



FREEDOM HOUSE

Freedom in the World - Egypt (2010)

Capital: Cairo

Population:
78,629,000

Political Rights Score: 6 *

Civil Liberties Score: 5 *

Status: Not Free

Overview

Ayman Nour, President Hosni Mubarak's main challenger in the 2005 presidential election, was released in February 2009 after serving three years in prison. In June, lawmakers approved legislation that would reserve 64 seats for women in the lower house of parliament. However, the regime avoided substantial political reform and continued to abuse civil liberties during the year, maintaining pressure on the opposition Muslim Brotherhood as well as independent journalists.

Egypt formally gained independence from Britain in 1922 and acquired full sovereignty following World War II. After leading a coup that overthrew the monarchy in 1952, Colonel Gamal Abdel Nasser ruled until his death in 1970. The constitution adopted in 1971 under his successor, Anwar al-Sadat, established a strong presidential system with nominal guarantees for political and civil rights that were not respected in practice. Sadat signed a peace treaty with Israel in 1979 and built an alliance with the United States, which provided the Egyptian government with roughly \$2 billion in aid annually.

Following Sadat's assassination in 1981, then vice president Hosni Mubarak became president and declared a state of emergency, which has been in force ever since. A deterioration in living conditions and the lack of a political outlet for many Egyptians fueled an Islamist insurgency in the early 1990s. The authorities responded by jailing thousands of suspected militants without charge and cracking down on political dissent. Although the armed infrastructure of Islamist groups had been largely eradicated by 1998, the government continued to restrict political and civil liberties as it struggled to address Egypt's dire socioeconomic problems.

Economic growth in the late 1990s temporarily alleviated these problems, but the country experienced a downturn after the 2001 terrorist attacks on the United States. Popular disaffection with the government spread palpably, and antigovernment demonstrations were harshly suppressed by security forces.

The government sought to cast itself as a champion of reform in 2004. Mubarak appointed a new cabinet of younger technocrats and introduced market-friendly economic reforms. However, associates of the president's son Gamal, a rising star in the ruling National Democratic Party (NDP), received key economic portfolios, stoking concerns that the changes were simply preparations for a hereditary transition.

Meanwhile, a consensus emerged among leftist, liberal, and Islamist political forces as to the components of desired political reform: direct, multicandidate presidential elections; the abrogation of the Emergency Law; full judicial supervision of elections; the lifting of restrictions on the formation of political parties; and an end to government interference in the operation of nongovernmental organizations (NGOs). The opposition nevertheless remained polarized between unlicensed and licensed political groups, with the latter mostly accepting the regime's decision to put off further reform until after the 2005 elections.

In December 2004, Kifaya (Enough), an informal movement encompassing a broad spectrum of secular and Islamist activists, held the first-ever demonstration explicitly calling for Mubarak to step down. Despite a heavy-handed response by security forces, Kifaya persisted with demonstrations in 2005, leading other opposition groups to follow suit. The United States was also pressing Egypt to democratize at the time.

Mubarak proposed a constitutional amendment that would allow Egypt's first multicandidate presidential election, but it required candidates to be nominated by licensed parties or a substantial bloc of elected officials. Consequently, all major opposition groups denounced the measure and boycotted the May 2005 referendum that approved it.

The results of the September 2005 presidential election were predictably lopsided, with Mubarak winning 88 percent of the vote. His main opponent, Al-Ghad (Tomorrow) Party leader Ayman Nour, took just 8 percent. Having been charged earlier in the year with forging signatures in his party's petition for a license, Nour was convicted and sentenced to five years in prison a few months after the election.

Three rounds of parliamentary elections in November and December 2005 featured a strong showing by the formally banned Muslim Brotherhood, whose candidates ran as independents. The Brotherhood increased its representation in the lower house sixfold, to 88 of 454 seats, though the NDP remained dominant. Voter turnout was low, and attacks on opposition voters by security forces and progovernment thugs abounded. Judges criticized the government for failing to prevent voter intimidation and refused to certify the election results, prompting the authorities to suppress judicial independence in 2006.

The government postponed the 2006 municipal elections until 2008 and began a renewed crackdown on the Muslim Brotherhood. U.S. pressure for democratic reform had subsided after the Brotherhood's recent gains and the victory of Hamas in the January 2006 Palestinian elections. In March 2007, a set of 34 constitutional amendments were submitted to a national vote. Official reports stated that only 25 percent of eligible voters participated, with 76 percent of those approving the proposals, but independent monitors put the turnout closer to 5 percent. Opposition leaders boycotted the referendum on the grounds that the amendments would limit judicial monitoring of elections and prohibit the formation of political parties based on religious principles. The Judges' Club accused the government of ballot stuffing and vote buying. Upper house elections held that June were similarly marred by irregularities, and the Muslim Brotherhood was prevented from winning any seats after authorities detained potential candidates and found spurious reasons to prevent several candidates from registering. When the postponed municipal elections were finally held in 2008, the Brotherhood was again shut out in a similar manner, and the government's ongoing crackdown on the group led to lengthy prison terms for many senior members.

Ayman Nour was released in February 2009 after serving three years of his sentence, but he subsequently faced periodic harassment. His release was viewed as a sign of the regime's confidence rather than an opening of the space for political dissent.

Political Rights and Civil Liberties

Egypt is not an electoral democracy. The political system is designed to ensure solid majorities for the ruling NDP at all levels of government. Constitutional amendments passed in 2007 banned religion-based political parties, ensuring the continued suppression of the Muslim Brotherhood, a nonviolent Islamist group that represents the most organized opposition to the government. President Hosni Mubarak, who has been in power since 1981, serves six-year terms and appoints the cabinet and all 26 provincial governors. The first multicandidate popular election for the presidency was held in 2005, and Mubarak's main challenger, Ayman Nour, was jailed on dubious charges soon after the vote.

The 454-seat People's Assembly (Majlis al-Sha'b), the parliament's lower house, exercises only limited influence on government policy, as the executive initiates almost all legislation. Ten of its members are appointed by the president, and the rest are popularly elected to five-year terms. The chamber is set to expand to 518 members in 2010 under reforms passed in June 2009, which set aside 64 new seats for women. There were just eight women in the People's Assembly as of 2009, half of whom were appointed. The 264-seat upper house, the Consultative Council (Majlis al-Shura), functions only in an advisory capacity. The president appoints 88 of its members, and the rest are elected to six-year terms, with half coming up for election every three years. Most of the 18 women in the chamber as of 2009 were appointed. As a result of restrictions on the licensing of political parties, state control over television and radio stations, and systemic irregularities in the electoral process, legislative elections do not meet international standards.

The 2007 constitutional amendments allow citizens to form political parties "in accordance with the

law," but no party can be based on religion, gender, or ethnic origin. Previously, new parties had required approval from an NDP-controlled body linked to the Consultative Council. Religious parties have long been banned, but members of the Muslim Brotherhood compete as independents. Also under the new rules, a party must have been continuously operating for at least five years and occupy at least 5 percent of the seats in the parliament in order to nominate a presidential candidate. This means that it will be nearly impossible for any opposition candidate to participate in the presidential election scheduled for 2011.

The June 2007 Consultative Council elections put the new constitutional amendments into practice. Police detained a number of Muslim Brotherhood members on election day, including six candidates, for violating the ban on religious parties. Ahead of the 2008 municipal elections, the authorities arrested hundreds of would-be candidates and prevented thousands of others from registering.

The Muslim Brotherhood continues to suffer from a vigorous government crackdown that began in 2006. Members and supporters are regularly detained on dubious charges, and senior Brotherhood officials are sometimes charged in military courts. The arrests continued in 2009 as the government sought to prepare the field for the 2010 parliamentary elections.

Corruption remains pervasive at all levels of government. Egypt was ranked 111 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

Freedom of the press is restricted in law and in practice. The state dominates the broadcast media and exercises influence over all privately owned publications through its monopoly on printing and distribution. The three leading daily newspapers are state controlled, and their editors are appointed by the president. Foreign publications and Egyptian publications registered abroad are subject to direct government censorship. Foreign journalists are sometimes harassed or expelled. In October 2009, authorities at Cairo airport prevented Swedish freelance reporter and blogger Per Bjorklund, who often reported on Egypt's labor movement, from entering the country. Several privately owned Egyptian satellite television stations have been established, but their programming is subject to state influence. Films, plays, and books are subject to censorship, especially for content deemed contrary to Islam or harmful to the country's reputation. A number of books and movies have been banned on the advice of the country's senior clerics.

Authorities continue to use an array of security-related and other laws to curb independent reporting. A 2006 press law abolished custodial sentences for libel, but it increased the possible fines, and journalists can still be jailed for other offenses. Nevertheless, Egyptian print journalists have resisted mounting government pressure in recent years, increasingly rejecting self-censorship despite the likelihood of harassment or prosecution. In February 2009, five journalists were fined for violating a court's ban on media coverage of the murder trial of Hisham Talaat Mostafa, a powerful businessman and member of parliament who was ultimately convicted of killing his onetime paramour, Lebanese singer Suzanne Tamim.

Internet journalists and bloggers have also defied more intense government harassment by reporting on sensitive issues that other media would not touch. The New York-based Committee to Protect Journalists (CPJ) has documented the detentions of several bloggers, including that of Dia Gad, who was detained for weeks without charge in February 2009 over his critical reporting on the situation at Egypt's border with the Gaza Strip. A number of previously arrested bloggers remained in detention at year's end. Abdel Karim Nabil Suleiman continued to serve a four-year prison sentence he had received in 2007 for criticizing Islam and the president. In addition to the detentions, bloggers like Wael Abbas, who documents cases of torture on his website, are routinely prevented from leaving the country, harassed, and monitored. CPJ has reported that the authorities examine internet traffic to gather information on potential targets for legal action.

Islam is the state religion. The government appoints the staff of registered mosques and attempts to closely monitor the content of sermons in thousands of small, unauthorized mosques. Most Egyptians are Sunni Muslims, but Coptic Christians form a substantial minority, and there are a very small number of Jews, Shiite Muslims, and Baha'is. A March 2009 ministerial decree recognized the right of adherents of "nonrecognized" religions to obtain identification papers, effectively ending the policy of forcing of Baha'is to identify as Muslims or Christians. Separately, a 2008 court ruling found that Christian converts to Islam were free to return to Christianity. Despite these positive developments, anti-Christian employment discrimination is evident in the public sector, especially the security services and military, and the government frequently denies or delays permission to build and repair

churches. When clashes between Christians and Muslims occur, the authorities generally attempt to downplay the sectarian nature of the violence. However, sectarian clashes have been increasing in frequency, with Coptic Christians suffering the brunt of the violence. In addition, groups like the Cairo Institute for Human Rights Studies have reported that the state is becoming less tolerant of eating in public during Ramadan and has harassed and monitored Shiites in Egypt.

Academic freedom is limited. Senior university officials are appointed by the government, and the security services reportedly influence academic appointments and the curriculum's treatment of sensitive topics. University professors and students have been prosecuted for political and human rights advocacy outside of the classroom.

Freedoms of assembly and association are heavily restricted. Organizers of public demonstrations must receive advance approval from the Interior Ministry, which is rarely granted. The Emergency Law allows arrest for innocuous acts such as insulting the president, blocking traffic, or distributing leaflets and posters. Authorities have cracked down more zealously on protesters and labor activists in recent years, partly because U.S. pressure for democratic reform has eased. In 2009, the government routinely arrested hundreds of demonstrators at the Gaza-Egypt border and held them without charge.

The Law of Associations prohibits the establishment of groups "threatening national unity [or] violating public morals," bars NGOs from receiving foreign grants without the approval of the Social Affairs Ministry, requires members of NGO governing boards to be approved by the ministry, and allows the ministry to dissolve NGOs without a judicial order. Security services have rejected registrations, decided who could serve on boards of directors, harassed activists, and intercepted donations.

The 2003 Unified Labor Law limits the right to strike to "nonstrategic" industries and requires workers to obtain approval for a strike from the government-controlled Egyptian Trade Union Federation, the only legal labor federation. Nevertheless, Egypt has been swept by a wave of wildcat strikes since late 2006. The strikes continued throughout 2009, but the government has succeeded in infiltrating and weakening the labor movement to some degree.

The Supreme Judicial Council, a supervisory body of senior judges, nominates and assigns most members of the judiciary. However, the Justice Ministry controls promotions and compensation packages, giving it undue influence over the courts. The 2006 Judicial Authority Law offered some concessions to judicial independence, but fell short of reforms advocated by the Judges' Club.

Egypt remains subject to the Emergency Law, invoked in 1981 and repeatedly renewed since then, despite Mubarak's 2005 promise that it would be replaced with specific antiterrorism legislation. Under the Emergency Law, "security" cases are usually referred to exceptional courts that are controlled by the executive branch and deny defendants many constitutional protections. The special courts issue verdicts that cannot be appealed and are subject to ratification by the president. Although judges in these courts are usually selected from the civilian judiciary, they are appointed directly by the president. Arrested political activists are often tried under the Emergency Law. The 2007 constitutional amendments essentially enshrined many controversial aspects of the Emergency Law, such as the president's authority to transfer civilians suspected of terrorism to military courts.

Since military judges are appointed by the executive branch to renewable two-year terms, these tribunals lack independence. Verdicts are based on little more than the testimony of security officers and informers, and are reviewed only by a body of military judges and the president. Legislation passed in 2007 allows for limited appeal of military court decisions, but opposition figures denounced it as an inadequate attempt to bolster the rights guarantees of the new constitutional amendments.

The Emergency Law restricts many other basic rights, empowering the government to tap telephones, intercept mail, search persons and places without warrants, and indefinitely detain suspects without charge if they are deemed a threat to national security.

The Egyptian Organization for Human Rights has reported that as many as 16,000 people are detained without charge for security-related offenses, and thousands are serving sentences for such offenses. Prison conditions are very poor; inmates are subject to torture and other abuse, overcrowding, and a lack of sanitation and medical care.

Human rights groups have criticized Egypt's treatment of migrants and refugees from Sudan and other African states, and the Egyptian military has continued to shoot and kill migrants trying to enter Israel through Egypt and other border crossings. In 2009, at least 19 migrants were killed.

Although the constitution provides for equality of the sexes, some aspects of the law and many traditional practices discriminate against women. Job discrimination is evident even in the civil service. Muslim women are placed at a disadvantage by laws on divorce and other personal status issues, and a Muslim heiress typically receives half the amount of her male counterparts, though Christians are not subject to such provisions of Islamic law. Domestic violence is common, as is sexual harassment on the street. Spousal rape is not illegal, and the penal code allows for leniency in so-called honor killings. The government has been involved in a major public-information campaign against female genital mutilation, but it is still widely practiced.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*