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World Report 2011 - Egypt

Events of 2010

Egypt continued to suppress political dissent in 2010, dispersing demonstrations; harassing rights activists; and detaining journalists, bloggers, and Muslim Brotherhood members. Security officers used lethal force against migrants attempting to cross into Israel and arbitrarily detained recognized refugees.

Despite promising since 2005 to end the state of emergency, the government renewed Law No. 162 of 1958 in May, but promised to restrict its use. Afterward authorities released at least 450 individuals detained under the emergency law, including Bedouin rights defender Mus'ad Abul Fagr and blogger Hany Nazeer. The government continues to refuse to disclose the number of persons detained under the emergency law, but Egyptian human rights organizations estimate the number at around 5,000.

The June 1 elections for the Shura Council, the upper house of parliament, were marred by reports of fraud and voter intimidation. The High Elections Committee failed to issue 2,600 of the 4,000 civil society permits requested by the National Council for Human Rights. People's Assembly elections took place on November 28 with ineffective judicial supervision.

Freedom of Expression

Security officers targeted bloggers and journalists who criticized government policies and exposed human rights violations, and activists supporting Mohamed El Baradei's Campaign for Change. In March State Security Investigations (SSI) arrested Tarek Khedr, who had been gathering signatures for the Baradei petition, and detained him incommunicado at an unknown location for three months. In April SSI officers arrested publisher Ahmed Mehni for publishing a book, "El Baradei and the Dream of the Green Revolution."

In February military intelligence officers arrested Ahmad Mustafa, a blogger and activist in the April 6 Youth Group, after he blogged about corruption in the Military Academy.

The prosecutor charged Mustafa with "spreading false information" and transferred the case to a military tribunal, where a judge released him after 10 days on the condition that he apologize.

In the run-up to the parliamentary elections, the government on October 13 brought all live broadcasts by private companies under control of state television, and on November 1 issued directives requiring prior permission for every live broadcast.

Freedom of Assembly and Association

In April security officials cracked down on a peaceful protest – organized by the April 6 Youth Group – calling for an end to the state of emergency; more than 100 were arrested and 33 were brought before a prosecutor, who charged them with demonstrating "to overthrow the regime" and released them. In June a number of peaceful demonstrations expressed outrage at the police killing of Khaled Said in Alexandria. Security officials beat and dispersed protestors, arresting at least 101 in one day.

In February SSI arrested 16 senior Muslim Brotherhood members, including deputy leader Mahmud Ezzat and prominent member Essam El Erian. A state security prosecutor charged them with leading a Brotherhood faction that promotes violence against the government. The prosecutor dropped all charges and released them two months later. After the changes to the emergency law came into effect, the Ministry of Interior released almost all Muslim Brotherhood members detained under the law. As of November 18, Egyptian security officers had arrested 487 members of the Muslim Brotherhood in connection with campaigning for the members of the group who are running as independents in the parliamentary elections, and held 288 of them in preventive detention on charges of "membership in an illegal organization."

Arbitrary Detention and Torture

Officials of SSI appear to have "disappeared" more political detainees in 2010. Security officers "disappeared" those accused of membership in Islamic groups for up to three months and also "disappeared" young political activists for several days. SSI arrested Amr Salah on September 9 and detained him incommunicado at an unknown location before releasing him 30 hours later. In a rare case of a long-term disappearance, the whereabouts and well-being of Mohamed Tork, a 23-year-old student, have been unknown since his arrest in July 2009. Family complaints to the prosecutions and the Interior Ministry have received no response.

Police and security forces regularly engaged in torture in police stations, detention centers, and at points of arrest. In March SSI arrested Muslim Brotherhood member Nasr al-Sayed Hassan Nasr, detained him incommunicado for three months, and tortured him for 45 days during interrogation. They released him without charge in June. Also in June two policemen beat 28-year-old Khaled Said to death on an Alexandria street, causing public outrage. Following widespread protests, a public prosecutor referred the two policemen to court on charges of excessive use of force, but failed to indict their superior officer; at this writing two sessions of the trial have taken place.

Fair Trial and Special Courts

The year 2010 saw increases in the number of trials of civilians before military courts and in reliance on special courts that do not meet fair trial standards. At this writing the ongoing trial of 25 defendants accused of membership in a terrorist organization, the so-called Zeitoun trial, has already been marred by the incommunicado detention of the defendants, their lack of access to counsel, and allegations of torture that prosecutors did not properly investigate. In August prosecutors referred former torture victim Imad al-Kabir to trial before a state security court on charges of possession of an illegal weapon after a neighborhood brawl.

Labor Rights

Egypt witnessed waves of worker protests and unauthorized strikes throughout 2010, and security officers dispersed several of these using excessive force. In August a military court tried eight civilian workers on charges of deliberately stopping production, going on strike, and "disclosing military secrets." The case followed an amendment to the Military Justice Code, after workers from the Helwan Military Factory participated in a protest against factory conditions following another worker's death. The court acquitted three of the workers but gave two others suspended prison sentences and fines, and recommended disciplinary measures against a further three.

Freedom of Religion

Although Egypt's constitution provides for equal rights without regard to religion, there is widespread discrimination against Egyptian Christians, as well as official intolerance of heterodox Muslim sects. In January gunmen shot dead six Coptic Christians as they left a Christmas Mass in Nag' Hammadi, forcing the government to acknowledge increasing sectarian violence. Prosecutors charged three men with premeditated murder in this incident, and transferred the case to a State Security Court. Authorities responded to a subsequent incident of sectarian violence in March in Marsa Matrouh in a more typical fashion, merely urging the parties to drop complaints and not pursuing criminal investigations or holding perpetrators accountable.

In March SSI arrested at least nine members of the Ahmadi faith and detained them for 80 days on charges of "showing contempt for the Islamic faith." Security officials continued to detain eight adherents of the Shia faith under successive emergency law detention orders, despite government promises to release all those detained under the law for reasons other than terrorism and drugs, and despite successive court orders for their release.

Refugees and Migrants

The treatment of refugees and migrants in Egypt deteriorated further. At this writing Egyptian border guards have shot dead at least 27 migrants attempting to cross the Sinai border into Israel since the start of 2010. A government official said that security forces had "only" killed 4 percent of those attempting to cross in 2009. Egypt denied the United Nations High Commissioner for Refugees (UNHCR) access to detained migrants, preventing them from making asylum claims. Egypt also continues to detain UNHCR-recognized refugees and charge refugees and migrants alike with illegal entry, bringing their cases before military courts that do not meet international fair trial standards.

In January SSI officials arrested at least 25 Sudanese refugees and asylum seekers and detained many incommunicado for up to three months. Among them was Faisal Mohamed Haroun, a recognized refugee from Darfur, who disappeared when SSI arrested him on January 7 and did not reappear until April 6, when officials brought him before a state security prosecutor. A prosecutor dropped the charges against Haroun and closed the investigation, but he and at least 14 other refugees and asylum seekers remain in detention. Egypt has made four attempts, one successfully, to deport refugees who have been recognized by UNHCR.

Women's and Girls' Rights

In February the State Council, Egypt's highest administrative court, voted to ban women from serving as judges on the council. The decision was overturned by Egypt's Constitutional Court, but women are still not represented on the State Council and are extremely underrepresented in the Egyptian judiciary.

In June a decision by Egypt's Supreme Administrative Court allowing Christian divorcees to remarry prompted an outcry from the Orthodox Coptic Church, which refused to recognize the decision. In July the Supreme Constitutional Court overruled the

administrative court's decision, and the Coptic Church approved a draft personal status law for non-Muslims that only allows for divorce under certain conditions, such as adultery, and denies Christian divorcees the right to remarry.

In August officials arrested an Egyptian doctor for illegally performing female genital mutilation on a 13-year-old girl who later died from complications arising from the procedure. The Egyptian government criminalized performing female genital circumcision in 2008.

Egypt still lacks a legal environment to protect girls and women from violence, encourage them to report attacks, and deter perpetrators from committing abuses against them.

Key International Actors

At Egypt's Universal Periodic Review before the UN Human Rights Council in February, the government accepted 140 out of 165 recommendations, but rejected key ones related to abolishing the death penalty, eliminating the crime of "habitual debauchery," and permitting NGOs to receive funding without prior authorization. The United States condemned the renewal of the emergency law and pressed for the release of detainees. US Senators Russ Feingold and John McCain introduced a Senate resolution with broad support calling for ending the state of emergency and abuses by security officers, and establishing free elections in Egypt. Egyptian government lobbyists strenuously opposed the resolution. European Union Heads of Mission issued a statement in July calling for an impartial investigation into the police killing of Khaled Said.

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