order to support the academic community as a whole, and in specific, the student movement. This is outlined through a set of recommendations to the Egyptian government, university administrations, and the international community.

PRESIDENCIES IN EGYPT





Sources:
<http://www.bbc.com/news/world-africa-13315719>
<http://www.bbc.com/news/world-middle-east-23176293>

BACKGROUND

- A BRIEF HISTORY

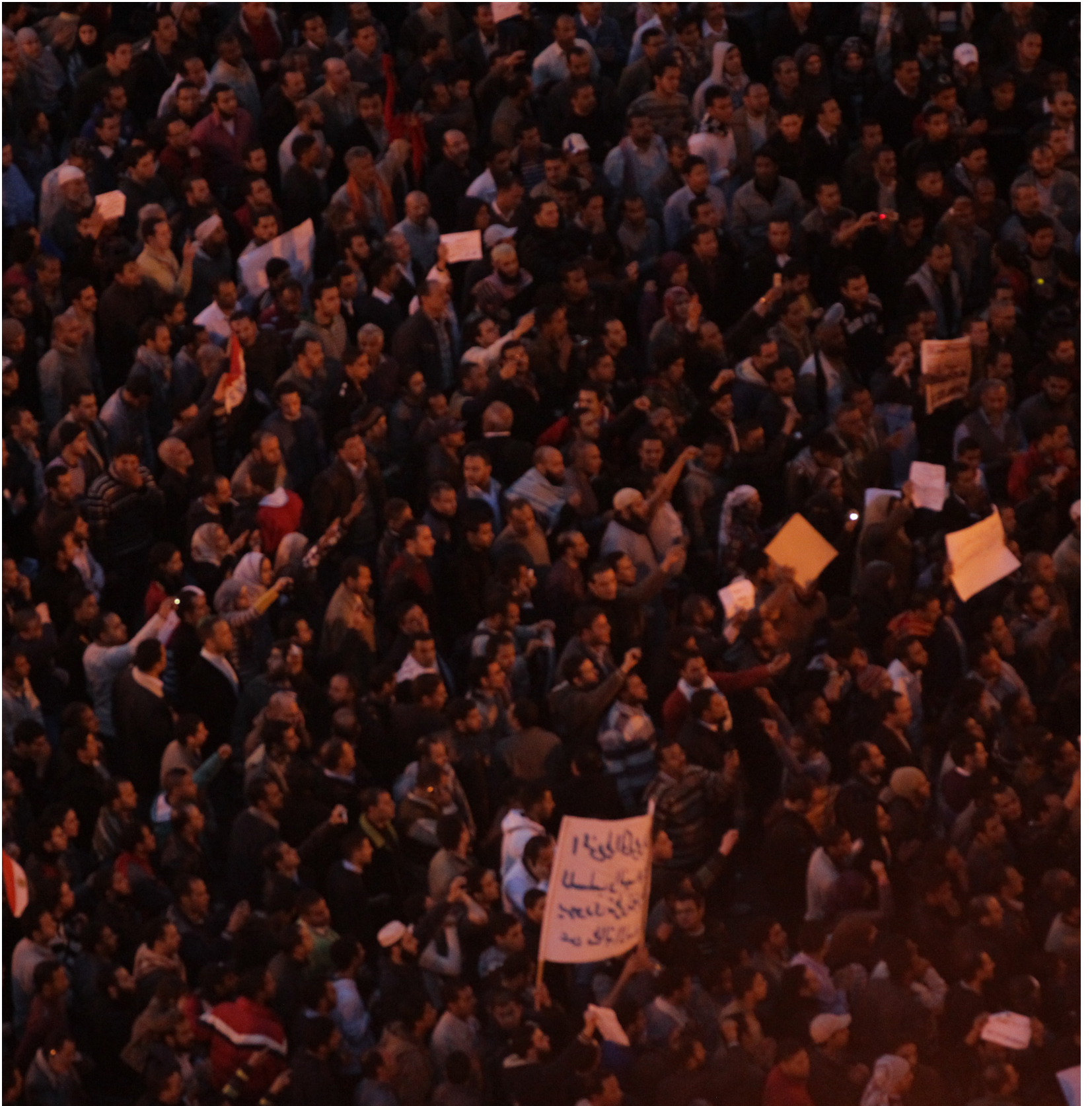
The Egyptian student movement has morphed into different shapes and forms throughout Egypt's contemporary history. It has witnessed many sessions of rising influence and reach, as well as long periods of stagnation and decline. The Egyptian student movement has operated both internally and externally. It has worked as an endogenous movement, focusing on student affairs within the university, as well as being a movement that mobilized for greater national demands. An analysis of the rise and fall of the student movement at certain historical points could provide us with an accurate reflection of the general political atmosphere in Egypt.

The global restructuring of power, witnessed during the early 20th century onwards, carved new spaces for activism and inspired new forms of collective action. Students in 20th century Egypt played an integral part in shaping contemporary politics. The advent of Mubarak's rule (1981-2011) in the early 1980s marked a halt on student uprisings. Despite security pressures, the university continued to be a place that reacted, in one way or another, to political events in Egypt and in the Arab world. Various events generated widespread protests in support of the Palestinian Intifadas in 1987 and 2000, as well as student protests against Egypt's involvement in the so-called "Desert Storm Operation" against Iraq's invasion of Kuwait, and other protests against the USA's invasion of Iraq in 2003. These protests, however, were not able to warrant the same reactions as earlier protests against British occupation, or against the policies of the consecutive Egyptian governments during the first half of the 20th century.²

Due to the students' central role in challenging colonialism during the first half of the 20th century, successive post-independence governments have attempted and succeeded in co-opting students and undermining the overall autonomy of higher education institutions. The surveillance state has engraved an intricate structure within the university system and the corresponding executive authority for education, ensuring the curbing of freedom of expression and association in Egypt.

The endurance of Mubarak's regime gave the surveillance state a chance to prosper, under which, universities witnessed extremely tight monitoring. No collective action or organization of any kind was accepted, nor was there any real opportunity for student representation. The Student Union elections were rigged. The University leaderships, consisting of deans and presidents, were vetted as positions were appointed by the state. Members of the academic community had to acquire security clearance from the state before being able to engage in many academic activities, such as conferences, local and abroad. >>>





The decades of marginalization and tight security and administrative restrictions imposed on students during Mubarak's regime affected the capacity of the student movement to steer change. The events of January 2011 encouraged the student movement to engage with the wider political context.

2011 and beyond

Since 2011, the student movement has varied in nature, in terms of its demands, tools and geographical spread. The extent of its politicization and the link between the movement on campus, within the academic community, and outreach to the general political atmosphere have also varied. Students demanded the removal of all remnants of Mubarak's regime from universities, and an end to the Interior Ministry's control over university campuses. The students were resolute in their pursuit to purge the university of proponents from the old regime, and of the opponents of the new wave of change. This demand was their utmost priority, and they mobilized by arranging sit-ins and protests, until their demands were finally met in most Egyptian universities.

The student movement was at a peak in the period from 2011 to the first half of 2013. Diverse political ideologies were represented, and students were allowed to mobilize around their causes. A 2010 decree, prohibiting the presence of security forces on campus, was finally enforced in 2011.³ Many protests were organized by students and faculty, and even sometimes by administrative staff. The main gains of the movement at the time can be summarized as follows:

- **New student bylaws were put in place allowing for greater student rights and freedoms, which empowered students to manage own affairs.**
- **A number of heads of universities were dismissed, and a new amendment to the law was ratified to allow free and fair elections of university leadership.**

The revolutionary atmosphere in 2011 and up until early 2013 permitted the idea of "revolutionizing" institutions, both public and private, and especially the university. The students were determined on aligning their specific demands with the general revolutionary wave that swept over the country.

- **The expulsion of all police forces on campus.**
- **The student movement successfully carved new spaces for political freedom in universities, and they were able to freely exercise their newfound rights. This was evident in the increase of the numbers of protests, sit-ins, seminars, bulletin magazines, and the establishment of political party clubs and societies.⁴**

The student movement under the Supreme Council of the Armed Forces (SCAF), which assumed power to govern Egypt after the departure of Mubarak in February 2011 until the election of Morsi in June 2012, proved to be a promising one. Students were in the forefront demanding an end to the violations of SCAF, and they were calling for an end to military rule, as well as their call to transfer power to a civilian government. The student movement was successful in modifying their strategies to best suit the socio-political context, as the students were able to transform their struggle to tangible results. The enforcement of a decree that outlaws the presence of the national security apparatus on campus, the favorable amendments to student bylaws, and the slow progression towards inclusive governance within the university institution, were all signs of the reemergence of a viable and central force in Egyptian politics.

The Muslim Brotherhood's Attempts to Monopolize the Movement

The election of Morsi on June 30th 2012 was the first time since its establishment 80 years before that the Muslim Brotherhood came to power. The Muslim Brotherhood desired to control all branches of government and institutions, as well as the universities.

The Muslim Brotherhood has long been mobilizing its members in universities to advance their cause amidst extreme security restrictions outside of university campuses. The Brotherhood directly appoints a student representative for each university, supervised by a member of the Brotherhood's leadership. Hence, the Brotherhood is able to control the mobilization of their students on campuses all over Egypt and their students are large in number and seen as

the most organized within the national student movement. Other student movements started to organize in opposition to what they perceived as the Brotherhood's attempts to monopolize university politics. This fear was first sparked by a meeting held between President Morsi and student representatives on September 5th 2012, in their first session as the General Union of Egyptian Students. Morsi made a speech promising greater rights and freedoms on campus, and equal representation for all. He also spoke of the possibility of having student representatives attending the meetings of the University Council to discuss student affairs.

This meeting was heavily criticized by opposing student organizations. 2,000 Muslim Brotherhood students attended,

while only a hundred non-Brotherhood affiliated student representatives were invited. The scheduled speeches for student representatives to address the attendees were cancelled, and the two main points on the agenda of the meeting, student bylaws and amendments to the Law Regulating Universities, were never discussed. To many students, this meeting signaled a new era, one that did not uphold the revolutionary ideals, but rather an era of polarization and favoritism, where only Muslim Brotherhood supporters would be represented, while the rest would be forced to comply.⁵

The newly formed student movements at the time of the January Uprising onwards were able to create innovative tools and mechanisms that helped carry their causes forward. Furthermore, it allowed student activism to mature and form effective structures and mechanisms. The spontaneity, readiness, and energy they possessed, as well as the general

political momentum in the country, made them well apt for the challenges they faced under SCAF - where they were able to achieve considerable gains. This experience allowed for movements in opposition to effectively challenge Morsi and the Muslim Brotherhood. Students in opposition continued to demonstrate against the low quality educational services provided to them. They were also challenging the Brotherhood students' control over writing the new student bylaws. Student organizations continued to engage in politics outside campus and witnessed vibrant and dynamic developments, which empowered the students further. However, there had been no contextual development to the tactics and strategies employed by the student movement. In the years that followed, the movement's inability to challenge an ever-changing status quo reversed the results of most of the gains they had acquired.

A Success Story amidst Heightened Polarization

In 2012, politically active students agreed to boycott student elections until the restrictive 1979 student bylaws were replaced by a new charter written by all students. The Muslim Brotherhood students, on the other hand, decided to participate in these elections, and this provoked many within the academic community. This meant that the Brotherhood dominated the Egyptian Student Union, which is made up of representatives from public and private universities, allowing them to pass new bylaws without consulting other students and without holding a referendum.

This decision was a main point of contention between the Brotherhood students and students in opposition. Confidence in the Muslim Brotherhood had waned after the first few months of Morsi's election, as the country witnessed significant economic decline and further political unrest. This was reflected both inside and outside university campuses. Student movements in opposition decided to participate in the March/April 2013 student elections, in an attempt to gain control of university politics and to draft new and inclusive student bylaws. These movements were able to seize the general political momentum and successfully form alliances. Moreover, they organized strong electoral campaigns and drafted clear programs and action plans. The significance of the 2013 student elections can be summarized as follows:

- **They were the first elections to be held without state intervention in decades;**
- **The elections were characterized by broad participation in all universities;**
- **The elections saw the emergence of new political forces, which was reflected in the results: Independent student candidates won the lead, followed by Muslim Brotherhood students, followed by the new and burgeoning politically active movements.**

The Egyptian Student Union, comprised of 29 independent and politically affiliated students and 19 Muslim Brotherhood students for the year 2013/2014. That a large organization, such as the Muslim Brotherhood, were losing seats to independent candidates and newly formed political movements meant that the power dynamics were shifting: it was an opportunity for the opposition to create a positive change in the balance of powers within university politics.⁶

On the 26th of April 2013, a nationwide campaign under the name "Tamarod" (Rebellion) was established. Its main purpose was to collect signatures of millions of Egyptians who wanted an end to Morsi's rule. The demand was simple, a call for early presidential elections. Once again, the university reflected Egypt's political sphere, and students volunteered to adopt the campaign on campus. These students were often faced with conflict with university security and Muslim Brotherhood students who wanted to quell the campaign inside and outside campus. The campaign was very powerful and many students continued to collect signatures. On June 30th 2013, millions of Egyptians responded to the campaign's call for protests and all over Egypt people marched demanding an immediate end to Morsi's rule. On July 3rd 2013, the Egyptian military, under the command of Abdelfatah al-Sisi, overthrew Egypt's first civilian president.

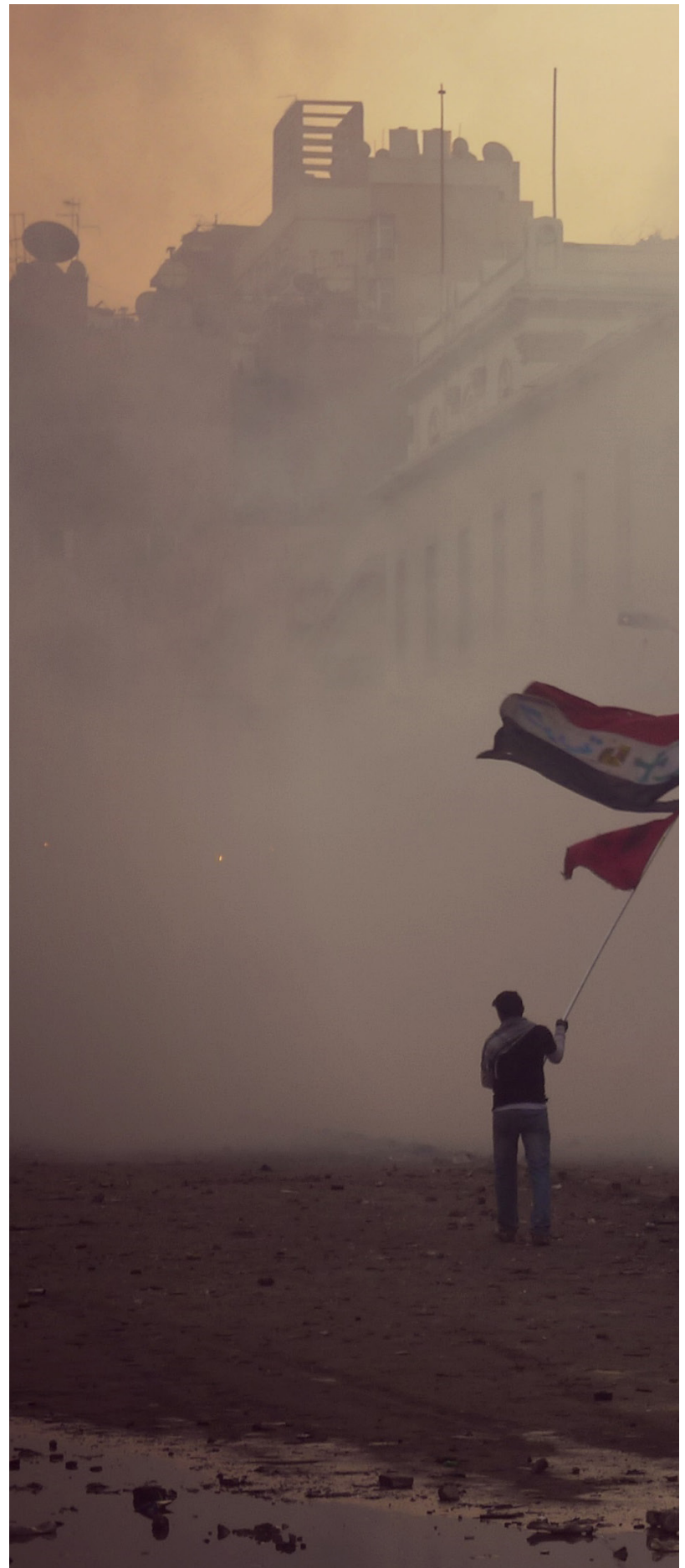
The Coup

Another wave of optimism ensued. Yet again, the people had proved that they were able to mobilize, and many thought that the power of collective action would bring desirable results. The student movement hoped to re-take its place in university politics after the Muslim Brotherhood was defeated. After all, they were a main pillar in overthrowing what they perceived as an Islamist dictator, and they were able to thwart the violations committed against them whether by SCAF or by the Muslim Brotherhood.

The rapid transformation that Egypt has undergone the past six years has created a reactionary student movement, one that is unable to plan and organize effectively. Indeed, the two and a half years that followed the events of January 2011 seemed promising. Students were able to advocate for their rights, organize protests and launch campaigns, and defend their economic and social rights - such as those that pertain to their right to health care, good quality student housing, and their right to access and influence university budgets. However, there was a clear absence of organizational structures and long-term objectives. Nevertheless, the military regime, with the help of the “Tamarod” campaign, was able to co-opt students and their efforts.

The post-coup regime, under the then interim President Adly Mansour and under current President al-Sisi, has committed an alarming number of human rights violations against students and the Egyptian society at large. Student groups backed by or associated with political parties were banned, restrictive laws were passed, and student arrests increased rapidly. Many students found themselves involved in a struggle between the Muslim Brotherhood and its supporters on one side, and the new military regime that was using its full force to legitimate and institutionalize its existence on the other.

The new regime, unlike Morsi's, had the full support of state institutions, and most importantly, the support of the security apparatus. Violence, the use of extreme force, and polarization are seen as the characteristics of Egypt's post-coup era. Suddenly, a vibrant and pluralistic political life was reduced to black and white binaries. You were either a Morsi supporter or a military supporter and there existed no space for revolutionary movements, students or otherwise. The Muslim Brotherhood organization mobilized their students in universities against the incumbent regime, and escalated their actions as state violence increased. This state of violence and polarization resulted in hundreds of arrests, dozens of deaths, and independent student voices being silenced. Freedom of expression and participation dropped from its peak in 2011 to reach alarming and precarious levels by late 2013. Many students were afraid for their own security and academic future, which greatly impeded engagement with university politics, and weakened the student movement overall.





VIOLATIONS

Egypt has ratified a series of international legal and normative instruments to which they oblige to adhere to. Most notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESC). Additionally, Egypt has ratified the UN Covenant against Discrimination in Education.

Of the Articles most relevant for this report, are those encompassing the *Right to Freedom of Expression*⁷, *Peaceful Assembly*⁸, and *Freedom of Association*⁹, as well as the Right to Higher Education equally accessible to all, on the basis of capacity, and free from discrimination.¹⁰ Moreover, the extra-judicial killings of students is a clear violation of the Right to Life.¹¹

UNESCO has developed interpretations of the most relevant Human Rights treaties in the context of Higher

Education, most notably in its Recommendation concerning Higher-Education Teaching Personnel, which states that: *The right to education, teaching and research can only be fully enjoyed in an atmosphere of academic freedom and autonomy for institutions of higher education.*¹²

In addition, UNESCO, in their Law and Police Review Guidelines on the Right to Education, published in 2014, laid out the obligations of states in order to implement the right to education. Here it is mentioned that Article 13 of the Committee on Economic, Social and Cultural Rights states that there are “three types of obligations on states: respect, protect and fulfil the right to education.”¹³

Nevertheless, Egypt’s own constitution enshrines commitments to academic freedom and institutional autonomy, as well as freedom of expression. As laid out specifically in Article 65:

“Freedom of thought and opinion is guaranteed. Every person shall have the right to express his/her opinion verbally, in writing, through imagery, or by any other means of expression and publication”¹⁴, and Article 21: “The State shall guarantee the independence of universities and scientific and linguistic academies, and provide university education in accordance with international quality standards. It shall develop and ensure free provision of, university education in State universities and institutes according to the Law”¹⁵.

Military and Police Presence in Universities

Under international law, states have an obligation to protect higher education and the human rights and academic freedom of students, faculty and staff. This includes an obligation to respond appropriately to protect higher education from attack from external threats, coercion or violence. Further, states should refrain from participating in acts or threats of violence and coercion which aim to intimidate or silence members of higher education communities.

Global Coalition to Protect Education from Attack (GCPEA) has investigated the relation between Attacks on Higher Education and Academic Freedom and Institutional Autonomy.¹⁶ Their investigation has led to *The Principles of State Responsibility to Protect Higher Education from Attack*, based on existing international law and human rights obligations.¹⁷ The Principles stipulate how states should protect

higher education from attack. The most notable here is to *abstain from direct or implicit involvement in attacks on higher education.*

The following chapter will demonstrate how Egypt has used excessive legal and practical tools, such as the presence of security forces on campus and the use of military trials to repress students and faculty, instead of protecting them, which in no matter of incident is accounted as legitimate. As stated in the principles of GCPEA, states *should ensure that domestic criminal codes, national security laws, or other relevant normative frameworks for protecting civilians include protection of higher education.* Furthermore, states should *avoid ideological or partisan uses of higher education facilities which might foster a perception of the university as a politicized agent.*

The presence of security forces in universities in Egypt is



a matter of high concern, as it is not only undermining the principle of university autonomy and harming individuals, by putting students' lives at risk, but also creates a climate of fear and repression and causes a setback in the progress and quality of research and education.

A review of the cases of violations against students in Egyptian Universities in the past three academic years is provided below.

Please note: Our data includes the number and identity of students who were subjected to violations inside or in the vicinity of universities, or violations committed against them outside the university – relating to their capacity as a student. Data presented in this report is thereby excluding human rights violations towards students participating in activities in other public arenas. Therefore, the monitoring process for military trial referrals does not include all cases of student referrals to military courts under Decree No. 136 for the year 2014, it only includes cases that pertain to the university. A large number of students were transferred to military courts based on this law but outside of the scope of the university campus.

Legal and Legislative Violations

***“What Egypt has taught us in the past few years is that it is not about the law, it is about the balance of power; at the peak of the January Revolution university presidents and deans were not able to enforce the same harsh disciplinary regulations imposed since the 1970s. These regulations have been reinstated since the second half of 2013, however.”*¹⁸**

- Hossam Fahmy, Tanta University Student Union President 2014/2015

Restrictive Student Bylaws Limiting Freedom of Association and Assembly

Mo'men Essam, a medical student at Assiut University in Upper Egypt, along with his colleagues, were preparing for student elections scheduled to take place in October 2015. At the time, all student activity in public universities was suspended for two full academic years.²² Students had to double their efforts as they were preparing electoral lists under extremely difficult circumstances. Mo'men, who is also the Media Officer for the students of the Bread and Freedom political party²³, said: ***“What made the situation even more difficult is that students from two consecutive academic years did not participate in student elections and did not witness their atmosphere, this was due to the suspension of student unions during this period”***.²⁴

Only a few days before the date of the student elections, the Minister of Higher Education, Ashraf al-Shihi, issued a decree on October 18th 2015 that introduced substantial amendments to the administrative and financial student bylaws that regulate the electoral process. This completely befuddled all Mo'mens' efforts, and many other students, who had begun to prepare for elections in different universities.

***“We had already prepared our electoral lists according to the old electoral system in more than one university; an electoral system that was also new as it originated from the latest student bylaws, and was never used to regulate elections. Then the amendments to the bylaws changed everything; this electoral system was completely different, and there were many arbitrary restrictions on the criteria for candidacy.”*²⁵**

- Mahmoud Shalaby, Strong Egypt Student Movement²⁶
Coordinator in 2015/2016

These amendments²⁷ imposed clear restrictions on students' right to organize; the arbitrary criteria regulating the right to run for student elections prevented those who did not pay full tuition fees from participating. Additionally, students have to be Egyptian nationals and must acquire a passing grade every year. It is important to note that the bylaws that were drafted directly after the events of January 2011, stipulated that students only had to pay the student union fees before running for elections, which constitutes 3 per cent

This chapter deals with the laws and legislative amendments that were passed from July 2013 to July 2016, with respect to universities, which had a significant impact on the rights and freedoms of the academic community.

of the total tuition fees. These amendments are in violation to fair representation, and are in direct contravention of UNESCO's Convention against Discrimination in Education²⁸, which Egypt has ratified.

Moreover, the amendments stipulated that if a student wishes to run for elections, they “must have a record of noticeable participation in student activity, and an exception is to be made for first year students”. This specific amendment prevented a large number of students from running for elections, as the interpretation of the word “noticeable” was left in the hands of university staff, who are responsible for managing the electoral process, and accepting applicants for candidacy. This amendment was the main reason behind the exclusion of hundreds of students in the recent elections in 2016, according to data produced by the Supreme Committee for Student Elections, which was founded by the Ministry of Higher Education.

***“Many students on our electoral lists were removed as a result of what this amendment stipulated; “noticeable student activity”. What is strange is that a number of them were previous student union members, which proves their clear involvement in student activity.”*²⁹**

- Mahmoud Shalaby, the Strong Egypt Student Movement
Coordinator in 2015/2016

Another arbitrary amendment stipulated that students who wished to run had to have a clean academic record without any disciplinary action against them. Thus, hundreds of politically active students were excluded from participating, as many universities have increasingly imposed disciplinary sanctions on student activists during the two academic years subsequent to the events of July 3rd 2013, and subsequent to the escalation of the actions taken by the Students Against the Coup movement of the Muslim Brotherhood, during this period. Furthermore, another article specified, “no student can run for elections if they are a member of a terrorist group or organization”³⁰. This article targets Muslim Brotherhood students directly, as a court ruling deemed the organization a terrorist group. What is considered problematic about this article is the fact that the university institution

does not have the means, nor the legal capacity to determine its students' affiliations. It is only logical that an academic institution has no jurisdiction over the matter, unless it resorts to security reports detailing its students' affiliations, which is illegal. Determining whether a person is a member of a terrorist organization is a court matter that needs to be based on a final and conclusive verdict, and it is near impossible to identify each applicant's affiliation since their numbers are in the thousands.

“We lost many politically conscious and experienced students after these amendments, and even new students were discouraged from running since it was difficult to meet the rest of the criteria.”³¹

- Mohamed Salah, Student Union President, Assiut University, 2015/2016

Mo'men Essam also adds:

“Thousands of students are unable to run for elections, which essentially makes the electoral process pointless! A central feature of the recent elections was the uncontested election of student leaders, or in some cases, empty seats within the union.”³²

The new student bylaws posed other obstacles; the changes to the structure of the student union and to the electoral procedures caused more barriers. The student bylaws that were issued in November 2014 by the former Minister of Higher Education, Sayed Abdelkhalik, developed an electoral system that was applauded by many student activists.³³ These bylaws allowed for more direct and grassroots elections, where the student union council for each college (a total of

16 members: the student union president for the college, their vice-president, and committee secretaries and their assistants) is directly elected by all the students of the corresponding college, contrary to the old electoral system of indirect elections. However, the 2015 amendments reinstated the old electoral system of both the 2007 and January 2013 student bylaws, with minor adjustments.

Amendments to student bylaws since the January Uprising:

In January 2013, Prime Minister Hisham Kandil passed new student bylaws, based on a proposal submitted by student representatives. The new bylaws were issued under resolution No. 23 for the year 2013.¹⁹ The Minister of Higher Education, Mostafa Mos'aad, also issued new regulatory bylaws governing the administrative and financial aspects of student activities in January 2013, based on a proposal submitted by student representatives.

In November 2014, the Minister of Higher Education, Sayed Abdelkhalik, issued new regulatory bylaws governing the administrative and financial aspects of student activities, dismissing and ignoring alternative student proposals. The resolution passed under No. 4591 for the year 2014.²⁰

In October 2015, the Minister of Higher Education, Ashraf al-Sheehy, introduced amendments to the 2014 financial and administrative regulatory bylaws, resolution No. 4307 for the year 2015.²¹



University Presidents Hold the Power to Expel Students

In the middle of the academic year 2013/2014 an escalation of activities of the opposition student movement took place. These included daily protests and silent demonstrations against the new government. The then interim president Adly Mansour made an amendment to the Law Regulating Universities to allow university presidents to expel students.³⁴ Before

these amendments, only disciplinary boards had the authority to expel students according to Article 127 of the section on disciplinary action against students, in the executive regulations of the Law Regulating Universities. But Article 184 (bis) gave university presidents the authority to directly expel students:

“A university president has the authority to expel any student who commits violence, damages university property, disturbs studying or exams, or attacks individuals. The transgressing students are to be penalized within a week of committing an infraction and will be given only one notice. Students have no right to appeal against decisions unless the matter is represented in front of an applicable disciplinary council, which should include at least one member of the State Council and a professor from the Faculty of Law”.³⁵

This amendment led to the cancellation of a number of necessary procedures that are to be followed before a final decision of expulsion can be reached. It opened the door for university presidents to put an end to the academic future of opposition students that are politically active in their universities.

With the same intent, President al-Sisi issued a new decree³⁶, giving the president of al-Azhar University³⁷ the same powers as presidents of public universities, to be able to expel students without going through disciplinary boards.

“This amendment resulted in large numbers of expulsions of students without evidence of wrongdoing, doubting the political activity of a particular student is enough reason to suspend or even expel them. Hundreds of students were expelled in many universities, and especially in al-Azhar University.”³⁸

- Anonymous member of the Egyptian Student Union 2015/2016

“Egypt’s military courts are administered by the Defense Ministry. The judges are serving military officers. Military court proceedings typically do not protect basic due process rights or satisfy the requirements of independence and impartiality of courts of law. The use of military courts to try civilians violates international law, including the 1981 African Charter on Human and Peoples’ Rights, which Egypt ratified in 1984. The African Commission on Human and Peoples’ Rights has stated that civilians should never face military trial”.³⁹

It can be argued that Al-Sisi’s administration has used the military justice system to expedite its harsh crackdown on civilian opponents in an attempt to re-inforce the powerful role of the military judiciary, which it enjoyed in the aftermath of the uprising in 2011. This has taken place in spite of various protests from activists and some politicians, stating that this practice is neither fair nor credible.

After a full academic year had passed since the July 3rd Coup, the movement of Muslim Brotherhood students was still on the rise in various public universities, and particularly at al-Azhar University. Violence was escalating as police forces attacked campuses and forcefully dispersed opposition student protests. Mass arrests would occur, and at times also killings. At the beginning of the academic year 2014/2015, the state resorted to intimidation tactics against students who participated in opposition political activities inside their university. In October 2014, President al-Sisi issued Decree Law No. 136 for the year 2014. The decree was issued in order to protect “vital and public institutions”, where the armed forces are to coordinate with the police in order to protect these facilities, one of which is the university. The Law stipulates that vaguely defined “crimes” or “attacks” on certain public facilities fall under the jurisdiction of military law, referring anyone who commits any of these attacks to military prosecution, rather than referring them to public prosecution.

Not only has this decree been used to violate the students’ right to peaceful protest and expression inside their campuses, it also deprives them from their right to appear in front of a civilian judge, and infringes on their right to a fair trial, and breaches the Egyptian constitution. Article 204 of the constitution states: “Civilians cannot stand trial before military courts except for crimes that represent a direct assault against military facilities, military barracks, or whatever falls under their authority... or crimes that represent assault against its officers or personnel because of the performance of their duties”⁴⁰.

“There is always the possibility of filing an appeal in civil courts, and even though there were many court rulings against students on charges that relate to protesting, a number of them were proven innocent and acquitted. When similar cases were transferred to military jurisdiction, litigation procedures became more complicated. This is in addition to our complete rejection of referring civilians to military trials.”⁴¹

- Anonymous member of the Egyptian Student Union 2015/2016

“The treatment of the university institution as a military facility that falls under military jurisdiction, is the worst legal amendment in the past three years.”⁴²

- Hossam Fahmy, Tanta University Student Union President (in-direct election⁴³), during the freeze on student elections in 2014/2015

Passant Ahmed, Social Committee Officer at the Egyptian Student Union 2015/2016, refers to the law as “the straw that broke the camel’s back; it violates academic freedom and our right to free expression. The university is becoming a military prison, rather than being a space for thought and creativity”⁴⁴.



SECURITY VIOLATIONS

Military Trials

Qeshta, barely 20 years old at the time of her arrest, spent two years in prison after a military court ruled against her in 2014. Qeshta tells us ***"I saw a fellow student being assaulted by campus security and decided to intervene to help him. Campus security then detained me and handed me to the police, but shortly after, I was released. However, when I went back to ask the police to take the injured student to a hospital, I was arrested again and was thrown in jail, along with other students who were arrested that day"***.⁴⁵

Qeshta failed her exams two years in a row inside prison, mainly due to the inhumane conditions in prison. She was charged with vandalizing public facilities, terrorizing security personnel, and blocking the road, alleged accusations that warranted not only her arrest, but also her referral to a military court.

The expansion of military jurisdiction in Egypt makes it impossible to meet the requirements of fair trials; such courts are responsible for speedy and mass trials where due process guarantees are violated on a daily basis and at times, they fail to establish individual guilt. Moreover, the autonomy of such institution is in question; given the fact that they fall under the authority of the Ministry of Defense, an important pillar of the executive branch of the government, which takes orders from the executive.⁴⁶

Qeshta was not the only student subjected to a military trial. Law No. 136 of 2014⁴⁷ that regards universities as military facilities resulted in the referral of 65 students to military prosecution for events taking place on campus in the three academic years covered in this report.⁴⁸ Mansoura University witnessed the largest number of military trial referrals, with 22 students referred to military trials in the past three years, followed by al-Azhar University with 13 cases, and al-Zagazig University comes in third with 10 cases. It is important to note that 30 cases out of the 65 were referred to military prosecution for charges they had allegedly committed before the law was passed. Thus, violating the principle of the impermissibility of the retroactive application of the law, which would invalidate these trials. >>>



Documented military trials by university before and after Law No. 136 was passed from the academic year 2013-2014 to 2015-2016

University	<i>Retroactive charges for alleged crimes committed before the Law was passed</i>	<i>Charges for alleged crimes committed after the Law was passed</i>	Total
Ain Shams University	9	0	9
Al-Azhar University	7	6	13
Al-Mansoura University	12	10	22
Al-Menoufia University	2	0	2
Assiut University	0	9	9
Al-Zagazig University	0	10	10
TOTAL	30	35	65

Arrests

In February 2014, a court sentenced Asmaa Hamdy, a dental student at al-Azhar University, along with four of her colleagues to five years in prison and a fine of 100,000 EGP, on charges of carrying unlicensed weapons, using violence against security forces, and damaging public and private property. The five students were in prison for three years before a court ruling found them innocent in September 2016, and they were finally acquitted shortly after. Asmaa and her colleagues were arrested inside al-Azhar University for participating in on-campus protests after the army overthrew the former President.⁴⁹

Asmaa suspects the security forces of kidnapping⁵⁰ her fiancée, as numbers of enforced disappearances are increasing in Egypt (estimates are in the hundreds⁵¹). She is currently leading a campaign demanding the authorities to locate his whereabouts and requesting his immediate release.

Asmaa is just one example of the many students who lost years of their lives in prison as a result of the random arrest campaigns that security forces would launch on protests inside universities. In February 2014, Mohamed Abdelkhalik, a student at Cairo University, was walking out of the Metro station heading to campus when police forces, present in abundance after clashes had taken place between students and security forces, stopped, searched, and arrested him because they suspected him to be a member of the Muslim Brotherhood organization.⁵² They arrested him and 42 others.

Mohamed's friend Salah al-Din Mohamed, also one of the 43 arrested, states that he was not even on campus that day.⁵³ After he heard the news of his friend's arrest, he decided to

head down to the station to find out what had happened.

The police at the station searched Salah's personal belongings and his electronic tablet device, where they learnt that he had posted comments on Facebook that criticized the incumbent regime. Salah was arrested and added to the same case. Both friends and 41 other students were charged with murder, attempted murder, joining a terrorist organization, and protesting without a license. They were released on the 28th of September 2014 after the case was closed. They spent eight months in jail without any legal conviction.

They were not the only victims, and these are only a few among the stories of the 1181 students⁵⁴ who were arrested inside and around university campuses the past three years. From the 1181 student arrests in the past three academic years, 998 students were arrested in the first academic year following the July Coup alone. The same year there was large student mobilization, led by the Students Against the Coup Movement. Muslim Brotherhood students constituted the largest percentage of the movement's active members at the time.

The number of arrests decreased in the following years but stayed high in the year 2014/2015 with 162 student arrests, and reached 21 in the year 2015/2016. This sharp decline does not necessarily signal a change in the repressive policies of the security apparatus. Rather, it reflects an evident weakening of the student movement after a series of intensive security blows targeting student activists and student unions. The arrests did not only target Muslim Brotherhood students, but also students who were part of secular parties.

Students were arrested from coffee shops and given charges such as attacking police officers and stealing their weapons, burning police cars, disrupting exams, and blocking and vandalizing public roads.

Documented arrests by academic year

Academic year 2013/2014	998
Academic year 2014/2015	162
Academic year 2015/2016	21
Total	1181

Al-Azhar University witnessed the biggest share of protests against the July Coup since day one of the 2013/2014 academic year. This is due to the fact that many students within al-Azhar University are members of, or sympathize with, the Muslim Brotherhood, partially because of al-Azhar's history as a religious institution. Al-Azhar University alone witnessed 637 student arrests, which represents more than 54% of the total student arrests inside or around universities in the past three academic years. Police forces arrested 112 students in al-Mansoura University, and 83 students in Alexandria University.

Police and administrations of many universities accused Muslim Brotherhood students of being involved in violence inside campuses. The state used this as a reason to justify police intervention in universities. There are rare cases where students initiated violence. Nevertheless, in those cases, any acts of violence committed by students should be appropriately investigated and prosecuted.⁵⁵

Documented arrests by university

Ain Shams University	29
Al-Azhar University	637
Alexandria University	83
Al-Mansoura University	112
Al-Menoufia University	35
Al-Zagazig University	87
Assiut University	17
Aswan University	0
Banha University	7
Beni-Suef University	2
Cairo University	117
Damanhour University	0
Damietta University	7
Fayum University	37
Helwan University	2
Kafr al-Sheikh University	0
Minya University	5
Suez Canal University	0
Suez University	1
Suhag University	0
Tanta University	3
Total	1181

Extrajudicial Killings

The state led violence reached its peak in the academic year 2013/2014, which witnessed the highest number of violations against the academic community in all of Egypt's contemporary history. On November 20th 2013, Abdelghany Mahmoud, a medical student at al-Azhar University, died from gunshot pellets fired by police forces, after they attacked the university's dormitories to disperse an anti-regime protest. Mahmoud's death signaled the beginning of a new era of repression. Six days later, Abdellatif Khalifa, another student at al-Azhar University was shot dead by police forces when another protest had been dispersed by the use of extreme force. On the 28th of November of the same year, another student at Cairo University, Mohamed Reda, was killed inside the university after being shot three times in the chest, back, and pelvis.

A total of 21 students were killed in or around universities. Pellet guns, tear gas, and live ammunition were fired inside universities, yet the Egyptian authorities did not indict any of the perpetrators, instead, the students who were arrested in each of these incidents were accused of killing their colleagues.⁵⁶ Moreover, the Egyptian authorities protected members of campus security, when they killed a student at Cairo University, Anas al-Mahdy, who suffered a brain hemorrhage after he was beaten by the police. None of the perpetrators of these 21 deaths have been indicted.^{57 58}

The 21 students were killed in or around Cairo University, Alexandria University, Ain Shams University, and al-Azhar University in a number of its branches in Egypt.⁵⁹

Documented number of deaths by university and academic year

	2013/2014	2014/2015	2015/2016	Total
Ain Shams University	2	1	0	3
Al-Azhar University	8	0	0	8
Alexandria University	2	1	0	3
Cairo University	6	1	0	7
Total	18	3	0	21



ADMINISTRATIVE VIOLATIONS AND DISCIPLINARY SANCTIONS

“You must remove your party cloak at the university gate because it is a place of learning. But regrettably, since the January 25 Revolution it has been transformed into a space for political battles.”⁶⁰

- Gaber Nassar, President of Cairo University

There is evident congruence between the actions taken by security forces and university administrations, in dealing with student mobilization on campus, especially after the then-interim president Adly Mansour allowed university presidents to expel students without any proceedings in a disciplinary committee, as mentioned above. Similarly, current president al-Sisi extended

Documented disciplinary sanctions by university

Ain Shams University	32
Al-Azhar University	564
Alexandria University	54
Al-Mansoura University	41
Al-Menoufia University	65
Al-Zagazig University	27
Assiut University	1
Banha University	6
Beni Suef University	13
Cairo University	145
Damanhour University	14
Damietta University	1
Fayoum University	24
Helwan University	29
Janub al-Wady University	3
Kafr al-Sheikh University	13
Minya University	10
Tanta University	9
Total	1051

these amendments to affect al-Azhar University. This amendment was effectively used to end the academic future of many politically active students.

Ahmed Nour al-Din, a student at the Faculty of Media at al-Azhar University and a reporter for the Student Observatory⁶¹, was arrested as he was leaving his university campus on March 19th 2014, and was released on April 7th of the same year⁶². Nour tells us that he was surprised to learn that there had been a final decision from the university to expel him, issued on April 2nd 2014, while he was still in jail. Immediately after his release, Nour raised a complaint to the university president; however, Nour never heard back: ***“So I went to the administrative court, in May or June 2014, to cancel the decision and to get back to my studies”***. It took Egypt’s legal system two full academic years to cancel the decision in May 2016, and now Nour is resuming his studies.

Al-Azhar University has issued more disciplinary sanctions against its students than any other university, with a total of 564 sanctions representing over 53% of the total number of sanctions issued by all university administrations in Egypt.⁶³ Cairo University comes second at 145 sanctions, followed by 65 sanctions at Menoufia University.

Expulsion of students is one of the direst disciplinary sanctions. This action prevents students from enrolling in all public universities, and it has been the most prevalent type of administrative sanctions, representing 626 disciplinary decisions out of 1051 in total.

Documented disciplinary sanctions by type

Permanent Expulsion	626
Suspension for three years	2
Suspension for two years	41
Suspension for one and a half years	4
Suspension for one year	84
Suspension for one semester	50
Suspension for two months	6
Suspension for one month or less	161
Debarment from exams	21
Other arbitrary procedures ⁶⁴	56
Total	1051

THE IMPACT OF VIOLATIONS ON THE STUDENT MOVEMENT

The new political regime, under al-Sisi's leadership, started to take shape by the beginning of the academic year 2013/2014, in October 2013. The new political authority worked hard to consolidate its power, and continued to attack and disperse opposition protests and sit-ins. In August 2013, the Egyptian state used excessive force against Muslim Brotherhood members, and opponents of the July Coup, and dispersed sit-ins all over the country, notably the Rab'a al-Adaweya sit-in. According to Human Rights Watch, the total number of those killed in acts of violence around Egypt at the beginning of August 2013 amounts to at least 1150 protesters.⁶⁵

State violence is only one part of a wide and multifaceted state policy, used to ensure the complete closure of the public sphere. A number of laws were issued, which allowed the new regime to extend its control to the streets; a new restrictive protest law, law no. 107 of 2013,⁶⁶ came in clear violation to freedom of expression, and so did Egypt's new antiterrorism law, law no. 94 of 2015.⁶⁷ The new regime worked on restricting and controlling the media, and threatened civil society organizations, and especially human rights organizations. The student mobilization that took place at the time, was of great inconvenience to the new regime, and despite the increasing violence, the student movement was still able to sustain and escalate its actions, and in particular the Muslim Brotherhood students.

"The new regime is authoritative and has launched a campaign to crackdown on the public sphere, and especially universities since they were the most active at the time. This stems from the fact that the nature of the student community and the age group are characterized by an inclination to revolt, and a lack of social responsibilities that allows them to participate in political action."⁶⁸

- Mahmoud Shalaby, Strong Egypt Student Movement Coordinator in 2015/2016

The start of the academic year 2013/2014 was postponed for almost an entire month⁶⁹, and witnessed demonstrations from two opposing groups; the first and the largest group was the Students Against the Coup Movement, while other protests were organized by scattered students who are proponents of the new regime and who reject any calls for Morsi's return. The second type of protesters was only reactionary to the first. The beginning of the academic year was relatively calm, as police and campus security steered away from intervening in protests.⁷⁰ Demonstrations organized by the

supporters of the new regime ended two weeks after the beginning of the semester. This gave space for the Students Against the Coup movement to broaden its reach as demonstrations spread in universities all over Egypt, and especially from al-Azhar University in its different branches.⁷¹

However, two weeks after, the state launched a campaign to put an end to student protests. On the 28th of October 2013, police forces fired tear gas canisters at students inside al-Azhar University in Cairo in an attempt to disperse their protests.⁷² On October 30th police forces stormed the campus and arrested 25 student protestors and accused them of inciting a riot. The Interior Ministry claimed that it raided the university campus at the request of its president, Dr. Ossama al-Abd, and after obtaining permission from the public prosecutor.⁷³ This attack on al-Azhar University by police forces was the first of its kind since the January Uprising, and set a precedent that was followed every time there was a protest on campus. Furthermore, the attack paved the way for Hazem al-Biblawy's government to issue a decree law in November 2013 "allowing security forces to enter universities whenever there is a threat to security, without a warrant".⁷⁴

Police raids on student protests in universities was the main reason for the escalation of violence, which had a significant effect on the Egyptian student movement.

"The state, through its security apparatus, is primarily responsible for the outbreak of violence in universities. The use of excessive force against mostly peaceful demonstrations has led to the deaths of some students and the arrest of many others."⁷⁵

- Hossam Fahmy, Tanta University Student Union President 2014/2015

Mo'men Essam agrees and adds: ***"Police intervention and their continuous violations against the academic community had also empowered campus security to get involved in the violent dispersal of protests, and the targeting of the activities of the Students Against the Coup Movement"***.⁷⁶ However, many student leaders acknowledge the part Students Against the Coup played in escalating violence. ***"One of the subsidiary reasons for violence is Students Against the Coup's vengeance mentality that characterized their movement, they targeted campus security and attacked them, and were involved in occupying administrative buildings"***.⁷⁷ Essam continues.

Violence had a significant impact on the students' ability to organize and participate in activities in their universities,

and it made any communication among them difficult and unsafe. Mo'men Essam tells us that **"violence has made us unable to mobilize other students around united demands. We were unable to defend our movement and our student societies, nor were we able to demand student elections and legitimate student unions"**.⁷⁸

"The constant presence of police forces on campus acts as a metaphorical sword on your neck, it is a regular reminder that you cannot exercise your freedom, you cannot demand your most basic student rights."⁷⁹

- Anonymous member of the Egyptian Student Union 2015/2016

Dina Galal, Student Union Vice President of the Faculty of Economics and Political Science at Cairo University, says: **"The students were afraid and we had to alter our plans to prioritize educating students about their rights and to introduce concepts such as academic freedom and university autonomy"**.⁸⁰

In addition to the impact that security violations and the violence that spread inside universities had on the student movement; legislative amendments and university administrative decrees have also had a major influence on the movement. Mo'men Essam argues **"the actions taken by the state on various levels curtailed the presence of official student movements, such as student societies and student unions, as well as non-official groups. The state has used old and new legal mechanisms in order to abuse members of the academic community, students and faculty alike, ending a period of prospering university freedoms that was achieved after the January Uprising. The university looks more like a prison these days"**.⁸¹

"These amendments have curtailed our ability to mobilize or organize activities. Before July 3rd 2013, it was enough to go to university management to notify them of your planned on-campus activity, the amendments changed the rules from only requiring notification to requiring approval, and in most cases we were met with rejection or stalling. As a Union, it was difficult for us to object to decisions that conflict with the interest of students, since we were under the constant threat of being handed to security forces, if and when university administrations decide to do so."⁸²

- Anonymous member of the Egyptian Student Union 2015/2016

The state and university administrations have cooperated to curtail the student movement through three parallel routes: The first one is concerned with the legal and legislative amendments that restricted student mobilization and movement, and violated the right to assembly and freedom of expression, and therefore, had a major impact on the state of university autonomy in Egypt. The second is characterized by police intervention and raids on universities, where hundreds of students were arrested and dozens killed. The third route relates to the actions taken and the decisions made by university administrations against students, evident in the

number of politically active students who have been expelled, especially after the legislative amendment that allowed university presidents to directly expel students. Finally, many activities, student societies and unions were disrupted, and a large number of student events were banned. Since the start of the academic year 2013/2014, the Egyptian state has been eager to eliminate the student movement, as part of its efforts to close the public sphere. In doing so, the Egyptian state have deprived students from the spaces of mobility and freedom that were attained directly after the January Uprising.



CONCLUSION AND RECOMMENDATIONS

The Egyptian state has been successful in silencing and intimidating critical voices during the past three years, and continues to do so. Legal and legislative amendments have allowed violations to be institutionalized and legitimized, and therefore difficult to challenge. The crackdown on universities has been far reaching, and have not only affected politically active students, but the student community at large. Freedom of expression is limited inside and outside of the classroom, violating academic freedom and university autonomy. Both the state and university leaderships have played a dangerous role in changing the quality and dynamics of higher education institutions in Egypt.

The Egyptian state is responsible for the expulsion and arrest of hundreds of university students; it has disrupted their educational process, banned student activity, and killed dozens, violating the International Covenant on Civil and Political Rights and many international conventions on academic

freedom and university autonomy.

Through an analysis of the violations that have taken place during the state of violent transition Egypt has gone through, this report is able to identify three main domains where urgent action for reform is urgently needed. The first domain concerns university administrations and their active support for the state's draconian laws and actions. The second is the legislative domain that has allowed for laws that ban student activity in universities; laws that legitimate the referral of students to military trials, and aid in enforcing arbitrary administrative decisions that have destroyed the academic future of hundreds of Egyptian students, among other repressive laws. The third and final domain is concerned with the violent attacks on universities by security forces, and the hundreds of arbitrary arrests and extrajudicial killings that were documented.

Recommendations to the Government of Egypt

- To abstain from direct or complicit involvement in attacks on higher education.
- To review laws and policies in breach of the international law, International human rights conventions to which Egypt is a party, and Higher Education Values including those expressed in Egypt's constitution as well as international standards such as UNESCO's Recommendations on the Status of Higher-Education Teaching Personnel, and guided by GCPEAs Principles of State Responsibility to Protect Higher Education from Attack, including by revoking:
 - The amendment to the Law Regulating Universities giving the right of university presidents to expel students, and maintain that this authority lies only in the hands of official disciplinary boards.
 - The amendment to the Law Regulating Universities that criminalize the exercising of freedom of expression and freedom of assembly inside universities.
 - The amendment to Decree Law No. 136 for the year 2014 on the treatment of universities as military facilities that fall under military jurisdiction, and the immediate release of students who were referred to military trials, or to assign their cases to the relevant civilian court.
- To reaffirm publicly their commitment to academic freedom and institutional autonomy as provided in the constitution.
- The annulment of the Cabinet's November 2013 decree, allowing police forces to enter university campuses, and annulment of any other decrees allowing for the presence of security forces inside universities without a warrant.
- To hold perpetrators, including responsible police and military commanders and officers accountable for attacks, by immediate and full investigation of all attacks, with appropriate prosecution and sentencing.
- To include student union leaders, student movement representatives and student societies, in the process of developing new student bylaws that would lift the restrictions imposed on students' rights in breach of the right to freedom of expression, assembly and association.
- The immediate release of all imprisoned students who have no evidence against them for committing acts of violence, or carrying weapons.

Recommendations to Egyptian University Administrations

- Revoke all expulsion sanctions that were imposed on politically active students during the past three academic years;
- Reinstate students' right to form societies and organizations without restriction, and ban groups that commit acts of violence or incite violence on campus.
- Reinstate the right of all students to freedom of expression inside the university, as long as it does not involve acts of violence or threatens other human rights.
- Support and reinforce the right of students and researchers to academic freedom, without religious, social, or political restrictions.
- Limit the role of campus security to prevent violence and secure the gates to the university, and prevent them from interfering in any student activity, political or otherwise.

Recommendations to the international community

- Request that the Egyptian government commits to ensuring the students' rights to organization, expression, academic freedom, and university autonomy, and to abide by the relevant international treaties and conventions ratified.
- Work to strengthen international norms and standards to protect higher education institutions from attack, including by demonstrate public support to GCPEAs Principles to Protect Higher Education from Attack and encouraging Egypt and other States to support the Principles domestically and in appropriate inter-State relations.
- Use Universal Periodic Review in the Human Rights Council and other appropriate international fora to hold Egypt accountable to its human rights obligations and other international norms and standards.
- Implement or financially support mechanisms that connects students and academics who are at risk with higher education institutions in other regions or countries with temporary relocation.
- Encourage political advocacy efforts and public campaigns by the international academic community to support students and faculty rights in Egypt.
- Work to strengthen monitoring mechanisms of violations of students' and academics' rights to freedom of expression, opinion, and peaceful assembly within the international framework of human rights.

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PHOTOS

Page 1,2-3 - Student supporters of the Muslim Brotherhood and ousted President Mohamed Mursi flee from tear gas and rubber bullets fired by riot police during clashes at Al-Azhar University's campus, in Cairo's Nasr City district, May 9, 2014. (Photograph: REUTERS)

Page 7 - Illustration, Egypt revolution, February 1, 2011. Protest face paint, Egyptian youth. (Photograph: Ahmad Hammoud, Flickr/Creative Commons)

Page 10-11 - Illustration, Egypt revolution 2011, Tahir Square (Photograph: Ramy Raoof, Flickr/Creative Commons)

Page 14-15 - A protester defiantly waves an Egyptian flag with the emblems of Christianity and Islam – a message of religious unity. Clouds of tear gas are lit up with an eerie glow by the sinking sun. February 4, 2012. (Photograph: Alisdare Hickson, Flickr/Creative Commons)

Page 17 - Plain-clothed riot policemen detain a student, who is a supporter of the Muslim Brotherhood and ousted President Mohamed Mursi, after clashes broke out during a demonstration outside Cairo University May 14, 2014. The demonstration was held by supporters and members of the Muslim Brotherhood and the pro-Mursi Anti-Coup National Alliance against the military, interior ministry and presidential candidate Abdel Fattah al-Sisi, the former army chief who deposed Mursi. (Photograph: REUTERS/Mohamed Abd El Ghany)

Page 19 - Cairo University students supporting the Muslim Brotherhood and deposed President Mohamed Mursi shout slogans at the university's campus in Cairo December 29, 2013. (Photograph: REUTERS)

Page 22 - Riot police attempt to break open the entrance of the al-Azhar University Campus during clashes with female university students, who are supporters of the Muslim Brotherhood and ousted Egyptian President Mohamed Mursi, in Cairo's Nasr City district, Egypt in this March 19, 2014 file photo. (Photograph: REUTERS/Amr Abdallah Dalsh)

Page 26 - Illustration, Al-Azhar mosque and university, Cairo. (Photograph: Jorge Láscar Flickr/Creative Commons)

Page 29 - Illustration, street art at Muhammad Mahmud Street, Cairo. (Photograph: Mark Mueahlhauesler, Flickr/Creative Commons)



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