

- **Source:**
AI - Amnesty International
- **Title:**
Amnesty International Report 2010 - The State of the World's Human Rights
- **Publication date:**
28 May 2010
- **ecoi.net summary:** Annual report 2010 (events of 2009) [ID 143119]
- **Countries:**
Egypt
- **Original link** http://thereport.amnesty.org/sites/default/files/AIR2010_EN.pdf

Recommended citation:

AI - Amnesty International: Amnesty International Report 2010 - The State of the World's Human Rights, 28 May 2010 (available at ecoi.net)

http://www.ecoi.net/local_link/143119/243803_en.html (accessed 09 January 2011)



Amnesty International Report 2010 - The State of the World's Human Rights

Head of state **Muhammad Hosni Mubarak**

Head of government **Ahmed Nazif**

Death penalty **retentionist**

Population **83 million**

Life expectancy **69.9 years**

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

Adult literacy **66.4 per cent**

The government continued to use state of emergency powers to detain peaceful critics and opponents as well as people suspected of security offences or involvement in terrorism. Some were held under administrative detention orders; others were sentenced to prison terms after unfair trials before military courts. Torture and other ill-treatment remained widespread in police cells, security police detention centres and prisons, and in most cases were committed with impunity. The rights to freedom of expression, association and assembly were curtailed; journalists and bloggers were among those detained or prosecuted. Hundreds of families residing in Cairo's "unsafe areas" were forcibly evicted; some were left homeless, others were relocated but without security of tenure. Men perceived to be gay continued to be prosecuted under a "debauchery" law. At least 19 people seeking to cross into Israel were shot dead by border guards, apparently while posing no threat. At least 269 people were sentenced to death, and at least five were executed.

Background

Egypt remained under a national state of emergency in force continuously since 1981 and most recently renewed in May 2008. In April, the government said it had completed drafting all but one section of a new, long-awaited anti-terrorism law, which was expected to pave the way for the lifting of the state of emergency. However, it was feared that the law might effectively retain emergency provisions that have facilitated human rights violations. The draft was not available by the end of 2009.

In January, there were demonstrations against the Israeli military offensive in Gaza and the Egyptian government's response to it. The authorities kept the border with the Gaza Strip closed for much of the year, including during the offensive thereby preventing Palestinians from seeking refuge in Egypt. The authorities allowed passage to the sick and wounded, and goods through the border. In December, the authorities announced that they were constructing a steel wall along the borders with Gaza in order to prevent smuggling. They refused permission to over 1,000 people from 43 countries who converged in Cairo to march to Gaza with humanitarian aid to mark the

first anniversary of the Israeli military offensive; many of them were assaulted by the police.

In February, a bomb attack in Cairo killed one woman and injured 25 other people, mostly foreign tourists. In May, the authorities attributed the attack to a group associated with al-Qa'ida and the Palestinian Islamic Army, an armed group.

Former presidential candidate Ayman Nour was released from prison in February on health grounds. In November, the authorities prevented him from travelling to the USA.

There were sporadic clashes between Coptic Christians and Muslims in which several people were killed and others injured. In March, the homes of Baha'is were burned in al-Shuraniyya, a village in Sohag Governorate, reportedly after some media incited hatred and violence against Baha'is.

In April, the parliament passed the Law for the Care of Mental Patients to provide safeguards for the rights of people with mental illness.

In June, the number of seats in the parliament's lower house was increased from 454 to 518, 64 of which were reserved for women to promote greater participation by women in public life.

Draft laws were proposed that would further restrict NGOs and punish defamation of monotheistic religions or their prophets with imprisonment and fines. In November, NGOs called for a 2007 draft law, which would allow survivors of rape to obtain an abortion, to be brought before parliament for debate.

Rising food prices and poverty fuelled a wave of strikes by private and public sector workers.

Counter-terror and security

Scores of people were arrested following the February bomb attack in Cairo. In May, the authorities said they were holding seven suspects, including a French woman of Albanian origin, who they accused of recruiting foreign students and others to commit terrorist acts in Egypt and abroad. Subsequently, they detained and then deported to their home countries at least 41 foreigners, including nationals of Russia and France, who were residing in Egypt and reported to be studying Arabic and Islam. Some were reported to have been tortured or otherwise ill-treated while detained and they were given no opportunity to contest their deportation before the courts. Some were believed to be at risk of human rights violations in the countries to which they were forcibly returned.

The UN Special Rapporteur on the promotion and protection of human rights while countering terrorism visited Egypt for six days in April. His report, issued in October, criticized the government's counter-terrorism policy and practices for unduly restricting human rights. He urged the government to lift the state of emergency which, he said, had become the "norm" rather than an exceptional measure.

- Romuald Durand, a French national, was subjected to enforced disappearance for two months after he was arrested at Cairo's international airport in April. He was handed over to the State Security Investigations (SSI) service who initially held him at Nasr City, Cairo. There, he was reported to have been kept blindfolded and handcuffed for the first 10 days, stripped naked and tortured with electric shocks while his arms and legs were tied and stretched, and threatened with rape. He was released in June without charge and deported to France.
- In August, 22 defendants, plus four people charged in their absence, went on trial before a Cairo (Emergency) Supreme State Security Court. Among them were five Palestinians, two Lebanese nationals and a Sudanese national. The 26 faced a variety of charges, including planning to attack tourist sites, possessing explosives and passing information to Hizbullah in Lebanon. Some of them were accused of helping to dig tunnels under the border to smuggle people and goods into the Gaza Strip from Egypt and assist fighters to cross the border. They all denied the terrorism-related charges. Some told the court that they had been tortured, including with electric shocks, while held incommunicado by the SSI after their arrest in late 2008 and early 2009. In October, their defence lawyers withdrew from the court accusing it of bias against the defendants. The trial continued at the end of the year.

Administrative detention

The authorities continued to use emergency powers to detain not only people suspected of terrorism and offences against national security but also peaceful critics of the government. Some continued to be detained without charge or trial despite court orders for their release. In such cases, the Interior Ministry issued new detention orders to replace those ruled invalid by the courts, undermining the value of judicial scrutiny and oversight.

- Hani Nazeer, a Coptic Christian and blogger from Qina, was held throughout 2009 under a succession of administrative detention orders issued by the Interior Minister. He was arrested in October 2008 when he surrendered to the police in Nagaa Hammadi, who had detained his brothers and threatened to detain his sisters to force him to surrender. This was after residents of Qina denounced him for commenting in his blog on a book they deemed insulting to Muslims. He was held at Borg al-Arab Prison near Alexandria, despite four court orders for his release. He was reported to have been pressured by security officers in prison to convert to Islam.

Unfair trials

Grossly unfair trials of civilians continued before military courts, in breach of international fair trial standards. At least three civilians were convicted in these trials, and sentenced to prison terms of up to two years.

- In February, Ahmed Doma, a leading member of the Popular Movement to Free Egypt, a youth organization, and Ahmed Kamal Abdel Aal were sentenced to one year prison terms and fined, the former for crossing Egypt's border with the Gaza Strip during the Israeli military offensive and the latter for planning to cross. Magdy Hussein, General Secretary of the Labour party, was sentenced to two years in prison and fined on similar grounds. In August, the Supreme Court of Military Appeals upheld his sentence.
- The Supreme Court of Military Appeals rejected the appeals filed by 18 members of the Muslim Brotherhood organization after they were sentenced to up to seven years' imprisonment in April 2008 following an unfair trial before the Supreme Military Court of Haikstip, northern Cairo. In July, an administrative court ordered that 13 of them who had served threequarters of their sentences should be released, but they all remained in prison at the end of the year.

Torture and other ill-treatment

Torture and other ill-treatment of detainees were systematic in police stations, prisons and SSI detention centres and, for the most part, committed with impunity. In some cases, police were reported to have threatened victims against lodging complaints. In rare cases, however, alleged torturers were prosecuted.

- In November, an Alexandria court sentenced a police officer to five years in prison for torturing Rajai Sultan in July 2008 by beating him until he suffered a brain haemorrhage, for which he required surgery.
- Mona Said Thabet and her husband, Yasser Naguib Mahran, were harassed and intimidated by police after she submitted a complaint to the Interior Ministry that her husband had been tortured by police at Shobra al-Khayma before his release in September 2008 because he had refused to become an informer. She reported that police slapped and beat her, stubbed out a cigarette on her face, forcibly shaved her head and threatened to rape her unless she withdraw the complaint. Instead, she filed a further complaint with the Public Prosecutor in Shobra al-Khayma, who ordered an investigation. This led local police to make new threats against her, her husband and their children. She complained to the Public Prosecutor in February, but no action was known to have been taken. In May, families from Shobra al-Khayma demonstrated in Cairo against abuses allegedly committed by the head of the SSI in Shobra al-Khayma police station and to seek the intervention of the Interior Ministry.

Deaths in custody

At least four people died in custody, apparently as a result of torture or other ill-treatment, according to reports.

- Youssef Abu Zouhri, the brother of a spokesperson for the Palestinian organization Hamas, died in October. He was alleged to have been tortured and otherwise ill-treated at Borg al-Arab Prison, near Alexandria, following his arrest in April after he crossed from Gaza into Egypt. The authorities said his death was due to natural causes, but gave no details.

Freedom of expression – the media

The authorities maintained curbs on freedom of expression and the media. Journalists and bloggers who criticized the government were harassed, including with arrest and by being prosecuted on defamation charges. Books and foreign newspapers were censored if they commented on issues that the government considered taboo or a threat to national security.

- Karim Amer, a blogger detained since November 2006, remained in prison even though the UN Working Group on Arbitrary Detention (WGAD) ruled in November 2008 that his detention was arbitrary and called

for his release. The WGAD also criticized the imprisonment of journalists and bloggers on charges of defamation or insulting state authorities as disproportionate and a serious restraint on freedom of expression.

Freedom of assembly and association

The authorities maintained legal restrictions and other controls that limited the activities of political parties, NGOs, professional associations and trade unions. Members of the Muslim Brotherhood, which remained banned, and other opposition groups were harassed and arrested.

- At least 34 people were arrested in April and accused of incitement and distributing leaflets calling for a national strike. They included students as well as members of political opposition groups, including the 6 April Group, the Kefaya Movement, al-Ghad and the Muslim Brotherhood. All were released uncharged.

Discrimination – suspected gay men

The authorities continued to criminalize consensual sexual acts between men.

- Ten men arrested in January in Cairo and accused of “habitual practice of debauchery”, the charge used to prosecute consensual sexual acts between men, were reported to have been beaten, slapped, kicked and insulted while detained by the Morality Police. They were tested for HIV/AIDS without their consent and forcibly subjected to anal examinations to “prove” that they had engaged in same-sex sexual conduct. Such examinations conducted without consent constitute torture. They were detained for five months for investigation and released on bail at the end of May pending their trial, which began on 31 December.

Discrimination – religious minorities

Following a Supreme Administrative Court decision in March that Baha'is could obtain identification documents without having to identify themselves as Muslims or Christians, the Interior Minister issued a decree recognizing the right of adherents of other religions to obtain official identification documents without revealing their religious faith or having to present themselves as Muslims, Christians or Jews.

Administrative courts ordered on several occasions the repeal of decisions by university and ministerial officials banning women and girls from wearing the niqab (face veil) in their institutions.

Right to adequate housing – forced evictions

Residents of 26 areas in Greater Cairo deemed “unsafe” in 2008 in a government master plan to develop the city by 2050 continued to face a double threat: lack of safety from possible rock falls, high-voltage power cables or other dangers; and possible forced eviction. There was little or no consultation with affected communities in the “unsafe areas”.

Forced evictions were carried out in Al-Duwayqa, Establ Antar and Ezbet Khayrallah, all “unsafe areas” in which residents occupy state-owned land and are at risk from rock falls, on the basis of administrative orders issued by local authorities. The evictions were carried out without notice or prior consultation with the affected communities or any notification in writing, so hindering the possibility of legal challenge. In June, some 28 families from Atfet Al-Moza in Al-Duwayqa were left homeless when they were forcibly evicted so that the authorities could “secure” the rocky slope where they lived. In Establ Antar, some residents were told to demolish their homes or else face eviction.

From September 2008, when a rockslide killed at least 119 residents of Al-Duwayqa, to the end of 2009, the authorities rehoused some 4,000 families in an upgraded area of Al-Duwayqa. Some 1,400 other families from Establ Antar and Ezbet Khayrallah were rehoused in 6 October City, south-west of Giza, far from their source of livelihood. However, rehoused families were not given documentation providing them with legal security of tenure, and women divorced or separated from their husbands were not provided with alternative housing.

In December 2009, the Public Prosecutor indicted eight officials from the Cairo Governorate and Manshiyet Nasser Neighbourhood Authority on a charge of involuntary homicide in connection with the fatal 2008 Al-Duwayqa rockslide.

Migrants, refugees and asylum-seekers

At least 19 people were shot dead by Egyptian security forces while trying to cross the border into Israel. All were believed to be foreign nationals and migrants, refugees or asylum-seekers in Egypt. In September, the authorities defended the use of lethal force, saying it was meant to protect Egypt's borders and that it targeted "infiltrators", including smugglers of drugs and weapons.

- In January, at least 64 Eritreans trying to cross into Israel were forcibly returned to Eritrea despite fears that they would be at risk of serious human rights violations there (see Eritrea entry).

Death penalty

At least 269 death sentences were imposed by the courts, and at least five prisoners were executed.

Amnesty International visits/reports

Amnesty International delegates visited Egypt several times in 2009 to conduct research and to attend conferences and workshops.

[Buried alive: Trapped by poverty and neglect in Cairo's informal settlements](#) (17 November 2009)

[Egypt: Government should immediately release Musaad Abu Fagr and Karim Amer](#) (22 July 2009)

[Egypt: Government must urgently rein in border guards](#) (18 September 2009)

[Egyptian court overturns journalists' prison sentences](#) (2 February 2009)

[Egypt: Military Court of Appeals fails to rectify injustice](#) (19 November 2009)

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