



EGYPT: ROADMAP TO REPRESSION

NO END IN SIGHT TO HUMAN RIGHTS
VIOLATIONS

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Cover photo: A torn poster of deposed Egyptian president Mohamed Morsi is seen as riot police clear the area of his supporters, at Rabaa al-Adawiya Square on 14 August 2013, in Cairo ©REUTERS/Mohamed Abd El Ghany

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CONTENTS

Introduction	5
1. Freedom of assembly and expression.....	11
Morsi supporters.....	11
Students.....	15
Arrests under new assembly law	16
Attacks on media.....	19
2. Freedom of association	23
Raids on NGOs and attacks on NGO workers.....	23
Laws governing civil society organizations	24
3. Policing and impunity.....	27
Ruthless security forces.....	27
Impunity.....	29
4. Selective justice	33
Conclusion and recommendations.....	37
Endnotes	41

INTRODUCTION

On the eve of the third anniversary of the “25 January Revolution”, the human rights outlook in Egypt remains grim. Chief among the triggers of the uprising in 2011 were growing levels of poverty and inequality, soaring unemployment, endemic corruption, police brutality and other human rights violations. After three years of chaotic transition characterized by endless cycles of street protests, bloodshed and repression, referendums and elections, the revolt’s root causes not only remain but in some cases have grown more acute. At each round of voting, successive governments promise stability – craved by millions of Egyptians hit hard by the deteriorating socio-economic conditions. However, stability has yet to be delivered and the motto of the uprising, “bread, freedom, social justice”, rings hollow. Instead, Egypt has suffered a number of human rights setbacks, not least since the removal of Mohamed Morsi from the presidency in July 2013, including the killings of up to 1,000 people on 14 August 2013 during the dispersals of sit-ins by his supporters by security forces.

The latest step on Egypt’s long, winding and pot-hole-filled road to “stability” and “democracy” was the national referendum on the post-Morsi Constitution held on 14 and 15 January 2014. The Egyptian authorities attached great significance to this first national vote since Mohamed Morsi’s ousting to demonstrate their legitimacy, as well as popularity and public support for their post-Morsi roadmap. However, the vote took place amid an increasing climate of repression against dissenting voices across the political spectrum. In the run-up to the referendum, the Egyptian authorities sought to control the narrative and sent clear messages that there was no room for a “no” vote, or indeed critical opinions.

Despite fears of bloodshed, given calls by Morsi supporters to boycott and protest the referendum, the voting process itself unfolded without major violence, save a casualty-free bombing of a Greater Cairo court and at least five violence-related deaths. The violence was blamed on the Muslim Brotherhood (MB), and security forces arrested a reported 444 people for attempting to disrupt the voting process.¹ As expected, the referendum passed with a resounding approval rate of 98 per cent, with over 38 per cent voter turnout. While an improvement over the 2012 version, the Constitution falls short of Egypt’s international human rights obligations. The Constitution provides too much autonomy for the military, allows for the military trial of civilians, discriminates against foreign nationals, and leaves the door open for undue restrictions on the rights to freedom of expression and assembly.²

Despite the emphasis placed by the authorities on the referendum’s ability to restore “stability”, it is no magic bullet for redirecting the country on the right path and fixing all its ills. Without addressing impunity, preventing further police abuse, repealing repressive laws, and allowing for peaceful critics to voice their opinions in the media, streets, universities and elsewhere, Egypt risks moving even further away from realizing the aspirations of the “25 January Revolution”.

For those who called and hoped for “bread, freedom and social justice” during the first 18 days of the “25 January Revolution”, it did not take long for the initial jubilation of bringing down Hosni Mubarak on 11 February 2011 to be overshadowed by the human rights violations committed by his successors. The 17-month rule of the Supreme Council of the

Armed Forces (the SCAF) was marred by serious human rights violations, including excessive and unwarranted use of force by the police and military; torture or other ill-treatment; military trials of thousands of civilians and restrictions on freedom of expression. Faced with a choice between a candidate perceived by many as a remnant of the Mubarak regime and a member of the MB, Egyptians narrowly elected Mohamed Morsi in June 2012. He promised to be the president of “all Egyptians” and honour the sacrifices of those killed in protests that made his election a reality. Those promises were quickly broken.

From the onset, Mohamed Morsi was mistrusted by a diverse range of actors, from independent activists to secular political parties; key members of public institutions; the business elite; and the influential voices which shape public opinion. Mohamed Morsi’s rule proved divisive and a series of political mistakes and human rights violations precipitated his fall in July 2013, just a year after he took office. For many, the tipping point came in November 2012 when Mohamed Morsi granted himself sweeping powers and barred courts from challenging his decisions, a move that sparked widespread anger and protests in Egypt. Rushing through a controversial constitution boycotted by the political opposition further consolidated divisions in society – which played out in bloody clashes between Morsi’s supporters and opponents in December 2012 and gave a taste of what was to come in the summer of 2013.³

Human rights were flouted during Mohamed Morsi’s short-lived presidency. Rather than taking steps to reform security forces and hold them accountable for abuses, he courted them and absolved them from any wrongdoing, including for the killings of at least 45 protesters in the vicinity of Port Said Prison in January 2013.⁴ The government also sought to push through laws repressing freedom of assembly and association and jailed or otherwise judicially harassed opposition activists and other critics, including comedians and journalists. The authorities also further undermined women’s rights in the 2012 Constitution and failed to take action to combat sexual assaults against women in the vicinity of Tahrir Square during protests. During Mohamed Morsi’s presidency, sectarian attacks against Coptic Christians and Shi’a Muslims, as well as convictions on blasphemy charges, increased against the backdrop of the inflammatory sectarian rhetoric espoused by some of Morsi’s supporters and members of the affiliated MB movement.⁵

Rising tensions and dissatisfaction with Mohamed Morsi’s presidency culminated into calls for mass protests on 30 June 2013 – the one-year anniversary of his assuming office. Millions of Egyptians responded to the campaign by the Tamarud (“Rebel”) movement to sign petitions calling for early presidential elections, and took to the streets while his supporters occupied a number of public squares, most notably Rabaa al-Adawiya in Cairo. Bloody clashes between the two camps preceded Defence Minister Abdel Fattah al-Sisi’s announcement on 3 July 2013 that Morsi was no longer president, and that the 2012 Constitution was suspended. The deposed president, and his aides, were taken into the custody of the military.⁶ In defiance, Morsi supporters continued to protest, while security forces used excessive and unwarranted lethal force. In July 2013, in Cairo alone, over 50 protesters were killed by security forces in front of the Republican Guard Club, where Mohamed Morsi was believed to be held, and a further 80 people died in protests on Al-Nasr Road.⁷ Eventually, in state violence unseen even during the first 18 days of the “25 January Revolution”, Morsi supporters were violently driven out of their sit-ins on 14 August 2013, leaving hundreds dead in unprecedented and unwarranted levels of lethal force used by the

security forces to clear the public space of pro-Morsi protesters. Morsi supporters were dealt another heavy blow two days later, when reckless fire by security forces led to the deaths of a further 97 people in the vicinity of Ramsis Square.

The largest subsequent pro-Morsi protest on 6 October 2013 was also dispersed with excessive and lethal force by the security forces, leaving at least 49 people dead.⁸ Despite the crackdown, Mohamed Morsi's supporters continue to stage regular protests, particularly on Fridays, as well as at universities, albeit on a smaller scale. Since 30 June 2013, an estimated 1,400 people have died in protests or other political violence.⁹ Since Morsi's ousting, thousands of perceived MB members and supporters have been rounded-up by the security forces, including its senior leadership and the ousted president himself. In a crackdown reminiscent of the rule of Hosni Mubarak, the MB leadership has either been jailed, fled or gone underground, and is facing charges of inciting or committing violent acts.

Morsi supporters were not alone in paying the price for his ousting. Coptic Christian communities have been increasingly targeted and scapegoated due to perceptions that they supported Mohamed Morsi's removal from power. Sectarian attacks reached an unprecedented level in the wake of dispersals of pro-Morsi sit-ins in Cairo on 14 August 2013. Angry mobs armed with firearms, knives and metal bars ransacked, looted and set ablaze churches and Christian-owned businesses and homes, while security forces stood idly by. Some 200 Christian properties were attacked and 43 churches were seriously damaged across the country. At least four people were killed that day.¹⁰ The Egyptian authorities were quick to label these attacks as "terrorism" and to express outrage, yet they failed to ensure adequate, impartial and independent investigations, including into the failure of security forces to prevent and stop these attacks. They have yet to provide justice and reparation to the victims. Even though some leaders of the MB disassociated themselves from the violence; others used platforms such as Rabaa al-Adawiya to incite hatred against Coptic Christians and blame them for the removal of Morsi and for the violations suffered by his supporters.¹¹ The use of dangerous sectarian language persists to date, including on the official "Ikhwan On-line" website.¹²

In its crackdown on the MB, the Egyptian government has adopted the familiar discourse of "countering terrorism" used during the rule of Hosni Mubarak. Indeed, in the months following the removal of Mohamed Morsi, army checkpoints, security personnel and government buildings have come under increased attack by groups described by the authorities as "terrorists". In one of the bloodiest incidents, on 19 August 2013, 25 conscripts with the Central Security Forces (CSF), Egypt's riot police, were ambushed on the road and killed by armed men. While the violence affected the restive North Sinai region disproportionately, it was also felt in other parts of the country. In another bloody incident, a car bomb exploded outside the Security Directorate in the Delta city of Mansoura on 24 December 2013, leaving 16 people dead and hundreds injured. Victims included both security personnel and residents. Without providing any evidence, the authorities immediately pointed the finger at the MB, designating it as a "terrorist" organization, even though an armed group, Ansar Bait al-Maqdis, claimed responsibility for the attack. The same group also claimed responsibility for the failed assassination attempt targeting Mohamed Ibrahim, the minister of interior, on 5 September 2013. According to official statistics, at least 95 security personnel have died in violent attacks since Morsi's ousting.¹³

Amnesty International condemns indiscriminate attacks, as well as attacks targeting civilians. The Egyptian government has the right and duty to protect lives and prosecute those responsible for such crimes, however, human rights must not be sacrificed in the name of “countering terrorism”.

The state narrative of restoring the path to “democracy” and “countering terrorism” – constantly reinforced by public and private media outlets – found resonance with the disgruntled public as hatred and suspicion of the MB reached extraordinary and frequently hysterical levels. In a deeply polarized environment, there is little public outrage at police abuses which continue unabated. During and in the aftermath of the “25 January Revolution”, the police faced public wrath. Many called for accountability and justice for the “martyrs” killed by the security forces. Successive governments paid tribute to protesters killed and injured in the events and promised, although failed to deliver, redress. Justice remained elusive, as all but a handful of security officials who faced trial were acquitted of charges of killing protesters. Police brutality continued, and no serious steps were taken to reform the security forces. After the 30 June 2013 protests, prospects for accountability, security sector reform and the removal of suspected perpetrators from positions where they can repeat violations seem even dimmer.

Egyptian society has become increasingly polarized, as exemplified by the parallel binary discourses of the interim authorities and Mohamed Morsi’s supporters. On one side, the state’s narrative either denies responsibility for human rights violations or justifies its actions as necessary to save Egypt from “terrorism” and instability. Proponents of that narrative find no fault with cracking-down on the MB, using force to disperse their sits-ins and protests, shutting down their channels of expression, passing laws limiting the right to freedom of assembly, and conducting sweeping arrests. The other side has constructed a narrative of a planned military “coup”, backed by the “deep state” and remnants of the Mubarak regime, against a democratically elected president. It downplays the genuine public opposition to Mohamed Morsi and the MB, and dismisses evidence that some of his supporters had used violence and torture, and are responsible for inflaming sectarian hatred and attacks.

Few voices publicly reject both narratives and criticize the human rights record of both sides. Among them are some human rights non-governmental organizations (NGOs) and activists, who have consistently documented and denounced violations committed under Hosni Mubarak, the SCAF, Mohamed Morsi and current interim President Adly Mansour. Today, the space for them to express their views has shrunk, particularly in media outlets, both private and public. Instead, they have faced a vicious media campaign attempting to discredit them and dubbing them as “traitors” and “agents” of Egypt’s enemies with ulterior agendas. Some of the names strongly associated with the “25 January Revolution”, including one of the founders of 6 April Youth Movement, Ahmed Maher, and blogger and opposition activist Alaa Abd El Fattah, find themselves behind bars for breaking the repressive new assembly law. The judicial harassment of known opposition activists – including ones deeply critical of the MB – shows a government ready to stifle any form of dissent across the political spectrum, and not limit the crackdown to supporters of the MB. This bodes poorly for Egypt’s future, as only such independent voices can see beyond political considerations, defend victims of human rights violations regardless of their political affiliation and continue the struggle for Egypt to become a country that respects the rule of law and human rights.

Despite the authorities' argument that a resounding "yes" vote in the referendum on the Constitution demonstrates a return to normality and public support for their roadmap, Egypt remains at an impasse – with many MB leaders in jail or facing prosecution, and the remaining "revolutionary" opposition under attack. However, the cycle of abuse will only be broken when the rule of law applies to all regardless of their rank and political affiliation and security forces are held to account for their actions before, during and since the "25 January Revolution".

This briefing details Amnesty International's main concerns about developments in the human rights situation in Egypt since Morsi's removal in July 2013. Chapter 1 looks at the authorities' clampdown on freedom of expression and assembly, in an apparent effort to stifle all critical voices. The chapter starts by highlighting restrictions to the rights to freedom of assembly and expression faced by supporters of the deposed president. The chapter then examines how the authorities are tackling university protests by supporters of the deposed president and others caught-up in the midst. The chapter goes on to describe the crackdown on dissent extending to secular activists, particularly following the adoption of a controversial, repressive assembly law in November 2013, and its immediate implementation to disperse peaceful protests and arrest activists. The chapter ends with an analysis of government attacks on independent reporting and media outlets perceived as providing a platform to MB supporters. Chapter 2 describes attempts by the Egyptian government, following in the footsteps of its predecessors, to control independent human rights organizations by restricting freedom of association. Chapter 3 provides a summary of recent police abuses. It also analyzes the entrenched climate of impunity and the failure of the Egyptian authorities to properly investigate the actions of, let alone punish, members of the security forces – not least for the killings of hundreds of protesters on 14 August 2013. Chapter 4 delves into concerns about the increasingly selective nature of justice in Egypt – as the criminal justice system fails to provide redress to victims of human rights violations by allowing perpetrators to walk free, while punishing government critics. It goes on to look at concerns surrounding the lack of respect of due process rights and other flaws in ongoing judicial proceedings against perceived supporters of the MB and other critics. The briefing closes with a set of recommendations to the Egyptian authorities aimed at redressing the downward spiral of human rights abuses, and setting in motion reforms to break the legacy of impunity and to realize the aspirations of the "25 January Revolution".

- 10 Egypt: Roadmap to repression
No end in sight to human rights violations

1. FREEDOM OF ASSEMBLY AND EXPRESSION

MORSI SUPPORTERS

Since Mohamed Morsi's removal from office, the Egyptian authorities have shown no tolerance of his supporters' attempts to criticise what they call the "military coup" and ongoing human rights violations. Pro-MB protests have been repeatedly violently dispersed by the security forces, with many participants arrested and slapped with a long list of frequently identical charges. The authorities' crackdown on those expressing opposing views in the streets has been accompanied by their shutting down of other platforms for expression, such as television channels perceived as sympathetic to the MB and banning publications.¹⁴ The repression of MB members and supporters is taking place against the backdrop of a campaign in private and public media outlets to demonize the MB and accuse the movement of "treachery" and "terrorism".¹⁵ The authorities have made little distinction between violent acts and activities merely amounting to the peaceful exercise of the rights to freedom of expression and assembly.

Thousands of perceived pro-Morsi protesters and other sympathizers have been rounded-up since his ousting. Many face a broad array of serious charges which include murder, attacking security personnel, possession of weapons, destroying public and private property and inciting violence. Many are also accused of belonging to a banned organization which uses "terrorist" methods seeking to undermine the application of the law and the Constitution and to prevent public institutions from carrying out their work. The charge of belonging to a banned group had been used by public prosecutors even prior to the decision of the Court of Urgent Matters on 23 September 2013 banning the MB and its affiliates.¹⁶ Other charges frequently levelled by the Prosecution at those detained include spreading false rumours, providing information to foreign countries and espionage, and "showing (sic) force" with the aim of terrorizing citizens and hampering public interests. The vagueness and breadth of some of the offences levelled against members and supporters of the MB may violate the principle of legality and legal certainty. By failing to meet the clarity and precision requirements for criminal law, such charges may not amount to a "recognizably criminal offence" under international human rights law.

While security forces have carried out targeted arrests, particularly of the MB leadership and other prominent figures, the bulk of the arrests have taken place during dispersals of demonstrations and sit-ins. Hundreds were rounded-up in Cairo during major demonstrations, including the violent dispersals of Rabaa al-Adawiya and al-Nahda sit-ins on 14 August 2013, protests on 16 August 2013 around Ramsis Square and marches on 6 October 2013. Smaller-scale arrests across the country continue during other demonstrations, particularly on Fridays and at universities. Little effort is made by the Public Prosecution to determine individual criminal responsibility in cases where some protesters have used violence. Instead, public prosecutors slap identical charges on all those arrested during the same incidents. Little evidence is presented to back up accusations of committing violent acts, with public prosecutors relying heavily on police reports and testimonies by the security forces carrying-

out the arrests – casting doubt on the impartiality and independence of the investigations.

Amnesty International is concerned that among the thousands arrested are men, women and children who were merely exercising their rights to freedom of expression and assembly by protesting in support of ousted president Mohamed Morsi. The organization has documented numerous arrests of protesters during entirely peaceful demonstrations or because they had carried out legitimate activities, such as the distribution of flyers. Women and children were among those targeted, showing the authorities' determination to stamp out any forms of dissent.

For instance, 19-year-old university student **Mohamed Abdu**¹⁷ was apprehended by an army officer in the early morning hours of 14 October 2013 in the vicinity of pro-Morsi protests in Greater Cairo, while he was distributing leaflets criticizing the "military coup" and condemning the killings and injuries of "anti-coup" protesters. After being held inside an armoured vehicle, the military officer handed him over to members of the police, who pushed, slapped and kicked him. He was interrogated inside the police station by a public prosecutor without the presence of a lawyer and was not allowed to call his family. He spent some 15 days inside a police station on accusations of "inciting violence" and belonging to a "banned group", before being provisionally released. During interrogations by the public prosecutor, he was asked about his political beliefs and the reasons why he supported the deposed president. Prior to his release, he was also brought in front of a man he assumed to be a member of the National Security Agency,¹⁸ because he was blindfolded during the interrogation. Mohamed Abdu told Amnesty International that the man threatened him to force him to reveal the names of those who had handed him the leaflets, shouting: "...*you will never see your mother, or the sun again... you will be underground for 20 years.*" Since his ordeal, Mohamed Abdu has not lived at home for fear of re-arrest.

The arrest and detention of perceived Morsi supporters for activities merely amounting to the peaceful exercise of the rights to freedom of expression and assembly are not limited to Greater Cairo.

In a case that received considerable national and international attention, a court in Alexandria convicted 21 female protesters, including seven girls, to harsh penalties on 28 November 2013, following their arrests during a peaceful rally on 31 October 2013.¹⁹ Following an outcry, a higher court reduced the sentences to one-year suspended prison terms on 7 December 2013. Amnesty International considers that the women and girls should not have been arrested in the first place, let alone convicted for peacefully exercising their right to freedom of assembly.

In a similar case in the city of Ismailia, four teenage girls were arrested as they marched in front of the Ismailia Second Police Station of 17 October 2013, carrying banners depicting the raised four-finger *rabaa* ("four" in Arabic) sign, used to commemorate those killed during the dispersal of the Rabaa al-Adawiya sit-in on 14 August 2013. The security forces also confiscated their yellow balloons – a colour used by Morsi supporters in their campaigns – considering them as criminal evidence of the teenagers' transgression. The teenagers were then accused of belonging to a "banned group", terrorizing citizens, hampering traffic and attacking officials on duty (Case No. 4008/2013 Misdemeanours Ismailia). Fourteen-year-old **Khadija Ali Mitalli** was released on 22 October 2013, while **Ruqaya Said Mohamed Abdel**

Rahman, Fatma Said Mohamed Abdel Rahman and **Radwa Ali Adel Rahman** were freed on 30 October 2013 – but the charges against them have not been dropped.

In another blatant attack on freedom of expression, security forces in the town of Sinurus in the Fayoum Governorate arrested four people, including two women and a boy, after dispersing a peaceful rally by “anti-coup” protesters on 25 September 2013 in front of the Lotfy Sliman School. Nineteen-year-old **Al-Zahra Ahmadi Qassem** told Amnesty International that police and men in plain clothes broke-up the rally at about 7.30am, destroying *rabaa* posters and chasing away protesters. She believes that she was singled out for arrest, along with another female friend, because they are both daughters of prominent local MB leaders. A man who intervened to prevent their arrest was also apprehended, as was 16-year-old school student **Ahmed Khalil**. They were eventually transferred to the Fayoum Police Station and charged with belonging to a banned group, participating in a gathering of more than five people, preventing students from entering the school, obstructing public institutions and hampering traffic. The four were released on bail after having spent between eight and 25 days in jail. The charges have not been dropped.

In another illustration of the crackdown on freedom of expression, Egyptian security forces arrested 15-year-old high-school student **Khaled Mohamed Bakara** on 25 November 2013 at his school in Balteem, in Kafr el-Sheikh Governorate, after his teachers found he was using stationery with a symbol supporting Mohamed Morsi. He was released on bail on 22 December 2013 pending the outcome of investigations into accusations that he belongs to a “banned group” and possesses stationery that “inspires violence against the armed forces”.²⁰

Amnesty International has also documented a number of cases of perceived Morsi supporters accused of committing violent acts, with little evidence linking them to the crimes, particularly as they were arrested either inside mosques following violent protests and clashes or far away from the scene of the violence.

For instance, 19-year-old **Aisha Mohamed**²¹ was arrested with a group of some 80 people after they fled scenes of violence in the vicinity of Ramsis Square on 16 August 2013. She explained her decision to walk home by the absence of public transport after curfew was imposed at 7pm. They were taken into custody as they approached a military checkpoint, kilometres away from Ramsis Square. She remained held at a police station for 17 days on accusations of murder, attempted murder, destroying property, assaulting officials on duty, and possession of weapons in relation to the violent clashes in Ramsis. She said that the public prosecutor, who interrogated her inside the police station without the presence of a lawyer, asked her about her political affiliations, her relatives’ political activities, and wanted to know whether she had participated in the Rabaa al-Adawiya sit-in. She was eventually released on bail along with the other women and minors, but said that some of the men arrested with her were still in prison. The charges against her have not been dropped.

A 17-year-old boy, **Ibrahim Abdallah**,²² also arrested in relation to the Ramsis Square clashes on 16 August 2013, remained in detention for nearly three months – spending time at the Salam CSF camp, the Tora Prison Complex, and the Marg juvenile detention facility. He recounted his ordeal to Amnesty International:

“After the situation around [Ramsis] Square became dangerous, I stayed inside the Fath

Mosque... I was arrested from inside [the building] the following day along with everybody else; there were hundreds of us. During my first interrogation, I was blindfolded and made to stay still... The officer – we all assumed he was from the state security – asked me what kind of religious literature I read, if my father had a beard, and if my mother wears the niqab [a veil covering a woman's face and revealing only her eyes] ... He asked about the names of my relatives and their political activities, and names of others in my neighbourhood... I don't even know what I was accused of exactly, but I think it's the same charges as all the others arrested in Ramsis... I got out on bail, but I am still a suspect; they did not close the file."

RIGHTS FLOUTED IN DETENTION

The arrests of thousands of perceived Morsi supporters follow a similar pattern. Those arrested are initially detained at police stations or at unofficial places of detention such as the CSF camps including the Salam, Tora and "Kilo 10.5"²³ camps.

Detainees are not permitted to contact their families or lawyers, who make the rounds of police stations, other places of detention and Public Prosecution Offices in a desperate search to locate their whereabouts. Guards, particularly at CSF camps and sometimes police stations, frequently deny holding detainees.

Detainees are brought in front of public prosecutors inside their places of detention rather than at the Public Prosecution's offices or court complexes – a practice that is repeated during subsequent hearings renewing detention orders and which interferes with the right to have a lawyer present at every stage of the judicial proceedings. Lawyers are not informed in advance of interrogation times, and have raised concerns about the denial of access to their clients, particularly by members of security forces at CSF camps. In practice, many detainees appear in front of the public prosecutor for the first time without lawyers. Lawyers also frequently complain about bureaucratic hurdles and delays in obtaining their clients' files, undermining their ability to adequately prepare their defence.

Eventually, detainees are transferred to regular prisons, including Tora in the south of Cairo, Wadi al-Natrun in Behira Governorate and Abu Zaabal in Qalyubia Governorate. However, some detainees end up spending prolonged periods of time – in the most extreme cases months – in poorly equipped police stations, where they are only allowed out of their cells for short family visits and for questioning and court proceedings. Prolonged detention at police stations also applies to women and girls, despite the absence of women guards.

The most frequent complaints by released detainees and relatives who visit their loved-ones in jail include overcrowding, unhygienic cell conditions, poor aeration, non-existent or at best sub-standard medical care, no or limited outdoor time, and short family visits. High profile detainees are held in solitary confinement, in some cases, with no recreational outdoor time or access to medical care or medication.

Some detainees also complain that security forces kick, punch and beat them upon arrest and/or during the initial hours of detention, including by hand and with the use of various objects such as rifle-butts or sticks. Detainees also frequently recount "welcoming parties" of beating, punching, and other degrading treatment by guards and members of security forces upon arrival to a new place of detention.

Children are frequently detained together with adults, including at police stations, CSF camps and prisons and are exposed to the same kind of detention conditions and treatment. Children held at the juvenile facilities have also complained about beatings, ill-treatment and bullying, particularly at the hands of older boys, while social workers look the other way.

Amnesty International calls on the Egyptian authorities to respect international law and standards relating to the treatment of prisoners, including the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the UN Standard Minimum Rules for the Treatment of Prisoners and the Basic Principles for the Treatment of Prisoners.

STUDENTS

Since the beginning of the academic year in late September 2013, universities have been rocked by protests, including by the “Students against the Coup” group. University campuses and even dorms have become frequent sites of clashes, with some protests spilling out into the streets. While universities across Egypt have been affected, including the largest two universities in Greater Cairo – Cairo University and Ain Shams – al-Azhar University remains the main staging point. At least five al-Azhar University students have been killed in such clashes, and over 200 arrested. Security forces have used excessive force – including lethal force – to disperse the protests, and in some cases fired into or entered university grounds. Campus security forces – particularly at al-Azhar University – have also been implicated in confrontations with and arrests of students.

Students and activists have rallied around the emblematic case of **Mohamed Reda**, a 19-year-old first-year student at the Faculty of Engineering at Cairo University. He was shot dead on campus on 28 November 2013. According to the forensic pathology report, Mohamed Reda suffered three “gunshot” wounds. Eyewitness testimonies and video evidence show that the riot police fired tear gas and shotguns inside university grounds. The following day, the university administration issued a strongly-worded statement condemning the actions of the security forces. A committee established by the dean to investigate the violence concluded that members of the CSF had fired tear gas and shotguns at students inside the Faculty of Engineering grounds. It recommended sharing findings and other audiovisual evidence with the Public Prosecution. It also called for a second autopsy by a forensic pathology committee to determine the type of shotgun found following clashes that day, and comparing it to types used by the Ministry of Interior. The Ministry of Interior denied any wrongdoing, claiming that the security forces had not fired shotguns at students. Investigations by the Prosecution started, but have stalled. According to lawyer Fatma Seraj from the Association for Freedom of Thought and Expression (AFTE), an Egyptian NGO, the Prosecution of Urgent Matters of South Giza had questioned some 20 witnesses, five injured students, Mohamed Reda’s mother and a CSF officer responsible for security co-ordination on 28 November 2013. The Prosecution has also obtained reports from forensic pathology and criminalistics. Relatives, lawyers and the university committee shared other audiovisual evidence with the Prosecution, some of which has been sent for forensic video analysis. The request by lawyers in mid-December 2013 to call in two officers whose faces are visible in the pictures and videos provided has yet to be met – allegedly pending the finalization of the forensic video analysis report.

Hundreds of students have been rounded-up by security forces during protests and clashes. According to AFTE, over 500 students have been arrested in various protests since 3 July 2013. Courts have issued convictions in three cases against al-Azhar University students, sentencing them to prison terms ranging from a year and a half to 17 years. Egyptian human rights organizations condemned the harsh 17-year sentence issued by a Cairo misdemeanours court on 12 November 2013 against 12 al-Azhar University students on charges of participating in a gathering of more than five people, “thuggery” and committing other

violent acts, including assault and destruction of property. They were arrested during protests and clashes at al-Azhar University on 30 October 2013. An eyewitness told Amnesty International that the students were beaten by men in plain clothes and university security staff upon their arrest. In making its case, the Prosecution relied heavily on the testimony of the head of al-Azhar University Security, while no material evidence was presented. Other eyewitnesses testified seeing the defendants after they were arrested, but acknowledged not seeing them commit any violent acts. The appeal is scheduled to take place on 4 February 2014. Bail was set at LE64,000 (US\$9,190) – too high for the majority of the defendants, who remain in prison.

Students sympathetic to deposed president Mohamed Morsi are not the only ones facing arrest and detention. **Ayat Hamada**, an 18-year-old first-year student at the Faculty of Commerce at al-Azhar University, known for her activities with Tamarud and Ikhwan Khazebon (“MBs are liars”), was arrested on 28 December 2013 against the backdrop of demonstrations and disturbances at other locations at al-Azhar University. A building at the Faculty of Commerce (for boys) was set alight. According to a friend who was with her at the time of arrest, she was checking her exam schedule at the Faculty of Commerce (for girls) when she saw another girl being beaten and tried to intervene to defend her. Instead, she was captured and made to sit inside an armoured vehicle parked on university grounds. Ayat Hamada was arrested along with 13 other women and 56 men, and is facing a number of charges, including assault, damage to property, theft and belonging to a “banned group” which aims to undermine the law, hamper public institutions from carrying out their work and attack rights and liberties. According to her lawyer, Sayed Sobhy from the Nidal Centre for Rights and Freedoms (a new Egyptian NGO), most suspects in this case were arrested arbitrarily, including students who were at university to attend exams or collect study papers. The accused were initially brought to Nasr City Second Police Station, where, according to lawyers, the men were beaten, forced to undress in front of the women detainees and sing pro-army songs. Cold water was poured on the detainees inside their prison cells. They were then transferred to the Salam CSF camp, and questioned by public prosecutors the following day. Lawyers complained about some prosecutors’ refusal to take action when male detainees complained of beatings. Similarly to other cases, no material evidence linking the defendants to the crimes has yet been presented, and the Prosecution’s case rests mainly on the police report prepared by the body which carried out the students’ arrests. At the time of writing, Ayat Hamada and 10 other women were held at Qanater Prison, while three other women still remained in police stations. Ayat Hamada has a heart condition which requires her to take injections every 15 days.

ARRESTS UNDER NEW ASSEMBLY LAW

Since Mohamed Morsi’s ousting on 3 July 2013, the authorities have imposed new restrictions on freedom of assembly and expression.

A new law, No. 107 of 2013 Regulating the Right to Public Gatherings, Processions and Peaceful Protests, signed by interim President Adly Mansour on 24 November 2013, fails to meet international standards. The law targets Mohamed Morsi’s supporters, as well as government critics and human rights activists. It gives the Interior Ministry wide discretionary powers over protests. It requires protest organizers to submit complete plans for any gatherings of more than 10 people to the Interior Ministry at least three days in advance and 24 hours in advance for electoral campaigning meetings. The law also gives the Interior

Ministry the authority to cancel a demonstration or change its route, in effect meaning that demonstrations can take place only with the Ministry's prior authorization. It also includes blanket prohibitions on protests in the vicinity of certain government buildings and places of worship. The law gives the security forces a legal framework for the use of excessive force, including firearms against peaceful protesters deemed to have committed a "crime punishable by law". Protesters convicted of breaking the law face up to five years in prison and fines of LE100,000 (USD\$14,513).²⁴ Under Mohamed Morsi's rule, the government proposed a draft assembly law to the Shura Council which, though still lacking the minimum standards required under international law, was still less repressive than the one approved by President Adly Mansour. However, the Shura Council never approved the draft.²⁵

Following its adoption, the law quickly took its place in the "three arms of repression" used by the authorities to silence government opponents and critics - repressive laws, unaccountable security forces and a complacent judiciary. The security forces have repeatedly dispersed peaceful protests, and arrested secular activists as well as supporters of former president Mohamed Morsi for participating in "unauthorized" protests. The judiciary has also sentenced activists who it found had breached the protest law.

On 26 November 2013, the security forces in Cairo arrested and detained at least 38 people for peacefully exercising their rights to freedom of expression and assembly. The arrests came two days after Egypt's president approved the draconian assembly law. The security forces broke up the peaceful protest by activists, including from the "No to Military Trials" group, outside the Shura Council using water cannons, tear gas and batons. The security forces later shot pellets in the air to disperse the remaining peaceful protestors. The protesters were calling on the members of the committee drafting the Constitution inside the Shura Council to scrap provisions in the draft which allowed military courts to try civilians. Some of the arrested protesters told Amnesty International that security forces punched them and beat them with batons. Security forces then took the detained protesters to a garden adjacent to the Shura Council complex. They released women protesters, lawyers and journalists without charge, while the 24 men remained in detention for further investigation.²⁶

Several women protesters faced sexual and gender-based violence at the hands of the security forces. Activists told Amnesty International that the security forces from the New Cairo First Police Station had dragged women protesters on the ground, beat them and punched them and pulled their hair to get them into the police vehicles before taking them to the Cairo-Upper Egypt highway at around 1am, leaving them to their friends and colleagues to find and collect. Some women also reported that the security forces had sexually harassed them while they were detained.²⁷

The 24 men held in detention were investigated on accusations of holding a protest without prior notification. There were reports of beatings by the security forces in the New Cairo First Police Station before the Public Prosecution ordered their detention for 15 days. On 27 November 2013, the 24 men were transferred to Tora Prison. On 4 December 2013, the South Cairo Criminal Court released 23 men on bail of LE5000 (US\$800), leaving one man, **Ahmed Abdel-Rahman**, in prison for possessing a knife which was found in his bag six hours after his arrest. Ahmed Abdel-Rahman was carrying a small knife in his bag to use to cut food because his job requires him to spend nights away from home. He was not arrested by the security forces for possessing a knife, but for allegedly participating in an "unauthorized

protest". Ahmed Abdel-Rahman only stands accused of possessing a knife, not using it or attacking persons with it. At the time of writing, he remained in detention. Amnesty International considers him to be a prisoner of conscience.²⁸

Many of those arrested by security forces on 26 November 2013 have a long history of activism and have participated in a number of opposition protests since the "25 January Revolution". Amnesty International believes that they were targeted because of their relentless record of opposition activism and to send a cautionary deterrent message to others.²⁹

On 27 November 2013, the Public Prosecution also ordered the arrests of well-known political activists **Alaa Abd El Fattah** and **Ahmed Maher** on accusations of calling for and participating in the unauthorized protest in front of the Shura Council. Alaa Abd El Fattah subsequently announced that he would turn himself in to the Prosecutor's Office on 30 November 2013. However, on the evening of 28 November 2013, Alaa Abd El Fattah was arrested at his home by the security forces, who beat him. His wife posted pictures on social media showing blood stains on the floor where he had been beaten by security forces, who, she said, slapped her and confiscated mobile phones and computers. Alaa Abd El Fattah was then taken to the "Kilo 10.5" CSF camp on the Cairo-Alexandria highway, which is not an official place of detention. On 29 November 2013, the public prosecutor ordered the detention of Alaa Abd El Fattah and ever since his detention has been renewed while he remains detained at Tora Prison.³⁰ Alaa Abd El Fattah has faced prosecution and has been jailed by successive governments in Egypt for his opposition activism. He spent time in detention during the rule of the SCAF. He was also facing charges in several separate cases during the presidency of Mohamed Morsi. Amnesty International considers him to be a prisoner of conscience.

Ahmed Maher, founder of the 6 April Youth Movement, went to the Abdeen Misdemeanours Court on 30 November 2013 to turn himself in for questioning after the Public Prosecution ordered his arrest in relation to the protest which took place outside the Shura Council on 26 November 2013. Members of the 6 April Youth Movement and other supporters accompanied him to the Abdeen Court in solidarity, including **Mohamed Adel**, a 6 April Youth Movement member, and well-known blogger **Ahmed Douma**. While the public prosecutor was questioning Ahmed Maher inside the court building, clashes erupted outside between the security forces and the activist's supporters. In the following days, the Public Prosecution brought new charges against Ahmed Maher related to his supporters' protest and held him in detention.³¹

Ahmed Maher, Mohamed Adel and Ahmed Douma were accused of calling for and participating in an unauthorized protest on 30 November 2013 outside the Abdeen Misdemeanours Court, in violation of the new protest law. However, defence lawyers told Amnesty International that Ahmed Maher and Ahmed Douma were both inside the court building when the clashes erupted.³² Security forces arrested Ahmed Douma at his home on the morning of 4 December 2013. Both activists were held in Tora Prison at time of writing.

Ahmed Maher was harassed several times by the authorities for opposing the rule of Hosni Mubarak, the SCAF, and Mohamed Morsi. For instance, he was held by security forces in May 2013 after returning from a trip abroad. Ahmed Douma was previously arrested, and

reportedly tortured, by the Egyptian security forces after he attempted to cross into Gaza in solidarity with Palestinians during the 2009 Israeli bombing of Gaza. He was also arrested in December 2012 during the 17-month period when the SCAF ruled Egypt following the “25 January Revolution”, after publicly criticizing and demonstrating against the military and Ministry of Interior. He was also convicted during the presidency of Mohamed Morsi for “insulting the president”. His current detention is merely for peacefully exercising his right to freedom of expression and assembly.

Mohamed Adel was arrested on 18 December 2013 along with five other staff members and volunteers of the Egyptian Centre for Economic and Social Rights (ECESR). Security forces took Mohamed Adel to an unknown location and allegedly subjected him to torture and other ill-treatment. The activist’s whereabouts were not known until the day of his trial on 22 December 2013.

On 22 December 2013, the court sentenced the activists to three years in prison for protesting without notifying the authorities, as well as “disturbing public order”, “hampering traffic”, “destroying property” and “attacking the security forces”. The men remain in detention while they appeal the sentence. The court has postponed the next session to 10 February 2014.³³

The men began a series of hunger strikes since 22 December 2013 following the verdict, in protest at their continued detention in Tora Prison. In a series of letters smuggled from prison and published in part by *The Huffington Post*, Ahmed Maher, who is held in solitary confinement, described being “forbidden to read or write”, eating stale food and suffering from the cold inside his cell. The men are the first to be convicted for breaking Egypt’s new protest law. Amnesty International considers Ahmed Maher and Ahmed Douma to be prisoners of conscience, detained solely for peacefully exercising their right to freedom of expression and assembly.³⁴ The organization further considers that Mohamed Adel is likely to be a prisoner of conscience.

ATTACKS ON MEDIA

Since Mohamed Morsi’s ousting, media workers have faced increasing dangers and restrictions while operating in Egypt. Amnesty International has documented the arrests of journalists for investigating and reporting on human rights violations by the security forces, as well as cases where security forces have apparently deliberately targeted media workers while dispersing protests.

Scores of journalists have been targeted by the security forces, attacked and in some instances killed since the Egyptian uprising on 25 January 2011. The attacks started during the 18 days of protests which led to the resignation of Hosni Mubarak. Some journalists were killed and others injured while covering protests.³⁵

Restrictions and abuses against the media continued during the 17-month rule of the SCAF. Journalists were targeted, shot and detained for holding cameras to document human rights violations by the security forces. For instance, during protests against the Interior Ministry on Mohamed Mahmoud Street in November 2011, which resulted in the killing of over 50 protesters, security forces shot several journalists in the eyes and arrested others. **Ahmed Abdel Fattah**, a journalist working for Egyptian daily *Al-Masry Al-Youm* who was shot in the

eye with a shotgun pellet, told Amnesty International that he saw the police officer aiming at him because he was holding a camera.³⁶ **Hassan Shaheen**, a journalist with *El Badeel* newspaper, stated that he was beaten by the armed forces during protests around the Cabinet buildings in December 2011 while trying to help a woman who was being beaten and stripped by the security forces.³⁷

During the SCAF's rule, the security forces also raided news agencies and confiscated their broadcasting equipment, such as Al Jazeera Mubasher Misr in Cairo, which was targeted in September 2011.³⁸ Security forces also reportedly raided other stations while they were broadcasting the army crackdown on protesters on 9 October 2011 around the Maspero State Television building, including Al Hurra and Channel 25.³⁹

During the rule of Mohamed Morsi, media professionals were also targeted by the security forces and the judiciary for criticising the-then president, as well as the MB movement and its supporters. Journalists, bloggers and even comedians faced politically motivated or trumped-up criminal charges like "defaming religion" or "insulting the president". For instance, satirist **Bassem Youssef**, host of show "Al-Bernameg" ("The Programme") was accused of "defamation of religion" and "insulting the president" for poking fun at the Egyptian authorities on his show. He turned himself in to the Public Prosecution for questioning after it issued a warrant for his arrest. After questioning the satirist, the Prosecution released him on bail of LE15,000 (US\$2,154).⁴⁰

Attacks against media and journalists escalated after Mohamed Morsi was ousted on 3 July 2013. Seconds after army chief Abdel Fattah al-Sisi announced that Mohamed Morsi was no longer president, and promised that the interim government would uphold media freedom,⁴¹ the authorities took at least six channels known for their support of the-then president off-air, namely Al Hafez, Al Jazeera Mubasher Misr, Al-Khalijia, Misr 25, Al-Nas, and Al-Rahma. Just minutes later, security forces launched raids on the channels.⁴²

Eyewitnesses told Amnesty International that police, Special Forces and plain-clothes intelligence officers rounded-up the staff and held them in police vehicles. While the security forces let most of the workers go, they took at least 14 men away and held them in the Security Directorate in 6 October City, including five staff members from Al Jazeera Mubasher Misr. The Directorate then denied detaining them to visiting relatives and others. Members of Al-Nas and Misr 25 were reported to have been ill-treated in detention. All the staff members were released hours later except for Al Jazeera Mubasher Misr Managing Director **Ayman Gaballah**, Al Hafez Channel Head **Atef Abdelrashid** and Al-Fath Administrative Director **Abdallah Abdallah**. They were released several days later.⁴³

The authorities have also moved to suppress print media linked to Mohamed Morsi and his supporters. On 23 December, the national printing press stopped printing the newspaper of the Freedom and Justice Party (FJP, the political party formed by the MB) and its distribution was banned.

Amnesty International considers that the closure of the channels and banning the FJP publication without recourse to the judiciary constitute arbitrary actions taken by the interim authorities as part of their crackdown on the MB. The organization is further concerned that the authorities have yet to order independent and impartial investigations into human rights

violations committed by the security forces, including the sweeping arbitrary arrests of media professionals and their ill-treatment in detention.

On 4 September 2013, an administrative court ordered the closure of four channels, Al Jazeera Mubasher Misr, Al Yarmouk, Al Quds and Ahrar 25, perceived as sympathetic to former president Mohamed Morsi and the MB. The court explained the decision by the channels' alleged actions insulting the armed forces and inciting international organizations and foreign states against Egypt by "spreading false information which threatened the national security" and "disturbed the public order".⁴⁴

Since then, the authorities have continued to target Al Jazeera. On 29 December 2013, security forces arrested four staff members of Al Jazeera English at a Cairo hotel. One was released shortly after the arrest, but three others remain in detention at the time of writing. They are the correspondent **Peter Greste**, Bureau Chief **Mohamed Fahmy** and producer **Baher Mohamed**. The three men have faced investigations by the National Security Agency, within the Ministry of Interior, and their lawyers have said that they fear the men will face charges of belonging to "a banned group engaged in terrorist activities" and "spreading false information". The public prosecutor had ordered their detention initially for four days pending investigation and then renewed it for another 15 days. The three men were held in Tora Prison at the time of writing. The Egyptian authorities had arrested **Mohamed Badr**, an Al Jazeera Mubasher Masr cameraman, and **Abdallah El Shamy**, an Al Jazeera Arabic correspondent, in July 2013. Both men remain in detention for covering violations by the Egyptian authorities.⁴⁵

The military has also sought to suppress independent coverage of violence in North Sinai. Since 3 July 2013, the armed forces have conducted several operations against what the authorities describe as "militant" groups active in the region, essentially in a media blackout. *Al-Masry Al-Youm* correspondent **Ahmed Abu Deraa** was arrested on 4 September 2013 at a coastal border guard base after he went there to inquire about an injured relative arrested in early September 2013 following a military operation. Ahmed Abu Deraa is one of the few independent voices reporting from North Sinai. Prior to his arrest, he had suggested that military operations did not only impact "terrorist groups" but also ordinary Egyptians, mosques and homes. He was referred to military trial. In a press conference on 15 September 2013, a military spokesperson stated that Ahmed Abu Deraa had made false claims that the armed forces destroyed mosques, evicted residents and targeted women and children during military operations in Sinai.⁴⁶ Amnesty International believes that Ahmed Abu Deraa was arrested for peacefully exercising his right to freedom of expression. On 5 October 2013, Ahmed Abu Deraa received a six-month suspended prison sentence by an Ismailia military court.⁴⁷

In another attack on independent voices in North Sinai, freelance journalist and blogger **Mohamed Sabry** was arrested in North Sinai near the Rafah border with Gaza in January 2013. Mohamed Sabry had been working on a story for the Reuters news agency about regulations surrounding land ownership in border areas, when he was arrested in the city of Rafah, his wife said.⁴⁸ Mohamed Sabry was released on bail on 9 January 2013 while his trial was repeatedly postponed.⁴⁹ In November 2013, a military court in Ismailia handed him a six-month suspended prison sentence on charges of "trespassing in a prohibited place without authorization" and of "filming in a prohibited place".⁵⁰

Amnesty International considers trials of civilians before military courts to be fundamentally unfair and to lack the safeguards needed to ensure a fair trial, including the right to a fair and public hearing before a competent, independent and impartial tribunal established by law; the right to have adequate time to prepare a defence; the right to be defended by a lawyer of one's choosing, and the right to appeal in front of a higher independent and impartial tribunal. In this respect, Amnesty International is extremely concerned that the newly adopted Constitution allows for the unfair trial of civilians before military courts, under Article 204.

Security forces have arrested several journalists, in some cases apparently at random, while they were covering events taking place in Egypt since 3 July 2013. **Metin Turan**, a Turkish reporter from the state-owned Turkish Radio and Television Corporation (TRT), was arrested on 17 August 2013 in the Ramsis area while covering protests that had taken place the day before in nearby Ramsis Square. He was held in detention until 9 December 2013 when a Cairo criminal court released him pending his trial. He is accused of belonging to "a banned group engaged in terrorist activities".⁵¹ On 29 August 2013, military forces raided the Cairo bureau of Turkey's Ihlas News Agency, detaining bureau chief **Tahir Osman** and confiscating the agency's broadcasting equipment.⁵²

2. FREEDOM OF ASSOCIATION

RAIDS ON NGOS AND ATTACKS ON NGO WORKERS

The interim authorities have continued to impose long-standing restrictions on freedom of association in Egypt. NGOs have faced decades of arbitrary restrictions on their registration, activities and funding as well as continued harassment from the security forces under the rule of Hosni Mubarak, the SCAF, Mohamed Morsi, and interim President Adly Mansour. Since the 2011 uprising, security forces have raided several NGOs and arrested and in some cases beaten their staff and volunteers.

NGOs, including human rights organizations, have also faced years of attacks by Egyptian media that date back to the rule of Hosni Mubarak. The media campaign against NGOs in Egypt has vilified democracy and human rights activists and painted them as “foreign conspirators” intent on destabilizing Egypt. It has succeeded in convincing many Egyptians that the authorities’ restrictions on pro-democracy and human rights organizations are in their interest. Human rights NGOs were always viewed with suspicion by successive Egyptian governments, who have sought to control them by enacting repressive legislation regulating the right to freedom of association. The repression reached its climax with raids on Egyptian and international NGOs in December 2011, the subsequent trial of NGO workers and the verdict in June 2013.

Raids on civil society organizations have continued over the last few years. On 18 December 2013, the security forces raided the headquarters of the ECESR and arrested six staff members and volunteers and confiscated computers. The six men were taken to an unknown location for some nine hours and reported that they had been ill-treated by security forces while in detention. Five of them were released several hours later, but security forces continued to detain activist Mohamed Adel (see above, “1. Freedom of assembly and expression”).⁵³ The authorities never transparently disclosed the reasons behind the raid.⁵⁴

The raid came two years after similar raids on NGOs. On 29 December 2011, the security forces raided 17 offices used by seven international organizations, including the US-based National Democratic Institute, the International Republican Institute and Freedom House, as well as a number of Egyptian organizations. During the raids, prosecutors accompanied by army and police officers conducted searches and took papers, computers, equipment, books and money before sealing the offices’ entrances. In June 2013, 43 NGO workers were sentenced for accepting foreign funding without permission and working without registration to between one and five years in prison by the Cairo Criminal Court, though none of those sentenced are currently in detention.⁵⁵ Several activists were subsequently referred to trial for criticising the sentence. **Alaa Abd El Fattah** and liberal former parliamentarian **Amr Hamzawy** were both charged in January 2014 with insulting the judiciary for describing the sentence as politically motivated and lacking transparency.⁵⁶

The security forces also cracked down on human rights organizations during the 2011 uprising. On 3 February 2011, military police forces raided the Hisham Mubarak Law Centre. All those present at the centre at the time, including former head **Ahmed Seif al-Islam Hamad** and staff of national and international organizations – including two Amnesty

International staff members – were arrested and held for one day before being released without charge.⁵⁷

The authorities have never ordered independent and impartial investigations into reports that security forces subjected NGO workers to torture or other ill-treatment.

After former president Mohamed Morsi was ousted on 3 July 2013, the authorities' crackdown on the MB extended to charities and NGOs purportedly affiliated with the movement.

On 23 December 2013, the authorities ordered the Central Bank of Egypt to freeze the bank accounts of around 1,055 charities, which the government claims are linked to the MB. The move followed the decision of the Court of Urgent Matters on 23 September 2013 which banned the activities of the MB, and ordered the authorities to seize all of the group's assets. Amnesty International is concerned that this executive decision represents an arbitrary restriction of the right to freedom of association. A decision to dissolve any NGO should only come from an independent and impartial court, which would consider the activities of each charity individually. For instance, the UN special rapporteur on the rights to freedom of peaceful assembly and association has recommended that suspension or dissolution of an association should only be sanctioned by an impartial and independent court "in a case of a clear and imminent danger resulting in a flagrant violation of domestic laws, in accordance with international human rights law. It should be strictly proportional to the legitimate aim pursued and used only when softer measures would be insufficient".⁵⁸

On 25 December 2013, the authorities stated that they had designated the Muslim Brotherhood itself as a "terrorist" organization. The decision came at the heels of a deadly bombing of El-Dakahlia Security Directorate in the city of Mansoura, which led to some 16 deaths among the security forces and residents. Amnesty International fears that the decision is politically motivated to sanction a further clampdown on the MB, as the authorities failed to present any factual evidence linking the MB to any terrorist attacks that took place since 3 July 2013.

The designation of the MB as a terrorist group means that authorities can apply articles in the Penal Code related to terrorism. Under these articles, mere participation in pro-Morsi protests or membership in the MB could be punished by up to life imprisonment. This is also likely to be seen as giving the security forces the green light to use unnecessary, excessive, or even lethal force in suppressing such demonstrations.

The UN special rapporteur on the promotion and protection of human rights while countering terrorism has stated that unless a group's founding document clearly states that it would use terrorist means to achieve its goals, it may only be banned as "terrorist" on the basis of factual evidence of its activities, and that the decision to ban an organization on that basis can only be made by an independent judicial body and there must always be a possibility to appeal the ban before a judicial body.⁵⁹

LAWS GOVERNING CIVIL SOCIETY ORGANIZATIONS

The current law regulating the work of associations, No. 84 of 2002, imposes a number of arbitrary restrictions on freedom of association. It gives the authorities wide powers over the

registration, regulation and foreign funding of NGOs, and in effect allows them to restrict the activities of civil society – including human rights organizations. Staff members of NGOs found to have breached the restrictions may face criminal prosecution, and the authorities may dissolve NGOs by administrative order. Although their powers to do so are not mentioned explicitly in the law, the security forces are thought to regularly review registration and funding requests by NGOs, including those of human rights organizations.

Since the 2011 uprising, the authorities have proposed several drafts to replace Law No. 84 of 2002. Amnesty International has seen different drafts of the proposed legislation. While the drafts contain different provisions, they all have a common thread and in practice would limit the ability of human rights NGOs to carry out their work documenting and reporting on state abuses. For instance, in all drafts seen by Amnesty International, the authorities retain powers to challenge the legal registration of Egyptian NGOs, and severely restrict the registration of international organizations. Furthermore, the draft legislation gives the authorities the power to arbitrarily block access by Egyptian human rights organizations to funding sources from outside Egypt. In most drafts, NGOs seeking such funding must first seek government approval, or notify the authorities of their intention to obtain such funding. Such restrictions cut off a key source of funding for NGOs. Some drafts also restrict NGOs' ability to raise funds within Egypt without government permission. Furthermore, some drafts seen by Amnesty International stipulate that NGOs must annually provide a copy of their accounts and reports to the authorities. The drafts also included heavy penalties for violating such laws.⁶⁰ If passed into law, such provisions would impose even tougher restrictions on NGOs than under the current law.

3. POLICING AND IMPUNITY

The interim authorities have effectively given the security forces a mandate for repression, letting gross human rights violations go unpunished while instead giving the police new powers to arrest, detain and disperse protesters. While much of protesters' anger during the "25 January Revolution" was directed at the police, successive governments have squandered opportunities to overhaul the security forces and instead emboldened the security forces to continue to commit abuses.⁶¹ In the months since Mohamed Morsi's ousting, the security forces have committed human rights violations on a scale unprecedented since the uprising, backed by a newly resurgent state-security apparatus and in some cases armed with Western-made weapons and equipment.⁶²

Since July 2013, the Egyptian security forces have routinely used excessive and unnecessary lethal force to disperse demonstrations, a practice that has resulted in the deaths of hundreds of protesters and bystanders, as well as in some cases journalists and other media workers.⁶³ The security forces have also led a sweeping crackdown on Mohamed Morsi's supporters, arresting thousands and detaining them, in many cases, without their basic due process rights such as access to lawyers, families and the means to challenge the lawfulness of their detention.⁶⁴ Some detainees have also told Amnesty International that they were subjected to torture or other ill-treatment by the security forces upon arrest and in detention.

RUTHLESS SECURITY FORCES

Since Mohamed Morsi's ousting, an estimated 1,400 people have died in political violence and in incidents where security forces used excessive and unnecessary force to disperse demonstrations.⁶⁵

Eyewitnesses, health officials and wounded protesters told Amnesty International delegates that security forces had used tear gas and shotguns to disperse crowds of protesters, in most cases firing without discrimination or any regard for the proportionality of the threat they may have faced. In some cases, security forces also used live ammunition, armoured vehicles and bulldozers to disperse protests. In January 2014, the interior minister warned that security forces would arrest anyone protesting without authorization as they tried to congregate, raising fears of further violence.⁶⁶

Since 3 July 2013, hundreds of people have also died in clashes between Mohamed Morsi's supporters and opponents, often following marches by the former president's supporters in residential areas or thoroughfares.⁶⁷ Amnesty International has documented a consistent pattern of failure by the Egyptian security forces to protect protesters, bystanders and residents from attacks by armed assailants, or to put an end to violent clashes between rival groups. In most cases, the security forces have only arrived on the scene several hours after the fighting began, or have been present but done nothing to stop the violence.⁶⁸

In all cases documented by Amnesty International, the security forces breached the international standards on policing intended to ensure respect for the rights to life, liberty and security of person. These instruments prohibit the use of force by the security forces except as strictly necessary and to the extent required for the performance of their duty.

Security forces may only use firearms as a last resort – when strictly necessary in defence of self or others against the imminent threat of death or serious injury. International standards prohibit the intentional use of lethal force, except when it is strictly unavoidable in order to protect life.⁶⁹

In some cases, protesters supporting Mohamed Morsi have also used violence against the security forces and local residents opposed to his presidency. The Interior Ministry has stated that dozens of members of the security forces have been killed since 3 July 2013 in clashes with Mohamed Morsi's supporters.⁷⁰ In some incidents, protesters told Amnesty International delegates they had thrown rocks and Molotov cocktails to try and stop the security forces from dispersing protests, as well as burning tyres and using fireworks. Amnesty International also documented incidents where some of Mohamed Morsi's supporters used firearms against the security forces and others.⁷¹ However, in such cases security forces failed to take control of the situation or respond to violence used against them in a proportionate, measured and responsible way to minimize loss of life. On the contrary, they shot recklessly, without making a distinction between peaceful protesters and those presenting a threat of death or serious injury.

Amnesty International considers that policing of assemblies should always be guided by human rights considerations. The fact that an assembly is illegal, or that minor violations of the law occur during a peaceful assembly, should not necessarily lead to a decision to disperse it. Similarly, where a small minority tries to turn a peaceful assembly into a violent one, police should ensure that those who are protesting peacefully are able to continue to do so, and not use the violent acts of a few as a pretext to restrict or impede the exercise of rights of a majority. Any decision to disperse an assembly should be taken only as a last resort and carefully in line with the principles of necessity and proportionality, i.e., only when there are no other means available to protect a legitimate aim and when the level of threat of violence outweighs the right of people to assemble. Police should prioritize peaceful settlement of disputes and the methods of persuasion, negotiation, mediation or retreat, both before and during assemblies, as a means of avoiding the escalation of disputes, recourse to restrictions or the use of force. Instead, the security forces have carte blanche to disperse any pro-Morsi assemblies, even entirely peaceful ones, and arrest its participants. On 10 January 2013, the minister of interior stated during a press conference: *“Every Friday, no less than 500 to 600 [pro-Morsi protesters] get arrested... Before we used to wait until [their assembly] is no longer peaceful, now we confront [their protests] as soon as they gather... some run, those we can catch, we catch.”*⁷²

However, instead of taking action to rein in the security forces, the authorities are expanding their powers. Amnesty International is particularly concerned at counter-terrorism legislation being drafted by the authorities, which if adopted could be used to further arbitrarily restrict the rights to freedom of peaceful assembly, expression and association; weaken fair trial safeguards; widen the scope of the application of the death penalty and lead to further arbitrary and abusive use of force by security forces. The proposed law appears to have been designed to facilitate the authorities' crackdown on members and supporters of the MB and their supporters, rather than to investigate, punish and prevent the crime of terrorism and provide adequate reparation to its victims. Drafts seen by Amnesty International contain an overly broad and vague definition of terrorism offenses, which does not meet the principle of legality, and extends the scope of what is considered a “terrorist” act.⁷³ Amnesty

International fears that the definition potentially criminalizes the legitimate exercise of the rights to freedom of expression and peaceful assembly, including strikes and peaceful demonstrations in schools, universities and those emanating from mosques,⁷⁴ using the pretext that such legitimate activities hamper with the work of national institutions and damage the economy.

On 14 August 2013, security forces used excessive and unnecessary lethal force to disperse protests by Mohamed Morsi's supporters who were camped at Rabaa al-Adawiya Square in Nasr City and al-Nadha in Giza, and others squares across the country. Prime Minister Hazem Beblawi acknowledged that there were close to a thousand deaths that day.⁷⁵ The Interior Ministry subsequently stated that 43 members of the security forces had also died across the country on that day.⁷⁶ At-Rabaa al-Adawiya alone, 550 protesters and eight members of the security forces were killed according to sources from the forensic pathology department.⁷⁷ Activists estimate the casualty numbers among protesters to be higher, particularly given that some families chose to bury their dead without taking them to morgues or hospitals. The dispersals came after repeated threats by the authorities to remove the protesters, who they said were "terrorists" endangering "national security", as well as a call by the minister of defence for Egyptians to give the army a mandate to quell "terrorism and violence."⁷⁸ Protesters told Amnesty International that members of the CSF and Special Forces moved in to clear the protest camps using tear gas, shotguns and live ammunition, and supported by armoured vehicles and bulldozers, while helicopters flew overhead. Doctors at field hospitals described being overwhelmed by the number of casualties received. Amnesty International is particularly concerned by the authorities' failure to guarantee a safe exit for protesters, including the wounded. When Amnesty International delegates visited the site of the Rabaa al-Adawiya sit-in the following day, they found that the field hospital area, Rabaa Medical Center, Rabaa al-Adawiya Mosque, and surrounding buildings had been burned in the violence. Three burned bodies were also found in the rubble by the security forces.

The scale of casualties over a single day dwarfed even the 2011 uprising, in which security forces killed at least 840 people over 18 days. The authorities later stated that they had "tried" to disperse the protest camps peacefully, that the security forces had been attacked, and that Egyptians had given the government a mandate to combat "terrorism".⁷⁹ While Amnesty International did document the use of violence by a minority of pro-Morsi protesters, the organization's research pointed overwhelmingly to a pattern of excessive and unnecessary lethal force by the security forces.

The fourteenth of August 2013 was a dark day in Egyptian history, marked by the crackdown on pro-Morsi sits-in across the country, in particular at Rabaa al-Adawiya and al-Nadha Squares, as well as the unprecedented scale of sectarian violence against Coptic Christians across the country amid the failure of the security forces to intervene to protect them. For society to begin to heal and move on, independent, impartial and full investigations must be conducted to establish the truth. These should then form the basis of criminal prosecutions to hold all those found responsible to justice, regardless of rank or political affiliation.

IMPUNITY

Instead of ensuring the security forces are held accountable for human rights violations, the authorities have suppressed critical voices. While the Public Prosecution has been quick to jail Mohamed Morsi's supporters and human rights and opposition activists, its investigations

into human rights violations by the security forces have repeatedly failed to deliver truth and justice. Since 3 July 2013, the Public Prosecution has indicted just four members of the security forces for human rights violations, all in relation to an incident in which 37 detainees died during their transfer to Abu Zaabal Prison.⁸⁰ The Prosecution has yet to charge a single member of the security forces with involvement in human rights violations in relation to the hundreds of deaths at Rabaa al-Adawiya protest camp in August 2013, or other protests since Mohamed Morsi's ousting. By contrast, thousands of Mohamed Morsi's supporters are currently detained on accusations that they took part in violent protests, belonged to banned "terrorist group" or other charges (See "4. Selective justice".) To Amnesty International's knowledge, investigations into incidents of torture or other ill-treatment since 3 July 2013 have also not been initiated.

The failings follow a long pattern of botched investigations into human rights violations by the security forces. Since the "25 January Revolution", courts have convicted a handful of low-ranking security forces for killing protesters unlawfully, in most cases handing down suspended or one-year prison sentences. Courts acquitted dozens of other security officers because of a lack of evidence, or after finding that they had acted in self-defence. In many cases, court decisions followed investigations by the Public Prosecution which were not independent or impartial and which failed to consider key evidence and compel key witnesses among the security apparatus to testify.⁸¹ Human rights violations by the army also continue to go unpunished. Despite the deaths of 120 protesters at the hands of security forces under the 17 months of military rule, as well as continued human rights violations in army deployments since then, just three low-ranking soldiers were sentenced to prison terms for "manslaughter". Egypt's newly adopted Constitution enshrines impunity for human rights violations by the military, giving military courts continued jurisdiction over crimes linked by the armed forces.⁸²

No senior official or security officer has been convicted or justly punished for directly and deliberately killing or injuring protesters. In January 2013, the Court of Cassation overturned the conviction of former president Hosni Mubarak for his role in protester deaths during the uprising. He is currently being re-tried, along with the former interior minister and several other security officials acquitted in the first trial. Army generals who may have been responsible for ordering human rights violations during military rule have quietly retired from public life. While Mohamed Morsi is currently on trial charged with involvement in political violence, investigations by the Public Prosecution have failed to indict any senior members of the security forces for their role in violently dispersing protests while he held office, most notably the killings of some 45 protesters in the vicinity of Port Said Prison in January 2013. Many current serving senior officials and security officers, including the current minister of interior, also held offices or positions under Mohamed Morsi, yet no investigations have been conducted into their possible roles in abuses under his rule.

New hopes for accountability were raised after interim President Adly Mansour appointed a minister for transitional justice in July 2013. However, the authorities have failed to support the new portfolio, forcing the minister to work for months largely without a clear mandate, dedicated offices, staff or other resources. Under Egypt's newly adopted Constitution, parliament, once elected, must adopt a transitional justice law aiming at creating a framework for national reconciliation.⁸³ At time of writing, the authorities have proposed no such law, instead prioritising draft laws on countering terrorism and controlling NGOs. As the

authorities' crackdown on dissent widened in January 2014, the minister told Egyptian media that the time "wasn't right" for transitional justice.⁸⁴

A fact-finding committee appointed by President Adly Mansour on 21 December 2013 will examine the events of 30 June 2013 and its aftermath. The committee's mandate remains vague as the decree failed to specify which human rights abuses fall under its work. It also appears that its mandate is limited to only carrying out fact-finding into those "crimes against citizens" which are not already under investigation; while only reviewing cases that have been previously investigated. Its mandate also excludes the establishment of individual criminal responsibility for human rights abuses. Even though the decree stipulates that government bodies should co-operate with the committee, it does not specify any penalties for their failure to do so. Neither does it specify whether the committee has the powers of subpoena, search and seizure. The time-frame of the committee's mandate is six months, at which point its findings will be sent to the president. The decree does not explicitly state that the findings should be made public and shared with victims of human rights abuses. Furthermore, the decision by the interim president does not specify any mechanisms for witness protection or the committee members' protection.⁸⁵

Since the "25 January Revolution", the authorities have mandated several purportedly independent bodies to carry out investigations into human rights violations, but failed to provide them with the powers and resources necessary to carry out thorough inquiries. Successive governments, including Mohamed Morsi's, also suppressed the findings of inquiries into human rights violations they had ordered after they implicated the army and police in abuses.⁸⁶ Hundreds of unlawful killings and other human rights violations have been committed with impunity and the persistent unwillingness of the Egyptian authorities to investigate such abuses should not go unchallenged by the international community.

A lack of a coherent response to human rights violations in Egypt by the international community may have also contributed to the climate of impunity. States did not suspend transfers of weapons and equipment to Egypt that could be used to facilitate human rights violations by the security forces until after the crackdown at Rabaa al-Adawiya in August 2013, despite weeks of warnings and a well-established pattern of abuse. Furthermore, while many states have individually condemned the ongoing violence, such condemnations have rung hollow and there has been little collective pressure brought to bear in forums such as the United Nations Human Rights Council. At time of writing, there were also signs that the US was already preparing to end its partial freeze of military aid to Egypt, despite ongoing human rights violations. An agreement among European Union (EU) states to suspend export licenses for equipment used for "internal repression" is similarly under threat, after several EU states bilaterally announced they were resuming transfers of weapons and equipment.⁸⁷ Other states, such as Saudi Arabia and the United Arab Emirates, have praised the authorities' crackdown on the MB and given the Egyptian authorities billions of dollars' worth of economic aid.

4. SELECTIVE JUSTICE

As highlighted above in chapter 3, victims of human rights violations have not had any redress through the judicial system, instead seeing perpetrators of human rights violations walk free. On the other hand, the judicial system continues to be used by the authorities as a tool to punish critics.

An independent and impartial judiciary is a vital safeguard against human rights violations. At a time of extreme polarization in Egyptian society, it is all the more important for the criminal justice system to be independent, impartial and stand above political considerations and executive pressure. However, the Egyptian authorities continue to use judicial harassment as a tool of repression. Judicial proceedings initiated against perceived political opponents and critics appear to be increasingly politically motivated – aimed more at penalizing dissent rather than achieving justice. This worrying trend of selective justice is apparent in the choices of cases picked by the Public Prosecution to investigate, prosecute and refer to trial.

Instead of delivering accountability and reining in the security forces, the authorities have cracked down on activists calling for police reform and who have criticized the Interior Ministry. There is a glaring discrepancy between the Public Prosecution's failure to initiate criminal investigations against members of the police and armed forces for the deaths of at least 1,400 protesters and bystanders since early July 2013 and its decision to place thousands of protesters in preventative detention pending the outcome of investigations. For example, over 1,100 protesters were arrested during the violent dispersals of Rabaa al-Adawiya and al-Nahda sit-ins on 14 August 2013. They face accusations that they committed violent acts, including the murder of security officials. To the best knowledge of Amnesty International, 10 members of the security forces were killed in the vicinity of dispersals that day in Greater Cairo. On the other hand, no criminal investigations into security forces' wrongdoing have been initiated for the killings of hundreds of protesters during the dispersals and no security officials have been indicted by the Prosecution. This shocking failure to hold the ruthless security forces accountable will only embolden them and compound human rights violations.

In another case exemplifying the failure of the judicial system to punish police abuse, while at the same time jailing activists calling for accountability, an Alexandria court sentenced seven activists on 2 January 2014 to two years in prison and a LE50,000 (US\$7,180) fine for staging an "unauthorized protest", "assaulting the security forces", "blocking roads" and several other charges. Those sentenced included **Mahinour El-Masry**, a political activist, human rights lawyer and member of the "No to Military Trials Group", and well-known political activist **Hassan Mostafa**. The court tried and sentenced both activists in absentia.⁸⁸ Four other activists are serving their sentences, pending appeal. The conviction relates to a protest held outside an Alexandria criminal court which was re-trying two police officers accused of killing Khaled Mohammed Said in June 2010. The young man's death, after he was publicly beaten by the security forces, sparked widespread anger in Egypt and helped to spark the "25 January Revolution".

Blogger **Ahmed Anwar** is also being punished for denouncing police abuse. He is currently being tried for “insulting” the Interior Ministry and “misusing” the Internet. In March 2012, he posted a video on-line which mocked the Interior Ministry as the “Ministry of Belly Dancers”, after police officers presented an award to an actress. The video, which shows police officers dancing, criticizes police brutality and impunity for human rights violations. The court hearing the case will hand down its verdict on 22 January 2014.

The selectivity of the judicial system also applies to the choice of individuals held criminally liable for specific instances of violence and other recognizably criminal offences. For instance, Amnesty International has documented numerous clashes between supporters and opponents of Mohamed Morsi since 30 June 2013, in which both sides committed violent acts, but only Morsi’s supporters have been arrested and charged. This inconsistent application of the law casts a shadow over the institution of the judiciary and does little to restore the public’s trust.⁸⁹ The trial against Mohamed Morsi and 14 others in relation to violence at the Ittihadiya Palace in December 2012 is a case in point. Violence between Morsi’s supporters and opponents left hundreds injured and at least 10 dead – the majority among the president’s supporters. Some of Mohamed Morsi’s supporters also captured and tortured those perceived to be from the opposing camp – crimes that must be independently, impartially and fully investigated, with those found responsible held to account. The 15 defendants in this case are all senior figures affiliated with the MB or its supporters and face charges of “murder”, “incitement to murder”, “violence” and “inciting violence”, as well as “thuggery”, “spreading rumours to disturb the work of judicial institutions” and “threatening civilians”. On the other hand, no opponents of Mohamed Morsi have been held accountable for committing violent acts during the same clashes. Furthermore, no investigations have taken place into the failure of security forces to prevent or put an end to the clashes, and no security official has been held to account.⁹⁰

By opening investigations into and prosecutions of thousands of individuals on accusations of committing violent acts, the onus is on the Prosecution to provide reliable evidence indicating individual criminal responsibility. However, Amnesty International has noted that the Public Prosecution relies heavily on police reports, without presenting any audiovisual or other material evidence linking the defendants to the crime. In other cases, questionable alleged eyewitness testimonies are used, including those of the security officials conducting the arrests, and individuals susceptible to manipulation and pressure by the authorities in light of their criminal records and/or pending criminal investigations. Among materials used as evidence, including in cases where defendants face charges of committing violent acts, were leaflets and placards with slogans criticizing the current authorities.

A number of courts have found such scant and unreliable evidence sufficient to issue convictions. Courts must rule based on case merits, and not bow to political pressures. On 5 December 2013, a court in Cairo sentenced three prominent opposition activists, **Mona Seif**, **Alaa Abd El Fattah** and **Ahmed Abdallah** as well as nine others to one-year suspended prison terms for participating in a gathering that “endangered public safety”. They were accused of attacking and setting fire to the campaign headquarters of a former presidential candidate, Ahmed Shafiq, on 28 May 2012. The flawed evidence presented by the Public Prosecution was enough for the court to issue a conviction. The Prosecution relied heavily on alleged eyewitness testimony of the head of police investigations, casting doubt on its impartiality and credibility. Only one Prosecution witness appeared in court, despite the defence’s

request to cross-examine the other alleged eyewitnesses. In court, that witness identified one defendant, Alaa Abd El Fattah, but acknowledged not seeing him commit any violent acts. No audiovisual or other factual evidence linking the defendants to the crime was presented.⁹¹

In addition to the increasingly selective nature of justice in Egypt, Amnesty International is concerned by deeply flawed judicial proceedings in recent months. For instance, the practice of holding prosecution and renewal hearings in detention facilities rather than Public Prosecution offices and court complexes interferes with suspects' rights to have access to lawyers at all stages of the proceedings. Other concerns include documented cases of lawyers denied access to some detainees, and delays or failures in obtaining complete case files hampering lawyers' ability to prepare their defence.

CONCLUSION AND RECOMMENDATIONS

In a televised speech on 19 January 2014 marking the results of the Constitutional referendum, President Adly Mansour congratulated the nation on its choice, emphasizing the government's commitment to democracy, justice, and non-discrimination. He acknowledged that the Constitution was not an end in itself, but a starting point to build a better future for Egypt. He added: "*In adopting our Constitution, we lay the first building blocks for a future Egypt. To build a country that respects freedom and democracy, makes rights and justice a way of work and life and guarantees to each person the right to bread, freedom and human dignity.*" There is a glaring discrepancy between these promises and the reality on the ground.

Amnesty International is concerned that the Egyptian authorities are utilizing all branches of the state apparatus to trample on human rights and quash dissent. Armed with repressive legislation, including the latest assembly law; unaccountable security forces ready to implement it against political opponents; and a complacent judicial system that punishes critics while allowing perpetrators of human rights violations to walk free – the Egyptian authorities have the necessary tools to take the country further on the path of repression. Unless, the authorities change course and comply with commitments to respect human rights and the rule of law, the future of Egypt looks bleak and the hopes of the "25 January Revolution" have little chance of becoming a reality.

Amnesty International urges the Egyptian authorities to:

Uphold the rights to freedom of expression and assembly

- Immediately and unconditionally release all prisoners of conscience detained solely for peacefully exercising their rights to freedom of expression and assembly;
- Uphold the right to freedom of expression, as promised in the statement delivered by Defence Minister Abdel Fattah al-Sisi on 3 July 2013;
- Repeal Law 107 of 2013 on public assemblies or amend it to ensure its compliance with international standards relating to the right to freedom of assembly. In the meantime, make clear to police and public prosecutors that provisions that allow the arrest and prosecution of peaceful protesters are not to be enforced.

Respect freedom of association

- Ensure that NGOs in Egypt can carry out their work in the country without hindrance, upholding the right to freedom of association enshrined in the International Covenant on Civil and Political Rights, to which Egypt is a state party.
- Ensure any legislation passed to replace Law 84 of 2002 meets the international standards on freedom of association without placing undue restrictions on NGO registration,

funding or activities;

Combat impunity

- Ensure that investigations into human rights violations committed since 30 June 2013, including by the fact-finding committee established on 21 December 2013, are effective, impartial, independent, and set up in accordance with human rights law and standards. Investigations must include all incidents where security forces, including the army, have used excessive and unnecessary lethal force against protesters; torture or other ill-treatment; sectarian violence and sexual assaults on women. Investigative mechanisms must have powers of subpoena, search and seizure, and to compel members of the Ministry of Interior and armed forces to testify, regardless of their rank and affiliation. Given the authorities' track record on impunity, as well as the scale of the violence, the government must commit to making the findings public; and bringing those responsible for human rights violations to justice in proceedings meeting international standards for fair trial, regardless of their rank, and without recourse to the death penalty. Such findings should also be shared at international fora including the UN Human Rights Council;
- Conduct prompt, independent and impartial investigations into the political violence in which demonstrators on both sides were killed and injured by their political opponents in order to establish the individuals responsible and ensure their prosecution in fair trials without recourse to the death penalty;
- Ensure all investigations into killings follow the methods set out in the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions. Findings should be presented to judicial authorities with the view of bringing those responsible to justice. Such judicial authorities must include effective safeguards against interference and/or influence from police or security officers, as well as politicians. Those appointed for this task must be individuals of integrity and ability with appropriate qualifications, and must enjoy the trust of victims;
- Ensure that bodies mandated with gathering evidence against protesters are independent of the suspected perpetrators of human rights violations or the agencies to which they belong.

Uphold the right to fair trial and respect detainees' rights

- Give all detainees access to their legal representatives, families and any medical assistance they may require;
- End the practice of trying civilians before military courts;
- Transfer any ongoing cases to civilian courts for a new trial, in proceedings that meet international standards for fair trial and without recourse to the death penalty, or release the defendants; and order fair re-trials in civilian courts for all civilians already convicted by military courts, or release them;
- Ensure that all those detained on recognizably criminal charges are tried in proceedings that fully conform with international fair trial guarantees, such as the right to challenge the legality of their detention and the right to adequate defence, including the right to have access to a lawyer at all stages of judicial proceedings, the right to have adequate time and

facilities to prepare a defence, and the right to have witnesses cross-examined;

- Ensure that all those detained are protected from torture or other ill-treatment, and that detention conditions meet the UN Standard Minimum Rules for the Treatment of Prisoners and the Basic Principles for the Treatment of Prisoners;
- Ensure that children are not held together with adults, and guarantee that custodial measures are only applied to children as a last resort;
- Conduct independent and impartial investigations into reports that detainees were subjected to torture and other ill-treatment by the security forces, including reports of beatings and sexual harassment upon arrest and while in custody; and take steps to ensure that all detainees are protected from any further torture and other ill-treatment.

Amnesty International is urging all political leaders to condemn human rights abuses by their supporters and call on them to end violent attacks against supporters of the other side.

Amnesty International urges states to:

- Suspend all transfers to Egypt of weapons, munitions and related equipment used for serious violations of human rights, including tear gas and riot control projectiles and launchers; small arms, including shotguns, and light weapons and related ammunition; as well as armoured vehicles and military helicopters, and to maintain the suspension until adequate safeguards are put in place by the Egyptian authorities to prevent further serious violations of international human rights law by security forces in policing protests.

40 Egypt: Roadmap to repression
No end in sight to human rights violations

ENDNOTES

¹ See “‘Interior’: The arrest of 444 people who participating in terrorising residents and killing nine during the referendum”, *Al-Masry Al-Youm*, 16 January 2014: <http://www.almasryalyoum.com/news/details/376693>

² Amnesty International, *Egypt: Constitution draft: improved text amid ongoing violations*, 9 December 2013: <http://www.amnesty.org/en/library/asset/MDE12/076/2013/en/d35af073-e3c4-4145-9725-e5624198fdc2/mde120762013en.html>

³ Amnesty International, *Rampant impunity: Still no justice for protesters killed in the ‘25 January Revolution’* (Index: MDE 12/004/2013/), 24 January 2013: <http://amnesty.org/en/library/info/MDE12/004/2013/en>. For concerns regarding the 2012 Constitution see, Amnesty International, *Egypt’s new constitution limits fundamental freedoms and ignores right of women*, 30 November 2012: <http://www.amnesty.org/en/for-media/press-releases/egypt-s-new-constitution-limits-fundamental-freedoms-and-ignores-rights-wom>

⁴ Amnesty International, *Uprising commemoration unleashes death and destruction* (Index: PRE01/047/2013), 28 January 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-uprising-commemoration-unleashes-death-and-destruction-2013-01-28>

⁵ For examples of sectarian violence committed during Morsi’s rule, see Amnesty International, *Egypt’s Coptic Christians must be protected from sectarian violence*, 27 March 2013: <http://www.amnesty.org/en/news/egypt-s-coptic-christians-must-be-protected-sectarian-violence-2013-03-27>; and Amnesty International, *Egypt: President Morsi must sent clear message against attacks on Shia Muslims*, 24 June 2013: <http://www.amnesty.org/en/news/egypt-shia-killings-2013-06-24>

⁶ Amnesty International, *Egypt: Deposed president and aides held incommunicado* (Index: MDE 12/040/2013), 26 July 2013: <http://www.amnesty.org/en/library/info/MDE12/040/2013>

⁷ See Amnesty International, *Egypt: Damning evidence points to security forces’ failures* (Index: PRE01/342/2013), 10 July 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-damning-evidence-points-security-forces-failures-2013-07-09>; and Amnesty International, *Egypt: Police must be reined in to prevent further bloodshed* (Index: PRE01/378/2013), 29 July 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-police-must-be-reined-prevent-further-bloodshed-2013-07-29>

⁸ Amnesty International, *Egypt: State-sanctioned pattern of excessive use of force by security forces* (Index: PRE01/540/2013), 14 October 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-state-sanctioned-pattern-excessive-use-force-security-forces-2013-10->

⁹ These numbers are based on information provided to Amnesty International in morgues and hospitals, official statistics published by the Ministry of Health and the Ministry of Interior, and information by media and NGOS.

¹⁰ Amnesty International, *‘How long are we going to live in this injustice?’: Egypt’s Christians caught between sectarian attacks and state inaction* (Index: MDE 12/058/2013), 9 October 2013: <http://www.amnesty.org/en/library/info/MDE12/058/2013/en>

¹¹ During the televised announcement that Morsi was no longer president, Pope Tawadros II; the Grand

Sheikh of Al-Azhar, Mohamed al-Tayeb; and a number of political leaders were present – pointing to wide support for the ousting among all sectors of the Egyptian population.

¹² For instance, a press release issued on 13 January 2014, under the title “Call from the Muslim Brothers to boycott the referendum of blood and destruction”, laments the freezing of funds of Islamic charities to provide the funds to priests that would use them to proselytize and “endanger Islam”. The statement is available on-line at: http://www.egyptwindow.net/news_Details.aspx?News_ID=40231

¹³ Based on information provided by the Ministry of Interior and the spokesperson of the armed forces. The number excludes those members of security forces killed in protests, including in the vicinity of police stations, and other clashes.

¹⁴ For further information “ Attacks on media” in Chapter 1.

¹⁵ See “Introduction” for further information.

¹⁶ The MB’s appeal of the decision was thrown out. A separate case on the legal status of the MB as an NGO in front of an administrative court is still ongoing.

¹⁷ Name changed to protect his identity at his request.

¹⁸ The National Security Agency (NSA) is an intelligence body created in June 2011. It replaced the State Security Investigations (SSI) service, which was abolished in March 2011 following the “25 January Revolution”. The SSI answered directly to the Interior Ministry, was subject to little or no judicial oversight and was synonymous with the worst abuses associated with the relentless crackdown on dissent, including arbitrary arrests and detention, intimidation and torture. Its powerful position meant that it effectively operated above the law. The NSA has described its purpose as “preserving national security, co-operating with other state apparatus charged with protecting internal security, collecting information, and combating terrorism according to the Constitution and the law and the principles of human rights and freedoms”.

¹⁹ Amnesty International, *Egypt must immediately and unconditionally release women protesters* (Index: PRE01/629/2013) , 11 December 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-must-immediately-and-unconditionally-release-women-protesters-2013-11>

²⁰ Amnesty International, *Egyptian schoolboy released on bail* (Index: MDE 12/001/2014), 8 January 2014: <http://www.amnesty.org/en/library/info/MDE12/001/2014/en>

²¹ Name changed to protect identity.

²² Name changed to protect identity.

²³ A camp on the desert road between Cairo and Alexandria.

²⁴ Amnesty International, *New protest law gives security forces free rein*, 25 November 2013: <http://www.amnesty.org/en/news/egypt-new-protest-law-gives-security-forces-free-rein-2013-11-25>

²⁵ Amnesty International, *Egypt betrays revolution with proposed draconian laws*, 6 March 2013: <http://www.amnesty.org/en/news/egypt-betrays-revolution-proposed-draconian-laws-2013-03-06>

²⁶ Amnesty International, *Two protesters left in custody, others freed* (Index: MDE12/074/2013), 6 December 2013. <http://www.amnesty.org/en/library/info/MDE12/074/2013/en>

²⁷ Amnesty International, *Beaten and arrested under new protest law* (Index: MDE 12/071/2013), 28

November 2013. <http://www.amnesty.org/en/library/info/MDE12/071/2013/en>

²⁸ Amnesty International, *Two protesters left in custody, others freed*.

²⁹ Amnesty International, *Beaten and arrested under new protest law*.

³⁰ Amnesty International, *Activist beaten and at risk of torture: Alaa Abd Fattah* (Index: MDE 12/072/2013), 29 November 2013: <http://www.amnesty.org/en/library/info/MDE12/072/2013/en>

³¹ Amnesty International, *Egyptian activists face trial for protesting* (Index: MDE 12/075/2013), 6 December 2013: <http://www.amnesty.org/en/library/info/MDE12/075/2013/en>

³² Amnesty International, *Egyptian activists face trial for protesting*.

³³ Amnesty International, *First jailing under new protest law* (Index: MDE 12/002/2014), 13 January 2014: <http://www.amnesty.org/en/library/info/MDE12/002/2014/en>

³⁴ Amnesty International, *First jailing under new protest law*.

³⁵ See Chapter 2 of Amnesty International, *Egypt rises: Killings, detentions and torture in the "25 January Revolution"* (Index: MDE 12/027/2011), 19 May 2011: <http://www.amnesty.org/en/library/info/MDE12/027/2011/en>

³⁶ Amnesty International, *Agents of repression: Egypt's police and the case for reform*, 2 October 2012: <http://www.amnesty.org/en/library/info/MDE12/029/2012>

³⁷ See Hassan Shaheen's testimony on YouTube: <http://www.youtube.com/watch?v=fR2y57ExVFQ>

³⁸ See report on YouTube: http://www.youtube.com/watch?v=qfJRR_DcNMY

³⁹ See report on YouTube: <http://www.youtube.com/watch?v=RDqiTdTE-qU>

⁴⁰ See Amnesty International, *More faces charges in Egypt's escalating free speech and dissent crackdown*, 3 April 2013: <http://www.amnesty.org/en/news/more-facing-charges-egypts-escalating-crackdown-free-speech-and-dissent-2013-04-03>

⁴¹ See statement on YouTube: <http://www.youtube.com/watch?v=M4iiedLQRbsn>

⁴² Amnesty International, *Egypt: Crackdown on Morsi's supporters heralds new rights abuses*, 5 July 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-crackdown-morsi-s-supporters-heralds-new-rights-abuses-2013-07-05>

⁴³ Amnesty International, *Egypt: Crackdown on Morsi's supporters heralds new rights abuses*.

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⁵⁷ Amnesty International, *Release detained activists and journalists immediately*, 4 February 2011: <http://www.amnesty.org.uk/press-releases/egypt-release-detained-activists-and-journalists-immediately>

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⁶² In July 2013, the interior minister announced that he had ordered state security forces to resume their monitoring of "political and religious activities". The same month, former detainees told Amnesty International that they had been interrogated while blindfolded by officials apparently belonging to state security. See Amnesty International, *Egypt: Arrests of Muslim Brotherhood members and supporters* (Index: MDE 12/035/2013), 17 July 2013: <http://www.amnesty.org/en/library/info/MDE12/035/2013/en>

⁶³ See "Egypt: No acknowledgment or justice for mass protester killings", joint statement by Amnesty International and other human rights organizations, 10 December 2013: <http://www.amnesty.org/en/library/info/MDE12/077/2013/en>

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⁶⁵ Based on Amnesty International's monitoring of figures released by the Health Ministry, morgue records and media reporting.

⁶⁶ See statement on YouTube, 9 January 2014:
<http://www.youtube.com/watch?v=52mxGVUYcDg&feature=youtu.be>

⁶⁷ Based on Amnesty International's monitoring of figures released by the Health Ministry, morgue records and media reporting.

⁶⁸ Amnesty International, *Egypt risks spiralling into partisan violence* (Index: MDE 12/039/2013), 25 July 2013: <http://www.amnesty.org/en/library/info/MDE12/039/2013/en>

⁶⁹ The two primary standards are the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990 ("UN Basic Principles on the Use of Force"), and the UN Code of Conduct for Law Enforcement Officials, adopted by General Assembly Resolution 34/169 of 17 December 1979, Article 3. The right to life is given legal protection by Article 7 of the International Covenant on Civil and Political Rights (ICCPR) and Article 4 of the African Charter, the right to liberty and security of person by Article 9 of the ICCPR and Article 6 of the African Charter.

⁷⁰ Figures released by the Ministry of Interior often conflate the casualty figures from protests with those caused by armed groups attacking the security forces in the Sinai Peninsula. See for example the Ministry's statement on 29 October 2013: <https://www.facebook.com/MoiEgy/posts/620973141279686>

⁷¹ Amnesty International, *Egypt: 'People were dying all around me': Testimonies from Cairo violence on 14 August 2013* (Index: MDE 12/046/2013), 16 August 2013:
<http://www.amnesty.org/en/library/info/MDE12/046/2013/en>; and *Egypt: Security forces must show restraint after reckless policing of violent protest*, 23 August 2013:
<http://www.amnesty.org/en/news/egypt-security-forces-must-show-restraint-after-week-irresponsible-violence-2013-08-23>

⁷² See statement on YouTube, 9 January 2014.

⁷³ As defined in the Penal Code following the passage of Law 97 of 1992.

⁷⁴ Many marches since the "25 January Revolution" have been organized following prayers; a common practice also adopted by supporters of the deposed president Mohamed Morsi.

⁷⁵ Amnesty International own research into the number of killings included interviews with Zeinhum morgue officials and a count of bodies kept at the Imam Mosque. See *Egypt: Security forces must show restraint after reckless policing of violent protest*, 23 August 2013:
<http://www.amnesty.org/en/news/egypt-security-forces-must-show-restraint-after-week-irresponsible-violence-2013-08-23>

⁷⁶ See statement by minister of interior on YouTube, 14 August 2013.
<https://www.youtube.com/watch?v=JKzXDNrHGw>

⁷⁷ Sources at the forensic department told Amnesty International that in addition to the 377 autopsies they conducted on individuals killed in Rabaa al-Adawiya during the dispersal, 173 bodies were

examined at the Imam Mosque by a medical committee. “ تقرير الطب الشرعي النهائي لضحايا «رابعة» “ و«النهضة»: 371 قتيلًا من الرجال و6 إناث في مدينة نصر *al-Shorouq*, 10 December 2013:
<http://www.shorouknews.com/news/view.aspx?cdate=10122013&id=971b17ed-35a4-4f00-917f-01b0aaaf3819>

⁷⁸ See statement by minister of defence on YouTube, 24 July 2013:
<https://www.youtube.com/watch?v=3tdzSKW7PK8>

⁷⁹ See “Egypt will not bow to violence: El-Sisi”, *Ahram Online*, 19 August 2013:
<http://english.ahram.org.eg/News/79372.aspx>

⁸⁰ According to morgue officials they died as a result of suffocation, when tear gas canisters were fired inside the vehicle transporting them. See Amnesty International, *Egypt: Security forces must show restraint after reckless policing of violent protest*, 23 August 2013:
<http://www.amnesty.org/en/news/egypt-security-forces-must-show-restraint-after-week-irresponsible-violence-2013-08-23>

⁸¹ See Amnesty International, *Egypt: Rampant impunity: Still no justice for protestors killed in the ‘25 January Revolution’* (Index: MDE 12/004/2013), 24 January 2013. See also Egyptian Initiative for Personal Rights, “State crimes remained unpunished: the Interior Ministry is above the law and the Public Prosecution is missing in action”, 22 January 2013: <http://eipr.org/en/report/2013/01/22/1602>

⁸² See Amnesty International, *Egypt constitution draft – improved text amid ongoing violations* (Index: MDE 12/076/2013), 9 December 2013: <http://www.amnesty.org/en/library/info/MDE12/076/2013/en>

⁸³ See Amnesty International, *Egypt constitution draft – improved text amid ongoing violations*.

⁸⁴ See “وزير العدالة الانتقالية: اتهام الإخوان بالمسؤولية عن حادث المنصورة أمر سياسي استند لتصريحات قادته”, *al-Shorouq*, 3 January 2013:
<http://www.shorouknews.com/news/view.aspx?cdate=03012014&id=054860f4-deb2-4812-a1c5-97cdb1ac112a>

⁸⁵ Presidential Decree No. 698 for the year 2013. For the text of the decree, see: “ في تعليقٍ بشأن تشكيل لجنة تقصي حقائق عن أحداث 30 يونيو: المبادرة المصرية ترحب بتشكيل اللجنة وتقدم توصيات لتلافي أوجه القصور في عملها”, Egyptian Initiative for Personal Rights, 8 January 2014:
<http://www.eipr.org/pressrelease/2014/01/08/1926>

⁸⁶ See Amnesty International, *Egypt: Hold army accountable for abuses* (Index: MDE 12/019/2013), 16 April 2013: <http://www.amnesty.org/en/library/info/MDE12/019/2013/en>

⁸⁷ The UK government lifted its suspension on 22 arms export licences in early November 2013 after suspending 49 licences, including for communications equipment, helicopter components and ammunition. While Spain blocked all sales of pistols, riot control gear, hunting rifles and related ammunition, in September 2013 the Spanish government lifted suspensions on the sale of airplanes, spare parts for vehicles and surveillance equipment. The French authorities said that, while they were abiding by the EU decision, they were also supplying the Egyptian military with armoured vehicles for use in Sinai against “terrorist attacks”, following an assurance to France from the Egyptian authorities that they would not be used for law enforcement – a commitment that is unlikely to be properly monitored or enforced.

⁸⁸ See “Khaled Said trial protesters jailed for two years”, *Ahram Online*, 2 January 2014:

<http://english.ahram.org.eg/NewsContent/1/64/90663/Egypt/Politics-/Khaled-Said-trial-protesters-jailed-for-two-years.aspx>; and “Egypt jails 7 anti-Mubarak activists under new law”, Agence France-Presse (AFP), 2 January 2014.

⁸⁹ For more information on arrests in the aftermath of Morsi’s removal, including during clashes between opponents and supporters, see *Egypt: Morsi supporters denied rights amid reports of arrests and beatings* (Index: PRE01/353/2013), 17 July 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-morsi-supporters-denied-rights-amid-reports-arrests-and-beatings-2013> and *Egypt: Damning evidence points to security forces’ failures* (Index: PRE01/342/2013), 10 July 2013: <http://www.amnesty.org/en/for-media/press-releases/egypt-damning-evidence-points-security-forces-failures-2013-07-0>

⁹⁰ Amnesty International, *Egypt: Trial of Mohamed Morsi: Questions and answers* (Index: MDE 12/064/2013), 3 November 2013: <http://www.amnesty.org/en/library/info/MDE12/064/2013/en>

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EGYPT: ROADMAP TO REPRESSION

NO END IN SIGHT TO HUMAN RIGHTS VIOLATIONS

On the eve of the third anniversary of the “25 January Revolution”, the human rights outlook in Egypt remains grim. Chief among the triggers of the uprising in 2011 were growing levels of poverty and inequality, soaring unemployment, endemic corruption, police brutality and other human rights violations.

After three years of chaotic transition characterized by endless cycles of street protests, bloodshed and repression, referendums and elections; the revolt’s root causes not only remain but in some cases have grown more acute.

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Index: MDE 12/005/2014
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