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Agrarian policy, human rights and violence in Egypt

Information and recommendations for the European Union in the context of the Association Agreement between the European Union and Egypt

Executive summary

This paper is submitted to the institutions of the European Union in view of the next EU-Egypt Association Council to take place in Luxembourg on 13th of June. It aims at providing information on the human rights situation of Egyptian farmers and their families in order to enable the European Union to play a positive role in addressing the continuing serious violations of their human rights. This would be a significant contribution since farmers and their families represent over 50% of the population of Egypt. This paper is presented by the World Organisation Against Torture (OMCT)¹ on the basis of a report prepared by the Land Center for Human Rights, an Egyptian NGO partner of OMCT.

It begins with an evaluation of the negative effects on Egyptian farmers of the European Union Partnership Agreement providing for free access to markets. Extensive efforts to grow crops suitable for the European markets were met with last minute refusals to accept the shipments leaving the farmers in very serious economic situations. The lack of planning and the withdrawal of agricultural support left farmers without the means to face the challenge of market economies. Unfortunately, not enough funds are available through the EU MEDA programme to alleviate the negative consequences of the trade policies.

This paper also shows that the economic, social and cultural rights of farmers and their families are subject to serious violations and that they are victims of violence on a wide scale, including torture and other forms of ill-treatment perpetrated by state and non-state actors. Further, they are denied access to courts, and court decisions and orders in their favour are routinely ignored by the authorities.

Information is provided on Egyptian agricultural policies and legislation and the violent and destructive means used to implement those agrarian policies. Farmers were impoverished and subjected to violence by State actors as well as private landowners. Information is also provided on a recent case of a violent attack on a village in order to expel farmers from their land and the illegal arrest and detention of villagers, mostly women and children, some of whom are scheduled for trial in June 2006. Several women are being held until their husbands give themselves up to the police.

¹ See www.omct.org

Government policies of eviction and privatization of state-owned land are described as is the failure of the legal system to protect the farmers and their rights. Another aspect discussed is the practice of using illicit loans to farmers to gain access to their lands. Finally, the paper describes difficulties faced by the Land Center in defending the rights of farmers in Egypt.

The Land Center presents a number of recommendations in order to protect and respect the basic rights of the Egyptian farmers and their families. They demand a free and democratic country and action to protect the standard of living of farmers, land ownership, facilities for safe farming, participation in planning activities, access to information and constitutional guarantees of the independence of the judiciary. Recognition of their problems in the media is requested and a number of specific requests are made to the government.

OMCT, for its part, believes that the European Union has a crucial role to play in improving the living conditions and respect for the human rights of the Egyptian farmer and in addressing the economic, social and cultural root causes of violence in Egypt. This has wide implications as is shown by the following quote from the Land Center's submission to the OMCT Study on poverty and violence²,

In a nutshell, there are social and economic dimensions for the growth of the“ phenomenon of religious extremism in Egypt and public protests. The main reason behind the bad socio-economic situation of the country is the policies of the state. These methods resulted in the poverty of many factions of the society. Meanwhile, the state confronted such phenomenon by severe suppression implying numerous ”.massacres on both sides

² Poverty, inequality and violence: The economic, social and cultural root causes of violence, including torture, a human rights perspective. This Study will be published in the near future. The text of the study and other documents submitted to the Conference can be found at http://www.omct.org/pdf/escr/2005/poverty_inequality_violence_conf_web_10_05.pdf.

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Introduction

1. This paper is submitted to the institutions of the European Union in view of the next EU-Egypt Association Council to take place in Luxembourg on 13th of June. In particular it aims at providing information on the human rights situation of Egyptian farmers and their families in order to enable the European Union to play a positive role in addressing the continuing serious violations of their human rights and to ensure that the implementation of the agreement is not having a negative impact on fundamental rights in Egypt.
2. Farmers and their families represent over 50% of the population of Egypt. This paper shows that their economic, social and cultural rights are subject to serious violations and they are victims of violence on a wide scale, including torture and other forms of ill-treatment perpetrated by state and non-state actors. Further, they are denied access to courts and court decisions and orders in their favour are routinely ignored by the authorities.
3. This paper is presented by the World Organisation Against Torture (OMCT)³ on the basis of a report prepared by the Land Center for Human Rights⁴, an Egyptian NGO partner of OMCT and forms part of a larger OMCT project aimed at addressing the violations of economic, social and cultural rights which are often the root causes of violence.

OMCT's programme on economic, social and cultural rights

4. OMCT established in 2000 a programme designed to focus on the socio-economic dimensions of torture, arbitrary detentions, summary executions, enforced disappearances and other forms of cruel, inhuman and degrading treatment or punishment. OMCT also has established specific programmes addressing violence against women, violence against children and violence against human rights defenders.
5. The programme was established because the information received by OMCT and others showed that today the overwhelming majority of those who are subject to torture and ill-treatment are persons that come from the poorest strata of society. They are subject to state and non-state violence simply because they are poor and unable to defend themselves.
6. In addition, information also showed that deep socio-economic imbalances, poverty and the exclusion of many whose absolute and relative income diminishes, depriving them of their basic needs, cause frustration and produce claims for basic economic, social and cultural rights. These demands, in turn, are often met with severe repression.
7. Similarly, the violence perpetrated against women and children is significantly influenced by their socio-economic marginalisation. Indeed, violence against children mostly affects socially and economically marginalised minors (often street children or working children). Violence affecting women is often related to their socio-economic role in societies where they are often considered as second-class individuals. This violence is often not recognised by states as being part of their responsibilities.
8. An important part of OMCT's programme on economic, social and cultural rights was an interdisciplinary study entitled "***Poverty, inequality and violence: The economic, social and cultural root causes of violence, including torture, a human rights perspective***".⁵ That study, of some 400 pages, contains an extensive academic analysis investigating the correlations between violence and socio-economic inequalities in a large number of countries, in-depth analyses of the situation in five

³ See www.omct.org

⁴ Extensive and detailed information on this and related subjects is available from the Land Center at www.lchr-eg.org

⁵ This Study will be published in the near future. The text of the study and other documents submitted to the Conference can be found at http://www.omct.org/pdf/escr/2005/poverty_inequality_violence_conf_web_10_05.pdf.

countries (Argentina, Egypt, Nepal, South Africa and Uzbekistan) and an analysis of how the United Nations Treaty Bodies, the International Labour Organisation, the World Bank, International Monetary Fund and the World Trade Organization approach the relationship between poverty and violence.⁶ The Land Center contributed the analysis of the situation in Egypt.

9. The study was presented to the International Conference “*Poverty, Inequality and Violence: Is there a human rights response?*” organized by OMCT in Geneva from 4 to 6 October, 2005.⁷ Human rights defenders from over 40 countries, United Nations human rights experts, representatives of international trade unions, academics, international officials and representatives of donors took part. The Conference participants agreed that non-respect for economic, social and cultural rights often leads to violence, including torture, cruel, inhuman and degrading treatment, disappearances, arbitrary executions, violence in the community and domestic violence. One of their recommendations was that OMCT should work with the institutions of the European Union to address the economic, social and cultural root causes of violence. Information on the Study and the Conference was presented to the Subcommittee on Human Rights of the European Parliament in November 2005.⁸

I. The Negative Impact of EU Partnership Agreements on Farmers in Egypt

10. The EU-Egypt Partnership Agreement is considered one of the most important economic agreements signed by Egypt in the last decade. Economically, it pursues the following goals: establishing a free trade area between the European Union and the Mediterranean Partner Countries, providing the suitable circumstances for enhancing economic cooperation, and financial support from the European Union to the South Mediterranean to be able to transform the Partner Countries into free market economies.
11. However, Egyptian farmers have made continuous appeals rejecting the unfair policies and agreements of the EU states that prevent Egyptian agrarian products from entering European markets, which has led to extreme losses and wasting of crops.
12. The Land Center for Human Rights (LCHR) has recently received complaints from Dar El Salam – Sohag governorate, as peasants there have farmed about 2000 acres (faddans) of land with beans to export them to the EU markets. Their agrarian development association had made agreements with seven exporting companies, but afterwards, the companies refused to receive all of the crop production. They only bought one quarter of it, claiming that the EU states - "especially Italy and Great Britain" - had refused to receive the entire amount, because the Egyptian government had increased the costs of shipping by air and sea to the EU states from "20 cents per kilo" to "one US Dollar per kilo".
13. After this price increase in the shipping costs, the Italian government received crops from Morocco, as the shipping value there is 25 cents per kilo. England has a fixed limit and refuses to admit any larger amount into its markets.
14. Farmers say that the extreme heat of the weather in November and December has led to quickening the ripeness of the crops which made it very important to quickly sell them internationally, especially since a lot of money was spent to produce these crops in order to fit the international specifications made by the EU states – such as the symmetry in size and colour, in addition to considering the health conditions in the packing and wrapping processes, using clean water in the farming process and the

⁶ In addition, a note examining the question of poverty and violence as dealt with by the United Nations special procedures mandates was circulated to conference participants.

⁷ The report from the Conference will be available at www.omct.org

⁸ See DROI_OJ(2005)1121_1 v-00

exclusion of non-organic pesticides and fertilizers. Farmers confirm that they had to throw their crops in the waterways in order to vacate the lands for their owners or to grow wheat to compensate their losses.

15. LCHR identifies the absence of planning, the withdrawal of the state from the agricultural field and leaving farmers to face the policies and laws of the free market without any guidance or compensation for their losses due to continuous price changes being the reason for the farmers' hardships. The Egyptian government must reduce the shipping costs, facilitate the exporting procedures and modify the agreements with the EU and American states to open its markets more widely, stop farmers' poverty and promote justice among them and their fellow farmers. LCHR asserts that the state's central planning and supervision on the production process, improving agrarian guidance, compensating farmers for their losses and modifying the unfair WTO policies can stop farmers' poverty.
16. Despite the EU's efforts to alleviate the negative consequences of its trade policy upon Egyptian farmers by supporting Mediterranean civil society organizations through its MEDA programme, there are not enough funds available for effectively improving the farmers' economic and social condition. The EU mainly focuses on advancing political and civil reforms which does not meet the needs of Egyptian farmers. The condition of their political freedoms depends largely upon their economic situation, which is further deteriorating due to the effects of liberalization in the agricultural sector.

II. Agrarian Policy and Legislation and Violations of Human Rights in Egypt. A continuing problem

A. Agrarian policy and its implementation

17. Agrarian reform began in 1987, earlier than other reform programs. It continues to have a very negative impact on human rights and is a source of considerable state and non-state violence. The reform policies comprised the liberalization of crop prices and free selling especially concerning some crops (such as wheat and peanuts) that had been subject to fixed supply and pricing before. During the nineties, the liberalization procedures were applied to other crops. Then the government ended its subsidies for agricultural inputs such as seeds, pesticides and fertilizers, which resulted in an increasing importance of the private sector. Farmers now had to adjust to higher prices determined by the market.
18. In 1992, land law no. 96 of 1992 was issued through which the agrarian land was liberalized. The law determined a five-year transitional period (that ended in 1997) after which tenants had to return the arable land to its original owners. The tenants had rented these properties for forty years with fixed rents determined by law (seven times the tax – about 100 LE per fedden/acre) since the issuance of law 157 of 1952. According to the new law no. 96 of 1992, the rent increased to 22 times the tax (about 600 LE). In 1997, determining the rent of the arable land was left to the owners, whereby the rental of one fedden reached 2000 LE. And in 2005, the yearly rental value of one fedden amounted to an average of 3000 LE.
19. Land law no. 96 of 1992 omitted the two most important advantages of the previous law no. 157 of 1952 issued by the Naserian government:
 - Fixed rental value (seven times the tax)
 - Inability to evict tenants from their rented lands.Accordingly, new (non-cash) rental relations emerged, such as unfavorable commodity payments, share-cropping and others that turn farmers into slaves cultivating land that is not sufficient for satisfying their basic needs.

20. This problem is not limited to a small number of tenants only. Examining the data issued every ten years by the Ministry of Agriculture reveals that the number of tenants harmed by the implementation of law 96/1992 is approximately 904.000 (30% of farmers in Egypt). Those tenants were responsible for cultivating about 1.488.000 feden, while total arable land was estimated at five million feden (valley and delta) in addition to newly reclaimed land estimated at two million feden. Therefore, the rights of 904.000 tenants and their families – approximately 5.3 million people - to social safety and work are violated; they lose their sole source of income.
21. The tenants are evicted from their lots without receiving any compensation for their property and houses. Article no. 33 of law 96/1992 proposes giving alternative properties in the desert to the evicted tenants, but in reality, nothing has happened. Moreover, the law is not concerned with compensating tenants for their houses, buildings and agricultural machines that they had acquired throughout the renting period. Also, the law violates all constitutional regulations that require providing the million tenants and their families with alternatives guaranteeing their social safety. The law neglects public welfare and the discrimination applied by the law violates the constitutional principle of equality.

Violence during implementation of the law

22. The implementation of the law was accompanied by violent activities committed by state institutions against tenants. Such violence continued until the end of 2003. Throughout 1997, there were about 100 murdered, 1000 injured and more than 1000 arrested. In 1998-99, violent activities led to 87 killed, 545 injured and 798 arrested. The Land Center for Human Rights succeeded in documenting strong evidence that proved that violence committed against farmers was applied by the state institutions as a guarantee for the implementation of the law. From 1992 to 1998, farmers and some social movements organized protests that led the security forces to randomly arrest and torture farmers. Some of those farmers filed lawsuits in addition to appealing the unconstitutionality of law no. 96 of 1992 before the Supreme Constitutional Court in order to receive their rights. Unfortunately, there was no sentence issued concerning this lawsuit although it was presented five years ago.
23. According to farmers' protests against some officials, local institutions in different provinces and state authorities violated farmers' rights by torturing, beating, threatening, and illegal detention. These actions demonstrate how the poor pay the bill of the deterioration of civil and political conditions. Consequently, the mode of law implementation points to the close relation between civil, social and economic human rights.
24. During the implementation of the law, new aspects of violence such as disputes between rich people and poor farmers in villages emerged, encouraged and sponsored by the state. In some rural areas, large-scale owners colluded with police forces to violate farmers' rights (hiring some armed vagrants to frighten, beat and oblige farmers to leave their lands without any compensation). It seems that land reform is used for promoting benefits of large-scale owners without any concern about tenants' rights in Egypt. Many reports that monitored the process of law implementation assert that farmers' rights to safety, dignity and humane treatment are readily violated in addition to hindering their rights in establishing and joining associations that may improve their social and economic conditions.

B. Driving farmers from their land; violence and illegal arrests and detentions

25. The Egyptian countryside is witnessing extremely violent events because of the deterioration of farmers' economic and social conditions as a result of implementing the agrarian reform policies stated in "the amendment of the law that organizes the relation between landlords and tenants no. 96 for the year 1992", which has led to the eviction of farmers out of their lands.
26. Besides the conflict and social violence among farmers, state institutions such as the police and the Ministry of Agriculture through their employees in the different governorates practice direct and indirect violence against farmers that lead to the mistreatment and imprisonment of hundreds of

farmers without any legal permission. Statistics of the year 2005 show the size of these violent events: 116 incidents have been reported. Most of them were disputes over land, which have included the violation of farmers' rights to personal safety, freedom of movement, gathering etc., attacks on their homes and lands and burning their plantations. Dozens of farmers have left their villages in fear of the arbitrary procedures practiced against them by police forces. Police has used collective punishment policies such as imprisoning dozens of women and children, demolishing farmers' properties and making up cases against them.

Sarando village

27. The case of Sarando village was an example of the violation of the rights of farmers and their mistreatment by land claimants in order to take over their lands. The farmers concerned state that on 5/3/2005, about 50 bullies - subordinate to the ownership claimer - attacked the village. They were riding four armoured cars, one minibus, five jeeps and five tractors, carrying firearms and swords. They intended on ploughing the farmers' lands where they had planted wheat. The men fired shots at the farmers, and then a clash took place between them, which resulted in the injuring of dozens of men from both sides. The rumour was spread that one person called Alaa'a Mohamed Abdel Wahab Nawwar had died as a result of his injury. The clash has resulted in the burning of three tractors and two cars, and the situation is still very dangerous inside the village and the villages around.
28. After that, the police forces went to the village and randomly arrested the following women (until today, some women are still detained in Damanhour police station without any legal permission):
 1. Ranya Samir El Sabbagh.
 2. Rashida El Gizawy.
 3. Ne'ma Hafez Abo Tolba.
 4. Zahia El Agrab.
 5. Samah Abdel Hamid El Garf.
 6. Farhana Hafez.
 7. El Sayeda Mohamed El Attar.
 8. Rasm Ahmed Khallaf.
 9. Zahra Saeed Abo El Ela.
 10. Seham Saeed Abo El Ela.
 11. Khadra Mohamed Zaki.
 12. Aziza Mansour El Feqy.
 13. Howaida Mohamed Mahmoud El Feqy.

The police forces have also arrested the following children:

1. El Khadra Mohamed Zaki (9 years old).
 2. Fatma Saleh El Shenawy (5 years old).
 3. Somaya Saleh El Shenawy (2 years old).
 4. Ahmed Ibrahim (5 years old).
 5. Mohamed Ibrahim (2 years old).
29. The villagers' testimonies to LCHR state that the police forces have tied every two women by their hair in addition to tying their hands, that they have been arrested, put inside police cars and transported to Damanhour police station. And since dawn the day before, there was a curfew inside the village, and until now, the police forces are still arresting farmers and detaining them inside Damanhour police station.
 30. The village farmers have fled after these arrest, assault and humiliation waves, leaving their women and children to face their fate with the security men in the village. Some of the officials in El Behira province have confirmed that the women will not be released - according to the agreement with the

chief of police and the policemen in the district - unless some of the following persons wanted turn themselves in to Damanhour police station:

1. Abdel Razek Abdel Razek Abo El Ela (35 years old).
2. Mohamed Adallah El Gizawy (26 years old).
3. Gameel Abdel Men'em Gameel (28 years old).
4. Naser Abdel Gawad Aamer (28 years old).
5. Azmy Abdel Gawad Abo Zeid (23 years old).
6. Mustafa Abdel Hamid El Garf (45 years old).
7. Mohamed Ragab El Sayed (45 years old).
8. Karam Mohamed Hesein El Feqy (28 years old).
9. Abo Taleb Abdallah Ab Zeid (29 years old).
10. Mohamed Addel Aziz (a lawyer in the freedom committee at the lawyers' syndicate in El Behira).

31. The chief of police completed fake minutes of the interrogations without any of the farmers accused being present; the minutes were then transferred to the prosecutor. He stated that it was enough if at least five of these farmers turned themselves in in order to release the women and children (according to villagers' testimonies to the LCHR).
32. The situation is still very problematic inside the village; no one is there but women and children, and the central security cars and policemen are spread all over the village searching for the escaping men. This situation will result in pernicious consequences and needs quick interference by the officials in the district, the Ministry of the Interior and the General Prosecutor to protect the families and guarantee farmers' rights to personal safety and social security in the village.
33. Also, the farmers' complaints to LCHR state that in dawn of Friday 4/3/2005, the police forces in El Behira province had attacked the village and arrested dozens of farmers including women. Until now, they are still detained without any legal permission, claiming that some of the farmers had prevented the ownership claimer from going to his land and taking over his possession. The security forces attacked houses, broke doors and presented the following seven farmers for interrogation concerning these charges:
 1. Hamdy Mustafa El Hosary.
 2. Ibrahim Mohamed Abdel Magid Abo Kalila.
 3. Mohamed Abdel Hamid El Gorf.
 4. Abdel Hamid Ahmed Khallaf.
 5. Khamees Mohamed Hesien.
 6. Mohamed Ramadan Hashem.
 7. Mohamed Mahmoud El Feqy.
34. They have been presented to Damanhour prosecutor, case no. 2825 for the year 2005, Damanhour misdemeanour. Farmers say that the police forces arrested them from their bedrooms and did not even wait for them to get dressed. All of the farmers were charged with trespassing the property and stealing the crops of Salah Nawwar and preventing him from accessing his land by force. They have also been charged with weapon possession to frighten people and endanger their safety.
35. The constitutional court has decided that the farmers have the legal right to own their land. The charges are put forward so that the farmers do not demand to own the lands as an implementation of the court's decision. LCHR has previously issued two publications clarifying the dimensions of the land ownership problems in Sarando village during 12/1/2005 - 6/2/2005.
36. Until now, May 2006, 23 farmers are still detained waiting to be presented before Damanhour court on the 19th of June 2006. All of this was done to force them to leave their lands or cede them to the

ownership claimers. However, these lands are their only source of income that they have been depending on for more than 40 years.

C. Governmental eviction of farmers, privatization of land and the right to housing; the story of three villages

37. Tens of thousands of farmers in the countryside suffer from mistreatment and abuse by governmental institutions. One of the most important aspects of such violations is that the Ministry of Endowments has evicted farmers from their homes claiming that these farmers did not own the lands that their houses are built on or that they had not paid their rents. The ministry has used the police to force farmers to pay the rent of these lands, evict them from their property or to arrest them, which is a violation of the Egyptian law and constitution. Governmental institutions also demolish farmers' homes, claiming that these homes had no licenses to be built or because these homes were built randomly – without providing them with alternative housing or suitable compensations. Police forces use extreme violence against the farmers and imprison them without any legal permission.
38. Governmental institutions such as the Ministry of Endowments, the State Property and the Agrarian Reform Corporations use arbitrary and illegal procedures to evict farmers from their homes by confiscating their possessions, imprisoning them or arresting their wives and children to force the farmers who fled to turn themselves in.
39. Although law no. 96 for the year 1992 states in article 4 that the state must provide the evicted farmers with alternative and suitable houses in the same area that they had lived in, and that they must not be evicted before doing that, many farmers suffer from eviction, mistreatment, high rental values and imprisonment because of their poverty and inability to pay the high rents demanded.

Ezbet Rashwan village

40. The people of Ezbet Rashwan village are an example for such violations. In a court session held on 15/4/1999, the LCHR has presented a challenge concerning the unconstitutionality of Law no. 2678 to stop the Ministry of Endowments from executing administrative confiscations against the farmers. On 3/2/2005, the LCHR has presented case no. 104/23 stating the unconstitutionality of the text of article () of the first and second clauses of law no. 308 for the year 1955 modified by law no. 44 for the year 1958, since the law states that it is permitted to follow the administrative confiscation procedures in case of not paying the Ministry of Endowments the due rents. The Ministry is often just a representative for charging rents on behalf of influential and wealthy owners. According to the law, the Ministry of Endowments confiscates the lands that peasants farm or the houses that they live in because it owns them, which has led to the imprisonment of hundreds of farmers and poor people in the Egyptian countryside.
41. LCHR has filed a report to the General Prosecutor requesting him to issue his instructions for the release of the detained farmers, because when the Supreme Constitutional court issues a decision of the unconstitutionality of a law, the next day after issuing this decision, this law must be cancelled including its previous effects – such as the confiscation procedures and other charges pressed against the farmers. The Ministry of Endowments may not carry out administrative confiscations against farmers, since after the issuance of this decision and the procedures that follow it and notifying the prosecutor, these confiscations are considered null and void. Based on this, the Ministry of Endowments and the Ministry of the Interior are demanded to compensate the farmers for their financial and psychological damage as a result of their detention, humiliation and violation of their right to personal safety according to an unconstitutional text.

Akyad El Bahreya village

42. Akyad El Bahreya village is another example for the violation of economic and social rights, as the Egyptian Ministry of Endowments practices continuous persecution and oppression policies against farmers to force them out of their homes for the favour of some influential and wealthy people. This was done through police forces that arrest farmers and fabricate cases against them for the benefit of the ownership claimers. There were more than 30 fabricated cases, and farmers and their wives were arrested for several days to be presented before the court several times. These procedures have forced many farmers to leave their homes fearing the pursuit of police forces.
43. This conflict takes place over 61 feddans of land between the farmers and one of the ownership claimers, while farmers confirm that the so called owner is a guardian on behalf of the Ministry of Endowments that owns about 340 feddans in the area. On 23/10/1996, the LCHR has succeeded in making the Ministry of Endowments issue a decision demanding the ownership claimer to pay the rents of this land for the period it was in his possession.
44. Through some of the agrarian association's employees, the ownership claimer has managed to forge contracts with different dates. In addition to that, he managed to trick some of the farmers into signing blank papers which he has used against them, and which made the LCHR present a communiqué (no. 848 for the year 1998) to the prosecutor general demanding him to investigate these events. This communiqué was transferred to El Zaqazeeq prosecutor with no. 537 for investigation and to file the necessary legal procedures against the ownership claimer and all of those who had helped him. But until now, this case was not decided and the court did not issue a decision. In addition to that, the ownership claimer has managed to prevent irrigation water from reaching the farmers' lands in collusion with the agrarian association employees who have also refused to provide the farmers with cotton seeds. The farmers presented several complaints to the head of the agrarian association, but he did not respond to any of them in order for them not to be able to plant cotton in time, which violates the crop rotation and will in turn lead to issuing an official decision to evict them from their lands and homes.

Privatization of state land; El Bothure village

45. The implementation of law no. 96 for the year 1992 and the so called agrarian reform policies have led to the withdrawal of the state from the agricultural sector. Corruption of state employees in some governmental institutions have caused the spread of injustice, tricking of farmers, faking and manipulating land and ownership documents, which created many conflicts among companies, foundations and farmers.
46. During the implementation of the agrarian reform policy called "privatization of state land", the Ministry of Agriculture has started selling its lands. For example, the state sold lands in El Bothure village in Abu El Matameer, Behira governorate. Farmers' lands were sold to a Saudi investor through forgery and collusion with the land registration office. Although farmers have presented many complaints to the prosecutor general because of these violations and for seizing their lands, the conflicts still continue. Violence and mistreatment were used against the farmers to force them out of their lands as a result of corrupted cooperation between the state employees and the Saudi investor. More than 20 farmers were arrested and had to leave their lands and homes along with their families in order to escape from violence, torture and humiliation by the police forces who also fabricate charges against them.

D. Illicit loans, confiscation of land and imprisonment of farmers

47. Loans from the Development and Agrarian Credit Bank subordinate to the Ministry of Agriculture have caused the imprisonment and mistreatment of farmers by state institutions, since many of the state employees take advantage of the ignorance of many farmers and make them sign papers about whose content they know nothing. These employees issue loans by the names of the farmers and take the loans for themselves. After that, the bank demands the farmers to pay back the loans that they have

never received. Of course the farmers are not able to pay these sums and the banks thus file lawsuits against them that lead to their imprisonment or mistreatment.

48. The bank also provides loans for the farmers with very high interests that reach 15% a year, which means most of the farmers are not able to pay back these doubled debts. The loaning conditions violate the law and constitution, because if any farmer is unable to pay one of the installments of his loan, the whole loan will be doubled plus interests. For example, one of the farmers took a sum of LE 9,600 as a loan, and he was not able to pay back some of the installments, which made the debt reach the sum of LE 55,751.
49. During the 2005 presidential elections, the president has stated that he will solve the problems of those farmers who are not able to pay back their debts to the Development and Agrarian Credit Bank, but until now that did not happen. Tens of thousands of farmers still suffer from their inability to pay back their debts after they were evicted from their homes and lands because of the high rental values that they must pay and the mistreatment by police forces that they and their families face.
50. Examples of these violations can be found in the problems of farmers in two villages in Der Muas district, Menya governorate, that have been escalating for more than a year and a half. The problem exists in every house in the two villages of Hagg Kandeel and Ammareyya. Sometimes two persons or more in one family suffer from the problem (father, son and sister for example). The problem is that the Development Bank official in these villages used to be tolerant and lenient with the farmers in order to earn their trust. He gave them, after earning their trust and even love, small amounts of money and they signed blank checks in order to give him space to finish administrative measures. He then took loans from the bank in the name of those farmers. Farmers were shocked to receive warnings of late payment.
51. They went to the bank and found out that they were indebted with huge amounts of money that they had not received. Farmers asked every official authority they knew for help but nobody listened to them. Farmers faced the employee who told them that he had taken the money in their names and he would pay it back. For some of them, he wrote receipts declaring that he had taken the money from them. He kept procrastinating until farmers were desperate and afraid of being imprisoned. They presented 75 complaints to the general prosecutor's office and filed 32 misdemeanours against the employee. He was sentenced to an imprisonment for 16 years, but the problem continues.
52. Farmers assure that they signed blank checks to the employee who abused his possession of their ownership papers and took loans in their names. He even forged the signature of a woman called Amina Omar Hassan. She had already died on 23/2/1999. Two days after her death, on 25/2/1999, he took a loan in the deceased woman's name over the amount of LE 15,000. The bank's loans' committee stole that loan and filled out the necessary papers pretending that it had been paid back in March 2000 so the theft would not be discovered.
53. Another example is the case of Ahmad Abd el-Aziz Uthman, who works in Kuwait. In March 1999, the bank employees took a loan of LE 118,000 in his name. When the bank demanded him to pay back the money, Mr Ahmad appealed to the court. He was found innocent.
54. Investigations in this case revealed many irregularities. There was an agreement between the bank employee and the postman so that any mailing between the bank and the agents would go to the bank employee. The postman has been imprisoned for that. Although the employee confessed everything mentioned and confessed that he had taken the money with the boss of the branch and other officials in the branch, farmers still receive warnings of imprisonment. Most farmers had to sell their lands in order to avoid imprisonment. The bank stated that because farmers had paid a part of the money before the conspiracy was discovered, they thereby confessed they had taken the money. All farmers in the

two villages are now facing the threat of selling their lands and houses and leading the life of vagabonds with their children for not being able to pay back loans they had not received, although court rulings have been issued confirming that these farmers had been tricked by the government employees.

55. Another example is Amm Mohammad, a simple farmer. He wants nothing but a decent life and safety. He dreams of an end to the pursuit of himself, his sons and his wife because of the unpaid bank loans.
56. Amm Mohammad narrated his story from the very beginning. On 18th of November 1986, he had a loan of LE 9,600 with an interest of 13% plus 1% for official expenditures of the loan. This amount reached LE 55,751 by the year 2000 due to the “development” strategies followed by the bank for the sake of helping the people and eliminating their poverty! LCHR filed a lawsuit in the name of Amm Mohammad against the bank and found out how the bank cheats its clients. Amm Mohammad had not been able to pay back more than half of the money. The bank had therefore given him another loan of LE 9,000 with a total interest of 14%. Of course Amm Mohammad was given no money because the second loan was paid for the interest of the first one. After adding the interest and fees of late payment to the first loan, Amm Mohammad could only pay half of the money. The bank gave him another additional loan, then a third one, and the debts of Amm Mohammad are accumulating all the time.
57. That simple farmer found that his debts reached LE 49,850 on 16th of August 1994. In the meantime, the ministerial committee that was held on 16th of April 1994 reached some decisions in order to solve the problems of the outstanding debts to the Development Bank. On 30th of May 1994, the Minister of Agriculture issued decree no. 292 based on the committee’s decisions. Accordingly, the bank tabulated the debts of Amm Mohammad on 31st of December 1993 and raised the debt to LE 55,664. The contract that Amm Mohammad signed with the bank says that this amount of money will be divided into ten parts and every part will be paid in three months. In case of any delay in payment, the contract will be cancelled and the interest of 15% and a fine of late payment will be added. Amm Mohammad paid LE 9,067, but had trouble paying the entire amount again, which made the total debt reach LE 55,751 on 20th of September 2000.
58. This is the way how the poor countryside is developed. Debts are accumulating and facts are lost for the sake of achieving a profit that exceeds the profits of weapon and drug trades. A debt of LE 9,600 cannot reach LE 55,751 unless dealing with a bank meant to help the poor! It was not enough for the bank to take the three feddans of arable land of Amm Mohammad as a guarantee for the loan. The Bank also took ten additional checks. When it was time to pay the checks, Amm Mohammad ran away and left his wife, sons and land. The bank knew that and confiscated his luggage. When it was time to sell the possessions for the debt, nobody from the bank showed up and his wife and sons were notified that the luggage was being destroyed. Through vicious cycles as presented in this story the farmers’ situation is deteriorating further and further.

III. Protecting farmers’ rights; the Land Center’s role and the obstacles it faces

59. Egypt suffers from the small number of foundations and organizations that advocate farmers’ rights and resist violent actions taken against them. The state still uses mechanisms of violence and threat against the existing organizations working in this field. While LCHR was working in the case of Sarando village, one of its lawyers and some farmers were accused of instigating the farmers against the authorities when they were monitoring the violations committed by police forces. And instead of reinforcing, developing and supporting organizations that work in the field of defending farmers’ rights, the state tries to eliminate them with any means necessary.

The LCHR in brief:

60. The Land Center for Human Rights (LCHR) is a non-profit, non-governmental organization. It was established in 1996 under sections 505 to 537 of Egyptian civil law and section 69 of the Egyptian constitution. The Land Center was founded to defend farmers and advocate human rights in rural Egypt, since there were no such organizations before LCHR's establishment in 1996. LCHR aims to address the disrespect and lack of protection of the rights of farmers and the agricultural sector in Egypt, influence the direction of the land market and prices, and study the effects of policies on farmers' lives and the agrarian economy.
61. There is currently no legislative structure that addresses workers' conditions in the agrarian sector; therefore, farmers' economic, social, civil and political rights are violated daily. A gap is expanding between rural and urban areas in Egypt regarding the provision of governmental services, which has led to an increase in the violations of rural men's and women's rights in the midst of worsening socioeconomic conditions. Child labour in the countryside has become widespread in the agrarian and other sectors, which has been accompanied by an increase in the rates of illiteracy and school dropouts. Rural women's rights are violated daily within the family or at the workplace because of deteriorated socioeconomic conditions.
62. LCHR defends the farmers and agrarian workers suffering from poor agrarian working conditions that are a derivative of the lack of work contracts, holidays, working regulations, and the right to organize. LCHR supports and encourages the roles of syndicate organizations, co-operations, associations, and rural organizations. It directly confronts the phenomenon of child labor and studies its causes and effects. It works to empower rural women, especially those working in the agrarian sector, so they can confront and challenge the daily violations of their rights. LCHR supports efforts to curb pollution in the countryside and educate farmers about pollution. It also upholds the importance of safe working conditions and providing healthcare and other necessities of life to farmers.
63. LCHR aims at improving the economic and social conditions to which farmers are exposed in rural Egypt, observes human rights violations in Egyptian villages, develops citizens' awareness of human rights culture, and encourages coordination between civil society organizations by supporting their independence and reinforcing the values of democracy and human rights.
64. LCHR contributes to efforts demanding an economic and agrarian reform in Egypt that will guarantee farmers' rights, especially to farm their lands in safety. It also attempts to disclose the views and needs of the Egyptian poor and increase their scope of participation in the decision-making processes that affect them.
65. LCHR offers legal assistance to farmers when their economic, social, civil, or political rights are violated and issues reports and collects data about such violations. It organizes training courses and publishes brochures to develop citizens' awareness of human rights in Egyptian villages. It has formed a network of volunteers and activists interested in making human rights work widespread in Egypt. It organizes symposiums and holds workshops about issues related to rural Egyptian political, social, cultural and environmental conditions. LCHR seeks and maintains strong relations with national and international human rights organizations and development agencies in order to help achieve its goals.

IV. Conclusions and Recommendations

66. The Land Center submitted the following conclusions and recommendations which are relevant to the dialogue between the institutions of the European Union and the Government of Egypt. They are also relevant to wider European Union policies in the economic and social fields.
67. The economic and social conditions of farmers have deteriorated because of policies that did not take their needs into consideration. This is why farmer movements have appeared worldwide demanding the protection of their rights to safe land possession and a decent life.
68. It is internationally recognized that farmers should be liberated from fear and poverty and enjoy their economic, social, civil, political and cultural rights, and that all governments must guarantee farmers and their families the right to an adequate standard of living by enabling them to farm and possess a piece of land, own a suitable house and enjoy public services, such as electricity, clean water, drainage systems etc.
69. Farmers and their families in Egypt demand the members of the people's and local assemblies, political parties and movements and all civil society organizations to provide them with solidarity in their struggle for their rights to:
 1. An adequate standard of living, that is providing them with enough and healthy food, clean water, healthcare, electricity, transportation, communication, information, good education, suitable income that satisfies the needs of their families, suitable housing and clothing and the permission to establish and join farmers' foundations independent from the government that express and defend their interests.
 2. Managing their agrarian resources by owning appropriate pieces of agrarian lands, access to farming resources and requirements, providing these lands with irrigation water and drainage systems, financial and technical support to manage and maintain these resources and protect their environment from pollution.
 3. Safe farming, by determining the plants that they want or refuse to grow, access and usage of the outcomes of the agrarian research centers and the services that they provide for free to follow up development in the agricultural field.
 4. Participation in effective planning of programs related to rural development and contribution to the decision-making process related to their issues and financing their agrarian projects, in addition to providing them with the agrarian inputs and facilities for selling their products.
 5. Access to information about national and international programs and policies related to agriculture and technological developments that benefit them.
70. Farmers demand a free and democratic country where wealth is distributed equally among its citizens to create a better future for everyone. That will not happen unless the emergency law is cancelled along with all laws that restrict freedom and the right to political participation, all political prisoners are released, and torture policies and governmental violence against citizens in police stations and other detention areas are stopped.
71. The state's constitution has to be modified to guarantee the separation of powers and give the judicial authority its independency. Egypt should become a parliamentary republic where the president's authorities are reduced, which guarantees all of its citizens safety and a decent life, and stops the human rights violations of executive authorities.
72. Farmers and their families would like to see their problems discussed in all of the media with suitable means of communication for the rural areas, as farmers represent more than 50% of Egypt's population.

73. The farmers urge consideration of their demands:
- The state must adopt a different policy based on the understanding of the farmers' crucial role in providing food for society, and guarantee their rights to safe land possession and farming.
 - The issuance of a new law that organizes farmers' relations to their lands in order to guarantee their right in owning these lands, in addition to defining a safe period for the rental contract that is no less than five years and a rent that fits their income and the output of agrarian production. Also, a law that allows farmers to establish associations that defend their rights and interests is needed.
 - The farmers who have been evicted from their lands following the implementation of law no. 96 for the year 1992 must receive alternative lands that are no less than five acres (feddans) in the state's reclaimed lands.
 - Allow farmers to own the state's reclaimed lands with long term instalments that are no less than 20 years without interests.
 - Solutions to problems related to irrigation water, underground water, usage of drainage water and the cleaning of waterways and canals in a limited time period, in addition to stopping all forms of indirect attempts to sell farmers' irrigation and drinking water.
 - Waive the debts that farmers owe the Agrarian Development and Credit Bank, and reconsider the bank's debts regarding small owners who own less than five feddans by not collecting any interests for these debts, as these interests piled up and farmers were not able to pay them back, and permission to pay back these debts on a long period suitable to their income and without any interests for at least 20 years.
 - Let the farmers own the homes that they live in, especially the ones owned by the state, and facilitate the instalment payment process for these homes in time periods that are no less than 20 years with symbolic prices and without any interests, as a guarantee for farmers' right to adequate housing.
 - Develop plans with clear and suitable time periods and budgets to solve farmers' housing, health and educational problems. These programs and plans must enable farmers to enjoy all services that guarantee a decent life. These plans must not exceed the period of five years (the incumbency period for the president and members of the people's, consultative and local assemblies) to solve farmers problems and eliminate sickness, illiteracy and poverty in Egypt.
74. Farmers represent more than half the population of Egypt. Their demands must be part of the national program for comprehensive reform so that all citizens are guaranteed a decent and safe life and a better, more just and humane future.
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