



Shady Habash

1995 – 2020

A DREAM

THAT DID NOT CROSS THE FENCE

The concept of resistance in prison means that you should resist yourself, protect it and protect your humanity from the negative effects you witness and live by every day, the simplest of which is to go mad or **die** slowly

Shady Habash



With these words, young director Shady Habash paid his last farewell to his family in his last sent message that passed the prison's fence in which he spent more than two years because of his participation in directing a protest sarcastic song performed by singer Ramy Essam. A song that the state security prosecution viewed as sufficient to be considered as a crime and charged Shady -21 years old- of joining a terrorist group, spreading false news, abusing social media, and insulting the military.

Shady joined a very long list that include thousands of citizens of different ages and political affiliations who face the same repeated absurd accusations that the State Security Prosecution are used to charge people with randomly. Charges that allow the prosecution to waste years of their lives behind bars without any real crime committed or any evidence except for the investigations conducted by the National Security forces where the Prosecution take no real steps or make inquiries.

The State Security Prosecution is no longer satisfied with wasting fair trial guarantees such as allowing accuses the right to defend themselves

Egypt: National Security Prosecution's ten deadly sins

or access their lawyers or providing real evidence for accusations or initiating any real investigating procedures. As they turned pre-trial detention to a punishment exploited by the political authority to settle accounts with activists and political opposition instead of being an exceptional measure that is strictly regulated. The State Security Prosecution even extended to violating laws directly, and not only bypassing it.

Since 1 March 2018, Shady has spent more than two years in pre-trial detention, which is the maximum period of pre-trial detention stated by law in clear non-debatable texts. One day of pre-trial detention more than the stated two years without a judicial decision or release involves a crime of detaining without a legal cause that requires holding whoever responsible of committing it accountable.

Article 99 of the Constitution fortifies rights and freedoms and granted them imprescriptible criminal immunity as it stated that **“Any assault on the personal freedoms or sanctity of the life of citizens, along with other general rights and freedoms guaranteed by the Constitution and the law, is a crime**

State Security Prosecution .. for arrest many faces

Preventative detention in Egypt... A procedure or a punishment??



with no statute of limitations for both civil and criminal proceedings. The injured party may file a criminal suit directly.”

Shady's death overshadows prison health conditions, leaving the state of all those who are imprisoned vague, especially as two months has passed since prison visits was banned as a result of the Corona virus outbreak in Egypt.

Despite years of complaining of poor prison health care, which caused the death of many prisoners, the authorities have not taken any real action to guarantee the right to adequate health care for prisoners.

The signatories to this statement call upon the Egyptian Attorney General to quickly open an investigation into the circumstances of Shady's death, to declare its reasons and to hold whoever responsible accountable, whether officials inside the prison, or outside who are responsible for his long unfair imprisonment for a period that exceeded the legal period stated in law.

It should be noted that the continuation of using

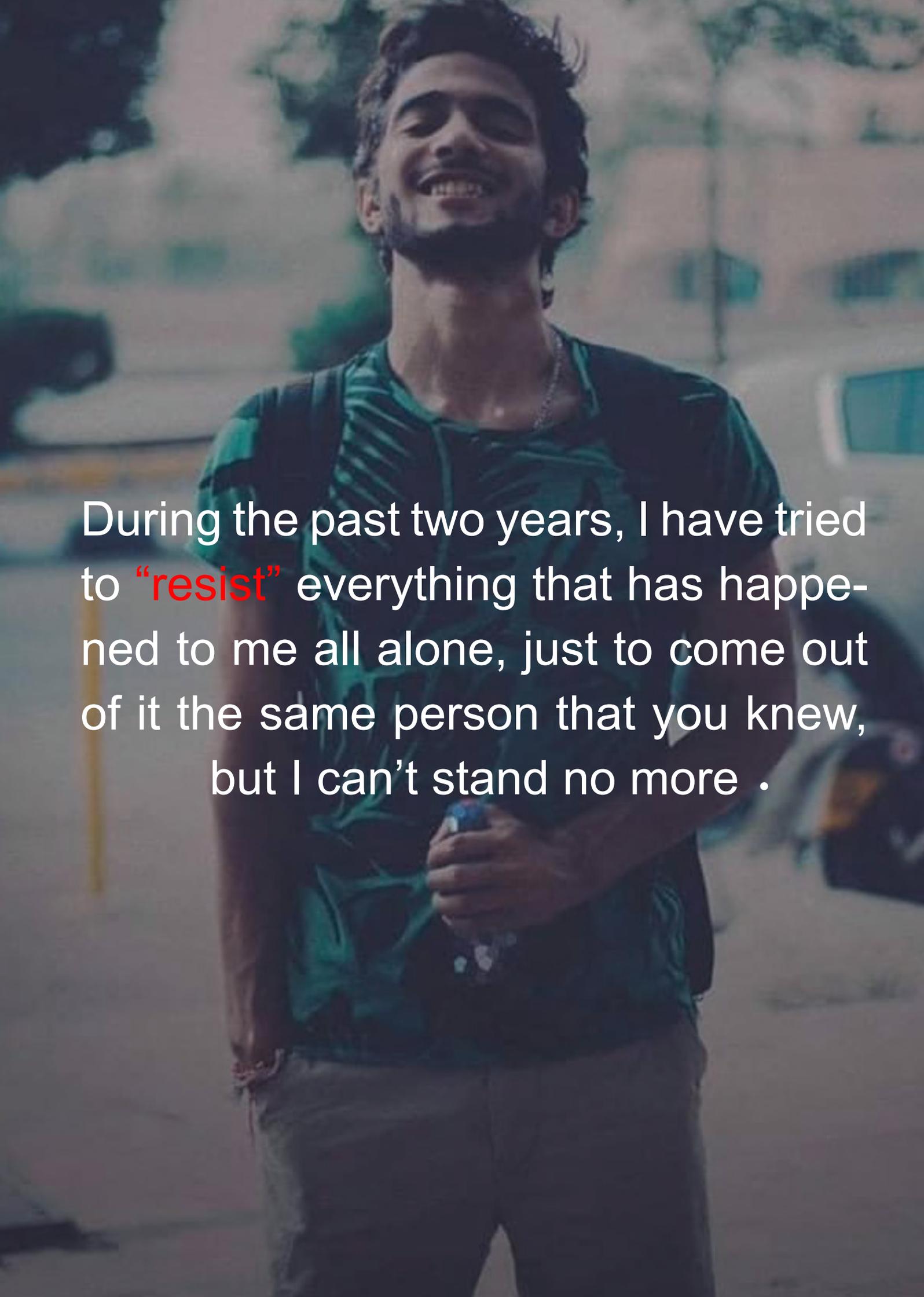
pre-trial detention as a punishment rather than a precautionary measure to protect investigations proceedings, in order to turn it into a traditional procedure legal in Egypt would increase the judiciary's involvement in political matters.

The undersigned organizations call upon the Attorney-General to review the prosecution's dealings with pre-trial detention and to claim his responsibility in stopping the issuance of excessive orders that arrest citizens in political or criminal cases. We call upon him to take an immediate action in making a comprehensive review of prisoners, and to promptly release who have not been found to be threatening public security or involved in committing acts of violence, or at least take precautionary measures other than imprisonment to avoid endangering their lives in prisons, whether due to medical neglect and poor hygiene conditions, or due to the risk of the Corona virus outbreak inside prisons that may lead to a disaster that no one hopes for.

Organizations' signatures

- National Syndicate of Tunisian journalists
 - Tunisian Union for associative media
 - Tunisian Human Rights League
 - Tunisian Women Association for Research and Development
 - The Association of Citizenship, development, cultures, and immigration on both sides
 - Tunisian Forum for Economic and Social Rights
 - Yakadha Association for Democracy and Civic Rep
 - Tunisian Association of Justice and Equality (DAMJ)
 - Committee for Respecting Liberties and Human Rights in Tunisia
 - The Tunisian Coalition Against the Death Penalty
 - Article 19 organisation
 - Women's Voices
 - The Organization Against Torture in Tunisia
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- Tunisian Association for Democratic Women
 - Tunisian Network for Transitional Justice
 - No Peace Without Justice
 - Tunisian Association for Defending Individual Liberties
 - Tunisian Association to Support Political Prisoners
 - Tunisian Association for the UN
 - Tunisian Worker Afek Association
 - Access Now
 - Democratic Transition and Human Rights Support Center (DAAM)
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During the past two years, I have tried to “**resist**” everything that has happened to me all alone, just to come out of it the same person that you knew, but I can't stand no more .