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Amnesty International Report 2015/16 - The State of the World's Human Rights - Egypt

The human rights situation continued to deteriorate. The authorities arbitrarily restricted the rights to freedom of expression, association and peaceful assembly, enacted a draconian new anti-terrorism law, and arrested and imprisoned government critics and political opposition leaders and activists, subjecting some to enforced disappearance. The security forces used excessive force against protesters, refugees, asylum-seekers and migrants. Detainees faced torture and other ill-treatment. Courts handed down hundreds of death sentences and lengthy prison sentences after grossly unfair mass trials. There was a critical lack of accountability; most human rights violations were committed with impunity. Women and members of religious minorities were subject to discrimination and inadequately protected against violence. People were arrested and tried on charges of “debauchery” for their perceived sexual orientation or gender identity. The army forcibly evicted communities from their homes along the border with Gaza. Executions were carried out following grossly unfair trials.

Background

Security conditions remained tense, particularly in the Sinai region. The authorities said that the army and other security forces killed hundreds of “terrorists”, mostly in North Sinai, where the

armed group calling itself Sinai Province, an affiliate of the armed group Islamic State (IS), claimed responsibility for several major attacks.

Egypt closed its border with Gaza, State of Palestine, for much of the year. The Egyptian army destroyed smuggling tunnels under the border, reportedly flooding the area with water.

In February, Egypt carried out air strikes in Libya killing at least seven civilians, after an armed group there beheaded a group of Egyptian Coptic Christians they had abducted.¹

In March, Egypt joined the Saudi Arabia-led international coalition that engaged in the armed conflict in Yemen. President al-Sisi announced that the Arab League had agreed to form a “joint Arab military force” to combat regional threats.

On 13 September, army and security forces in the Western Desert region attacked and killed 12 people, including eight Mexican tourists, apparently after mistaking them for members of an armed group.

On 23 September, President al-Sisi pardoned 100 men and women, including journalists and scores of activists imprisoned for participating in protests. The pardon did not extend to imprisoned leaders of Egypt’s youth movement or Muslim Brotherhood leaders.

Parliamentary elections held between October and December had an officially reported turnout of 28.3%.

Counter-terrorism and security

In August the government enacted Law 94 of 2015, a new anti-terrorism law that defines a “terrorist act” vaguely and in overly broad terms. The new law gave the President powers to “take necessary measures to ensure public order and security”, equivalent to those granted by a state of emergency; established special courts; and provided for heavy fines for journalists whose reporting on “terrorism” differed from official statements.²

Abuses by armed groups

Armed groups launched attacks deliberately targeting civilians.

On 29 June, the Prosecutor General was killed by a bomb in the capital, Cairo. It was unclear who was responsible.

The armed group Sinai Province claimed responsibility for several attacks, including one on 29 January that reportedly killed 40 people, including civilians, soldiers and police officers. On 1 July, an assault by Sinai Province on the North Sinai town of Sheikh Zuweid killed 17 members of the army and security forces, according to the Ministry of Defence; at least 100 members of the armed group were also killed in the assault. Sinai Province also claimed responsibility for causing the crash of a civilian Russian airliner on 31 October. All 224 people on board were killed, mostly Russian nationals. Russia’s Federal Security Service announced on 17 November that a bomb had brought down the plane.

Freedom of expression

Journalists working for outlets critical of the authorities, or linked to opposition groups, were prosecuted for reporting “false news” and on other politically motivated criminal charges. Courts sentenced some to lengthy prison terms and one was sentenced to death. Individuals continued to face prosecution on criminal charges such as “defaming religion” and offending “public morals” for peacefully exercising their right to freedom of expression. In November, a prominent investigative journalist was briefly detained by military intelligence and prosecutors over an article he wrote about the army.

Photojournalist Mahmoud Abu Zeid, known as Shawkan, was referred to trial in August with 738 co-defendants, who included leaders of the Muslim Brotherhood group and their supporters. Arrested while covering the violent dispersal by security forces of a protest on 14 August 2013, Mahmoud Abu Zeid was detained without charge for almost two years before the Public Prosecution Office referred his case to court. The trial was due to begin in December, but was postponed because the courtroom could not hold the hundreds of defendants.

On 1 January, the Court of Cassation, Egypt’s highest court, overturned the convictions of three jailed journalists working for the broadcaster Al Jazeera – Peter Greste, Mohamed Fahmy and Baher Mohamed – and ordered their retrial. The authorities deported Peter Greste on 1 February; Mohamed Fahmy and Baher Mohamed were released on bail on 12 February but sentenced to prison terms of three and three and a half years respectively on 29 August on charges of broadcasting “false news” and operating without authorization. President al-Sisi pardoned the two men on 23 September.

On 11 April a court in Cairo sentenced 14 opposition-linked journalists to 25-year prison terms after convicting them of “broadcasting false news”, and sentenced another journalist to death for allegedly forming “media committees” and “leading and funding a banned group”. The court tried several defendants in their absence. They were tried as part of a group of 51 alongside leading Muslim Brotherhood figures. Those jailed lodged appeals with the Court of Cassation, which overturned their conviction in December and ordered a retrial.

Freedom of association

Human rights organizations were subject to arbitrary restrictions on their activities and funding under the Law on Associations (Law 84 of 2002). Staff of some human rights organizations were arrested and questioned by security officials, and also questioned by an “expert committee” appointed by the authorities as part of an ongoing criminal investigation into the activities and foreign funding of human rights groups. The authorities prevented some human rights and political activists from travelling abroad.³

By the end of the year, the government said it had closed more than 480 NGOs because of their alleged links to the Muslim Brotherhood group.

On 21 October, security forces raided the Mada Foundation for Media Development, a Cairo-based journalism NGO. They detained all those present and questioned them for several hours before

releasing all but the organization's director, whom they held without charge on suspicion of "international bribery – receiving foreign funding" and belonging to the Muslim Brotherhood.

Excessive use of force

The authorities arbitrarily restricted the right to freedom of peaceful assembly under the Protest Law (Law 107 of 2013). There were fewer protests than in recent years, but security forces continued to use excessive or unnecessary force to disperse "unauthorized" demonstrations and other public gatherings, resulting in deaths and serious injuries.

Security forces shot and killed protester Shaimaa Al-Sabbagh on 24 January during a demonstration in central Cairo. Widely circulated videos and photographs of her death sparked outrage. At least 27 people died in protest-related violence between 23 and 26 January across Egypt, most as a result of excessive force from the security forces. Two members of the security forces also died.

At least 22 fans of the Zamalek football club died in a stampede at a stadium in New Cairo on 8 February, after security forces recklessly fired tear gas to disperse them.

Arbitrary arrests and detentions

Security forces arrested 11,877 members of "terrorist groups" between January and the end of September, according to the Assistant Minister for Public Security at the Ministry of the Interior. The crackdown was thought to include members and perceived supporters of the Muslim Brotherhood and other government critics. The authorities had previously stated that they had arrested at least 22,000 people on such grounds in 2014.

In some cases, detainees in political cases were held in prolonged detention without charge or trial. By the end of the year, at least 700 people had been held in preventive detention for more than two years without being sentenced by a court, in contravention of the two-year limit on such detention in Egyptian law.

Student Mahmoud Mohamed Ahmed Hussein remained detained without charge or trial, more than 700 days after his arrest in January 2014 for wearing a T-shirt with the slogan "Nation without torture". Prison guards beat him in July, his family said.

Enforced disappearances

Human rights groups reported receiving scores of complaints concerning cases of individuals arrested by the security forces and then detained incommunicado, in conditions that in some cases amounted to enforced disappearance.

Security forces arrested students Israa Al-Taweel, Sohaab Said and Omar Mohamed Ali in Cairo on 1 June and subjected them to enforced disappearance for 15 days, during which Sohaab Said said that he and Omar Mohamed Ali were tortured. Both men faced an unfair trial before a military court. Israa Al-Taweel, who has a disability as a result of being shot during a protest in 2014, was released from prison in December but remained under house arrest.

Torture and other ill-treatment

Detainees held by state security forces and military intelligence were tortured, including by being beaten and subjected to electric shocks and stress positions. Security forces frequently beat detainees at the time of their arrest and when transferring them between police stations and prisons. Throughout the year there were reports of deaths in custody as a result of torture and other ill-treatment and lack of access to adequate medical care.⁴

Conditions of detention in prisons and police stations remained extremely poor. Cells were severely overcrowded and unhygienic, and in some cases officials prevented families and lawyers giving food, medicine and other items to prisoners.

Unfair trials

The criminal justice system continued to serve as an instrument of state repression, with courts convicting hundreds of defendants on charges such as “terrorism”, “unauthorized protesting”, engaging in political violence and belonging to banned groups, after grossly unfair mass trials in which prosecutors did not establish the individual criminal responsibility of the defendants.⁵

At least 3,000 civilians stood trial before unfair military courts on “terrorism” and other charges alleging political violence. Many, including leaders of the Muslim Brotherhood, were tried in mass trials. Military trials of civilians are fundamentally unfair.

Former President Mohamed Morsi faced five separate trials, alongside hundreds of co-accused, including Muslim Brotherhood leaders. On 21 April a court sentenced him to 20 years in prison for alleged involvement in armed clashes outside Cairo’s Presidential Palace in December 2012. On 16 June, he was sentenced to death for allegedly orchestrating a prison escape during the 2011 uprising, and a 25-year prison term on an espionage charge. The trials were fundamentally unfair as they relied on evidence gathered while Mohamed Morsi was subject to enforced disappearance by the army, during the months after he was ousted from power in 2013. Verdicts in other trials against the former President were still pending at the end of the year.

Impunity

The authorities failed to conduct effective, independent and impartial investigations into most incidents of human rights violations, including the repeated use of excessive force by security forces that resulted in the deaths of hundreds of protesters since July 2013. Investigations by the Public Prosecution into protests and incidents of political violence instead focused on alleged abuses by the authorities’ opponents and critics.

Courts held a small number of members of the security forces responsible for unlawful killings, in cases arising from several incidents that had attracted wide national and international condemnation.

On 11 June a court sentenced one member of the security forces to 15 years’ imprisonment for fatally wounding protester Shaimaa Al-Sabbagh. However, the authorities also separately prosecuted 17 eyewitnesses to the killing, including human rights defender Azza Soliman, on

charges of “unauthorized protesting” and “disturbing public order”. Courts acquitted the 17 eyewitnesses on 23 May, and again on 24 October following an appeal by the Public Prosecution Office.

Two members of the security forces were jailed for five years in December on charges of torturing to death a lawyer at Mattareya Police Station in Cairo in February.

Former President Hosni Mubarak and several of his former senior security officials were retried by the Court of Cassation in November on charges of orchestrating a deadly crackdown on protesters during the 2011 “25 January Revolution”. The trial was ongoing at the end of the year.

Women’s rights

Women and girls continued to face discrimination in law and in practice, and were inadequately protected against sexual and other gender-based violence. Despite announcing a national strategy to combat violence and discrimination against women and girls, the authorities largely failed to implement substantive measures, including amending or repealing discriminatory Personal Status Laws that prevent women from obtaining a divorce from an abusive husband without forfeiting their financial rights.⁶

Discrimination – religious minorities

Religious minorities, including Coptic Christians, Shi’a Muslims and Baha’is, continued to face discriminatory restrictions. There were new incidents of sectarian violence against Coptic Christian communities; these communities also faced obstacles to rebuilding churches and other properties damaged in sectarian attacks in 2013.

The Ministry of Endowments closed the al-Imam al-Hussein Mosque in Cairo from 22 to 24 October to prevent Shi’a Muslims from marking the Day of Ashura there; the Ministry said the closure was to prevent “Shi’a untruths”.

Rights of lesbian, gay, bisexual, transgender and intersex people

Individuals continued to face arrest, detention and trial on “debauchery” charges, under Law 10 of 1961, on the basis of their real or perceived sexual orientation and gender identity.

On 12 January a court acquitted 26 men of “debauchery” charges; they had been arrested at a Cairo bathhouse in December 2014.

Refugees’ and migrants’ rights

Security forces continued to use excessive force and unnecessary lethal force against refugees, asylum-seekers and migrants who sought to enter or leave Egypt irregularly.⁷ At least 20 Sudanese nationals and one Syrian national were killed while trying to leave Egypt irregularly.

Housing rights – forced evictions

The armed forces continued to forcibly evict communities living along Egypt's border with Gaza, where the authorities sought to create a security "buffer zone".

The government continued to discuss development plans for Cairo that did not include sufficient safeguards to prevent forced evictions.

Death penalty

Courts handed down hundreds of death sentences on defendants convicted on "terrorism" and other charges related to the political violence that followed Mohamed Morsi's ousting in July 2013, and for murder and other crimes. Those executed included prisoners sentenced after unfair trials before criminal and military courts.⁸

At least seven men were executed in relation to political violence; one on 7 March after an unfair trial. Six men executed on 17 May had been sentenced after a grossly unfair trial before a military court, despite evidence that security officials tortured them to force them to "confess" to capital offences and falsified their arrest dates in official documents.

1. Libya: Mounting evidence of war crimes in the wake of Egypt's airstrikes ([News story](#), 23 February)
2. Egypt's president to sign draconian counter-terrorism law today ([News story](#), 13 August)
3. Egypt: Renewed crackdown on independent groups: Government investigating human rights workers ([MDE 12/1873/2015](#))
4. Egypt: Spate of detainee deaths points to rampant abuse at Cairo's Mattareya Police Station ([News story](#), 4 March)
5. Generation jail: Egypt's youth go from protest to prison ([MDE 12/1853/2015](#))
6. Circles of hell: Domestic, public and state violence against women in Egypt ([MDE 12/004/2015](#))
7. Syria: Voices in crisis - August 2015 ([MDE 24/2352/2015](#))
8. Egypt: Confirmation of 183 death sentences "outrageous" ([News story](#), 2 February)

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