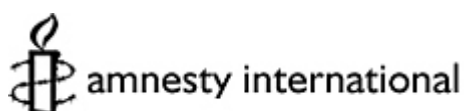


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Amnesty International Report 2009 - Egypt

Head of state: Muhammad Hosni Mubarak
Head of government: Ahmed Nazif
Death penalty: retentionist
Population: 76.8 million
Life expectancy: 70.7 years
Under-5 mortality (m/f): 37/29 per 1,000
Adult literacy: 71.4 per cent

The renewal of the state of emergency for a further two years caused widespread discontent. Rising food prices and growing poverty fuelled a wave of strikes by private and public sector workers. Some protests led to violent clashes between police and demonstrators, and some protesters were prosecuted, including before emergency courts. A rockslide in Al-Duwayqah slum in September killed at least 100 people and highlighted the plight of slum dwellers in Cairo, believed to comprise nearly a third of the capital's population. Journalists remained under threat of imprisonment for defamation and on other charges. Hundreds of political activists, mainly from the Muslim Brotherhood, were arrested, including in the run-up to local elections in April. While a new anti-terrorism law was still being prepared, thousands of political prisoners continued to be held in administrative detention under emergency legislation, many of them for more than a decade. Torture and other ill-treatment were widespread. Migrants were killed by Egyptian security forces when attempting to cross into Israel, and around 1,200 Eritrean asylum-seekers were forcibly returned to Eritrea despite fears for their safety there. The practice of female genital mutilation (FGM) was banned by law.

Legal developments

A law passed in April banned demonstrations inside places of worship and prescribed up to one year in prison for offenders. Amendments to the Child Law in June banned FGM and marriage under 18, allowed women to register children under their own family name and prescribed prison terms for the sale, sexual molestation and exploitation of children.

Several draft laws threatened human rights. Draft legislation on audio-visual media,

which would further curtail freedom of expression, was widely debated. Journalists found to have damaged "social peace", "national unity", "public order" and "public values" could face up to three years' imprisonment.

The state of emergency, in force continuously since 1981, was renewed in May, pending the introduction of a new anti-terrorism law that was expected to equip the authorities permanently with emergency-style powers similar to those which currently facilitate serious human rights violations.

Justice system

Military and special courts

Grossly unfair trials continued before military and special courts. Defendants tried before military courts included civilians, in breach of international fair trial standards.

Twenty-five members of the Muslim Brotherhood were sentenced in April to up to 10 years in prison by the Haikstep military court, including seven who were tried in their absence. Khairat al-Shatir, a Muslim Brotherhood leader, was jailed for seven years. Fifteen defendants were acquitted and released but banned from travel abroad. All were tried on terrorism-related and money laundering charges, which they denied. They appealed. Amnesty International observers were denied access to the trial.

- The trial began in August before the (Emergency) Supreme State Security Court in Tanta of 49 people accused of involvement in violent protests on 6 April (see below). The defendants said they were blindfolded for nine days and tortured by State Security Investigation (SSI) officials in Mahalla and at Lazoghly Square, Cairo, after their arrests. Methods alleged included beatings, electric shocks and threats that their female relatives would be sexually abused. The authorities failed to order an independent investigation into their complaints, and confessions allegedly obtained through torture comprised the main evidence against the defendants. Twenty-two of the defendants were sentenced in December to up to five years in prison.

Administrative detention

The Interior Ministry stated in January that the number of administrative detainees did not exceed 1,500. Unofficial sources suggested, however, that the real figure was considerably higher, possibly up to 10,000, and included people who had been held continuously without charge or trial for years. Administrative detainees, held on the orders of the Interior Minister, were kept in conditions that amounted to cruel, inhuman or degrading treatment, and some were reported to be ill as a result. Many remained in prison despite repeated court orders for their release. In August, the Interior Ministry agreed to pay a total of 10 million Egyptian pounds (US\$1.87 million) in compensation to around 1,000 Islamists who had been detained without trial or kept in jail despite release orders during the 1990s.

- Musaad Suliman Hassan (known as Musaad Abu Fagr), a novelist and founder of the Sinai-based movement Wedna Na'ish (We Want to Live), was detained in Borg Al-Arab Prison, Alexandria, and later in Abu Zaabal Prison in Cairo, on the authority of the Interior Minister despite several court orders for his release. The Minister ordered his detention in February after a court in El-Arish acquitted him of charges of inciting protests and resisting the authorities. He was arrested in December 2007 after demonstrations in July and December 2007 calling for the economic, social and cultural rights of the Sinai Bedouins to be respected.

Counter-terror and security

An unknown number of Egyptians who were considered terrorism suspects and forcibly returned by the US and other governments in previous years continued to be detained; some were reported to have been tortured by Egyptian security forces.

Torture and other ill-treatment

Torture and other ill-treatment were systematic in police stations, prisons and SSI detention centres. Impunity continued for most perpetrators, exacerbated by police threatening victims with re-arrest or the arrest of relatives if they lodged complaints. However, some alleged torturers were brought to trial during the year.

- In October, Mervat Abdel Salam died after police officers raided her home in Samalut, Minya Governorate, and beat her during a robbery inquiry. Although she was pregnant and bleeding, police officers were reported to have locked her in the house, delaying medical assistance. Her family complained to the Public Prosecutor, who ordered an investigation, but the initial forensic medical report concluded that there were no external signs of violence despite injuries visible to her family. Lawyers for the family requested an independent medical report, which later confirmed that there were signs of violence on her body. Police detained several members of Mervat Abdel Salam's family apparently to pressure them into withdrawing the complaint.

Deaths in custody

A number of deaths in custody, apparently as a result of torture and other ill-treatment, were reported.

- Ali Muhammad Muhammad Abd-al-Salam died in Asyut Prison in Upper Egypt on 8 September. Fellow prisoners said a prison guard had assaulted and killed him. The Interior Ministry said he had died while held in solitary confinement following a quarrel with other prisoners.

Freedom of assembly and association

The government clampdown on political opposition groups, particularly the Muslim Brotherhood, intensified in April. On 5 April, three days before local elections and a day before a planned general strike, the government banned all demonstrations. Protests were nevertheless held in Mahalla, north of Cairo, which were violently suppressed, and in other cities. At least three people were shot dead and dozens wounded as a result of excessive use of force by the security forces.

- On 23 July, 14 members of the "6 April Youth" group – a collection of bloggers, activists and others who called for a general strike on 6 April to support striking textile workers in Mahalla – were arrested during a peaceful protest in Alexandria. Some of those detained were ill-treated in police custody. All were released without charge in late July and early August.

Freedom of expression

The authorities used repressive laws to clamp down on criticism and dissent. They prosecuted journalists for defamation and other offences, censored books and editions of foreign newspapers, and imposed restrictions on the Egyptian media. Some internet websites were blocked and bloggers and others who criticized the government were arrested. Several foreign satellite television stations were ordered to close their offices in Cairo or had their transmission suspended in Egypt. The Cairo News company director was fined 150,000 Egyptian pounds (US\$27,000) and its broadcasting equipment seized for broadcasting footage of protesters destroying a poster showing President Mubarak

during the demonstrations in April in Mahalla.

- In March, Ibrahim Eissa, editor of *Al-Dustour* daily newspaper, was sentenced to six months in prison, reduced to two months on appeal in September, for writing an article that questioned the President's health. He was charged under the Penal Code for publishing information considered damaging to the public interest and national stability. He was pardoned by the President in October. In August, an edition of *Al-Dustour* was censored.

Human rights defenders

Human rights defenders, including lawyers, who sought to expose abuses or defend torture victims were harassed and prosecuted by the authorities. However, in March the Centre for Trade Union and Workers' Services, closed by the authorities in 2007, was allowed to register as an NGO and to resume its work. In October, the Association for Human Rights and Legal Aid won a court case against closure.

- On 30 April, Magda Adly, director of the Nadim Centre, which provides vital services for torture victims, sustained fractures and other injuries when she was assaulted inside the Kafr Dawwar court building. Her assailant was apprehended by the public; he said he carried out the assault on the orders of a local police officer.

Violence against women and girls

Amendments to the Child Law passed in June outlawed female genital cutting except when "medically necessary", a qualification that many feared could undermine the ban. Those who break the law face up to two years in jail or a substantial fine.

In October a Cairo court sentenced a man to three years in prison for repeatedly groping a woman from his car as he drove slowly alongside her as she walked down the street.

Discrimination – suspected gay men

In a police crackdown begun in October 2007, 24 men were arrested in Cairo and Alexandria on charges of the "habitual practice of debauchery", a criminal charge used to prosecute consensual sexual acts between men. Twelve who were suspected of being HIV-positive were arrested in Cairo, then tortured and otherwise ill-treated by police, including with beatings, and tested for HIV/AIDS without their consent. Those testing positive were kept chained to their hospital beds until February, when the Ministry of Health and Population ordered them to be unchained after international protests. Most of the men were forcibly subjected to anal examinations to "prove" that they had engaged in homosexual conduct; such examinations conducted without consent constitute torture. Nine of the men were later sentenced to between one and three years in prison; charges against three others were dropped. Four of those sentenced to one year in prison were granted an early release in September after serving three-quarters of their sentence.

Eleven of the 12 arrested in Alexandria in April had their two-year prison sentences upheld by an Alexandria Appeals Court in August. They had all been subjected to forcible anal examinations.

Discrimination – religious minorities

The Supreme Administrative Court overturned government policy in January by ruling that Baha'is, whose religion is not recognized by the state, could obtain identity (ID) documents without stating their faith. In February the court ruled that Coptic Christians

who had converted to Islam could convert back to Christianity and have this recognized on their ID cards. Despite this, the authorities remained reluctant to comply with the court's orders. ID cards are essential to access basic services.

Sectarian attacks on the Coptic Christian community, comprising between 6 and 8 million people in Egypt, increased, according to reports. Sporadic clashes between Coptic Christians and Muslims left eight people dead.

Death penalty

At least 87 death sentences were passed and at least two people were executed. There was increasing debate on the use of the death penalty; a conference of judges and jurists agreed to campaign for its scope to be limited.

In December Egypt voted against a UN General Assembly resolution calling for a worldwide moratorium on executions.

Migrants, refugees and asylum-seekers

Security forces used excessive lethal force against migrants, possibly including refugees and asylum-seekers and most of whom were from Sudan and Eritrea, who attempted to cross the border from Egypt into Israel; 28 people were shot dead and scores were injured. Hundreds of migrants were tried before a military court for "attempting to exit unlawfully the Egyptian eastern border"; none was allowed access to UNHCR representatives in Egypt to seek asylum. Many migrants, including from Eritrea and Sudan, were forcibly returned to countries where they were at risk of serious human rights violations.

- In June, up to 1,200 Eritrean asylum-seekers were forcibly returned to Eritrea where they faced the risk of torture and other serious human rights violations. Most were immediately detained by the Eritrean authorities in military training camps.

Housing rights – slums/informal settlements

More than 100 residents of Al-Duwayqah were killed by a rockslide on 6 September. Water leaking from Al-Moqattam hill had given warning of a possible disaster, but the authorities did not take appropriate action. After a similar tragedy at the nearby Zabaleen slum in 1993, the government ordered the clearance of Al-Duwayqah in 1999, but many residents refused to leave because the authorities reportedly failed to provide them with adequate alternative housing.

Police cordoned off the disaster scene and restricted access to journalists and humanitarian organizations, although camps for survivors were established by the army and the Egyptian Red Crescent. Survivors held protests and most but not all were provided with alternative housing. The Public Prosecutor was reported to have opened an investigation into the cause of the deaths.

The tragedy provided a stark reminder of the risks facing many of Egypt's slum-dwellers, who number between 5 and 11 million people, according to official estimates, and live in around 1,000 overcrowded informal settlements (*ashwaiyyat*) that lack adequate basic services.

Right to health

On 4 September, a Cairo administrative court found the Prime Minister's transfer under a

2007 decree of the health care facilities of the public non-profit-making Health Insurance Organization, plus its assets and affiliated companies, to the Egyptian Healthcare Holding Company to be in violation of the state's duty to guarantee the right to health. It also found the transfer in breach of the Constitution and Egypt's obligations under the International Covenant on Economic, Social and Cultural Rights. The court reasoned that people who cannot afford health care would be deprived of it. The court also stated that the right to medical care at a reasonable price should govern a government's right to introduce new administrative methods.

Amnesty International visits

Amnesty International delegates visited Egypt in February in an unsuccessful attempt to observe a trial before the military court, as well as in May and July to participate in conferences and workshops.

Amnesty International reports

- Egypt: 117 NGOs slam HIV-based arrests and trials – doctors helping police denounced for breaching medical ethics, human rights (7 April 2008)
- Egypt: Sentences against Muslim Brothers a perversion of justice (15 April 2008)
- Egypt: Deadly journeys through the desert (20 August 2008)
- Egypt: No justice for 49 facing trial before emergency court (8 August 2008)
- Egypt: Amnesty International voices concern over pattern of reckless policing (25 November 2008)

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