

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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### Annual reports

Events of 2009

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Intensifying Attacks on Human Rights Defenders, Organizations, and Institutions

Health Providers Complicity in Torture and Cruel, Inhuman or Degrading Treatment

In Search of Authoritative Local Voices

Egypt continued to suppress political dissent in 2009. The Emergency Law (Law No. 162 of 1958) remained in force, providing a basis for arbitrary detention and unfair trials. The government has never confirmed the number of those detained; Egyptian human rights organizations estimate that between 5,000 and 10,000 people are held without charge.

Authorities harassed rights activists, and detained journalists, bloggers, and members of the Muslim Brotherhood (the banned organization that is the country's largest opposition group). Authorities used lethal force against migrants and refugees attempting to cross into Israel, and forcibly returned asylum seekers and refugees to countries where they could face torture.

Security forces continued to arbitrarily detain peaceful protestors. In January 2009 security forces arrested journalists covering a protest against Israel's military intervention in Gaza. Muslim Brotherhood representatives said in March that security forces had arrested at least 711 of their members since the start of the Gaza conflict in late December, mostly in connection with the demonstrations they organized. Since then the government has arrested hundreds of Muslim Brothers and charged them with membership in an illegal organization, including senior leaders such as Abdelmenoim Abolfotouh.

Young activists called a nationwide strike over a range of issues for April 6 that was met with heavy security deployment. Police arrested at least 40 people in Cairo, Kafr al-Shaikh, and elsewhere, including journalists covering the protest.

Egypt's law governing associations, Law 84/2002, provides criminal penalties that stifle legitimate NGO activities, including for "engaging in political or union activities." Authorities have not made public proposed amendments to the NGO law, but NGOs have expressed concern at the failure to consult them thus far. The law governing political parties, Law 40/1977, empowers a committee chaired by the ruling National Democratic Party to suspend other parties' activities "in the national interest."

Security officers targeted bloggers and journalists who criticized government policies or exposed human rights violations. State security officers arrested blogger Diah Eddin Gad on February 6, after he criticized Egypt's policy toward Gaza, and detained him without charge under successive emergency law orders before releasing him on March 27. Kareem Amer (real name 'Abd al-Karim Nabil Suleiman) has been in Borg El Arab prison since November 7, 2006, for writing about Muslim-Christian tensions in Alexandria and criticizing President Hosni Mubarak and Al-Azhar religious institution on his blog. On February 22, 2007, a court sentenced him to four years in prison for "insulting the president," "spreading information disruptive of public order," and "incitement to hate Muslims." Authorities detained Hany Nazeer, another blogger, on October 3, 2008; at this writing he remains in Borg El Arab prison under the emergency law and is denied visits. Nazeer had voiced opinions critical of Christianity and Islam. Musad Abul Fagr, who criticized rights violations against Sinai Bedouins, remains in prison despite several court orders for his release. He was first detained in December 2007.

Courts sentenced journalists to prison terms under penal code provisions that criminalize defamation. Officials frequently press charges

of defamation against individuals who criticize them for corruption. In June 2009 a court sentenced the editor of the weekly *Al Mugiz* to six months' imprisonment for allegedly slandering parliamentarian Mustafa Bakri.

Airport security officials arrested three bloggers in July and detained them for five days, and in June detained blogger Wael Abbas for eight hours and confiscated his laptop after he criticized the government in the presence of National Democratic Party officials at a conference in Sweden. Authorities detained two members of the Center for Trade Union and Workers Services at Cairo airport for several hours in September and again in October while on their way to conferences abroad.

Egypt witnessed waves of protests and unauthorized strikes throughout 2009, from textile workers in Mahalla and Menoufia demanding better pay, to public transit drivers demanding exemption from high traffic fines. Security officials harassed strike leaders, and employers threatened reprisals. Under Egyptian Labor Law No. 35/1975, the official Egyptian Trade Union Federation (ETUF) or the government must approve all strikes.

Egyptian labor law also prohibits the formation of any union not sanctioned by the government, and requires workers to be members of the ETUF. In December 2008 real estate tax collectors who had successfully conducted several strikes voted to establish an independent trade union. In April 2009 the Ministry of Finance implicitly recognized the union by approving the Real Estate Tax Authority (RETA) application to establish a Social Care Fund, which provides retirement benefits to union members. Members, however, have been subjected to harassment and intimidation, systematic attempts to discredit union leaders, and arrests of members and restrictions on their movement. In August, in response to a complaint by ETUF president Hussein Megawer, the Office of the Public Prosecutor summoned RETA president Kamal Abu Eita for questioning.

Police and security forces regularly engage in torture and brutality in police stations and detention centers, and at points of arrest. On May 17, 2009, two state security officers pushed Fares Barakat off a fourth-floor balcony when he asked to see an arrest warrant. In hospital intensive care Barakat was handcuffed to his bed.

In August police arrested Rajai Mounir Sultan, who has mental disabilities, as he walked along the beach in Alexandria. They beat him at the police station, fracturing his skull. On November 7 the Alexandria criminal court sentenced Col. Akram Soliman to five years' imprisonment and a fine of 10,000 Egyptian pounds (US\$1,838) for using excessive force and causing Sultan permanent disability.

Egypt still lacks a legal environment that protects women from violence, encourages victims to report attacks, or deters perpetrators from committing abuses. A 2009 survey by the National Council for Women, a government-sponsored women's group, found that 62.6 percent of women suffer domestic violence and that four out of five men admit being violent toward their spouse. In July 2009, in a positive step, the government delivered informational booklets on sexual harassment to mosques across the country, but women's groups in Egypt have called for additional measures including legislation.

In August 2009 authorities for the first time arrested and charged a man for circumcising a young girl, under a 2008 law criminalizing the practice.

In January 2009 police in Cairo arrested 10 men on suspicion of having consensual sex with other men, forcibly tested them for HIV, beat them, and charged them with the "habitual practice of debauchery"-interpreted in Egyptian law to include criminalizing consensual sex between adult men.

Although Egypt's constitution provides for equal rights without regard to religion, discrimination against Egyptian Christians, and official intolerance of Baha'is, some Muslim sects, and Muslims who convert to Christianity continue. In a positive move, however, on March 9 the Ministry of Interior issued a decree allowing Baha'is and other adherents of "non-recognized" religions to obtain essential identification documents without having to misidentify themselves as Muslims or Christians.

On several days in March, scores of men in the village of al-Shuraniya, in Sohag, attacked the homes of Baha'is, throwing rocks and Molotov cocktails. The police dispersed the crowds but did not make any arrests. Disputes between Muslim and Christian Egyptians flared into violent clashes on several occasions, resulting in deaths and injuries as well as destruction of property. In May a fight between Muslims and Christians in Bulak al-Dakroul quickly escalated into a shoot-out that injured several people. Authorities used the emergency law to arrest those involved in clashes, but failed to fully investigate many incidents.

As of November, Egyptian border guards in 2009 had shot dead 16 migrants attempting to cross the Sinai border into Israel. An Egyptian official in September said this policy was to deter migrants from approaching the border.

Egypt continues to detain refugees and migrants and charge them with illegal entry before military courts that do not meet international fair trial standards. Egypt still denies officials of the United Nations High Commissioner for Refugees access to detained refugees and migrants, preventing them from making asylum claims. Authorities also continued to deport refugees and migrants without assessing their protection needs. In December 2008 and January 2009, Egypt violated the international prohibition against refoulement by forcibly repatriating at least 45 Eritreans.

The United States remains Egypt's largest donor, but significantly reduced its funding for democracy and human rights in 2009. The United States also agreed to Egyptian demands not to directly fund unregistered organizations. On August 18 President Mubarak visited Washington, DC for the first time in four years.

On June 4 President Barack Obama chose the occasion of a speech at Cairo University to declare US intent to rebuild a relationship of trust with the Muslim world.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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