



January 2008

country summary

Egypt

Egypt stepped up attacks on political dissent in 2007. In March the government enshrined aspects of emergency rule via amendments to the constitution, providing a continued basis for arbitrary detention and trials of civilians before military and state security courts. The government arrested thousands of Muslim Brotherhood members and tried senior members in military courts. It brought charges against journalists and bloggers who criticized human rights abuses, and closed human rights and labor rights organizations.

Emergency Rule

The government renewed the Emergency Law (Law No. 162 of 1958) in April 2006 for an additional two years. Egyptian human rights organizations estimate that between 4,000 and 5,000 people remain in prolonged detention without charge under the law. On March 21, 2007, parliament approved changes to article 179 of the constitution that removed safeguards requiring judicial warrants before authorities search people's homes or communications in cases deemed "terrorist-related." The president may now send such cases to "exceptional" courts or military tribunals. On March 26, voters approved these amendments in a referendum that Egyptian rights monitors and independent media said was marked by vote-rigging.

Political Violence and Torture

On November 30, 2006, a State Security Emergency Court in Isma`iliyya sentenced three men to death after convicting them in connection with the October 7, 2004, bombings in and around the resort city Taba. This court, established under Egypt's Emergency Law, does not provide the right of appeal; the defendants said they had been tortured into signing false confessions while held incommunicado.

Human rights organizations received credible reports that security services and police tortured and mistreated detainees, particularly during interrogations. On November 7, 2007, Judge Samir Abu al-Mati sentenced two police officers to three years in prison on charges that they tortured `Imad al-Kabir, a microbus driver

detained in January 2006 on charges of resisting arrest. Al-Kabir said that the officers beat him on the street and then, in a police station, bound and whipped him, and sexually assaulted him with a stick while another officer filmed the episode with a mobile phone. On January 9, 2007, Judge al-Mati sentenced Al-Kabir to three months in prison for “resisting authorities” and assaulting a civil servant.

On September 4, 2007, a Cairo court acquitted State Security Investigations (SSI) officer Ashraf Mustafa Hussain Safwat on charges that he tortured to death Muhammad ` Abd al-Qadir, who died in SSI custody in 2003. An autopsy performed soon after ` Abd al-Qadir’s death showed bruises as well as burns on his mouth, nipples, and penis. A forensic doctor said he had sustained these injuries shortly before his death.

Egyptian border guards reportedly killed three Sudanese nationals trying to cross Egypt’s border into Israel. The killings followed a reported informal agreement in June between President Mubarak and Israeli Prime Minister Ehud Olmert that Egypt would accept the return of third-country nationals who had crossed the border illegally into Israel. Egyptian border guards reportedly shot and killed a woman from Darfur on July 22 and Israeli soldiers reportedly saw Egyptian guards shoot and beat to death three Sudanese as they tried to cross the border on August 1. Egypt did not acknowledge killing anyone. In another incident, on November 10, Egyptian border guards shot and killed an Eritrean national who was attempting to cross into Israel.

On August 18 Israel returned to Egypt 44 Sudanese, three Ivorians, and one Somali. Egypt reportedly forcibly returned at least five of the 48 to Sudan on October 28 after holding the larger group at an unknown location. At this writing, Egypt continues to hold the remaining 43 in incommunicado detention, refusing to allow the United Nations or others access to them.

Freedom of Expression

The government jailed numerous peaceful critics over the course of 2007. On March 12, the Alexandria Court of Appeals upheld a four-year prison sentence against ` Abd al-Karim Nabil Sulaiman, a blogger who had criticized Islam and President Hosni Mubarak.

On May 2, a Cairo criminal court sentenced Al-Jazeera journalist Huwaida Taha Mitwalli, an Egyptian national, to six months in prison for “possessing and giving

false pictures about the internal situation in Egypt that could undermine the dignity of the country," in connection with an Al-Jazeera documentary about torture in Egypt. The court also fined her 20,000 Egyptian pounds (US\$3,518). At this writing, Mitwalli is free on appeal.

On September 13, a Cairo misdemeanor court sentenced four editors of independent opposition newspapers, `Adil Hamuda (*Al-Fagr*), Wael al-Ibrashi (*Sawt al-Umma*), `Abd al-Halim Qandil (*Al-Karama*), and Ibrahim `Issa (*Al-Dustur*), to a maximum one year in prison and a US\$3,500 fine on charges of publishing "with malicious intent, false news, statements or rumors likely to disturb public order."

Freedom of Association

Egypt's law governing associations, Law 84/2002, gives the government unwarranted control over the governance and operations of nongovernmental organizations (NGOs). The law provides criminal penalties for carrying out activities prior to an NGO's official authorization and for receiving foreign donations without prior approval from the Ministry of Social Affairs. It also provides criminal rather than civil sanctions for activities such as "engaging in political or union activities." The prohibitions are broadly framed to discourage legitimate NGO activity.

In April 2007 security officers closed the headquarters and two branches of the Center for Trade Union and Workers' Services (CTUWS), which offers legal aid to Egyptian factory workers and reports on labor-rights issues. Authorities blamed the CTUWS for inciting labor unrest around the country. On October 12, a court sentenced the group's general coordinator, Kamal Abbas, and his lawyer, Muhammad Hilmi, to a year in prison on criminal libel charges after the CTUWS magazine published a story about alleged corruption at a youth center whose board is chaired by a member of the ruling party.

On September 4 the government shut down the Association for Human Rights Legal Aid, which reports on human rights violations and provides legal assistance to victims, charging that it used funds from abroad prior to getting government permission.

The Political Parties Law (Law 40/1977), as amended in 2005, empowers the Political Parties Affairs Committee (PPC), headed by the chair of the ruling National Democratic Party, to suspend an existing party's activities if it judges

this to be “in the national interest” and to refer alleged breaches of the law to the prosecutor general.

The government detained more than 1,000 members of the Muslim Brotherhood, the banned organization that is the country’s largest opposition group. On June 3, 2007, authorities prevented Egyptian and international human rights organizations from attending the military trial of 40 leading members of the Muslim Brotherhood. In January, a Cairo criminal court had dismissed all charges against 16 of the defendants and ordered their immediate release. Security forces re-arrested the men moments after their release, and President Hosni Mubarak ordered their cases, and those of 24 others, transferred to the military court. At this writing, the accused are in custody pending the conclusion of their trial.

III-Treatment of Street Children

The government periodically conducts arrest campaigns of homeless or truant street children who have committed no crime. In custody many face beatings, sexual abuse, and extortion by police and adult suspects, and police at times deny them access to food, bedding, and medical care. The authorities do not routinely monitor conditions of detention for children, investigate cases of arbitrary arrest or abuse in custody, or discipline those responsible. In many cases, the police detain children illegally for days before taking them to the public prosecutor on charges of being “vulnerable to delinquency.”

Women’s Rights

Despite reforms, particularly of nationality laws, Egypt’s family and penal laws still discriminate against women and girls. The penal code does not effectively deter or punish gender-based violence and police are routinely unsympathetic to the concerns of victims. A series of well-publicized cases of sexual harassment affecting large groups of women in October 2006 in Cairo’s streets resulted in hardly any prosecutions, highlighting the government’s tacit acceptance of abuses against women and girls.

The government took some positive measures in 2007 to advance the rights of women and girls. On March 14, the Supreme Judicial Council appointed Egypt’s first group of female judges to the bench. In June, the Ministry of Health issued a decree that fully criminalizes female genital mutilation, eliminating a legal loophole allowing girls to undergo the procedure for ostensible health reasons. The ban followed the death of an 11-year old girl at a private clinic.

Religious Intolerance and Discrimination against Religious Minorities

Although Egypt's constitution provides for equal rights without regard to religion, discrimination against Egyptian Christians and official intolerance of Baha'is and some Muslim sects continue. Egyptians are able to convert to Islam generally without difficulty, but Muslims who convert to Christianity face difficulties amending their identity papers. Baha'i institutions and community activities are prohibited by law.

In August and October 2007 security agents detained two activists, Muhammed al-Dereini and Ahmad Sobh, who had promoted the rights of Egypt's Shia Muslim minority. At this writing they are being held in solitary confinement in Tora prison outside Cairo on charges of "promoting extreme Shia beliefs with the intent of causing contempt of the Islamic religion" and "spreading false rumors" that could "undermine trust in security agencies by claiming that prisoners and detainees died as a result of torture."

Key International Actors

The US remains Egypt's largest provider of foreign military and economic assistance. In 2006 it provided approximately US\$1.3 billion in military aid and US\$490 million in economic assistance. In June 2007 the US House of Representatives' Appropriations Committee approved an amendment that would make \$200 million of the aid package conditional on efforts to curb police abuse and increase the independence of the judiciary, as well as measures unrelated to human rights.

In April 2006 the European Parliament voted to make respect for human rights a priority in negotiations for Egypt on an EU-Egypt Action Plan under the European Neighborhood Policy, but EU officials have yet to indicate how they plan to do this. The January 2007 Action Plan agreement made human rights and the participation of civil society important components of the action plan, but lacked specific benchmarks.