

Human Rights Watch

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

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(New York) Military soldiers beat and tortured protesters they arrested at a demonstration near the Defense Ministry on May 4, 2012, Human Rights Watch said today, after interviews with numerous victims and lawyers. The military also failed to protect the protesters from attacks by armed groups in the early morning hours of May 2, at the same demonstration, which began on April 27 in Cairo's Abbasiyya neighborhood.

On May 4, after the protest turned violent, military officers arrested at least 350 protesters, including 10 children and 16 women. They were brought before military prosecutors, who ordered their detention pending trials before military courts. At least 256 remain in detention. Human Rights Watch interviewed many of those who had been released, who gave consistent accounts of torture and beatings during arrest and in detention.

The brutal beating of both men and women protesters shows that military officers have no sense of limits on what they can do, said [Joe Stork](#), deputy Middle East and North Africa director at Human Rights Watch. The official law enforcement authorities may arrest people where there is evidence of wrongdoing, but it never has the right to beat and torture them.

The demonstrators gathered in Abbasiyya on April 27 to protest the Supreme Presidential Election Commissions exclusion of Hazem Abu Ismail as a presidential candidate.

Although there had been some prior scuffles with people in civilian clothes who threw stones at demonstrators at the sit-in, there was no major violence until May 2, according to witnesses and participants, when several dozen armed men without uniforms began shooting rifles and pellet guns at protesters, killing nine protesters and bystanders. Numerous witnesses described how violence and gunfire continued for at least six hours while armed military stationed nearby took no action to prevent it.

The security forces present on the scene and witnessing the violence should have taken all reasonable steps to end it and to protect those there, including arresting those taking part in the violence, especially the armed gang, Human Rights Watch said. The failure of military personnel nearby to intervene to protect lives demonstrated at a minimum serious negligence in the performance of their law enforcement duties.

In response to the violence against protesters on May 2, thousands gathered on Friday, May 4 in Abbasiyya, near the Defense Ministry. At a televised news conference on May 3, the day before the planned protest, Gen. Mokhtar al-Molla, a member of the ruling Supreme Council of the Armed Forces (SCAF), said: We have positioned the military to prevent people from approaching the Ministry of Defense. We are protecting them from themselves because if anyone comes near the Ministry of Defense we have a right of legitimate self-defense.

The military's role in protecting buildings must be governed by Egypt's human rights obligations which protect against arbitrary arrest, beatings, and torture of detainees, and the arbitrary use of force especially lethal force in law enforcement, Human Rights Watch said.

There has been no accountability for the earlier cases of torture at the hands of the military that Human Rights Watch and Egyptian human rights groups such as the Nadim Center for the Rehabilitation of Victims of Torture have documented over the past year of military rule.

Human Rights Watch interviewed 16 men and women who stated they were [tortured](#) by beating, electroshocks, and whipping by military officers on March 9, 2011, on the grounds of the Egyptian Museum, adjacent to Tahrir Square, and on March 6, 2011, in Lazoghli square. The military has not investigated or punished these incidents or similar incidents on December 16, 2011, despite promises to do so.

International human rights law bans trials of civilians before military courts. Nevertheless, the Egyptian military has insisted on continuing to try civilians before military tribunals, on the basis of the 1966 Code of Military Justice. On May 6 the Egyptian parliament approved [amendments](#) to the Code of Military Justice that limit only the right of the president to refer civilians to military tribunals and fail to address the broad discretion given to the military in articles 5 and 7 to try civilians.

Over the past year Human Rights Watch has documented at least three other [cases](#) in which the military stood by as gangs in civilian clothes, in some cases apparently under military command, and attacked and sometimes arrested protesters. They include incidents at a Tahrir Square [protest](#) in March 2011, a protest at Abbasiyya in July, and the Maspero protest in October.

Egyptians won't feel secure until there is a law enforcement system they can trust to police demonstrations effectively and protect them from attacks by thugs, Stork said. And they won't feel secure as long as the military beats and tortures people it arrests and then brings them before military courts.

Dispersal of Protest, Arrests, and Military Trials

At around 3 p.m. on May 4, protesters and troops, separated by barbed wire about 600 meters from the Defense Ministry, started to throw stones at each other, witnesses told Human Rights Watch. The military then used teargas and water cannons and fired blanks to disperse protesters, who started to retreat. Armored Personnel Carriers (APCs) then drove through the streets in Abbasiyya and into neighboring Ghamra a ten-minute drive away with soldiers firing blanks from the vehicle roofs. In the early evening, General al-Molla announced that the military was imposing an 11 p.m. to 7 a.m. curfew in the area surrounding the Defense Ministry.

The Health Ministry announced on May 5 that it had recorded 373 injuries and one fatality, a soldier.

As they dispersed the protest, military officers arrested at least 350 protesters, bystanders, journalists, and medics. The Front for the Defense of Egyptian Protesters, a coalition of human rights lawyers and nongovernmental organizations, [documented](#) many arbitrary arrests, including journalists, medics, and bystanders. The Committee to Protect Journalists [documented](#) the assault, arrest, or injury of 18 journalists.

Military prosecutors issued 15-day detention orders for the entire group of 350 pending interrogation, on charges of illegally demonstrating, entering a military zone, assaulting the authorities, blocking traffic and membership in an illegal group that aims to threaten public order.

Mohamed Abdelaziz, a lawyer, told Human Rights Watch that the coalition had submitted a request to the head of the military justice system, Gen. Adel Morsy, to transfer the entire case to civilian courts on the grounds that the military's involvement in the violence would mean that it cannot investigate it with any impartiality. There has been no ruling on this.

Torture, Beatings, and Violence Against Unarmed Protesters

On May 5 military prosecutors released 16 women, and on May 10, 17 men, on grounds that they were students. Over the following week, the prosecutors released 66 others.

Accounts from released detainees, lawyers who were present during their interrogation, and video footage confirm that military police systematically beat both male and female protesters during their arrests. The released detainees also said that beatings continued during detention. One [video](#) taken by Rasd News Network shows military police beating protesters with batons as they arrest them. In video [footage](#) broadcast live on state TV, at least six military police are seen dragging a bloodstained man with a torn shirt to a wall and beating him with their batons until other officers intervene.

Adel Khattab, one of those released, told Human Rights Watch that military officers had arrested him along with a friend when they were looking for a third friend who had been arrested:

Military soldiers beat us all the way up the street, from the bridge to the hospital. They beat us with their sticks, kicked us, and punched us. At one point there were around 10 or 15 of them beating me. They put us into vans; there were around 25 or 28 of us in one van and there were women with us. I saw soldiers hit them. Then they took us to the military police camp in Khalifa al-Maamoun, where they beat us again. My head was bleeding and my clothes were ripped by the time they brought me after that to the military prosecutor. Then they moved us to Tora prison. When we arrived there we were given a reception party where three plainclothes prison officials beat us and whipped us with hoses.

Military officers also beat and arbitrarily arrested women protesters. Hagar Abu Khazem said at a news conference at the lawyers syndicate in Cairo on May 12:

I'd gone into the mosque because things were getting violent outside and I thought I'd be safe in the mosque. But military police came into the mosque and started yelling at us. One soldier pointed a gun at me and next thing I knew he shot at me and the bullet went through my arm. The soldiers came up to where I was with four other women and around 20 or 30 of them attacked us as if they hated us.

Aya, a doctor who had treated injured protesters, had also gone into Nour mosque to escape the violence. In a televised parliamentary [hearing](#), she said:

I saw military police and special forces soldiers come into the mosque and start arresting the protesters inside the mosque. They seemed to be searching for arms but they didn't find anything. I saw one soldier waving his gun around at us and then heard a shot as he fired. I learned later that he had shot a woman demonstrator in the arm.

Then one of the soldiers pushed me toward the exit to the steps of the mosque. On the steps I saw how they treated both the men and the women: they beat them, slapped in the face, kicked them. They beat me and their hands were touching everywhere in my body... At one point the officer in charge came over and said let this one go and as I followed him I suddenly felt somebody hit me on the head with a heavy stick. I fainted and they carried me to a van; when I came to, there were two other girls there, one of them 14. In the van they beat us again, sexually harassed us, insulted us. One soldier hit me in the eye with his elbow.

When they took us to the military camp they beat us again and threatened us, saying if you open your mouth well throw you to the soldiers and you know what will happen to you. I could hear the officers saying to the soldiers, These are the people who killed hundreds of soldiers. So now Egyptian soldiers are made to feel that civilians are there to attack them, that we are the enemy, and they congratulate themselves for arresting us.

Abdel Hamid Mekki had been protesting on May 5 outside S28, the military base that houses the military courts, in response to the May 4 arrests, along with dozens of others who were chanting anti-military slogans, when military officers arrested him along with nine others. Military prosecutors released him a week later. He told Human Rights Watch:

When they first took me inside the military base they started beating me with sticks and with the end of a gun in my back. They beat me for around an hour. I had long hair at the time and at one point the soldier grabbed me by the hair and banged my head against the wall, again and again. They hit me in the kidneys; everywhere on my body with sticks and with their fists and they kicked me.

Five lawyers from the Front for the Defense of Egyptian Protesters told Human Rights Watch that every detainee they had represented before military prosecutors had been beaten and that prosecutors had consistently failed to investigate their torture, neither questioning them about who had beaten them nor referring them to forensic medical doctors, the only officials competent according to Egyptian law to issue a medical report that can be admitted as evidence of torture.

One of the lawyers, Mahmoud Fathelbab, said he had attended the interrogations of five journalists who all had visible injuries and that in all but one case the prosecutors had failed to ask the detainees about their beating. In the one case where the prosecutor had noted the protesters injuries, he had failed to order a referral to a forensic medical doctor.

Tamer Baza, another lawyer, said that he had been present during the interrogation of 10 detainees who had clear marks of whipping on their backs and that three had stitches in their heads. He told Human Rights Watch:

The detainees had been too scared to formally file a beating complaint. They see the judge in front of them who is a ranked military officer and if they speak of having been tortured its as if they are accusing him. So they dont say anything because all they want is to be released and they are scared that bringing up torture will mean further detention.

Mohamed Abdelaziz, a third lawyer, told Human Rights Watch that he had filed a torture complaint before the public prosecutor on behalf of a released protester, Halim Heneish, whom military officers had beaten on the head with the back of a gun.

Failure to Protect: May 2 Attack on Protesters by Gangs

Human Rights Watch spoke to protesters, witnesses, and medics who described the armed attack between 1 and 4 a.m. on May 2 in Abbasiya Square and along the road leading to the Defense Ministry.

One protester, Ibrahim, who would give only his first name, told Human Rights Watch that he had seen a group of at least 50 men carrying guns and sticks. Ahmed Aggour, another protester, told Human Rights Watch that at around 1:30 a.m., he was near the Noor mosque:

There were armed thugs in the side streets and at the gas station. The thugs shot at us with pellets and guns. Those in the front were the ones most likely to be shot. I saw four men shot in front of me. One of them was a doctor who was trying to treat an injured man.

Abdel Karim said he had gone into Abbasiya Square along with other protesters at around 2 a.m. and that after hours of exchanges of stone-throwing and running back and forth, a man in civilian clothes shot him in the right foot with a rubber pellet gun.

Doctors on duty in the field hospital set up at the site told Human Rights Watch that they started receiving gunshot victims just after 1 a.m. Dr. Saleh Mohamed said that he had received the bodies of five people killed by gunshots, three people wounded by gunshots, and scores of people with minor injuries from rubber pellets.

The Health Ministry confirmed nine deaths. Dr. Ashraf Refai told the Egyptian daily *Al Shorouk* that the seven autopsies conducted at Zeinoh morgue had concluded that six deaths were caused by live ammunition, including three of people with head wounds, and that one death was caused by pellets in the chest. Maha Maamoun, a lawyer with the Hisham Mubarak Law Center, told Human Rights Watch that she was at Zeinoh morgue while the autopsies were being conducted and that two of those killed were residents of Abbasiya who had been shot next to their homes

Protesters told Human Rights Watch that between 8 and 9 a.m. on May 2, military police and riot police approached Abbasiya Square and stationed themselves between the sit-in and the armed groups, which effectively ended the violence.

The witnesses who spoke with Human Rights Watch said that the military made no effort to intervene during the height of the violence, despite being stationed at the ministry of defense nearby. Karim Ennarah, a protester who was present from 2:30 a.m. to 6 a.m., told Human Rights Watch that the military had remained stationed at the barricade on the street leading to the Defense Ministry and within clear earshot of the shooting.

Another protester, Mahmoud, who said he was there from midnight to 6:30 a.m., told Human Rights Watch, As in previous days, the army and central security forces were standing and watching us.

Bahrain Death Sentences Follow Torture, Sham Trials

Suspicious Killings and Extrajudicial Executions by Egyptian Security Forces

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