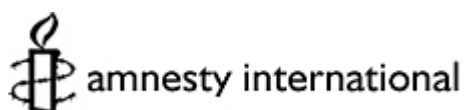


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Amnesty International Annual Report 2012 - Egypt

Head of state: Mohamed Hussein Tantawi (replaced Muhammad Hosni Mubarak in February)

Head of government: Kamal Ganzouri (replaced Essam Sharaf in December, who replaced Ahmed Shafik in March, who replaced Ahmed Nazif in January)

Death penalty: retentionist

Population: 82.5 million

Life expectancy: 73.2 years

Under-5 mortality: 21 per 1,000

Adult literacy: 66.4 per cent

At least 840 people were killed and 6,000 were injured mostly by police and other security forces during the "25 January Revolution" which forced President Hosni Mubarak to leave office in February. The Supreme Council of the Armed Forces (SCAF), headed by Mohamed Hussein Tantawi, replaced Hosni Mubarak, who was put on trial with his sons and other officials. However, there were continuing protests; the army and the police responded in some cases with excessive force. The SCAF released political prisoners and allowed the registration of previously banned political parties and independent trades unions, but maintained the 30-year state of emergency, criminalized strikes, tightened restrictions on the media and used military courts to try and sentence more than 12,000 civilians, many of them arrested in connection with continuing protests over what they saw as the slow pace of reform. Hosni Mubarak's notorious State Security Investigations (SSI) police force was disbanded, but torture of detainees remained common and widespread and took on a shocking new dimension when a number of women were forced by army officers to undergo "virginity tests" in detention. The army forcibly evicted residents of informal settlements (slums) in Cairo and elsewhere, as well as squatters who sought shelter in empty public housing. Women participated prominently in the protests but continued to face discrimination in both law and practice. Discrimination persisted against religious minorities, particularly Coptic Christians. At least 123 death sentences were imposed and at least one person was executed. Border guards continued to shoot migrants, refugees and asylum-seekers seeking to cross Egypt's Sinai border into Israel. Twenty were reported killed in 2011, including at the border with Sudan; others were prosecuted or forcibly returned to countries where they were at risk of serious human rights violations. Some were reportedly victims of

human trafficking.

Background

President Mubarak resigned on 11 February after 30 years in power following 18 days of mass, largely peaceful protests across Egypt to which the security forces responded with lethal and other excessive force. According to official reports, at least 840 people were killed or died in connection with the protests and more than 6,000 others were injured. Thousands were detained; many were tortured or abused. The military assumed power, in the form of the SCAF, but appointed interim civilian prime ministers and government ministers pending parliamentary elections that began in November and were to be completed in early 2012. Presidential elections were promised for mid-2012.

Immediately after Hosni Mubarak's fall, the SCAF suspended the 1971 Constitution, dissolved parliament and issued a Constitutional Declaration guaranteeing a number of rights. It also released hundreds of administrative detainees. In March, the powerful but long-banned Muslim Brotherhood and other proscribed organizations were allowed to register and operate lawfully, and subsequently contested the parliamentary elections. The Muslim Brotherhood's political party, the Freedom and Justice Party, emerged as the strongest party in early election results. Hosni Mubarak's National Democratic Party was dissolved in April.

In March, the Interior Ministry acceded to weeks of pressure from protesters and disbanded the SSI, the security police force notorious for torture and other abuses. Before the disbanding, activists broke into the SSI headquarters in Alexandria and Cairo after news spread that SSI officers were destroying evidence of human rights abuses. The SSI was replaced by the National Security Agency; it was unclear whether any vetting mechanism was established to prevent the recruitment or transfer of SSI officers implicated in torture or other human rights violations. The head of the SSI was, however, charged in connection with the killings of protesters in January and February.

The SCAF maintained the national state of emergency and in September expanded the Emergency Law to criminalize acts such as blocking roads, broadcasting rumours, and actions deemed to constitute "assault on freedom to work". Amendments to the Penal Code stiffened the penalties for "thuggery", kidnapping and rape, up to the death penalty, and Law 34 of 2011 was enacted, criminalizing strikes and any form of protest deemed to "obstruct work". After violence in October that killed 28 people, mostly Copts, the SCAF prohibited discrimination on the basis of gender, origin, language, religion or belief.

Torture and other ill-treatment

Despite the dissolution of the SSI, whose officials had committed torture with impunity, there were continuing allegations of torture and other ill-treatment by the police and armed forces, and a number of detainees died in custody in suspicious circumstances. In June, the Public Prosecutor set up a committee of three judges to examine torture complaints. While some of the torture allegations against the police were investigated, none of those against the armed forces was adequately investigated or led to prosecution.

- Mostafa Gouda Abdel Aal was arrested in Cairo's Tahrir Square on 9 March by soldiers who beat and dragged him to the nearby Egyptian Museum. There, they blindfolded him, tied his hands behind his back and threw him to the floor, doused him with water and subjected him to electric shocks to his penis and buttocks, and beat him on his back with a cable. He was held for a night in a van with other detainees before being taken to Heikstep Military Prison where the detainees were beaten and mocked by military prosecution interrogators. Officials did not ask them about their injuries, which were visible, or why their clothes were bloodstained, and they were hit with electric shock batons before being tried before a military court held in the prison canteen. After grossly unfair trials, they were sentenced to between one and seven years in prison and

transferred to Tora Prison. They were released on 23 May following a pardon by the SCAF; Mostafa Gouda Abdel Aal still had visible injuries caused by torture.

- On 26 October, two police officers were sentenced to seven-year prison terms by an Alexandria court for the manslaughter of Khaled Said, whose death in June 2010 – he was brutally beaten in public by police – became a *cause célèbre* during the anti-Mubarak protests. The court ignored the finding of a second autopsy, which stated that he had died after a plastic roll of drugs was forced down his throat. In December, the prosecution appealed the sentence.

Unfair trials

From 28 January, when the army was deployed to police demonstrations after the police were withdrawn from the streets, people accused of protest-related offences and violence were tried before military courts rather than ordinary criminal courts, even though those accused were civilians. The military courts were neither independent nor impartial. By August, according to the military judiciary, some 12,000 people had been tried before military courts on charges such as "thuggery", curfew violations, damage to property and "insulting the army" or "obstructing work". Many were released with a suspended prison sentence or after a pardon, but thousands remained in detention at the end of the year.

- Amr Abdallah Al-Beheiry was jailed for five years in February after a military court convicted him of breaking the curfew and assaulting a public official. He was first arrested on 26 February when soldiers and military police forcibly dispersed protesters gathered outside the parliament building in Cairo; many of those arrested were beaten and subjected to electric shocks before they were released. Amr Abdallah Al-Beheiry was rearrested, however, apparently because the injuries he sustained were filmed. The military judge at his trial, which was grossly unfair, refused to allow him to be defended by a lawyer hired by his family, insisting on a court-appointed lawyer. He was sent first to Wadi Guedid Prison, where he and other prisoners were reportedly assaulted by guards and allowed to leave their cells only once a day to use the toilet, then moved to Wadi Natroun Prison, where at the end of the year he remained waiting an appeal date.
- Five workers who staged a sit-in protest outside the Ministry of Petroleum after they were sacked by the Egyptian General Petroleum Corporation were arrested, charged under Law 34 of 2011, tried and convicted by a military court in June; they received suspended prison sentences.

Excessive use of force

The security forces used lethal and other excessive force against demonstrators before the fall of Hosni Mubarak. Prison guards also shot and killed some sentenced prisoners. Subsequently, the army, military police and central security forces continued to use force, including excessive force, to disperse renewed protests by demonstrators angry and frustrated at the slow pace of political and human rights reform. On some occasions, demonstrators were attacked by and clashed with "thugs" – armed men in plain clothes believed to be linked to the police or supporters of the former ruling party. In many cases, the security forces fired tear gas, shotgun pellets and rubber bullets at demonstrators recklessly; they also fired live ammunition and on at least one occasion drove armoured vehicles at and over protesters.

- On 9 October, a demonstration mostly by Copts outside the Maspero state television building in Cairo, was broken up with extreme force by the security forces, who alleged that groups of armed men in plain clothes were responsible for triggering the violence. Twenty-eight people, mostly protesters but including one soldier, were killed, and others were injured, many having been shot with live ammunition or run over at speed by soldiers driving armoured vehicles. The SCAF ordered an investigation and, following further protests and the return of protesters to Cairo's Tahrir Square, referred the case to the public prosecutor,

who then appointed an investigating judge to examine the case. The trial of three soldiers charged with the manslaughter of 14 Maspero protesters opened in December, before the investigating judge submitted his report.

- In November, the security forces used tear gas and fired shotgun pellets and live rounds against protesters in five days of clashes near the Interior Ministry building in Cairo after the army and the central security forces dispersed protesters and families of the victims of the "25 January Revolution" from Tahrir Square. Some 51 people died and more than 3,000 were injured, while others were arrested to face charges such as illegal gathering, attacking protesters with shotguns, obstructing traffic, destroying property, and attacking officials.
- In December, military police and other security forces used excessive and disproportionate force and live ammunition to disperse protesters near the ministerial Cabinet building. At least 17 people were killed, most of them with gunfire, and a hundred others injured or arrested. Several women said they were brutally beaten and threatened with sexual assault while under arrest.

Freedom of expression and association

Before the fall of Hosni Mubarak, the authorities sought to hamper protesters' efforts to organize by ordering the cutting of telephone and internet lines. Under the SCAF, new restrictions were imposed on the media, and the security forces raided TV stations and threatened journalists and bloggers with imprisonment. The SCAF also took action targeting human rights NGOs.

- Maikel Nabil Sanad, a blogger, was sentenced to three years in prison in April after an unfair trial before a military court because he had "insulted" the SCAF, criticized its use of excessive force against protesters in Tahrir Square, and objected to military service. He went on a protest hunger strike in August and remained in detention, although a military appeals court ordered his retrial in October. He was transferred to a psychiatric hospital at the request of a lawyer in proceedings at which neither he nor his lawyers were present. His sentence was reduced to two years after a retrial by a military court. A prisoner of conscience, he was still held at the end of the year and was being denied adequate medical treatment. On 31 December, he ended his hunger strike.

The authorities said that they were examining the legal registration and funding of some 37 human rights organizations and that the Supreme State Security prosecution was considering whether to bring "treason" or "conspiracy" charges against those deemed to be operating without being registered, to have received funding from abroad without the authorities' consent, or to have engaged in "unpermitted" political activity. The Central Bank ordered all banks to provide details of the financial transactions of NGOs and individual activists to the Ministry of Solidarity and Social Justice. In December, security forces raided some 17 human rights NGOs and seized their computers and documents.

Women's rights

Women continued to face discrimination in law and in practice, yet played a prominent role in the protests, both before and following the fall of Hosni Mubarak. Some women activists and journalists were targeted for sexual and other abuse.

- All but one of 18 women detained when the army forcibly cleared protesters from Cairo's Tahrir Square on 9 March were strip-searched and seven of them subjected to "virginity tests", a form of torture, at Heikstep Military Prison, and threatened that those deemed "not to be virgins" would be charged with prostitution. All 18 had been taken first with other detainees to the Egyptian Museum where they were handcuffed, beaten with sticks and hoses, subjected to electric shocks to the chest and legs, and insulted by soldiers. Seventeen of them were taken before a military court, even though they are civilians, on 11 March and released

two days later. Several were convicted of offences such as disorderly conduct and obstructing traffic, and were sentenced to suspended prison terms. In December, an administrative court ruled that these tests were illegal and ordered the military to suspend them.

- Journalist Mona Eltahawy was arrested and detained for 12 hours by the security forces on 24 November amid ongoing clashes between security forces and protesters. She said that she was sexually assaulted by security officials and beaten, sustaining fractures to her left hand and right arm.

The SCAF ended the quota system in the election law that had previously reserved 64 parliamentary seats (12 per cent) for women; instead, it required that every political party include at least one woman on its list of electoral candidates but without requiring that she be high on the list.

Discrimination – Copts

There was a rise in communal violence between Muslims and Coptic Christians, who remained subject to discrimination and felt themselves inadequately protected by the authorities. Sectarian attacks on Copts and their churches by alleged Islamists appeared to increase after the SCAF assumed power, and the killings of Copts at the Maspero demonstration in October exacerbated tensions.

- Clashes erupted in Imbaba, a working-class area of Giza, on 7 May when alleged Islamists attacked a church in the apparent belief that a woman who had converted to Islam was held against her will. Fifteen Copts and Muslims died, and many others were injured. Copts' homes and businesses were damaged and another local church was burned. At first, the army reportedly failed to intervene but then opened fire, killing several people. Many Imbaba residents, including injured people, were arrested; most were released on 26 May but the trial of 48 people, Muslims and Copts, before an (Emergency) Supreme State Security Court in Cairo was continuing at the end of the year.

Impunity and accountability

The authorities prosecuted some of those allegedly responsible for orchestrating the killings in January and February but otherwise failed to deliver justice to the relatives of those killed and to people injured during the "25 January Revolution". Police and other members of the security forces charged with or implicated in the killings or wounding of protesters remained in their posts or were transferred to administrative posts within the Ministry of Interior; many reportedly sought to pressurize or induce families and witnesses to withdraw complaints. Members of the armed forces and the police committed human rights abuses, including torture and unlawful killing, with impunity.

- In April, the trial began of former Interior Minister Habib Ibrahim El Adly and six of his former aides on charges arising from the killings of protesters. The case was joined to that of Hosni Mubarak and his two sons and all then went on trial in August, charged with premeditated and attempted murder. The trial, whose first two sessions were broadcast on national television, was continuing at the end of the year.

Housing rights – forced eviction

Thousands of people continued to live in localities within informal settlements in Cairo and elsewhere that have been officially designated as "unsafe areas" for residence due to rock falls and other dangers. The residents were also at risk of forced eviction. The army forcibly evicted residents from some "unsafe areas" and also forcibly evicted squatters seeking shelter in empty state housing; those evicted were not consulted or given reasonable notice, and were often left homeless.

Official plans to rehouse residents of "unsafe areas" were devised by governorates in collaboration with the Informal Settlements Development Facility (ISDF), a fund established in 2008, but affected residents were not consulted or even given details of the plans. The Cairo 2050 plan was not published or submitted for full consultation with the communities living in informal settlements who are likely to be most affected, although in August the Housing Ministry affirmed that the plan would not lead to forced evictions.

In the aftermath of the "25 January Revolution", there was an upsurge of squatting in empty government buildings. Local authorities responded by calling in the army and riot police to forcibly evict the squatters, which they did without warning.

- In Zerzara, one of Port Said's designated "unsafe areas", the army demolished the shacks of over 200 families, rendering 70 families homeless, in early July. Those affected were given only one day's notice and were not consulted. Many of the families made homeless were headed by women. Weeks earlier, the local governorate had announced plans to provide 3,500 new accommodation units for residents by June 2012, partly by constructing buildings to rehouse residents on site. The demolitions led other families to fear forcible eviction despite official letters promising that they will receive alternative housing when it becomes available.
- In July, some 200 families were made homeless when they were forcibly evicted without warning from some 20 buildings in Manshiyet Nasser, Cairo, in which they had made their homes. With the help of the local "Popular Community Committee" set up by young people during the uprising, they were rehoused at the remote 6 October City, south-west of Giza.

Refugees and migrants

Security forces continued to shoot foreign migrants, refugees and asylum-seekers who sought to cross Egypt's Sinai border into Israel, killing at least 10 people. They also killed 10 Eritreans who sought to enter Egypt from Sudan. Many others were shot and injured, some seriously, or arrested and tried before military courts for "illegal entry" and sentenced to prison terms. At least 83 refugees and asylum-seekers were deported to countries where they would be at risk of serious human rights violations; many were Eritreans. More than 100 refugees and asylum-seekers remained at risk of forcible return at the end of the year.

People-traffickers reportedly extorted, raped, tortured and killed refugees, asylum-seekers and migrants crossing the Sinai Peninsula into Israel, as well as forcibly removing their organs to sell on the black market.

Death penalty

At least 123 people were sentenced to death, including at least 17 who were sentenced after unfair trials before military courts. At least one person was executed.

- Mohamed Ahmed Hussein, convicted of a drive-by killing of Coptic Christian worshippers as they left a church in Upper Egypt on 6 January 2010, was hanged on 10 October.

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