

# Human Rights Watch

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

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### Annual reports

Events of 2013

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Stopping Mass Atrocities, Majority Bullying, and Abusive Counterterrorism

Integrating Rights into a Post-2015 Agenda

Privacy in the Age of Surveillance

How Drug Criminalization Destroys Lives, Feeds Abuses, and Subverts the Rule of Law

After mass protests on June 30 against the Muslim Brotherhood, General Abdel Fattah al-Sissi on July 3 deposed President Mohamed Morsy, who had come to power through democratic elections one year earlier, and appointed Constitutional Court judge Adly Mansour as interim president. Mansour issued a Constitutional Declaration setting out a roadmap, which included drafting a new constitution and elections. A constituent assembly of 50 appointed members completed a draft of the constitution in December. In the months following the ouster of President Morsy, police used excessive lethal force, killing over 1,300 persons at protests, and arrested over 3,500 Brotherhood supporters. Armed group escalated attacks in North Sinai killing scores of police and soldiers. A Sinai-based armed group, Ansar Bayt al-Maqdes, claimed responsibility for a Cairo assassination attempt in September on the interim governments minister of interior.

Prior to his removal, President Morsys Muslim Brotherhood-dominated government had shown disregard for rights protections, with an increase in the prosecutions of journalists, police abuse, and sectarian violence. In December 2012, 33 percent of eligible voters (the lowest turnout for any poll since the 2011 uprising) approved Morsys controversial new constitution by 64 percent in a referendum. The constitution further undermined key rights protections following Morsys November 2012 Constitutional Declaration which immunized his decisions from judicial review. Legislation issued by the Shura Council, Egypts interim legislative body following the June 2012 dissolution of the Peoples Assembly, included deeply restrictive draft public assembly and draft associations laws.

In January, police in Port Said killed 46 people over three days after gunmen killed two policemen during a demonstration outside a prison. In response, President Morsy praised the police and declared a one-month state of emergency in the Canal cities of Port Said, Suez, and Ismailia. In January and February, police shot dead at least 22 other anti-Morsy protesters in Cairo, Mansoura, and Mahalla.

Clashes between pro- and anti-Brotherhood protesters in the week of Morsys overthrow between June 30 and July 5 killed at least 54 people around the country. Security forces used excessive lethal force in dealing with pro-Brotherhood protests that involved some violence on the part of protesters. On the morning of July 8, the military broke up a Brotherhood sit-in outside the Republican Guard headquarters, killing 61 protesters who responded with stone-throwing and some gunfire, which killed two security officers.

On July 27, the police clashed with a pro-Brotherhood march, killing 95 protesters, many of them with single-shot wounds to the head and chest. On August 14, police forcibly broke up the two Muslim Brotherhood sit-ins at Raba al-Adawiya and al-Nahda in Cairo, killing up to 1,000 people, according to Prime Minister Hazem Beblawy. A small number of protesters in the Raba sit-in responded to the police with gunfire, killing seven policemen. Security officials failed to allow ambulances safe access to the sit-in to transfer severely wounded protesters to hospitals, failed to allow safe exit for patients, and shot dead one ambulance worker. Attacks on health workers and facilities threaten the realization of the right to health. Residents and officials had complained about the tens of thousands of Morsy

supporters blocking the streets, and detaining and abusing suspected infiltrators.

There was no effort to account for the crimes of the Mubarak era or those killed by the police and military during and after the January-February 2011 uprising. In January, Morsy received a report by a fact-finding committee he had set up on police and military abuses against protesters, but refused to make its findings or recommendations public. In July 2013, the interim government established a Ministry for Transitional Justice but it took no steps towards accountability. The government failed to set up a fact-finding committee to look into the mass killing of protesters, despite Interim President Adly Mansours July 8 promise to do so.

In a rare case of police accountability, a court in March sentenced one officer to three years imprisonment for shooting protesters during the protests in Mohamed Mahmoud Street in Cairo in November 2011. Only 5 of the 38 trials of middle and low-ranking police officers accused of killing protesters in January 2011 resulted in prison sentences. Two of them were suspended, so that only two officers have served actual prison time. In January, the Court of Cassation overturned the conviction of former president Hosni Mubarak. His retrial opened in May and was ongoing at time of writing. In October, the trial opened of four police officers for the deaths of 37 detainees they were transporting to Abu Zaabal prison on August 18 on charges of negligence and involuntary manslaughter.

Prosecutors failed to investigate security forces for the killing of the hundreds of protesters in July and August, yet were quick to refer protesters to trial on violence-related charges. In November, a minor offenses court sentenced 12 students to 17 years imprisonment for a protest on October 30.

In January and February, the police arrested over 800 protesters outside the presidential palace and elsewhere and illegally held hundreds, including at least 264 children, in Central Security Forces camps where they subjected dozens to torture, including sexual abuse. Between January and June, at least eight people died in custody as a result of torture by the police. In March, Morsy praised the police as the heart of the revolution.

After the military deposed Morsy in July, military officials detained the former president along with 10 of his senior aides incommunicado at an unknown location for weeks. On November 4, the authorities eventually transferred Morsy to court for the opening of his trial. The judge then ordered his detention in a regular prison. Five of Morsys aides remained detained incommunicado without legal basis at the time of writing.

In the weeks following the dispersal of the sit-ins on August 14, police arrested the majority of the high-level and much of the mid-level leadership of the Brotherhood. They also arrested thousands of demonstrators, including 1,400 detained in the immediate aftermath of the sit-in dispersals 150 of whom were children. Prosecutors ordered their pretrial detention pending interrogation on charges of inciting or participating in violence and have continued renewing their detention on the basis of requests from security agencies but little independent evidence.

Throughout the year military prosecutors continued to try civilians before military courts despite government claims, first by Morsy and subsequently by the post July 3 government that this was no longer occurring. The number of military trials of civilians increased following Morsys overthrow. Although the military mostly refrained from bringing people before military courts in Cairo, even in cases where clashes with protesters involved the military, they tried at least 96 civilians before military courts in the other governorates. In September, a military court in Suez sentenced 51 Muslim Brotherhood members to imprisonment on charges of assaulting military officers. In October, a military court sentenced *Watan* journalist Hatem Abdel Nour to one year in prison for impersonating a military officer. In October and November, military trials sentenced two Sinai-based journalists, Ahmad Abu Draa and Mohamed Sabry, to suspended prison sentences in relation to their work as journalists.

In the first half of the year under Morsy, prosecutors interrogated at least 14 people on charges of blasphemy, referring 11 of them to trials which resulted in prison sentences for opinions protected by freedom of expression. Incidents of sectarian violence continued and increased dramatically after his overthrow. In April, sectarian violence in the town of Khosus left five Christians and one Muslim dead. Two days later, the police failed to intervene to halt clashes that broke out after a funeral at the main Coptic cathedral in Cairo, and at times themselves shot at Christian protesters inside church grounds.

In June, a mob of hundreds of Islamists lynched four Shia Egyptians in the village of Abu Musallim just outside Cairo after weeks of anti-Shia hate speech by Islamist extremists. The Morsy administration condemned the lynching but failed to condemn the sectarianism that incited it or to uphold the right of Shia to religious freedom.

In the aftermath of Morsys overthrow, there was an unprecedented increase in attacks on churches and property of Christians.

Immediately following the August 14 dispersals of Muslim Brotherhood sit-ins in Cairo, mobs chanting Islamist slogans attacked at least 42 churches, burning or damaging 37, and leaving 4 people dead. The attacks came after weeks of anti-Christian discourse in speeches at the two Brotherhood sit-ins in Cairo. Security forces failed to intervene to halt the attacks but subsequently arrested dozens of suspects. Prosecutors ordered their pretrial detention.

Under Morsy there was a sharp increase in prosecutions of journalists and political activists on charges of insulting officials or institutions and spreading false information, using Mubarak-era penal code provisions. An investigative judge appointed by the justice minister questioned over 15 journalists and politicians on criminal charges of insulting the judiciary after they publicly criticized the judiciary's lack of independence. Courts ordered fines and suspended sentences in at least five defamation cases. In April, the president's office withdrew nine criminal complaints it had filed against journalists for insulting the president in response to public criticism.

On July 3, the military-installed authorities shut down the Muslim Brotherhood TV station along with two other Islamist stations. Over the following two months, security officers raided the Arabic and English offices of Al Jazeera and the offices of Turkish broadcaster TRT, and police arbitrarily arrested at least 40 journalists during mass arrests after clashes. At least seven remain detained, including Al Jazeera Arabic journalist Abdallah al-Shamy who was arrested during the dispersal of the Raba sit-in on August 14. In September, security forces raided and sealed the premises of *Freedom and Justice*, the Muslim Brotherhood newspaper. In October and November, police arrested dozens of protesters for peaceful activities such as the possession of flyers or balloons with anti-military slogans on them.

The repressive Mubarak-era Law 84 on Associations remains in force, and security agencies blocked funding for human rights projects at registered NGOs, leading to a freeze on activities. From March to June, the Shura Council and the presidency drafted a deeply restrictive law on associations. In June, a Cairo criminal court sentenced 43 Egyptian and foreign nongovernmental organization workers to prison sentences, some of them suspended. Morsy's government failed to pass a new trade unions law and, by the end of the year, hundreds of independent trade unions remained without legal protection. With the change in government in July, a cabinet drafting committee completed a new draft law on associations, but the government did not formally propose the law.

Systematic sexual harassment of women and girls in public spaces continued without serious government attempts to halt or deter the practice. In January, Egyptian groups reported at least 19 cases of mob sexual assaults, including one woman who attackers raped with a bladed weapon and cut her genitals. In June and July, women's rights groups confirmed 186 sexual attacks on women in Cairo's Tahrir Square over one week. The government's response has typically been to downplay the extent of the problem or to seek to address it through legislative reform alone. There is no law criminalizing domestic violence specifically. Other forms of violence against women, including child marriage and female genital mutilation continued to take place in some areas, despite laws prohibiting them. Personal status laws in Egypt continue to discriminate against women in relation to marriage, divorce, child custody, and inheritance. Drafters of the 2013 constitution failed to include a provision ensuring equality between men and women in the constitution.

The population of refugees from Syria in Egypt grew to 300,000 by the end of the year. Over 125,000 Syrians have registered with the United Nations High Commissioner for Refugees (UNHCR); Egypt, however, has prevented UNHCR from registering Palestinians from

Syria. Airport officials sent three Syrian men two in January and one in October back to Syria against their will in violation of the principle of non-refoulement.

After Morsys overthrow, security officials implemented a visa requirement and security clearance for Syrians. As a result airport officials denied entry to at least 276 Syrians and returned them to Syria again in violation of the international prohibition against refoulement. In July, police and military police arrested at least 72 Syrian men and 9 boys at checkpoints on main Cairo roads in an arrest sweep following a media campaign accusing Syrians of supporting the Muslim Brotherhood. Since August, Egypt has detained without legal basis over 1,500 refugees from Syria, including 250 children, and coerced over 1,200 to leave Egypt under threat of indefinite detention.

African migrants continued to report torture and rape at the hands of traffickers operating in Sinai, a problem the government failed to address or acknowledge. In May, prosecutors interrogated a Sudanese man on charges of human trafficking, torture, and rape in the Sinai but failed to refer anyone to trial. Egyptian prosecutors have investigated only one person on Sinai-related trafficking offenses but have made no effort to investigate collusion on the part of members of the security forces, including at the Suez Canal and along the route from the southern border.

The United States and European Union member states occasionally raised human rights concerns publicly but did not strongly condemn rights abuses under Morsy, including in response to police violence in January and February. After the military deposed Morsy, and in light of pressure in the US Congress to suspend US military aid to Egypt, the US canceled scheduled joint military exercises and later, after the violent dispersal of the two sit-ins, suspended the delivery of F16 fighter jets.

In October, President Barack Obama suspended additional military and economic assistance, including US\$260 million in cash aid, and withheld certain large-scale military systems, such as Apache helicopters. Despite this step, little was said about ongoing abuses and the lack of accountability.

In June, the European Court of Auditors said in a report that EU aid to Egypt achieved little progress in support of human rights and democracy. In August, the EU Foreign Affairs Council reminded member states of their obligation to suspend commercial weapons sales to Egypt in accordance with the EU's Common Position on arms exports, but failed to take any other measures. In September, member states at the Human Rights Council in Geneva failed to take collective action on Egypt, although some member states raised Egypt as a country of concern.

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