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HRW – Human Rights Watch

World Report 2019 - Egypt

Since President Abdel Fattah al-Sisi secured a second term in a largely unfree and unfair presidential election in March, his security forces have escalated a campaign of intimidation, violence, and arrests against political opponents, civil society activists, and many others who have simply voiced mild criticism of the government. The Egyptian government and state media have framed this repression under the guise of combating terrorism, and al-Sisi has increasingly invoked terrorism and the country's state of emergency law to silence peaceful activists.

The government continued to silence critics through arrests and unfair prosecutions of journalists and bloggers, and the parliament issued severely restrictive laws that further curtail freedom of speech and access to information. The intensified crackdown also includes lesbian, gay, bisexual, and transgender (LGBT) activists, artists, and alleged or self-described atheists. Authorities have placed hundreds of people and entities on the country's terrorism list and seized their assets for alleged terrorism links without any hearing or proper due process.

In addition to using the exceptional State Security Courts, for which court decisions cannot be appealed, authorities continue to prosecute thousands of civilians before military courts. Both court systems are inherently abusive and do not meet minimum due process standards.

In North Sinai, where government forces have been fighting an ISIS-affiliated group called Sinai Province (*Wilayat Sinai*), the army committed flagrant abuses of residents' rights that amount in certain cases to collective punishment. Beginning in January, the army launched the most intensive wave of home demolitions in Sinai in years.

Security Forces Abuses

The Interior Ministry's National Security Agency (NSA) continues to operate with near-absolute impunity. Judicial authorities have investigated very few officers and even fewer have been prosecuted for abuses, including enforced disappearances and torture. Prosecutors continued to use detainee confessions despite credible allegations they were coerced through torture. Authorities announced in late 2017 that they were investigating Human Rights Watch claims of police and NSA forces' use of torture, but at time of writing, these investigations had not led to the prosecution of any alleged perpetrators.

The Stop Enforced Disappearance campaign has documented 1,530 cases from July 2013 to August 2018. At least 230 of those occurred between August 2017 and August 2018. The whereabouts of at least 32 of those disappeared in 2018 remained unknown as of August 2018.

According to Hafez Abu Seada, a member of the National Council for Human Rights, the Ministry of Interior acknowledged (<http://english.ahram.org.eg/NewsContent/1/64/311428/Egypt/Politics-/Egypts-human-rights-organization-refutes-claims-of.aspx>) that 500 out of 700 people whose families reported their disappearance since 2015 remain in detention. Although he claimed enforced disappearances are not systematic in Egypt, he failed to explain why the Interior Ministry did not report the whereabouts of 500 people to families who had submitted official complaints.

In late January and February, security forces carried out a series of arbitrary arrests (<https://www.hrw.org/news/2018/02/26/egypt-arrests-escalate-ahead-unfair-elections>) in an escalating crackdown against al-Sisi’s peaceful political opponents ahead of the presidential vote. The arrests included those who called for boycotting the process, such as the 2012 presidential candidate and the head of the Strong Egypt Party, Abd al-Moneim Abu al-Fotouh. Following his arrest, a court placed Abu al-Fotouh and others on the country’s terrorism list. He remains in pretrial detention despite a heart condition. Security forces also arrested two potential presidential candidates: former Gen. Ahmed Shafiq, whom authorities placed for weeks under de facto house arrest, and former army chief of staff, Sami Anan, who remained in prison at time of writing on trumped up charges.

In May 2018, Egyptian police and NSA forces carried out another wave of arrests of critics of President al-Sisi in dawn raids (<https://www.hrw.org/news/2018/05/31/egypt-activists-arrested-dawn-raids>). Those arrested included Hazem Abd al-Azim, a political activist; rights defender, Wael Abbas; Shady al-Ghazaly Harb, a surgeon; Haitham Mohamadeen, a lawyer; Amal Fathy, an activist; and Shady Abu Zaid, a satirist. Another series of arrests launched in August included former ambassador Ma’soum Marzouk (<http://www.bbc.com/arabic/middleeast-45295237>), who called for a public referendum on whether al-Sisi should resign.

Authorities have not investigated a single official or member of the security forces more than five years after the mass killings of the largely peaceful protesters in the Rab’a Square in Cairo, where supporters of former President Mohamed Morsy gathered for weeks after his ouster by the army in July 2013. At least 817 (<https://www.hrw.org/news/2018/04/10/egypt-al-sisi-should-end-rights-abuses>) protesters were killed in one day, in what most likely amounted to a crime against humanity.

Death Penalty

Since July 2013, Egyptian criminal courts have sentenced hundreds of people to death in cases stemming from alleged political violence. Many of those were convicted in flawed trials (<https://www.hrw.org/news/2015/06/16/egypt-morsy-death-sentence-follows-flawed-trials>). While Egypt’s Cassation Court overturned hundreds of them, it upheld others. Egypt ranked sixth in highest numbers of executions and third in the largest number of death sentences in the world in 2017.

(<https://www.amnesty.org/download/Documents/ACT5079552018ENGLISH.PDF>). In September 2018 alone, a Cairo Criminal Court handed down 75 death sentences, in a mass trial, stemming from the Raba’ dispersal events in August 2013.

According to the Cairo Institute for Human Rights Studies (CIHRS) (<https://cihrs.org/egypt-announcing-the-campaign-to-end-the-death-penalty/?lang=en>), as of September, at least 29 Egyptians remain at imminent risk of execution after losing all of their appeal chances. Between December 2017 and March 2018, CIHRS has documented the execution of 39 individuals, most of them civilians, whom military courts convicted. Military trials of civilians in Egypt are inherently unfair as all officials in military courts, including judges and prosecutors, are serving members of the military.

Freedom of Expression

Egypt remains one of the worst jailers (<https://cpj.org/reports/2017/12/journalists-prison-jail-record-number-turkey-china-egypt.php>) of journalists in the world with roughly 20 journalists behind bars. Egypt’s press freedom deteriorated further, ranking 161 out of 180 (<https://rsf.org/en/egypt>) countries according to Reporters Without Borders. On August 18, President al-Sisi approved a new law regulating the internet (<https://rsf.org/en/news/egypts-new-cybercrime-law-legalizes-internet-censorship>) called the Anti-Cyber and Information Technology Crimes Law (Cybercrime Law). The Egyptian parliament had passed the law on July 5, granting the government broader powers (<https://rsf.org/en/news/ngos-ask-egypt-repeal-or-amend-new-laws-curbing-online-free-speech>) to restrict freedom of expression, violate citizens’ privacy, and jail online activists for peaceful speech. In late July, parliament also passed a new law regulating the press, the Media Regulation Law (<https://www.madamasr.com/en/2018/07/17/feature/politics/egypts-new-media-laws-rearranging-legislative-building-blocks-to-maximize-control/>), which further restricts journalistic freedoms, allows censorship without judicial orders, and levies severe monetary fines for violating the law’s articles, in addition to prison sentences for cases related to “inciting violence.” Despite objections from Egypt’s Journalists’ Syndicate, parliament approved the law largely unamended (<https://www.madamasr.com/ar/2018/07/16/feature/%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9/%D8%B1%D8%BA%D9%85-%D8%A7%D8%B9%D8%AA%D8%B1%D8%A7%D8%B6%D8%A7%D8%AA-%D9%86%D9%82%D8%A7%D8%A8%D9%8A%D8%A9-%D8%A7%D9%84%D8%A8%D8%B1%D9%84%D9%85%D8%A7%D9%86-%D9%8A%D9%82%D8%B1-%D9%82%D8%A7%D9%86%D9%88/>).

Egyptian authorities have been using counterterrorism and state-of-emergency laws and courts to unjustly prosecute bloggers, activists, and critics for their peaceful criticism. Some cases have been transferred to the Emergency State Security Courts, a parallel judicial system operating since October 2017, under the state of emergency that the government claims is being used only against terrorists and drug traffickers. These courts do not guarantee a fair trial and their decisions are not subject to appeal.

Hundreds of news and rights organizations and political websites remain blocked in Egypt without judicial orders (https://afteegypt.org/right_to_know-2/publicationsright_to_know-right_to_know-2/2017/06/04/13069-afteegypt.html?lang=en), including Human Rights Watch’s website.

Freedom of Assembly

The government has not released the implementing regulations of the 2017 NGO (<https://www.hrw.org/news/2017/06/02/egypt-new-law-will-crush-civil-society>) law, but has issued scores of decrees based on this law. In November, President al-Sisi ordered the law revised but the government did not announce a timeline for such revision.

Prosecutions in the protracted “Case 173 Of 2011” into (<https://www.hrw.org/news/2016/09/20/egypt-ruling-risks-eradicating-human-rights-work>) nongovernmental organizations’ foreign funding continued, despite calls from the United Nations, United States, and European Union to end them. At least 28 leading rights activists have been banned from leaving the country as part of this case and could be arrested at any moment. At least 10 individuals and 7 organizations have had their assets frozen.

Sinai Conflict

Military operations in Sinai have escalated over the last five years. In February, the army announced a new campaign against militants of the ISIS-affiliated group known as Sinai Province. Since then, the Egyptian army has destroyed hundreds of hectares of farmland and at least 3,000 homes (<https://www.hrw.org/news/2018/05/22/egypt-army-intensifies-sinai-home-demolitions>) and commercial buildings, together with 600 buildings destroyed in January—the largest number of demolitions since the army officially began evicting Rafah city in 2014. The army began another security buffer zone around al-Arish Airport, however authorities issued no laws to establish compensation for those whose properties have been damaged or destroyed and the exact area to be evicted. In addition, the army has demolished without judicial orders several houses in al-Arish that belong to families of dissidents, including, in September, the family home of journalist Hossam al-Shorbagy.

From February, the army also intensified its restrictions on freedom of movement, isolating North Sinai from the mainland, North Sinai cities from each other for weeks, and imposing a complete ban on several essential commodities, including car fuel. The restrictions caused a severe shortage of food (<https://www.hrw.org/news/2018/04/23/egypt-looming-humanitarian-crisis-sinai>), cooking gas, and other essential commercial goods in March and April. A new governor, Abdel Fadil Shousha, eased some restrictions beginning in October but residents were allowed only a few liters of car fuel every month and had to line up for hours to obtain it.

Telecommunications and electricity are still sometimes shut for days or weeks in some areas. Thousands of residents in the east rely on rain water. The security forces have committed widespread abuses during the protracted campaign including enforced disappearances, torture, extrajudicial executions, and military trials of civilians, as well as home demolitions. Sinai Province militants have also targeted civilians they perceive to be government collaborators or sympathizers, as well as security forces, and routinely executed their captives. Militants also used improvised landmines that struck civilians on several occasions.

A North Sinai mosque was attacked in November 2017 during Friday prayers. The attack killed 305 worshippers including 27 children (<https://www.alhurra.com/a/sinai-mosque-attack/404068.html>). No group claimed responsibility for the attack, but witnesses said they carried ISIS flags.

Freedom of Religion

Egypt’s Christian community, which comprises roughly 10 percent of the population and is the largest Christian minority in the Middle East, has suffered legal and social discrimination for decades. Authorities have regularly failed to protect Christians from sectarian attacks and to prosecute perpetrators. In one incident of sectarian violence on August 31, mobs ransacked and looted five homes (<http://english.ahram.org.eg/NewsContent/1/64/311494/Egypt/Politics-/Coptic-villagers-whose-homes-were-attacked-in-Minya.aspx>) in Minya’s Dimshau Hashim village, after rumors circulated that Christian villagers were planning to build a church. Authorities pressure (<https://eipr.org/press/2018/09/%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%B1%D8%A9-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9-%D8%AA%D8%AF%D9%8A%D9%86-%D8%A7%D9%84%D8%B6%D8%BA%D9%88%D8%B7-%D8%A7%D9%84%D8%AA%D9%8A-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6-%D9%84%D9%87%D8%A7-%D8%A3%D9%82%D8%A8%D8%A7%D8%B7-%D8%AF%D9%85%D8%B4%D8%A7%D9%88-%D9%87%D8%A7%D8%B4%D9%85-%D9%84%D9%82%D8%A8%D9%88%D9%84-%D8%A7%D9%84%D8%B5%D9%84%D8%AD-%D8%A7%D9%84%D8%B9%D8%B1%D9%81%D9%8A-%D9%88%D8%AA%D8%B7%D8%A7%D9%84%D8%A8>)d victims to accept a government-mediated “reconciliation” that allows perpetrators to evade prosecutions, while authorities offered no concrete future protections to the worshippers and their families.

The restrictive Law 80 of 2016 on the construction of churches allowed for conditionally legalizing a small (<https://www.vetogate.com/3148355>) number of churches that were operating without an official permit, but restrictions remain largely in place. Over 90 percent of over 3,700 churches and buildings still work without a permit and lack legal protection. The rights group Egyptian Initiative for Personal Rights (EIPR) documented (<https://eipr.org/en/press/2018/04/eipr-decries-state%E2%80%99s-closure-churches-filed-legal-status-and-demands-release-all>) the closure by the authorities of 14 churches.

Authorities continue to arrest those who describe themselves as non-believers or atheists and jail them under “insulting religions” charges.

Social and Labor Rights

Authorities held in May the first trade union elections in Egypt in 12 years. However, while state officials claimed the elections were transparent and fair, results only reflected the former status quo, with the government-affiliated Egyptian Trade Union Federation (ETUF) emerging from the process effectively in control of the unions. The Center for Trade Union and Workers Services, the oldest independent labor rights group in Egypt, said that (<http://www.ctuws.com/en>) the elections were marred by violations such as the exclusion (<https://www.madamasr.com/en/2018/08/01/feature/politics/avoiding-the-blacklist-egyptian-labor-elections-as-key-to-investment/>) from the electoral process of hundreds of candidates not aligned with the government.

The elections were held on the backdrop of a new trade union law that parliament passed in December 2017 after the International Labour Organization (ILO) put Egypt back on its blacklist (<https://www.madamasr.com/en/2017/06/07/news/u/egypt-blacklisted-again-by-international-labor-organization/>) over the country’s failure to issue a new trade union law in keeping with ILO Convention 87 concerning the right of workers to organize. However in the view of trade unionists and labor activists

(<https://www.madamasr.com/en/2018/08/01/feature/politics/avoiding-the-blacklist-egyptian-labor-elections-as-key-to-investment/>), the law “was only issued to win favor with the International Labor Organization,” and it kept in place several restrictions on the right to organize.

Authorities arrested dozens of people who peacefully protested in May in response to increases in Cairo’s subway fare prices.

Violence and Discrimination against Women, Girls, and LGBT People

The government has failed to adequately protect women and girls from sexual and gender-based violence, and, in some cases, even punished them for speaking out on this issue. On May 9, activist Amal Fathy posted a video on her Facebook page in which she spoke about the prevalence of sexual harassment in Egypt and criticized the government’s failure to protect women. The next day, pro-government and state-owned media outlets initiated a smear campaign against Fathy and then on May 11, authorities arrested her. On September 29, a criminal court sentenced Fathy to two years’ imprisonment for “publishing false news,” as well as a fine of 10,000 Egyptian pounds (US\$560) for making “public insults.” She continues to face charges in a separate case on trumped-up allegations of belonging to a terrorist organization.

Other women’s rights groups and women’s rights activists continue to face trial for their women’s rights activism including Mozn Hassan, head of Nazra for Feminist Studies, and Azza Soliman, head of the Center for Egyptian Women’s Legal Assistance, who remain under travel bans.

Though amendments to the penal code introduced harsher penalties against female genital mutilation (FGM) in August 2016, application of the law is still flawed. In May, the Task Force to Combat FGM (<https://eipr.org/en/press/2018/05/new-female-circumcision-case-courts-and-task-force-says-law-alone-not-enough>) issued a statement condemning the extremely lax efforts made to advance the National Strategy Against FGM (2016-2020) and the law’s inadequate protection of girls’ lives and health.

Egypt continues to prosecute dozens of people based on their sexual orientation or gender identity. Unlike other countries in the region, Egypt has taken no steps to ban forced anal examinations of people accused of homosexual conduct.

Refugee Rights

Egypt hosts refugees and asylum-seekers from more than 60 countries, including Eritrea, Ethiopia, Iraq, Somalia, South Sudan, Sudan, Syria, and Yemen. There is limited public information on the implementation of Egypt’s 2016 law on combating “irregular” immigration.

Egyptian authorities have arrested scores of documented and undocumented migrants and kept them in inhumane detention conditions, referring some of them to trials. Authorities have also either returned or threatened to return Sudanese, including those with refugee status, despite the likelihood that they may face persecution in Sudan.

Disability and Health Rights

In February, Egypt passed a new law on the rights of persons with disabilities, 10 years after it ratified the United Nations Convention on the Rights of Persons with Disabilities. At time of writing, the government had yet to adopt by-laws required for implementation. Egypt's also passed the country's first comprehensive law for health insurance for citizens in January and legalized the situation of some scores of churches that the government had previously not approved for building. Yet restrictions on freedom of religion remain largely in place. In 2017-2018, Egypt achieved substantial progress in fighting the endemic Hepatitis C virus through a national health program that included treatment care and new steps for systematic screening.

Key International Actors

Egypt's international allies continue to support Egypt's government and rarely offer public criticism. US President Donald Trump, during al-Sisi's September visit to New York, said that al-Sisi has done “an outstanding job” in fighting terrorism.

In July, the Trump administration announced that it would reinstate Foreign Military Financing funds to Egypt after withholding some funds in August 2017 pending improving democracy and human rights benchmarks, which were not published. The funds were released despite the ongoing and worsening crackdown on human rights in Egypt.

In February, the European Parliament adopted a strongly-worded resolution against Egypt's use of death penalty, which also criticized the country's crackdown on human rights. In May, the European Union spokesperson decried the wave of arrest of human rights defenders in the country.

During the September session of the UN Human Rights Council, the EU expressed concerns over the situation of civil society in the country and about the new cybercrime and media laws.

Three years after the abduction, torture, and murder of the Italian PhD student, Giulio Regeni, in Cairo, prosecutors failed to charge anyone despite the government saying (http://www.bbc.com/arabic/middleeast/2016/09/160910_giulio_regeni_egypt_murder_investigation) security was monitoring Regeni and investigated his activities before his death.

Several UN experts, including the high commissioner for human rights and UN special procedure mandate holders, have on several occasions individually or collectively condemned abuses in Egypt, including the systematic targeting of human rights defenders, verdicts against protesters, and death sentences following unfair trials.

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Annual report on the human rights situation in 2018



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