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REPORTERS' GUIDE — HUMAN RIGHTS IN EGYPT

INTRODUCTION

Egypt's President Abdel Fattah al-Sisi is making his first state visit to Germany, one year into his rule of a country that faces one of its deepest human rights crisis.

While President al-Sisi and his coterie of supporters make their presence felt in Germany, Egypt's human rights defenders and government critics are being prevented from travel¹, either through being stopped at Cairo airport by the authorities, or locked up in jail on spurious charges.

This guide is intended for journalists and other individuals who will be meeting with President al-Sisi and have an opportunity to question him on his human rights record. Egyptian authorities should not be allowed to dodge international scrutiny while selling the world a vision of prosperity, growth and stability.

The President's visit comes in response to an invitation by Chancellor Angela Merkel, delivered by Vice Chancellor Sigmar Gabriel, at an international economic conference in Egypt in March 2015 that was seen by Egyptian officials as a litmus of Egypt's acceptance on the world stage after al-Sisi's controversial accession to power.

Former Defence Minister al-Sisi came to power as head of state in June 2014 through an election held nearly a year after he ousted ex-president Mohamed Morsi in July 2013. Political violence ensued culminating in the security forces' violent dispersal of two sit-in organized by supporters of Egypt's former president Mohamed Morsi on 14 August 2013. The bloody dispersal resulted in up to 1,000 people being killed in one day.²

Since Morsi's ousting, Egypt's criminal justice system has increasingly become a tool for repressing dissent. Mass death sentences have been handed down by criminal courts on an unprecedented scale after grossly unfair trials. Most of those sentenced were convicted of taking part in political violence since July 2013. They include many members and supporters of the Muslim Brotherhood movement to which Morsi belongs. The first executions since 2011 were carried out in June 2014

¹ AlBedaiah, Head of the Egyptian Commission for Rights and Freedoms prevented from travel and passport taken away after detention for hours, 2 June 2015: http://albedaiah.com/news/2015/06/02/90546

² Amnesty International, *Egypt: No acknowledgment or justice for mass protester killings*, 10 December 2013: https://www.amnesty.org/en/documents/MDE12/077/2013/en/

when al-Sisi took office.

President al-Sisi's visit has prompted controversy among some German state officials. Norbert Lammert, President of the Bundestag, Germany's parliament, cancelled a meeting with al-Sisi due to human rights violations in the country and a delay in holding parliamentary elections. "Instead of the long anticipated scheduling of parliament elections, we've been seeing for months a systematic persecution of opposition groups with mass detentions, sentencing to long prison terms and an unfathomable number of death sentences," he said.³

There is no question Egypt faces attacks by armed groups, with the killing of scores of civilians, including three judges, as well as at least 600 security officers, particularly in the north of the Sinai Peninsula. However, such threats must not be used as a pretext for trampling over human rights.

The fact is there is no stability without human rights. It is time for those who care about human rights to hold Egypt's leaders accountable.

A BRIEF SUMMARY OF MAJOR HUMAN RIGHTS VIOLATIONS IN EGYPT

VIOLATIONS OF FREEDOM OF EXPRESSION

Scores of Egypt's journalists and media workers are languishing in detention or facing criminal investigations for challenging the authorities' political narrative and human rights record. Since Mohamed Morsi's ousting in July 2013, the authorities have rounded up critical and opposition-linked journalists on trumped-up charges of broadcasting "false news, information or rumours", as well as sedition and incitement to violence. At least 18 journalists and other media workers are currently detained in Egypt, according to Amnesty International's research.⁴ Security forces have also arrested dozens of other journalists and released them only after questioning by prosecutors and the National Security Agency. Most had to post bail before their release and face ongoing criminal investigations – a practice apparently aimed at intimidating or silencing them. Since July 2013, the Public Prosecution had also detained several journalists for prolonged periods without charge or trial. For example, Mahmoud Abu Zeid "Shawkan", an Egyptian photojournalist, has been held for over 600 days without formal charge or trial. A court sentenced one journalist to death in May 2015 on the charges of "spreading false news and inciting violence". Amnesty International has warned that there is no safe space for a journalist to criticise the authorities and peacefully express their opposition.

CRACKDOWN ON CIVIL SOCIETY AND FREEDOM OF ASSOCIATION

The government is restricting the legitimate activities of independent non-governmental organizations (NGOs), including human rights organizations, which are critical of government policies. In September 2014, new restrictions introduced into the Penal Code (Article 78) ban individuals or groups from receiving money or materials, including foreign funding, with the intention of committing acts that harm the "national interest". The law is overly broad and open to abuse by the authorities who are using it to restrict foreign funding for human rights organizations.

⁴ Amnesty International, *World Press Freedom Day: Journalists under attack in Egypt*, 3 May 2015: https://www.amnesty.org/press-releases/2015/05/world-press-freedom-day-journalists-under-attack-in-egypt/

Anyone charged with breaching the Penal Code's new restrictions could face up to life imprisonment and fines running into thousands of Egyptian pounds. In July 2014, the government also threatened civil society groups to register under the draconian Mubarak-era Law on Association no 82/2002, set November 2014 deadline for registration, and warned that NGOs that do not comply with this measure would be held accountable under the law. In fact, when some NGOs tried to comply and register they were denied registration without being given a reason by the government, others never received a response. No mass closures happened after the November deadline, but human rights organisations say they are being threatened and harassed more discreetly with the ultimate aim of closing them. NGO staff are frequently threatened, harassed and intimidated for their work. In May 2014, the Egyptian Center for Economic and Social Rights was raided by police and staff were arrested, the second such incident for the organization in less than six months. In June 2014, women human rights defender Yara Sallam was arrested, convicted of participating in an unauthorized protest and has already spent half of her two-year sentence in jail. Human rights workers also face travel bans and investigations by the authorities, which has led several prominent Egyptians NGOs to shut down some of their programs and relocate abroad. This comes on top of the closure of offices of international organizations that support Egyptian groups and criminal prosecution of their staff. On 23 December 2013, at least 1,055 charities affiliated with the Muslim Brotherhood had their assets frozen.⁵ In April 2014, the 6 April Youth Movement, one of the activist groups that led the 2011 uprising, was banned by a court which ruled that some of its members had committed offences that would "disturb peace and public order".

ARRESTS, DETENTIONS AND CRACKDOWN ON FREEDOM OF ASSEMBLY

Since July 2013, when then-Defense Minister al-Sisi ousted the elected president Mohamed Morsi and his government, authorities have by their own admission detained at least 22,000 people. This includes "3,000 top or mid-level members of the Muslim Brotherhood". Egyptian human rights organizations have credibly documented a much higher number of more than 41,000 persons who were arrested, indicted or sentenced between July 2013 and May 2014, including 300 lawyers. Many have been detained solely on the basis of their alleged membership of or sympathy with the Muslim Brotherhood. Hundreds of people have also been arrested for participating in peaceful demonstrations, in violation of a repressive November 2013 Protest Law passed by Presidential decree outlawing gatherings of 10 or more persons not approved in advance by the Interior Ministry.

⁵ Amnesty International, *Egypt three years on, wide-scale repression continues unabated*, 23 January 2014: https://www.amnesty.org/en/articles/news/2014/01/egypt-three-years-wide-scale-repression-continues-unabated/
⁶ The Associated Press (AP) quoted "security officials" in July 2014 stating that: "at least 22,000 have been arrested since the government crackdown on Morsi supporters and Islamists, all pending trials." See AP, *Son of Egypt's ousted leader sentenced to 1 year*, 2 July 2014: http://bigstory.ap.org/article/son-egypts-ousted-leader-sentenced-1-year

⁷ In March 2014, the Associated Press (AP) quoted "four senior officials — two from the Interior Ministry and two from the military" who told the news agency that the arrests to date of 16,000 people, included "about 3,000 top- or mid-level members of Morsi's Muslim Brotherhood". See AP, *Egypt crackdown brings most arrests in decades*, 16 March 2014: http://bigstory.ap.org/article/egypt-crackdown-brings-most-arrests-decades ⁸ The +41,000 figures comes from Wikithawra, an initiative run by the Egyptian Center for Economic and Social Rights. The group has not published figures beyond May 2014. Its sources included law centres working on human rights issues, as well as student movements. See: Wiki Thawra's report: http://wikithawra.wordpress.com/2014/01/09/sisi-mansour-detainees/.

Those detained for violating the draconian Protest Law include government critics and human rights defenders, many of whom were leaders in the 25 January 2011 uprising. In December 2013, the Muslim Brotherhood was officially designated a "terrorist organization", making it even easier for the authorities to crack down on the group.⁹

Amnesty International has also interviewed former detainees and the families of detainees, who were arbitrarily arrested and unlawfully held in complete deprivation of their rights. In many cases people were rounded up from the street or arrested after security forces entered their homes by force. Many were beaten upon arrest, unlawfully held for extended periods without charge, without being given the chance to challenge the lawfulness of their detention before a court or a prosecutor or being informed of the reason for their detention. Some have been held without charge or trial for more than a year.¹⁰

MASS, GROSSLY UNFAIR TRIALS

The Public Prosecution has increasingly indicted thousands of individuals on charges of political violence without any consideration for individual criminal responsibility. In many cases these have led to mass trials, with courts jailing hundreds of people or in some cases sentencing them to death. Recent examples include: -37 sentenced to life imprisonment (25-year terms) and 14 sentenced to death on 11 April 2015, during mass sit-in demonstrations¹¹. They included 14 journalists, one of whom was sentenced to death, on charges of "spreading false information" and inciting violence against the security forces in a case known as the 'Rabaa Operations Room' 12; -269 were convicted on 4 February 2015 in relation to clashes with security forces in Cairo in December 2011: 230 were sentenced to life imprisonment (25-year terms) while 39 minors were sentenced to 10-year terms¹³; -183 were sentenced to death in Cairo on 2 February 2015 on charges of killing members of the security forces and attacking a police station in Kerdasa, Cairo in August 2013; -78 children (at the time of their alleged offence) jailed for between two and five years in November 2014 (for allegedly protesting and using violence); -183 sentenced to death in Minya on 21 June 2014 (for attacks on al-Adwa Police Station in August 2013). A number of mass trials are still ongoing, including the trial of 494 people in connection with violence during protests in central Cairo in August 2013. They include Egyptian-Irish national Ibrahim Halawa, a prisoner of conscience, who was just 17 when he was arrested. Most of the trials are being held inside prisons, in circumstances that undermine the presumption of innocence and contravenes the right to a public trial.

⁹ Amnesty International, *Egypt three years on, wide-scale repression continues unabated*, 23 January 2014: https://www.amnesty.org/en/articles/news/2014/01/egypt-three-years-wide-scale-repression-continues-unabated/

¹⁰ Amnesty International, *Egypt: Rampant torture, arbitrary arrests and detentions signal catastrophic decline in human rights on years after ousting of Morsi*, 3 July 2014:

https://www.amnesty.org/en/articles/news/2014/07/egypt-anniversary-morsi-ousting/

¹¹ Reuters, *Egypt sentences Muslim Brotherhood leader, others to death*, 11 April 2015: http://www.reuters.com/article/2015/04/12/us-egypt-court-brotherhood-idUSKBN0N206A20150412

¹² Amnesty International, *World Press Freedom Day: Journalists under attack in Egypt*, 3 May 2015: https://www.amnesty.org/press-releases/2015/05/world-press-freedom-day-journalists-under-attack-in-egypt/

¹³ AlJazeera, *Prominent Egyptian activist among 230 sentenced to life,* 4 February 2015: http://www.aljazeera.com/news/2015/02/prominent-egyptian-activist-230-sentenced-life-150204125859073.html

INHUMAN PRISON CONDITIONS

Detainees frequently report poor prison conditions, including overcrowding, unsanitary conditions, as well as torture and other ill-treatment by prison officials. A string of deaths in custody recently threw a spotlight on torture and horrific detention conditions at one police station in the Mattareya district of Cairo, where at least three people, including a lawyer, died at the end of February 2015. ¹⁴ Two of the deaths took place on the same day and according to the forensic authority in Cairo, one of the bodies bore marks consistent with torture or other forms of ill-treatment. Since April 2014, at least nine detainees have died at Mattareya Police Station according to information gathered by Amnesty International, yet so far investigations have been inadequate and no one has been held accountable except in relation to the killing of the lawyer. According to a list compiled by local activists and the Egyptian Commission for Rights and Freedoms organization, there have been at least 121 deaths in custody in Egypt since the beginning of 2014¹⁵. The causes of death vary between deprivation of medical care, natural deaths and torture and other forms of ill-treatment.

TORTURE

Reports of torture and enforced disappearances in police and military detention facilities are routine. Egypt's notorious state security services – currently known as the National Security Agency (NSA) – are employing the same methods of torture and other ill-treatment used during the darkest hours of the Mubarak era. The methods of torture employed include the use of electric shocks, rape, handcuffing detainees and suspending them from open doors. Amnesty International has gathered and published damning evidence indicating that torture is routine in police stations and unofficial places of detention, with members of the Muslim Brotherhood and their supporters particularly targeted. While the NSA is the branch most notorious for its use of torture, it is also carried out by both the Egyptian military and police including in premises belonging to National Security and in military camps, in most cases with the objective of obtaining "confessions" or to force detainees to implicate others.

EXECUTIONS AND DEATH SENTENCES

The first executions recorded by Amnesty International since October 2011 was carried out in June 2014. Both presidents Adly Mansour and Mohamed Morsi did not sign off any executions during their rule. However, since President al-Sisi came to power, he has been signing off on executions with at least 27 executions recorded since he took power in June 2014. Six men were hung on 17

¹⁴ Amnesty International, *Egypt: Spate of detainee deaths points to rampant abuse at Cairo's Mattareya Police Station*, 4 March 2015: https://www.amnesty.org/en/articles/news/2015/03/egypt-spate-of-detainee-deaths-points-to-rampant-abuse-at-cairo-s-mattareya-police-station/

¹⁵ Ibid.

¹⁶ Amnesty International, Egypt: Rampant torture, arbitrary arrests and detentions signal catastrophic decline in human rights one year after ousting of Morsi, 3 July 2014:

https://www.amnesty.org/en/articles/news/2014/07/egypt-anniversary-morsi-ousting/; see also, Amnesty International, *Egypt: Token reforms fail to end scourge of pervasive violence against women*, 21 January 2015: https://www.amnesty.org/en/articles/news/2015/01/egypt-token-reforms-fail-end-scourge-pervasive-violence-against-women/

¹⁷ Ibid.

¹⁸ Amnesty International, *Egypt: Dozens of disappeared civilians face ongoing torture at military prison*, 22 May 2014: https://www.amnesty.org/en/articles/news/2014/05/egypt-dozens-disappeared-civilians-face-ongoing-torture-military-prison/

May after they were convicted of killing soldiers, following a grossly unfair trial before a military court. ¹⁹ The authorities ignored calls to commute the sentences as they say they "confessed" under torture to belonging to an armed group. At least three of the men were in custody and subjected to enforced disappearance, at the time of the offence they were sentenced for. A supporter of Mohamed Morsi was executed on 9 March after he was convicted of murdering a teenage Morsi critic, following a controversial trial. ²⁰ Five other people were executed in April after being convicted on criminal charges of "murder and theft", the Interior Ministry announced.

There has also been a sharp rise in the issuance of death sentences, since July 2013 many targeting members of the political opposition. In 2014 alone, 509 people were sentenced to death, up from 109 death sentences handed out by the courts in 2013. In Amnesty International's 2014 global review of the death penalty, it noted that there was an increase in the number of people sentenced to death worldwide largely due to big increases Egypt and Nigeria. Most of those sentenced to death in Egypt have been Morsi supporters, and many death sentences have been issued in grossly unfair trials without consideration of each defendant's individual criminal responsibility. Former president Mohamed Morsi could himself be sentenced to death in a trial that was undermined even before he set foot in the courtroom. He was held for months incommunicado and didn't have a lawyer to represent him during the initial investigations. The criminal court verdict in Mohamed Morsi's case will be issued on 2 June. Since the beginning of 2015, at least 233 people have been sentenced to death.

EXCESSIVE USE OF FORCE TO DISPERSE PROTESTS

Egyptian authorities have yet to carry out independent and impartial investigations into the killings of hundreds of protesters by police and security forces and bring those responsible to justice. Over 1,500 protesters and bystanders have died in demonstrations and incidents of political violence around demonstrations since 3 July 2013, according to Amnesty International's monitoring.

In February 2015, security forces dispersed a crowd of football supporters by firing tear gas causing a stampede that killed at least 22 people trying to enter a game. In January 2015, more than two dozen people were killed in protests marking the 2011 uprising. Most notable was the killing of Egyptian activist and poet Shaimaa al-Sabbagh, whose death was caught on camera by journalists and activists, sparking outrage in Egypt and beyond. While a police officer has been charged with "beating that led to death" of Shaimaa al-Sabbagh, 17 eyewitnesses to the killing who came forward to testify against the security forces have since been charged with illegal protest and could face up to five years in jail in an apparent attempt by the authorities to cover up their own crimes.²²

https://www.amnesty.org/en/documents/act50/0001/2015/en/

¹⁹ Amnesty International, *Urgent Action: Six Men Executed After Grossly Unfair Trial*, 18 May 2015: file://intsec.amnesty.org/data/users/nadine.haddad/Downloads/MDE1216702015ENGLISH.pdf

²⁰ Amnesty International, *Egypt carries out first execution of Morsi supporter following controversial trial*, 9 March 2015:

https://www.amnesty.org/en/documents/document/?indexNumber=mde12%2F1164%2F2015&language=ende12%2F1164%2F2015

²¹ Amnesty International, *Death Sentences and Executions in 2014*, 31 March 2015:

²² Amnesty International, *Egyot: Further Information: Acquittal of witnesses to killing challenged*, 28 May 2015: https://www.amnesty.org/en/documents/mde12/1737/2015/en/

GENDER-BASED VIOLENCE

Egypt's 2014 Constitution states that women will be protected by the state against all forms of violence; however, the reality remains that in the home, the public arena and in custody perpetrators, state and non-state actors violence against women remains prevalent and is committed by state and non-state actors with impunity. The pervasiveness and persistence of violence against women is due in part to inadequate laws which entrench societal discrimination, and poor implementation of the protections that do exist. During the inauguration of President al-Sisi in June 2014, women who gathered in Cairo's Tahrir Square faced renewed incidents of mob sexual assaults, described by some survivors as "circles of hell".23 The authorities promptly announced measures to combat violence against women, including improved policing and public awarenessraising campaigns; however, such measures have not yet materialised. Domestic violence is prevalent and commonly accepted for a number of interconnected reasons, including the fact that the Penal Code does not expressly criminalize it. Several women and girls have told Amnesty International they were tortured or ill-treated by security forces on arrest, including being subjected to sexual violence. In prison, female detainees are subjected to torture and ill-treatment with impunity. Amnesty International also condemns the crackdown on men suspected of having consensual sex with other men, as well as transgender people, who face arrest and prosecution on prostitution and public morality charges under the Law on Debauchery (Law 10 of 1961). The authorities have subjected some to forcible anal examinations, which violate the prohibition on torture and other ill-treatment.24

RELEVANT STATEMENTS BY PRESIDENT AL-SISI

ON YOUTH

"The youth of Egypt are the hope of Egypt. The young people of Egypt are the hope of Egypt. Two thirds of the people of Egypt are young. More than 60 percent of the Egyptian people are younger than 40. We must keep in mind that those who lit the flame of the revolution on the 25 January were the young."

"At the political level, economic level and social level we want to give as much opportunity as possible to this segment of the population and we encourage political movements and political parties in Egypt to include them. At the level of the presidency, all of the councils we have created are comprised to the level of 50 percent of young people. We are trying to prepare our youth so they will be able to hold various positions in government so they can build the Egypt of the future so they can play an important role."

"During the past few years, young people were marginalised and that will not be the case in the coming phase."

²³ Amnesty International, *Egypt: Token reforms fail to end scourge of pervasive violence against women*, 21 January 2015: https://www.amnesty.org/en/articles/news/2015/01/egypt-token-reforms-fail-end-scourge-pervasive-violence-against-women/

²⁴ Amnesty International, *Egypt Annual Report 2014/15*: https://www.amnesty.org/en/countries/middle-east-and-north-africa/egypt/report-egypt/

[President al-Sisi made these comments in response to a question by Philipp Rösler, the former vice chancellor of Germany, on Egypt's youth at the World Economic Forum on 22 January 2015. The event, in which al-Sisi gave a speech, was his first major speech to an international multi-stakeholder audience. The speech and interview can be viewed here: http://www.weforum.org/sessions/summary/egypt-world]

"I don't deny that there could be innocent youths in jail, as a result of the circumstances we're in ... we will release them depending on the available permissions."

[Remark made during al-Sisi's monthly talk to the nation, 22 February 2015, aired on CBC news channel: https://www.youtube.com/watch?v=XyPCBo82TXM]

ON FREEDOM OF EXPRESSION

"Human rights should not be reduced to freedom of expression. Even if this were the case, though, people in our country are free to say whatever they like."

[President al-Sisi's remarks to Der Spiegal, published on 9 February 2015: http://www.spiegel.de/international/world/islamic-state-egyptian-president-al-Sisi-calls-for-help-in-is-fight-a-1017434.html]

ON THE AL-JAZEERA JOURNALISTS

"I wished they were deported right after they were arrested instead of getting put on trial."

The verdict "had very negative effects".

[President al-Sisi made these comments in a meeting with local Egyptian journalists that were published by Egyptian daily Al-Masry Al-Youm newspaper and picked up by international media in July 2014: http://uk.reuters.com/article/2014/07/07/uk-egypt-sisi-aljazeera-idUKKBN0FC01A20140707]

He has since repeated these remarks.

"If I had been in office at the time, I would have wanted no further problems and would have asked them to leave the country."

[Der Spiegel interview, February 2015]

ON THE LOSS OF LIFE

"I am saddened by even the loss of a single life"

[Der Spiegel, February 2015]

ON THE INDEPENDENCE OF THE JUDICIARY

"If our country wants to develop like yours, the independence of the judiciary must be respected."

[Der Spiegel, February 2015]

ON SHAIMAA AL-SABBAGH

President al-Sisi has spoken out publicly on several occasions about Shaimaa al-Sabbagh's death, calling her a "martyr". He offered his condolences to her family and all Egyptians pained by her death, and said in February 2015 that he saw her as "my own daughter". Al-Sisi also told an audience of military and police personnel that it is important to admit a mistake, regardless of its magnitude, and that all of Egypt's youth are his children. Al-Sisi has urged the Interior Ministry, which runs Egypt's police force, to uncover "the truth behind" Shaimaa al-Sabbagh's death. Commenting on Shaimaa al-Sabbagh's death and that deaths of 22 football fans, al-Sisi said: "every official will be held accountable for their shortcomings."

[Sources:

New York Times, *Coming to Mourn Tahrir Square's Dead, and Joining Them Instead*, 3 February 2015: http://www.nytimes.com/2015/02/04/world/middleeast/shaimaa-el-sabbagh-tahrir-square-killing-angers-egyptians.html?_r=0

Mada Masr, *HRW: Evidence clearly shows police killed Shaimaa al-Sabbagh*, 2 February 2015: http://www.madamasr.com/news/hrw-evidence-clearly-shows-police-killed-shaimaa-al-sabbagh

Associated Press, *Egyptian President Speaks About Killed Protester*, *02 February 2015:* http://www.huffingtonpost.com/2015/02/02/egypt-protester-killed_n_6593972.html

Daily News Egypt, *Air Defence, Al-Sabbagh officials will be held accountable*, 22 February 2015: http://www.dailynewsegypt.com/2015/02/22/al-Sisi-says-air-defence-al-sabbagh-officials-will-held-accountable/]

ON VIOLENCE AGAINST WOMEN

"President Abdel Fattah Al-al-Sisi instructed the Minister of Interior ... to vigorously enforce the law and take all necessary measures to combat sexual harassment, an unacceptable form of conduct."

"Our honour is being assaulted in the streets. This is unacceptable and we can't allow one more incident like this to happen."

[Al-Sisi's remarks in June 2014 after mob sexual assaults of women took place in Cairo's Tahrir Square during public celebrations for his inauguration and presidential election victory. See: http://uk.reuters.com/article/2014/06/10/uk-egypt-sisi-harassment-idUKKBN0EL17520140610 and http://www.theguardian.com/world/2014/jun/11/egypt-president-sisi-tackle-sexual-violence]