

# Human Rights Watch

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

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### Annual reports

Events of 2011

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The International Response to the Arab Spring

by Benjamin Ward

Respecting the Rights of Persons with Disabilities

New Convention Establishes First Global Labor Standards for Millions of Women and Girls

Hopes and Lessons 20 Years after the Collapse of the Soviet Union

Egyptians took to the streets starting on January 25 to protest peacefully against President Hosni Mubarak's 30-year rule, calling for social justice, democracy, and an end to police brutality. Police violence against protesters, especially on January 28, only hardened the protesters' determination. On February 11 Mubarak was forced to resign and the Supreme Council of the Armed Forces (SCAF), composed of leading army figures, took over, assuming full legislative and executive powers two days later. In March voters approved constitutional amendments in a referendum, and the SCAF issued a Constitutional Declaration setting out a roadmap for holding parliamentary and presidential elections.

Overall, there was no improvement in human rights protections in Egypt. On assuming power the SCAF ordered the release of all detainees held under the Emergency Law (Law No. 162 of 1958) numbering several thousand at the end of 2010 according to estimates by human rights groups and promised to end the State of Emergency. However, the SCAF has continued to use special courts under the Emergency Law and has referred more than 12,000 civilians to military tribunals since January, more than the total number of civilians tried by military courts during the 30-year-long Mubarak presidency. Those referred to military tribunals have included children as young as 15, even though international law discourages trials of children in military proceedings. Furthermore, on September 10 the SCAF announced that it was expanding the scope of the Emergency Laws application, and that it would remain in force through May 2012.

Throughout the year the military used excessive force to break up demonstrations and torture detainees. Despite official recognition of the need to rebuild public confidence in the police, no process of security sector reform was initiated. There has been no comprehensive investigation into systematic acts of torture and ill-treatment practiced in recent years by Egyptian police, and in particular the State Security Investigations (SSI) agency.

On August 3 the trial began of former President Hosni Mubarak and former Minister of Interior Habib al-Adly, as well as 11 other police officials around the country. They were charged with the killing of protesters and corruption. Their trials were still in progress at this writing.

On January 28, tens of thousands of demonstrators took to the streets of Alexandria, Suez, and Cairo, the capital. Police responded with tear gas, water cannons, rubber bullets, and live ammunition in an effort to prevent protesters from advancing towards the central squares of those cities. The Ministry of Health said 846 persons died during the protests in January and February. Most of these were killed on January 28 and 29. On February 2 and 3, armed men in plainclothes some mounted on camels and horses attacked protesters in Tahrir

Square, injuring several hundred; on those two days at least eight people died of gunshot wounds.

The military arbitrarily arrested scores of journalists while they were covering the protests in January, in addition to hundreds of peaceful protesters. The journalists were released within a few days of their arrests, but military courts sentenced many protesters to imprisonment. For example, authorities filed dubious charges of thuggery against peaceful protester Amr Beheiry, arrested during a protest in Tahrir Square on February 26. Military courts convicted and sentenced him to five years in prison. Beheiry remained in prison at this writing. Authorities also detained children, who faced physical abuse and torture. Street children were particularly vulnerable to arrest and abuse.

Torture by military personnel was first reported on February 2, shortly after the army took over law enforcement duties from the police. On March 9 the military broke up a peaceful sit-in in Tahrir Square, arrested at least 174 protesters, and beat, kicked, whipped, and applied electric shocks to them on the grounds of the nearby Egyptian Museum. The military brought these protesters before military courts, which sentenced 134 of them to three to five years in prison on charges of thuggery, but released all of them in May after two months of public campaigning on their behalf.

The military used excessive force and carried out arbitrary mass arrests in various cities to disperse demonstrations and sit-ins on numerous occasions February 25, March 9, March 23, May 16, July 22, and August 1 beating and tasing those arrested. On April 9, military officers used rubber bullets and live ammunition to break up a sit-in opposing SCAF's rule, wounding at least 71 protesters, one fatally. On October 9, during the dispersal by military police and riot police of a protest of Coptic Christians in front of the state TV building in Cairo, at least two military vehicles ran over and killed 13 protesters and a further 24 were killed by live ammunition. Military prosecutors are overseeing the investigation into the incident, a conflict of interest likely to reinforce military impunity.

Central Security Forces, Egypt's riot police, continued to use excessive force when policing demonstrations. On June 28 and 29, riot police clashed with protesters outside the ministry of interior for 16 hours. The police fired tear gas into the crowd and used rubber bullets and pellet guns, injuring 1,114 persons according to the Ministry of Health. After the removal of Mubarak, police continued to use torture in police stations, detention centers, and at points of arrest. In June bus driver Mohamed Sabah Nasr died in custody in Azbakeya police station in Cairo after police arrested him along with seven others for disrupting traffic. Those detained with Nasr said that they saw the police beating him. The Ministry of Interior said that it is investigating his death but they have yet to make a report public.

News media enjoyed greater freedom in the aftermath of the ouster of Mubarak on all issues except those concerning the military. As of September the military prosecutor under the SCAF had summoned at least nine activists and journalists for questioning on charges of insulting the military, but released most without charge. An exception was blogger Maikel Nabil, whom a military tribunal in April sentenced to three years imprisonment for insulting the military and spreading false information on his blog. At this writing Nabil remained in prison while awaiting his retrial, scheduled for November 27.

On September 7, Minister of Information Osama Heikal said that due to the current media chaos he would no longer issue broadcasting licenses for new satellite TV stations. Four days later police raided the offices of Al Jazeera Live Egypt, the station that had provided the most detailed coverage of anti-SCAF protests over the preceding weeks, and ordered it to stop broadcasting from Egypt. The station continued to broadcast from Qatar. On October 30 a military prosecutor detained blogger Alaa Abdel Fattah, one of the most vocal critics of the military, for 30 days on charges of inciting the October 9 demonstration at Maspero and assaulting military officers, charges for which the prosecutor provided no evidence. Abdel Fattah remained in detention at this writing.

In March the SCAF amended the Political Parties Law to make it easier for new political parties to form by enabling them to register as long as they meet the requirements set out in the law. Under Mubarak, applications to register new parties were usually rejected. However, there was no move to amend the Associations Law, which allows for excessive government interference in associations. In July the state security prosecutor announced that he would investigate possible treason charges against NGOs that were not registered under the Associations Law and that received foreign funding. In November a Cairo criminal court ordered banks to report on all transactions on the private accounts of 63 human rights defenders and organizations.

Incidents of sectarian violence continued throughout 2011. In the early hours of January 1, 2011, a bomb went off in a church in Alexandria, killing 23 people. The prosecutor opened an investigation but had not charged anyone in connection with the attack at this writing. On March 8, Christians in the eastern Cairo suburb of Muqattam protested the burning of a church four days earlier in Atfih, 13 miles south of Cairo, and clashed with Muslims. Twelve people died in the ensuing violence and shootings, and several Christian homes and businesses were torched. The prosecutor has yet to investigate the incident.

In May sectarian violence outside a church in Imbaba, a neighborhood of Cairo, left 12 dead. On July 3, the trial of those arrested in connection with the violence opened before an Emergency State Security Court. On September 30, a mob burnt down the Mar Girgis church in Marinab, in Aswan, but local authorities and prosecutors failed to investigate instead insisting on a settlement. The prime minister ordered an acceleration of the drafting of a new law to facilitate the renovation and construction of churches, a long-standing demand of Christians, who face discrimination in this respect.

Egyptian border police continued to shoot at unarmed African migrants who attempted to cross the Sinai border into Israel, killing at least 22 since January. Police arrested hundreds of irregular migrants, primarily Eritreans, Ethiopians, and Sudanese, and detained them in police stations and prisons in Sinai and Upper Egypt without access to the Office of the United Nations High Commissioner for Refugees, thereby denying them the right to make an asylum claim.

In October immigration officials forcibly deported three Eritreans. Prison officials in Shallal gave Eritrean embassy officials access to 118 detained Eritrean men who were asylum seekers and beat them to force them to sign paperwork agreeing to return to Eritrea. Egyptian authorities announced they would deport the group to Eritrea.

Migrants reported beatings and rape at the hands of traffickers operating in the Sinai. In September traffickers detained a group of 120 Eritreans, including 6 women, and threatened to detain and abuse them until they or their families paid US\$3,000 each to allow them to continue their journey to Israel. The Egyptian authorities failed to conduct any investigations into this organized trafficking or to arrest

anyone in connection with it.

Strikes, sit-ins, and labor protests increased in number compared to previous years and spread to new sectors. In April the SCAF passed Law 34 criminalizing strikes that involve the disruption of the work of public institutions or public or private work. Military police used excessive force on at least 11 occasions to disperse labor protests and sit-ins. In June military police arrested five workers demonstrating outside the Ministry of Petroleum and a military court sentenced them to a one-year suspended sentence for participating in the strike. In March the minister of labor and manpower recognized the right of independent trade unions to be established through a simple formality of declaration pending adoption of a draft law prepared by the cabinet, that would ease registration procedures. At least 70 new independent trade unions have declared their establishment since March.

On March 9, military police arrested 20 women as they broke up a sit-in in Tahrir Square and then beat them on the grounds of the nearby Egyptian Museum. Military officers took 17 of the group to a military prison and the next day conducted virginity tests on seven of the women who identified themselves as unmarried. In response to the public outcry, the SCAF said that it would look into the truth of the matter, but at this writing there had been no progress in investigating or prosecuting those officers involved.

In May the SCAF amended the Political Rights Law, canceling the women's quota of 64 seats in the Peoples Assembly that was first used in the November 2010 parliamentary elections, and replacing it with a requirement that each party must nominate at least one female candidate on its list, a formula likely to lead to a sharp drop in the number of women deputies.

Egypt's Sharia-based Personal Status Law which discriminates against women in family affairs applies only to Muslims, while Copts are governed by church regulations that prohibit them from divorcing, except in cases of adultery. Some Copts grew more vocal in their demand for a civil law that would give them the right to divorce.

When protests broke out in January United States and European Union officials initially voiced cautious support of the protesters' right to freedom of assembly and expression and criticized police violence. As the protests grew, their support for protesters' demands became stronger and eventually they called upon President Mubarak to step down.

The US announced in March that it had earmarked \$65 million for democracy and human rights funding in Egypt for 2011, as well as \$100 million for economic development in addition to the roughly \$250 million of economic and \$1.3 billion in military aid that it had provided in previous years. In May the US also laid out plans for debt relief. The US Agency for International Development quietly removed its requirement that local organizations applying for funding be registered under Egypt's restrictive Associations Law, provoking criticism from the Egyptian government. In October US President Barack Obama spoke to Field Marshal Mohamed Hussein Tantawy, head of the SCAF, and urged him to lift the Emergency Law and end trials of civilians before military courts.

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