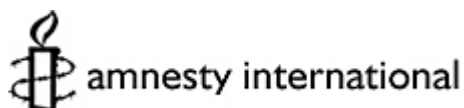


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Amnesty International Annual Report 2011 - Egypt

Head of state: **Muhammad Hosni Mubarak**

Head of government: **Ahmed Nazif**

Death penalty: **retentionist**

Population: **84.5 million**

Life expectancy: **70.5 years**

Under-5 mortality (m/f): **42/39 per 1,000**

Adult literacy: **66.4 per cent**

The authorities continued to use state of emergency powers to target government critics, opposition political activists and people suspected of security-related offences, despite a presidential decree in May limiting the application of the Emergency Law. Some were held in administrative detention without charge or trial, others were tried before emergency or military courts whose procedures did not satisfy international standards for fair trial. Journalists and other government critics continued to be prosecuted under criminal defamation legislation. The authorities maintained strict controls on freedom of expression, association and assembly. Torture and other ill-treatment remained common and widespread, and in most cases were committed with impunity. Several deaths as a result of torture or other abuses by police were reported. Several hundred administrative detainees were released but thousands of others, including long-term detainees, continued to be held despite court orders for their release; the government did not disclose the number of those detained. Forced evictions in Cairo, Port Said and Aswan affected thousands of slum-dwellers who lived in dangerous conditions because of an acute shortage of affordable and adequate housing. Border security forces shot dead at least 30 people, mostly migrants from other African countries, who were seeking to cross the border into Israel. At least 185 people were sentenced to death and at least four were executed.

Background

The government accepted many recommendations made during the UN Human Rights Council's Universal Periodic Review of Egypt in February, but rejected others and deferred a recommendation to allow the UN Special Rapporteur on torture to visit Egypt.

In May, the state of emergency in force since 1981 was renewed for a further two years, but a presidential decree issued at the same time limited the application of the Emergency Law to cases involving "terrorism" and drugs trafficking.

Workers staged many protests against rising living costs and to demand better wages and working conditions. The authorities failed to implement an administrative court ruling to establish a minimum wage commensurate with the average cost of living.

Political activists, including members of the banned Muslim Brotherhood and other political opposition groups such as the National Association for Change, the 6 April Movement and the Egyptian Movement for Change (Kefaya), demonstrated against the state of emergency and police abuses. Many were arrested, beaten and taken to remote locations and dumped after their mobile phones, money and shoes were confiscated. Others were detained and charged with assaulting police officers, tried and sentenced to prison terms.

Elections for the Shura, the upper house of parliament, in June and for the People's Assembly in November and December resulted in large majorities for the ruling National Democratic Party, but were marred by serious allegations of fraud, vote-rigging and violence, which left at least eight people dead. The leading opposition parties formally withdrew from the People's Assembly elections after the first and main round of voting in November.

At least 1,200 supporters and candidates associated with the Muslim Brotherhood were detained after it announced in October that it intended to put up many of its supporters as candidates for election. According to the official results, none of them was elected, eliminating the Muslim Brotherhood from the lower house of parliament in which they had previously formed the main opposition bloc.

Counter-terror and security

The authorities used their state of emergency powers to detain people suspected of security-related offences. Detainees were held incommunicado, often for several weeks. Many alleged that they were tortured or otherwise ill-treated by State Security Investigations (SSI) officials and forced to make "confessions" that they later repudiated when brought to trial. Other security suspects were deported.

- Husam Radhwan el-Mar'i, a Syrian resident of Yemen, was detained for 38 days after he was arrested at Cairo airport in April. He was held incommunicado and, he alleged, beaten, whipped and tortured with electric shocks because he was suspected of belonging to a "terrorist group". He was released without charge on 19 May and deported to Yemen.
- In April, an (Emergency) Supreme State Security Court sentenced 26 alleged members of the so-called Hizbullah Cell to prison terms ranging from six months to life after convicting them of planning to attack tourist sites, possessing explosives and passing information to Hizbullah in Lebanon. Four of the defendants were tried in their absence. The 22 who appeared before the court had been detained incommunicado for months at an undisclosed location by order of the Interior Minister after they were arrested in 2008 and 2009. They were convicted on the basis of "confessions" they repudiated and said had been extracted using torture. The court failed to adequately examine their allegations.

Detention without trial – administrative detention

Despite the May presidential decree limiting the use of the Emergency Law, in practice the authorities continued to use emergency powers to detain opposition activists and to curb freedom of expression. The authorities said that hundreds of administrative detainees were released in accordance with the presidential decree, including detainees held in connection with bomb attacks at Taba in 2004, but disclosed no details about

those who continued to be detained. Thousands remained in detention without charge or trial despite court orders for their release; in practice, the Interior Ministry circumvented release orders by issuing new detention orders, undermining judicial scrutiny and oversight.

- Mohamed Farouq El-Sayyed, a Shi'a Muslim, and seven others arrested with him, remained in administrative detention without charge or trial at Damanhour Prison although courts had ordered his release at least seven times. He and 11 others had been arrested in April/May 2009; all were suspected of trying to set up an organization to promote Shi'a Islam in a manner deemed to be threatening to Islam and the Sunni Muslim community. The prosecution released all 12, but they were detained by the Interior Ministry. Four were subsequently released.

Torture and other ill-treatment

Torture and other ill-treatment of security detainees and criminal suspects were systematic in police stations, prisons and SSI detention centres and, for the most part, committed with impunity. In some instances, police assaulted suspects openly and in public as if unconcerned about possible consequences. In other instances, police were reported to have threatened victims against lodging complaints. In April, the Interior Ministry agreed to pay a total of 10 million Egyptian pounds (US\$1.76 million) as compensation to 840 members of Gamaa Islamiya, an Islamist group, who had been tortured; however, no action is known to have been taken against those responsible for their torture.

In rare cases, the authorities prosecuted police alleged to have committed assaults, although generally these were cases that had received wide publicity. Those convicted tended to receive lenient sentences.

- Taha Abdel Tawwab Mohamed, a medical doctor, said he was stripped and beaten by SSI officers in Fayoum on 7 March because of his public support for Mohamed ElBaradei, the former head of the International Atomic Energy Agency, who the authorities consider a government critic. He was released the next day. His lawyer filed a complaint but no action was known to have been taken.

Deaths in custody

At least four people were alleged to have died in custody as a result of torture or other ill-treatment.

- Khaled Said was severely assaulted by two police officers in plain clothes in front of witnesses at an internet café in Alexandria on 6 June, apparently causing his death. The case provoked a public outcry and two police officers from Sidi Gaber police station were charged with unlawfully arresting and torturing him, although not with direct responsibility for his death. Their trial, sessions of which were attended by Amnesty International observers, was continuing at the end of 2010.
- In November, the family of Ahmed Shaaban, aged 19, accused police at Sidi Gaber police station of torturing him to death and then dumping his corpse in a canal to suggest that he had committed suicide. The prosecuting authorities closed the case on grounds of insufficient evidence and an autopsy report that stated that he had died of asphyxiation.

Freedom of expression

The authorities maintained curbs on freedom of expression and the media. Politically sensitive reports were suppressed. Candidates for parliamentary elections using slogans deemed to be religious were disqualified. Government critics faced prosecution on criminal defamation charges. Independent TV channels and programmes that criticized the authorities were taken off the air or suspended. Books and foreign newspapers were

censored if they commented on issues that the authorities considered sensitive or threatening to national security.

In October, the National Telecommunications Regulatory Authority (NTRA) told organizations using SMS services to send bulk messages to their subscribers that they must obtain a broadcasting licence. The authorities said this was necessary to "better regulate" the service but their action was widely interpreted as intended to curtail the use of mass messaging by government opponents in the lead-up to the November elections. A day before the election, an administrative court annulled the NTRA's order.

- Hamdi Kandil, spokesperson for the National Association for Change, a grouping of people calling for constitutional and political reform, was charged with criminal defamation in May after he criticized the Minister of Foreign Affairs in an article in *Al-Chorouk* newspaper. He was referred to the Giza Criminal Court for trial, accused of insulting and libelling a public servant. His trial began in November.

Freedom of assembly and association

The authorities maintained legal restrictions and other controls on political parties, NGOs, professional associations and trade unions. Some were denied legal registration. The Muslim Brotherhood remained outlawed but operated openly. Police disrupted and violently dispersed campaign rallies by the Muslim Brotherhood and other opposition parties and arrested many of their members and supporters, particularly in the run-up to elections.

The One Homeland for Development and Freedoms NGO was denied legal registration and several charitable organizations in Beni Souef were accused of breaching the restrictive NGO law and closed down.

In March, the government said that a new draft NGO law had been devised to replace Law No. 84 of 2002; if implemented, this will further restrict NGOs, including by making them answerable to a new umbrella organization partly comprising presidential nominees.

Discrimination against women

Women continued to suffer from discrimination, violence and sexual harassment. In slums, women were also discriminated against in the allocation of alternative housing during evictions; when a male spouse was absent, local authorities required women to produce proof of their marital status or face possible homelessness.

In its concluding observations in February, the CEDAW Committee urged the government to lift its reservations to Articles 2 and 16 of the Convention, to review and promptly reform laws that discriminate against women, and to strengthen the legal complaints system to allow women effective access to justice. The Committee also urged the government to adopt a comprehensive law criminalizing all forms of violence against women, including domestic violence, marital rape and crimes committed in the name of "honour". However, no steps to implement these recommendations were taken.

Right to adequate housing – forced evictions

The trial of officials in relation to the fatal 2008 rockslide at Al-Duwayqa, an informal settlement in Cairo, concluded in September. Cairo's deputy governor was acquitted but six other officials were convicted of negligence and sentenced to one-year prison terms. At least 119 people were killed and more than 50 injured by the rockslide.

Residents of many other areas officially designated as "unsafe" in informal settlements continued to live in grossly inadequate conditions and were at risk from fire, flooding and other threats.

- In January, flash floods killed at least six people and displaced thousands of residents from their homes in the Sinai Peninsula and in Aswan, including in "unsafe areas". The authorities' response in providing shelter and support to those affected was inadequate and slow.
- In August, a fire burned down some 50 shack homes in Zerzara informal settlement in Port Said, leaving residents homeless. The authorities failed to provide shelter or alternative housing.

Up to 12,000 families in the large informal settlement of Manshiyet Nasser in east Cairo were still living amid unstable rocks and cliffs because they could not afford homes elsewhere. The Cairo Governorate allocated more than 5,000 alternative housing units to Manshiyet Nasser residents, but most were located far from their sources of livelihood and affordable services. Those evicted on safety grounds were not consulted about proposed conditions of resettlement nor formally notified of their eviction even if the areas in which they lived had been designated as "unsafe" months earlier. Many did not know whether they would be rehoused. Forced evictions were also carried out in Establ Antar and Ezbet Khayrallah informal settlements in Old Cairo. Many families were made homeless as a result of forced evictions.

The authorities continued to devise and began implementing development plans for some of the 404 officially designated "unsafe areas" throughout Egypt, home to an estimated 850,000 people, without adequately consulting the affected residents. Official plans to clear 33 "shack areas" in Greater Cairo by 2015 include Ezbet Abu Qarn, Ramlet Bulaq and parts of Ezbet Khayrallah and Ezbet Al-Haggana. The residents would be relocated, possibly unwillingly, to housing in two distant locations, 6 October City, south-west of Giza, and 15 May City, south of Cairo.

Migrants, refugees and asylum-seekers

Border security forces continued to use lethal force against foreign migrants who attempted to leave Egypt and cross the border into Israel; at least 30 were reported to have been shot dead. No official investigations were carried out into the circumstances in which lethal force was used. Others seeking to cross the border illegally were arrested and detained.

- In July, an administrative court annulled a deportation order issued by the Interior Minister against Mohamed Adam Abdallah Yahya and Ishaq Fadlallah Ahmed Dafaallah, two asylum-seekers from Darfur who were facing forcible return to Sudan where they would be at risk of serious human rights abuses.

Death penalty

At least 185 death sentences were imposed and at least four prisoners were executed.

- Jihan Mohammed Ali and Atef Rohyum Abd El Al Rohyum were hanged on successive days in March; they had been convicted of murdering Jihan Mohammed Ali's husband. She was reported to have said in prison that she alone was responsible for her husband's death; he was executed despite his request for a retrial. Their families were not notified in advance of the executions.

In December, Egypt was one of a minority of states that voted against a UN General Assembly resolution calling for a worldwide moratorium on executions.

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