



Egypt

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11 February 2011

Egypt - After 15 days of pro-democratic revolution

The Egyptian uprising began on January 25, 2011, called for by several groups opposing the regime, acting through social networks such as Facebook and Twitter, quickly relayed by broadcast media, thus reaching a greater number of people. The first social protests organized in Cairo and Alexandria on January 25 comprising mostly Middle class educated students, soon emerged as demonstrations against the regime, where slogans were calling for the resignation of President Mubarak and freedom in Egypt. The demonstrators were joined Friday, January 28 by hundreds of thousands of demonstrators belonging to all strata of the population, and by the main political opposition.

A record of repression:

The events of 28 January were violently repressed by police forces, making many dead and wounded among the demonstrators. According to the information gathered by FIDH, this first day of clashes killed 232 people in Cairo, 52 in Alexandria and 13 in Suez. These figures are still preliminary as several hospitals that received dead and injured people have not yet been visited and we expect to be able to retrieve the lists from morgues. We can also say that many doctors present in the emergency departments of public hospitals in Cairo on January 28 have been pressured by their superiors not to communicate with NGOs and the media and falsifying patient records, in order to disguise the real causes of death in natural death. In addition, our member organizations and partners in Egypt are currently gathering information from hospitals and clinics campaigns prepared in haste and in mosques around the main site of protest.

Police forces, defeated by the demonstrators, were recalled to barracks leaving room for the army, deployed in Cairo and Alexandria from Saturday, September 29, ensuring public order and protecting institutional buildings.

The absence of security forces in the streets has encouraged looting and depredation of public and private property. Moreover, it appeared that most of the looting had been organized by the regime with the aim of terrorizing the population and encourage chaos and ultimately discourage the protest movements by building a portion of public opinion against them. Common law prisoners were released from prison and had received a modest sum of money to engage in these abuses, joined in their enterprise by members of the police, acting undercover, and inner city residents are also encouraged by the granting of a few tens of Egyptian pounds.

Hosni Mubarak announced Sunday, January 30 the government's resignation and the appointment of Omar Suleiman, former head of military intelligence, as vice president, leaving glimpse of what could be a military transition.

Following the speeches of Hosni Mubarak announcing he would remain in office until the end of his term in September 2011 and Omar Suleiman (saying open to negotiations with the opposition on condition that the protesters leave Tahrir Square in central Cairo), part of public opinion galvanized by the propaganda disseminated by the Egyptian TV, weakened by lack of income, frightened by the absence of police, began to stand openly in favor of

the Mubarak regime. Groups of pro-Mubarak demonstrators appeared in the streets of Cairo chanting slogans in praise of the president and jeering El Baradei (also very unpopular among the pro-democracy demonstrators who would obviously favor a candidate living in Egypt). These groups were replaced by thugs probably sent by the regime to attack the demonstrators in Tahrir Square on the evening of Wednesday, February 2. The investigations will establish responsibilities and determine the number of dead and wounded (so far the official death toll brings to 13 the number of deaths and 1200 the number of injured).

The Egyptian television continued to broadcast messages to the effect that the chaos and protests were fueled by foreign journalists, which had quickly resulted in a sharp rise of xenophobia on February 3. Many journalists were chased, beaten and arrested by military police. Human rights defenders have also been arrested in the premises of the Hisham Mubarak Law Center, by military police and detained for several days in state security camps, but have been beaten during their detention.

It is interesting to note that all foreigners arrested and harassed on Thursday, February 3 were accused of being spies for Israel.

The security situation seems to be calmer in this regard since Sunday, February 6 although the military police maintained the pressure and threats against human rights NGOs, journalists and foreigners living in Cairo.

The pro-democracy demonstrators are determined to continue their fight for democracy. They know they are still in danger. For them, leaving the Tahrir Square could be synonymous with repression and potential torture. These demonstrators are also potentially exposed to the anger of a large portion of the population, now exasperated by the chaos and their own economic distress. While negotiations on the political transition continue, attention should be focused on the activists and human rights defenders with the primary objective to support and protect them.

On February 10, President Mubarak transferred part of his powers to vice-president Suleiman in charge of the transition but refused to step down; meanwhile the Army issued statements according to which it would ensure the protection of the Egyptian people. Nevertheless, the situation remains at risk for the demonstrators who are facing potential repression in the coming hours or days.

The need for justice for victims:

The fight against impunity for perpetrators of the bloody repression of protests, and human rights violations perpetrated against journalists, bloggers and human rights defenders is a requirement of national law and international human rights law to satisfy the right of victims to justice and to serve as prevention. Procedures must be instituted before Egyptian courts and, where appropriate at the extra-territorial level on the basis of universal jurisdiction.

Cairo's Public Prosecutor announced charges against Habib El Adly. The former interior minister appeared before the military prosecutor Sunday, February 6. The charges against him are the following: 1 - removing the security forces during street riots 2 - having ordered the police to shoot protesters 3 - release of criminal prisoners

Besides El Adly, Ahmed Ezz (businessman, very close to Gamal Mubarak and former influential PND personality), Mohamed Rachid and Zuheir Garana (both former ministers) are being investigated. They are forbidden to leave Egyptian territory and their bank accounts were frozen.

It should be noted that if Habib El Adly was still occupying the office of Minister of Interior on January 28, when

violent and deadly clashes between protesters and police occurred, he was no longer minister on Wednesday, February 2, at the time of the attacks against the demonstrators in Tahrir Square by pro-Mubarak groups. The same action should be taken against those who bear the responsibility for these acts.

How to prepare the transition to democracy?

Our partners from the Egyptian Initiative for Personal Rights (EIPR) published an article in The Washington Post, to avoid the legal pitfalls to enable genuine political transition.

According to them, for a genuine transition to democracy to take place, Mubarak should not resign until he has signed decrees that only the president may issue, under the Egyptian Constitution. This is not just a legal formality, it is the only way out of the political crisis. The Egyptian constitution stipulates that if the President resigns or his office becomes permanently "vacant", he shall be replaced by the Speaker of Parliament, or, in the absence of parliament, the president of the Supreme Constitutional Court. In case of temporary incapacity of the president to exercise his prerogatives, the vice president should be the interim. In both cases, a new president must be elected within 60 days. Significantly, the Constitution prohibits the acting president to submit constitutional amendments or dissolve parliament.

After transferring his powers to his vice-president, Mubarak should sign the decrees allowing the lifting of emergency rule (in effect continuously since 1981) and ordering the release or trial of those held in administrative detention without charge - they would be several thousand.

Also, President Mubarak established by decree a mandated to draft a text to amend the constitution.

Our Egyptian partners believe that such a commission should amend the Constitution to ensure that presidential elections are open to all credible candidates. the Egyptians abroad are allowed - for the first time - to vote, that any elected president can not exercise more two terms, and that elections be supervised by judges and independent observers, in accordance with Article 25 of ICCPR, ratified by Egypt.

Our Egyptian partners also recommend that an interim government is appointed to serve the people until a new president is elected and, especially, to oversee the interim president.

Finally, three additional elements are essential for successful transition: first, civilian oversight of police and security procedures to prevent abuse, criminal prosecution against the perpetrators and help ensure the safety of those involved the democratic uprising.

Second, the creation of an independent oversight board for public television and radio to ensure objectivity of the programs and the representation of all political opinions.

Finally, a strong commitment from the army as guardian of the neutral transition, in the interests of the people.

The current negotiations:

Some negotiations were initiated between the opposition political groups and Vice-President Omar Suleiman.

During these negotiations, a number of political parties and groups have accepted the idea that Mubarak could

remain in place until the end of his term. It is clear from these initial discussions that the parties would present agreed on: the need to amend articles 76 and 77 of the Constitution (on the pluralism of elections and the mandate of the President) and introduce any necessary amendment to a peaceful transition. The establishment of a committee of legal experts and politicians to present during the first week of March, recommendations for constitutional and legislative amendments the end of the state of emergency if the security situation improves the appointment of a committee of public figures and representatives and independent movements of 25 January which will monitor the implementation of this Agreement;

On 9 February 2011 the committee for constitutional amendments was established by presidential decree, this committee, chaired by the President of the Court of Cassation and the Supreme Judicial Council) announced at its first meeting that he would start work on the amendments of Articles 76, 77, 88, 93, 179 and 189 of the Constitution, paving the way for the preparation of multiparty elections.

Muslim brothers accept negotiations, or rather agreed to meet with Omar Suleiman to publicize their demands. These are summarized as follows:

- Hosni Mubarak's resignation
- the lifting of the state of emergency
- the appointment of a national unity government
- the dissolution of parliament
- the organization of free and transparent elections
- freedom to form political parties
- freedom of expression and assembly
- the release of political prisoners
- the establishment of a commission of inquiry into corruption
- the establishment of a commission of inquiry into the repression since January 25.

Immediately after these initial negotiations, the movement of groups of 25 January in Tahrir Square has announced that the personalities and activists who met with Suleiman does not represent.

Five groups of young people (Movement of April 6, the campaign to support Baradei and democracy, the 'Door-Knock, “the youths of the Muslim Brotherhood, the youth movement of the democratic front) part of the various organized movements that are involved in the democratic uprising of January 25, therefore, in parallel, appointed a Committee of Wise Men (Dialogue Committee”) to negotiate on their behalf with Omar Suleiman. Said committee, led by former president of the National Council of Human Rights, Kamal Abdul Magd, is composed of 30 personalities including diplomats, academics such as Gamal Yahia (law professor), Nabil Fahmy (former ambassador USA and dean of American University in Cairo - AUC), Naguib Sawiris, billionaire businessman, owner of TV stations and newspaper Al Shorouk, Ahmad Zuweila, Nobel Prize in Chemistry.

Sawiris and Gamal Omar Suleiman met. Young, 25 January deny the arguments by which Suleiman Mubarak can not leave the scene immediately because he is the only one who can initiate constitutional amendments.

Committee members and representatives of “Youth” have agreed on a series of urgent measures to be taken immediately if the negotiation process must continue. These measures include:

- the end to emergency rule
- the immediate release of political prisoners and prisoners of conscience
- immediate arrest and prosecution of PND oligarchs, officials and police officers involved in the criminal attacks against demonstrators, in attacks against private and public properties and in looting

- ending all forms of encouragement and incentives (by officials and by State TV) to act against protesters
- the resignation of the Minister of Information Anas El Fiqi and putting state TV under the supervision of a Supervisory Board.

The Youth of the Egyptian revolution "announced February 9 that it constituted a national coalition that includes representatives of the Movement of April 6, Justice and Freedom, young Muslim Brotherhood, the campaign El Baradei, the People's Democratic Movement for Change Democratic Front and the Facebook group Khaled Said.

<http://www.fidh.org/Egypt-After-15-days-of-pro-democratic-revolution>