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World Report 2009 - Egypt

Events of 2008

Egypt continued its relentless attacks on political dissent in 2008. The government renewed the Emergency Law (Law No. 162 of 1958) in May for an additional two years, providing a continued basis for arbitrary detention and unfair trials, and despite repeated promises not to do so by top officials, including President Hosni Mubarak. Egyptian human rights organizations estimate that up to 5,000 people remain detained without charge under the law, some for over a decade.

Security forces acting with impunity prevented strikes, violently dispersed demonstrations, and harassed and in some cases tortured rights activists. Journalists, activists, and hundreds of members of the Muslim Brotherhood – the banned organization that is the country's largest opposition group – were jailed. The government used lethal force against migrants and refugees seeking to cross into Israel, and forcibly returned asylum seekers and refugees to countries where they could face torture.

Political Violence and Torture

On April 6-7, 2008, security forces prevented workers from striking in the city of Mahalla al-Kobra, and violently dispersed protests against rising food costs, wounding more than 100 people and apparently killing a 15-year-old bystander. They arrested hundreds of protestors, journalists, and activists, and detained scores for months without charge or despite court orders for their release. State Security Investigations officers in Mahalla tortured detainees during interrogations, including Mohamed Marei, a translator for a US journalist covering the protests who was detained for 87 days without being informed of any charges against him. In July the government transferred 49 detainees' cases to the Supreme State Security Court, where procedures violate fair trial rights.

Migrants' and Refugees' Rights

Egyptian border guards reportedly killed 22 migrants trying to cross into Israel in 2008; as of November Egyptian forces had killed 34 migrants on the Sinai border since July 2007. At this writing, Egypt had not allowed officials of the United Nations High Commissioner for Refugees (UNHCR) access to a group of 91 Eritreans, Sudanese, and Somalis whom Israel returned in August 2008. Egypt denied UNHCR access to a prior group of 48 whom Israel returned in August 2007, and reportedly returned between five and twenty of them to Sudan in late 2007 or early 2008.

In April 2008 Egypt forcibly returned 49 Sudanese men and boys, including 11 refugees and asylum seekers, to southern Sudan, where authorities detained them for four months. In June Egypt forcibly returned at least 740 Eritreans, including women and children, without allowing UNHCR access to them. They are reportedly detained at a military jail and are at risk of torture and ill-treatment.

Freedom of Expression

In March a Cairo court convicted Ibrahim Issa, editor of *Al-Dustur* newspaper, on charges of "publishing false information and rumors" about President Mubarak's health; a Cairo appeals court upheld the conviction in September, sentencing Issa to two months' jail, but Mubarak pardoned him in October. Issa and three other newspaper editors appealed one-year jail sentences handed down in September 2007 for publishing "false news, statements or rumors likely to disturb public order." In August a Cairo court convicted Saad Eddin Ibrahim in absentia of harming Egypt's reputation and sentenced him to two years in prison for writing articles urging the US to condition aid to Egypt on human rights reforms.

In February the Arab League adopted "principles" introduced by Egypt and Saudi Arabia that call on member states to prohibit satellite television broadcasts that "negatively affect social peace, national unity, public order, and public morals," or "defame leaders, or national and religious symbols" of Arab states. Egypt's state-controlled NileSat satellite subsequently dropped three channels, including al-Hiwar, which broadcast programs featuring government critics and human rights abuse victims. In April plainclothes police shut down the Cairo News Company (CNC) after it supposedly supplied Al Jazeera with images of anti-government protests; in October a Cairo court fined CNC's owner US\$27,000 on charges of owning and operating unlicensed equipment. In early February an appeals court upheld the conviction of Al Jazeera reporter Huwaida Taha for harming "the dignity of the country" with a documentary about torture in Egyptian police stations.

The government issued regulations in May requiring internet café users to provide detailed personal information in order to access the web. In April Cairo security officers arrested Esraa Abd al Fattah and others who used the social-networking website Facebook to call for strikes; and in May security officers in New Cairo stripped and beat Ahmed Maher Ibrahim for the same activity. In July security forces in Alexandria arrested Maher and 13 other members of the "6 April Youth" group and jailed them for two weeks without charge after they sang patriotic songs and refused to disperse when ordered.

Freedom of Association

Egypt's law governing associations, Law 84/2002, provides criminal penalties that stifle legitimate NGO activities, including for "engaging in political or union activities." The law governing political parties, Law 40/1977, empowers a committee headed by the ruling party chair to suspend other parties' activities "in the national interest."

In an April 2008 hearing closed to defense lawyers and the public, a military tribunal sentenced Muslim Brotherhood Deputy Supreme Guide Khairat al-Shatir and 24 other civilians, seven of them in absentia, to prison terms of up to 10 years and ordered the seizure of millions of dollars in assets. A regular criminal court had acquitted 17 of the defendants in January 2007 but the next month President Mubarak transferred their cases, along with 23 others, to the military tribunal. In March 2008, prior to local and municipal council elections, security forces arrested and detained without charge more than 800 Muslim Brotherhood members, including at least 148 would-be independent candidates.

In a positive development, in June 2008 the government granted NGO status to the Center for Trade and Union Workers' Services (CTUWS), which offers legal aid to factory workers and reports on labor rights issues. In 2007 the government had forcibly shut down all three CTUWS branches, blaming it for a wave of labor unrest.

Women's and Children's Rights

The Egyptian government has failed to create a legal environment that protects women from violence, encourages victims to report attacks, or deters perpetrators from committing these abuses. A 2008 survey by the Egyptian Center for Women's Rights found that 83 percent of Egyptian women have experienced sexual harassment in their lifetime. In October a mob of men and boys sexually assaulted women in Cairo while they were celebrating the Eid holiday marking the end of Ramadan. Eight men are reported to have been arrested and face prosecution. These attacks mark a repeat of similar violence two years earlier when police officers were videotaped doing nothing to stop the mob attacks.

Extensive amendments to Egypt's Child Law in June 2008 included establishing a network of government child protection committees, criminal penalties for officials who detain children with adults, and expanded legal assistance for children facing investigation or trial. They also criminalize female genital mutilation. At this writing, the government has yet to issue implementing regulations for the new law.

Privacy and Personal Integrity Rights

Since October 2007 police in Cairo have arrested at least a dozen men on suspicion of being HIV-positive, forcibly tested them for HIV without consent, beat them, and charged them with the "habitual practice of debauchery" – interpreted in Egyptian law to include consensual sex between adult men; nine were convicted of this charge. Initially, the men who tested HIV-positive were chained to their hospital beds, and were unchained only after a domestic and international outcry. In April 2008 police in Alexandria arrested 12 men and subjected them to forcible anal examinations, HIV tests, and other abuse; these men were also convicted of the "habitual practice of debauchery." In June Egypt blocked the Egyptian Initiative for Personal Rights, an NGO that has been instrumental in calling international attention to this crackdown, from attending a UN high-level meeting on HIV/AIDS.

A provision of the new Child Law makes marriage registration contingent on medical tests showing both partners free of diseases that would affect their health or their future children's health. Its vague wording raises concerns that it violates individuals' right to privacy and to found a family.

Religious Intolerance and Discrimination against Religious Minorities

Although Egypt's constitution provides for equal rights without regard to religion, discrimination against Egyptian Christians and official intolerance of Baha'is and some Muslim sects continue, despite court rulings early in 2008 that ordered the government to provide identification documents to Baha'is and to allow Muslim converts from Christianity to convert back to Christianity without penalty.

Disputes between Muslim and Christian Egyptians flared into violent clashes on several occasions, resulting in deaths and injuries as well as destruction of property. In January and again in May, Muslims attacked the Abu Fana monastery in Minya province with firearms in a dispute over land ownership.

Key International Actors

The United States remains Egypt's largest donor, providing approximately US\$1.3 billion in military aid and US\$415 million in economic assistance in 2007. In January 2008 President Bush, during a brief visit, praised Egypt's "vibrant civil society"; the following day, security forces prevented demonstrators in Cairo from holding a peaceful protest, arbitrarily detaining 30 people. In March the US administration waived congressional restrictions conditioning US\$100 million in aid to Egypt on improving human rights conditions. In October US Secretary of State Condoleezza Rice admitted to "setbacks" in Egypt, but affirmed that "championing freedom is a national security imperative."

In January the European Parliament passed a resolution criticizing rights abuses in Egypt. In March the European Union agreed to give €558 million in aid by 2010 under the terms of an EU-Egypt Action Plan that formally insists on respect for human rights.

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