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2009 Human Rights Report: Egypt

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2009 Country Reports on Human Rights Practices

March 11, 2010

The National Democratic Party (NDP) has governed the Arab Republic of Egypt, which has a population of approximately 83 million, since the party's establishment in 1978. The NDP continued to dominate national politics by maintaining an overriding majority in the popularly elected People's Assembly and the partially elected Shura (Consultative) Council. The government derives its governing authority from the 1971 constitution and subsequent amendments. Executive authority resides with the president and the cabinet. In 2005 President Hosni Mubarak won a fifth consecutive six-year term with 88 percent of the vote in the country's first presidential election, which was marred by low voter turnout, charges of fraud, and government efforts to prevent opposition candidates from participating effectively. The civilian authorities did not always maintain effective control of security forces, which committed numerous serious abuses of human rights.

The government's respect for human rights remained poor, and serious abuses continued in many areas. The government limited citizens' right to change their government and continued a state of emergency that has been in place almost continuously since 1967. Security forces used unwarranted lethal force and tortured and abused prisoners and detainees, in most cases with impunity. Prison and detention center conditions were poor. Security forces arbitrarily arrested and detained individuals, in some cases for political purposes, and kept them in prolonged pretrial detention. The executive branch exercised control over and pressured the judiciary. The government's respect for freedoms of association and religion remained poor during the year, and the government continued to restrict nongovernmental organizations (NGOs). The government partially restricted freedom of expression.

There were steps forward in specific areas. The government promulgated procedures for members of unrecognized religions, including the Baha'i faith, to obtain national identification documents and reportedly issued 17 such documents and 70 birth certificates to Baha'i during the year. The government also permitted the newly formed Real Estate Tax Collectors Union, the country's only independent labor union, to operate. For the first time in the country's history, a UN special rapporteur and an independent expert visited at the government's invitation.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government did not commit any politically motivated killings; however, security forces committed arbitrary or unlawful killings during the year. The Egyptian Organization for Human Rights (EOHR) claimed there were eight cases of arbitrary deprivation of life during the year as a result of police brutality.

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At year's end the government had not publicly taken corrective action to investigate or prosecute the April 2008 killing by security forces of four individuals during violent clashes between police and protesters in Mahalla el Kubra, a textile town in the Nile Delta, or the November 2008 killing by Central Security Forces (CSF) of three Bedouin tribesmen in the North Sinai during demonstrations that followed the CSF killing of a suspected drug smuggler.

On March 16, an appeals court in the city of Suez convicted and sentenced police officer Alaa Maqsd to 15 years in prison for murdering Mohammed Ibrahim in 2007 in Suez following an altercation over Ibrahim's driver's license.

On April 19, the El Menia Criminal Court sentenced police officer Ahmed Anwar to one year in prison for beating to death a pregnant woman, Mervat Abdel Sattar, in October 2008. On July 8, the Cairo Appeals Court upheld the verdict. At year's end Anwar was in prison.

In November 2008 in Aswan, police officer Mohamed Labib allegedly shot and killed Abdel Wahab Abdel Razeq after entering the wrong apartment in pursuit of a drug dealer. Police detained Labib following the killing and his ensuing trial. On December 24, a court acquitted Labib and released him from custody.

In June 2007 the EOHR reported that Ahmed Abdel Salam Ghanem died after an exchange of gunfire between supporters of the NDP and independent candidates.

On May 27, the North Giza Criminal Court sentenced police officers Hassan Mohammed Hassan and Maher Hussein Mohammed to five years in prison for throwing Nasser Sediq Gadallah off a balcony in 2007.

b. Disappearance

The EOHR claimed there were 73 cases of disappearances from 1992 to April but noted that it had confirmed 17 of the individuals were no longer missing. According to the National Council for Human Rights, Ahmed Ismail Al Sheikh disappeared from a prison in Damanhour in the Delta in May 2008. The government and the prison gave the family contradictory accounts of his whereabouts.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Article 42 of the constitution prohibits the infliction of "physical or moral harm" upon persons who have been arrested or detained; however, the law fails to account for mental or psychological abuse, abuse against persons who have not been formally accused, or abuse occurring for reasons other than securing a confession. Police, security personnel, and prison guards often tortured and abused prisoners and detainees, sometimes in cases of detentions under the Emergency Law, which authorizes incommunicado detention indefinitely, subject to a judge's ruling. The government rarely held security officials accountable, and officials often operated with impunity.

Domestic and international human rights groups reported that the Ministry of Interior (MOI) State Security Investigative Service (SSIS), police, and other government entities continued to employ torture to extract information or force

confessions. The EOHR documented 30 cases of torture during the year. In numerous trials defendants alleged that police tortured them during questioning. During the year activists and observers circulated some amateur cellphone videos documenting the alleged abuse of citizens by security officials. For example, on February 8, a blogger posted a video of two police officers, identified by their first names and last initials, sodomizing a bound naked man named Ahmed Abdel Fattah Ali with a bottle. On August 12, the same blogger posted two videos of alleged police torture of a man in a Port Said police station by the head of investigations, Mohammed Abu Ghazala. There was no indication that the government investigated either case.

The government investigated torture complaints in some criminal cases and punished some offending police officers. Courts sentenced officers to terms of one to six years in prison and ordered officers to pay compensation to victims in some cases. According to the government, in 2008 the Office of the Public Prosecutor referred 38 cases of cruel treatment and torture to the criminal courts and one to a disciplinary tribunal; the prosecutor also requested administrative sanctions on defendants in 27 cases. According to the government, during the year the public prosecutor referred nine cases of cruel treatment to the criminal courts and one case to a disciplinary tribunal; it also requested administrative sanctions in 10 cases. Of these cases, according to the government, courts tried and convicted one police officer for torture, acquitted another officer, and had not ruled in two other cases in the first six months of the year. Also in the first six months of the year, the time period for which the government provided information, 16 police officers faced MOI disciplinary action for committing abuse or torture.

In December 2008 the official government-run news service reported that the MOI's deputy minister for legal affairs, Hamid Rashid, told the People's Assembly that the ministry had suspended 280 police officers from duty due to charges of human rights violations and was investigating the charges. Rashid did not specify the time period over which the MOI actions occurred. Rashid also told the People's Assembly that the ministry had discharged 1,164 lower-ranking police officers for misconduct and abuse of power.

Police and the SSIS reportedly employed torture methods such as stripping and blindfolding victims; suspending victims by the wrists and ankles in contorted positions or from a ceiling or door frame with feet just touching the floor; beating victims with fists, whips, metal rods, or other objects; using electric shocks; dousing victims with cold water; sleep deprivation; and sexual abuse, including sodomy. There was evidence that security officials sexually assaulted some victims or threatened to rape them or their family members. Human rights groups reported that the lack of legally required written police records often effectively blocked investigations.

During the year human rights groups and the media documented cases of abuse and harassment of journalists and bloggers who reported on controversial topics.

According to multiple NGO sources, police tortured Mona Thabet twice, first on January 19 at a police station in the Shubra neighborhood of Cairo after she filed a complaint regarding the alleged police torture of her husband, and again on February 13 at her home in the same neighborhood. The alleged torture included beating, shaving her head, burning with cigarettes, and cutting. At year's end the government had closed its investigation, citing lack of evidence.

In May 2008, according to multiple NGO sources, police officers in Mansoura tortured by beating and electric shocks 17-year-old Rami Ibrahim to force his confession to the rape and murder of a four-year-old child. On April 25, Mansoura Juvenile Court convicted Ibrahim and sentenced him to 15 years in prison; however, on December 30, an appeals court acquitted Ibrahim.

In July, according to NGO sources, security forces used electric shocks and sleep deprivation to torture members of an alleged terrorist cell arrested for allegedly smuggling weapons to Gaza, among other charges.

On March 28, Damanhur Criminal Court sentenced police corporal Ahmed Antar Ibrahim to six years' imprisonment for his April 2008 assault inside a courthouse in Kafr Al Dawwar on the director of the Al Nadim Center for the Psychological Rehabilitation of Torture Victims and antitorture activist, Magda Adly, and her colleague, Mona Hamed. Ibrahim subsequently confessed that police intelligence officer Ahmad Maklad of the Kafr Al Dawwar Police Station ordered him to attack Adly. Although implicated in the Hussein family's torture allegations, Maklad was never investigated. Ibrahim's retrial began in December.

Authorities did not publicly announce investigating or taking any corrective action in the following 2007 cases: the case of 100 detainees affiliated with the Islamic Jihad, who alleged that police officers tortured and abused them; the alleged detention and torture of Fawzi Hassan and his children; the illegal detention of 40 individuals in Alexandria; and the torture by assistant investigations officer Ashraf Morgan of lawyer Ahmed Abdel Aziz.

Throughout the year the MOI awarded compensation to members of Islamic groups consistent with court orders from previous years.

On March 26, a judge released police officer Islam Nabih from prison. Nabih was sentenced to a three-year prison term in 2007 for assaulting and sodomizing Cairo minibus driver Imad El-Kabir in 2006. At year's end Nabih had rejoined the MOI as a police officer.

Prison and Detention Center Conditions

Prison conditions and conditions in detention centers remained poor. According to observers, prison cells were overcrowded, with a lack of medical care, proper hygiene, food, clean water, and proper ventilation. Tuberculosis was widespread; abuse was common, especially of juveniles in adult facilities; and guards brutalized prisoners.

The government did not publicly announce any investigations into the June 2008 alleged beating of detainees from the El-Mahallah demonstrations; the July 2008 alleged beating of a foreign detainee; or the killing of one prisoner and injury of 25 others during a September 2008 prison riot in Assiut, following the alleged torture of a prisoner.

Although separate prison facilities existed for men, women, and juveniles, adults were not always separated from juveniles. Visits and visitors to prisoners accused of political crimes or terrorism were subject to restrictions. Pretrial detainees were sometimes held with convicted prisoners.

The government did not permit visits to prisons or other places of detention by independent human rights observers during the year, despite repeated requests from the International Committee of the Red Cross and other domestic and international human rights monitors. Some prisons remained completely closed to the public. As required by law, the public prosecutor continued to inspect all regular prisons during the year. In November 2008 the People's Assembly Committee on Human Rights announced its decision to visit police stations randomly and inspect detention centers to determine whether they complied with human rights standards. According to the National Council for Human Rights (NCHR), a committee delegation visited four police stations in Cairo and reported on overcrowding and lack of ventilation. According to the NCHR, in April officials from the Office of the Public Prosecutor visited 80 police stations and detention centers throughout the country. SSIS detention centers were excluded from all inspections. The government reported

inspecting 63 prisons and 298 police stations during the year.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, during the year police and security forces engaged in such practices, including continued large-scale detentions of hundreds of individuals without charge under the Emergency Law, which was extended in April 2008 for two years.

Role of the Police and Security Apparatus

The MOI controls local police forces, which operate in large cities and governorates; the SSIS, which conducts investigations; and the CSF, which maintains public order. SSIS and CSF officers are responsible for law enforcement at the national level and for providing security for infrastructure and key officials, both domestic and foreign. Single-mission law enforcement agencies, such as the Tourist and Antiquities Police and the Antinarcotics General Administration, also work at the national level.

The security forces operated under a central chain of command and were considered generally effective in combating crime and terrorism and maintaining public order. There was no systematic prosecution of security personnel who committed human rights abuses.

According to observers, there was widespread petty corruption in the police force, especially below senior levels. The government claimed to investigate corruption and other instances of police malfeasance using a nontransparent internal affairs mechanism, but it failed to investigate many credible allegations of torture and mistreatment by police and security forces. Courts convicted at least five police officers in murder cases and three in torture cases.

Working with the UN Development Program, the government continued to provide human rights training for thousands of judicial and law enforcement officials.

Arrest Procedures and Treatment While in Detention

Individuals may be arrested and detained under the Emergency Law or the penal code, both of which give the government broad powers.

The Emergency Law allows arrest without a warrant and detention of an individual without charge for as long as 30 days, after which a detainee may demand a court hearing to challenge the legality of the detention order. A detainee may resubmit a motion for a hearing at one-month intervals thereafter; however, there is no limit to the detention period if a judge continues to uphold the order or if the detainee fails to exercise the right to a hearing, and there is no possibility of bail. Many detainees under the Emergency Law remained incommunicado in state security detention facilities without access to family members or to lawyers before their cases were transferred to trial, and some faced torture in detention.

Arrests under the penal code occurred openly and with warrants issued by a district prosecutor or judge. A prosecutor must bring charges within 48 hours following arrest or release the suspect. Detainees under the penal code sometimes were not informed promptly of charges against them. Authorities may hold a suspect for a maximum of six months while they investigate the case. There was a functioning system of bail for persons detained under the penal code. In criminal cases, defendants have the right to counsel promptly after arrest and access to family members at the discretion of the

court; however, they often faced obstacles and were unable to secure regular access to either.

Notwithstanding the prevailing state of emergency and the government's use of the Emergency Law's provisions, the government continued to rely on the penal code for the majority of criminal investigations and prosecutions. In recent years authorities detained thousands of persons administratively under the Emergency Law on suspicion of terrorism or engaging in prohibited political activity, including dozens of terrorism suspects in the Sinai in 2006. Amnesty International (AI), the Human Rights Association for the Assistance of Prisoners (HRAAP), and other NGOs estimated that the government continued to hold approximately 5,000 persons in administrative detention without charge or trial, most of whom were members of Islamic extremist groups arrested in the 1990s. The quasi-governmental NCHR estimated that 1,000 detainees remained in prison under the Emergency Law.

An estimated 300 Bedouins remained in detention. Observers claimed that security forces arbitrarily arrested and detained Bedouin in the Sinai without charge, sometimes en masse after security incidents.

During the year there were cases of pretrial detention exceeding legal limits. Failure to implement judicial rulings regarding the release of detainees remained a problem.

Amnesty

On October 5, President Mubarak pardoned 150 prisoners on the occasion of the October 6 holiday commemorating the 1973 Arab-Israeli war.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but in practice the judiciary was subject to executive influence and corruption. The president may invoke the Emergency Law to refer any criminal case to the emergency or military courts, where the accused does not receive most of the constitutional protections of the civilian judicial system. The government continued to use the Emergency Law to try nonsecurity cases in these courts and to restrict many other basic rights. The constitution provides for the independence and immunity of judges and forbids interference by other authorities in the exercise of their judicial functions. The government generally respected judicial independence in nonpolitical cases in civilian courts. Emergency courts were not independent, as the Emergency Law stipulates that all emergency court verdicts are subject to the president's review and allows the president to modify sentences handed down by the judges. The Emergency Law also allows the president to replace two of an emergency court's three civilian judges with military judges.

The president appoints all judges upon recommendation of the Higher Judicial Council, a constitutional body composed of senior judges. Judges receive tenure, limited only by mandatory retirement at age 70. Only the Higher Judicial Council may dismiss judges for cause, such as corruption. Headed by the president of the Court of Cassation, the council regulates judicial promotions and transfers.

In the civil court system, there are criminal courts, civil courts, administrative courts, family courts, and the Supreme Constitutional Court. There are three levels of regular criminal courts: primary courts; appeals courts; and the Court of Cassation, which represents the final stage of criminal or civil appeals. Civil courts hear civil cases, and administrative courts hear cases contesting government actions or procedures; both systems have upper-level courts to hear appeals. The Supreme Constitutional Court hears challenges to the constitutionality of laws or verdicts in any of the courts.

Emergency courts share jurisdiction with military courts over crimes affecting national security. The president can appoint civilian judges to emergency courts upon the recommendation of the minister of justice or military judges upon the recommendation of the minister of defense. Military courts were established under the code of military justice Law No. 25 of 1966. Under the code of military justice, the president can refer civilians to military courts for certain offenses in the penal code, such as acts harmful to the security of the government or deliberate destruction of property to harm national security. A 2007 amendment to the law includes an appeal mechanism, which lawyers were sometimes able to use to bring cases on behalf of their clients. Military verdicts were subject to review by other military judges and confirmation by the president, who in practice usually delegated the review function to a senior military officer. Defense attorneys claimed that they were not given sufficient time to prepare and that military judges tended to rush cases involving large numbers of defendants.

On March 10, an administrative court rejected a motion by Muslim Brotherhood (MB) second deputy chairman Khairat El Shater and 24 other civilian MB members contesting their transfer to a military tribunal. Shater and 17 MB members appealed the decision before the Supreme Military Appeals Court. The application was rejected on November 18. In April 2008 a closed military tribunal had sentenced El Shater and his colleagues, seven in absentia, to prison terms ranging from three to 10 years on charges of money laundering. On December 14, nine MB members involved in the case were released from a military prison after serving their full three-year terms. El Shater and 13 other MB members convicted in the case remained in prison at year's end.

The government stated that referral to emergency courts usually was limited to terrorism or national security cases and major drug trafficking cases.

Trial Procedures

Defendants enjoy a presumption of innocence. There are no juries. Trials are usually public; however, observers needed government permission to attend court sessions. Human rights activists were generally able to attend trials in civilian courts but were excluded from most military trials. Defendants have the right to counsel in civilian courts, and the government provides a lawyer at the state's expense if the defendant does not have counsel; however, detainees in certain high-security prisons continued to allege that they were denied access to counsel or that such access was delayed until trial, thus denying them time to prepare an adequate defense. Defendants in military courts also have the right to counsel, but lawyers complained they did not have full access to their clients. The law allows defendants to be present and to question witnesses against them and present witnesses and evidence on their own behalf. The law provides defendants and their attorneys the right to access government-held evidence against them.

In civilian courts defendants have the right of appeal up to the Court of Cassation. Sentences by military courts and death sentences in civilian criminal courts are subject to confirmation by the president. The president may alter or annul a decision of an emergency court, including a decision to release a defendant.

Political Prisoners and Detainees

The government held detainees, including many MB activists, for several weeks to several months or longer and did not permit international humanitarian organizations access to political prisoners.

The government arrested and detained hundreds of MB members and supporters without formal charge or trial. According

to the government, it arrested MB members because of their "illegitimate actions and communications with foreign parties relevant to security and public order." According to public statements by the MB, approximately 217 of their leaders and members remained in prison at year's end. On February 18, a court released Al-Ghad (Tomorrow) party leader and 2005 presidential runner-up Ayman Nour on medical parole. On November 4, Nour announced that the government had denied him permission to travel to the United States. The government reportedly restricted Nour's ability to work as a lawyer or journalist, to sell property, and to open a bank account. In May the government began a new wave of arrests of MB leaders and members, who faced charges including membership in a prohibited international organization and money laundering. On November 17, the public prosecutor released on bail MB Guidance Council member and secretary general of the Arab Doctors Union Abdel-Monem Abou el-Fotouh. Fotouh had been held without formal charge since June 28.

Approximately 20 members of the prohibited Hizb al-Tahrir al-Islami (Islamic Liberation Party) remained in prison at year's end. In 2004 the Supreme State Security Emergency Court convicted 26 men linked to Hizb al-Tahrir for belonging to a prohibited organization. Several of the defendants, including three British citizens, alleged they had been tortured to compel them to sign confessions.

Civil Judicial Procedures and Remedies

Individuals had access to civil courts for lawsuits relating to human rights violations, and filed such lawsuits; however, the courts were not entirely independent, especially in politically high-profile cases.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution provides for the privacy of the home, correspondence, telephone calls, and other means of communication; however, the Emergency Law suspends the constitutional provisions regarding the right to privacy, and the government used the Emergency Law to limit these rights. Furthermore, authorities in terrorism cases may disregard constitutional protections of privacy of communications and personal residences.

Under the law, police must obtain warrants or court orders before undertaking searches and wiretaps, but some human rights observers alleged that the government routinely violated the law. Police officers who conducted searches without proper warrants were subject to criminal penalties, although courts seldom imposed such penalties. The Emergency Law empowers the government to place wiretaps, intercept mail, and search persons or places without warrants. Security agencies frequently placed political activists, suspected subversives, journalists, foreigners, and writers under surveillance, screened their correspondence (especially international mail), searched them and their homes, and confiscated personal property.

On July 10 and 11, according to NGO sources, police broke into the home of Alaa Al-Gamal, a journalist from the independent weekly newspaper *Sawt Al-Uma* who had written articles critical of the government.

In March 2008, according to the Al Nadim Center and the Association for Human Rights Legal Aid (AHRLA), police chief of investigations Ali Kedr and officers Hossam Abdel Moneim and Mahmoud Al Deeb of the Menia Al Nasr Police Station allegedly raided the home of private citizen Ibrahim El Sayed Metwally because of a debt he owed. The officers severely beat and verbally abused Metwally's mother and siblings. Metwally's sister claimed the officers detained her, beat her with a stick, and threatened to strip her. In May 2008 press reports stated that the Al Daqahleya Public Prosecution had begun an investigation. There were no further updates as of year's end.

Authorities did not investigate the 2007 home raid of writer and blogger Mohamed Mossad Yaquout.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press; however, the government partially restricted these rights in practice through harassment, censorship, and arrests and detentions, sometimes under the Emergency Law and in other instances under provisions of the penal code that prohibit incitement of discrimination on grounds of sex, origin, language, religion or belief, and acts damaging to an individual's honor or a family's good name. Nevertheless, citizens and journalists openly expressed their views on a wide range of political and social issues, including vigorous criticism of senior government officials and policies and direct criticism of the president in the independent press, on satellite television, and on blogs. During the year there was public debate about political reform, succession, human rights, corruption, press freedom, and related issues.

During the year a number of opposition political activists, journalists, and NGOs continued to advocate for political reform and openly criticized the government. Government actions—including arrests, wide-scale detentions of MB members, harassment of independent journalists and activists, and government restrictions on civil society organizations—led many observers to charge that the government sought to curtail criticism and activism.

The penal code and the press and publications law govern press issues. The constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. There were numerous restrictions on legal entities seeking to establish newspapers, including a limit of 10 percent ownership by any individual; the government apparently enforced this limit unevenly. The government owned stock in the three largest daily newspapers, which generally followed the government line, and the president appointed their top editors. The government also controlled the licensing, printing, and distribution of newspapers, including independent papers and those of opposition political parties that frequently criticized the government and gave greater prominence to human rights abuses than did state-run newspapers. The daily independent newspapers *Al-Masry Al-Youm*, *Al-Shurouq*, *Al-Dostour* and *Al-Youm Al-Sabya*, which focused on domestic politics, offered significant, critical coverage of controversial topics. In July the independent paper *Al-Badeel* closed for financial reasons.

NGO observers estimated that during the year the government revoked the licenses of at least five news publications. In April a court revoked the license of *Ibdaa* magazine, published by the Ministry of Culture, in a suit filed by a private individual that accused the magazine of publishing a poem insulting to religion. On June 15, the Supreme Administrative Court reversed the decision and reinstated the license.

The Ministry of Information owned and operated all ground-based domestic television and radio stations. Independent satellite stations Al Hayat, Al-Mihwar, Dream TV, and OTV/OnTV operated without direct government control. The government blocked reception of at least one foreign channel, the Iranian Al-Aalam satellite channel.

Security personnel continued to detain, harass, and assault journalists during the year.

On March 16, a court in Damanhour sentenced *Al Fagr* journalist Kamal Murad to six months' imprisonment and fined him 100 pounds (\$18) for allegedly insulting a police officer in Rahmaniyah in June 2008. On July 1, a Damanhour appeals court overturned the prison sentence but increased Murad's fine to 200 pounds (\$36). Authorities took no action to

investigate the alleged assault on Murad by Rahmaniya police officers Mohammed Badrawy, Amr Allam, and Mohamed Basiouni. Murad had reportedly been taking photos of police beating farmers in Ezbat Mohram to coerce them to sign leases with a local businessman. Human rights organizations alleged that the officers arrested Murad because he had previously reported on the 2007 high-profile police torture case of Imad El-Kabir; the officers reportedly referred to Murad as "the one who sent the officer to jail for three years."

During the year opposition party and other independent newspapers published articles critical of the president and foreign heads of state generally without being charged or harassed. Private individuals continued to file politically and nonpolitically motivated suits against journalists. Individuals filed libel suits under the portion of the press and publication law that forbids malicious and unsubstantiated reporting. Under the law, an editor in chief could be considered criminally responsible for libel contained in any portion of a newspaper, and journalists faced fines of as much as 20,000 pounds (\$3,650) and as long as five years in prison for criticizing foreign leaders or the president. The Moltaqa Forum for Development and Human Rights Dialogue reported that between January and March 57 journalists from 13 newspapers appeared in court in 28 lawsuits. At year's end, according to a domestic NGO, an estimated 60 defamation suits, some of which were filed by NDP members, were pending against the leading independent newspaper, *Al-Masry Al-Youm*.

On January 31, a Cairo appeals court upheld fines against four independent newspaper editors for publishing articles "insulting" senior ruling NDP officials but struck down the one-year prison sentences imposed in a 2007 civil ruling.

On February 10, a court fined independent newspaper editor Yasser Barakat 40,000 pounds (\$7,290) for allegedly defaming member of parliament Mustafa Bakry in a series of 2007 and 2008 articles criticizing Bakry's government connections and business dealings. On June 24, the Cairo Criminal Court sentenced Barakat to six months in prison for allegedly defaming Bakry in a 2007 newspaper article. On July 6, police arrested and imprisoned Barakat to carry out the sentence; however, the public prosecutor released Barakat from prison on July 11, pending the case's appeal.

In April police in Minya arrested Mounir Saad Hanna, a local government clerk, for writing an unpublished poem that allegedly insulted President Mubarak. A local court subsequently sentenced him to three years in prison. On July 18, a Minya appeals court acquitted Hanna, and he was released on July 20.

In June the MOI filed assault charges against Alaa Al-Gamal, a journalist at the independent weekly *Sawt Al-Uma*. Al-Gamal had written a series of articles critical of the MOI. At year's end the case remained under investigation by the Public Prosecutor's Office.

On July 4, a Cairo court fined Mohammed Barakat, a reporter for the independent daily *Al-Dustour*, 15,000 pounds (\$2,730) for defaming NDP official Ahmed Ezz in an article speculating whether Ezz played a role in the July 2008 murder of Lebanese pop star Suzanne Tamim. Observers believed the court's decision was based on the article's lack of sourcing and was not politically motivated.

On January 27, the public prosecutor referred a criminal case against Saad Eddin Ibrahim, founding chairman of the Ibn Khaldun Center for Development Studies, to the State Security Prosecutor's Office for investigation. In November 2008 Hossam Mustafa, leader of the Free Republican political party, brought the criminal case against Ibrahim for allegedly committing "espionage" by publishing articles asserting that Ibrahim had convinced a foreign government to withhold economic assistance to the country because of lack of progress on reform. On May 25, a Cairo appeals court reversed an August 2008 court ruling against Ibrahim in a civil lawsuit by an NDP activist for "tarnishing Egypt's image" in a series of articles and speeches on democracy. The ruling overturned Ibrahim's two-year prison sentence and 10,000 pounds

(\$1,821) fine. The appeals court also ruled that other pending civil lawsuits against Ibrahim on similar grounds be referred to the public prosecutor for potential investigation. Ibrahim lived in self-imposed exile outside the country since 2007.

The Emergency Law authorizes censorship for reasons of public safety and national security. Domestic media practiced self-censorship due to fear of government reprisal. The government regularly confiscated publications by Islamists and other critics of the state, and it increasingly ceded confiscatory authority to government-controlled Al-Azhar University and authorities acted on the university's recommendations to confiscate publications

In April 2008 the NileSat network, a government-owned satellite transmission company, stopped the broadcast of Al-Hiwar, a privately owned London-based channel, without prior notice. Al-Hiwar had featured talk shows such as People's Rights, which had hosted prominent government critics such as Ibrahim Eissa. At year's end the network remained prohibited.

On February 26, a Cairo court fined editors Magdy El Galad and Abass El Tarabily of the independent newspapers *Al-Masry Al-Youm* and *Al Wafd* and three reporters from the newspapers 10,000 pounds (\$1,820) each for violating a press prohibition on reporting on the murder trial of former member of parliament Hisham Talat Mustafa; on May 21, Mustafa was convicted of ordering the July 2008 murder of Lebanese pop singer Suzanne Tamin.

In June author Mohammed Al-Sharkawy went on trial in connection with a lawsuit filed by an NDP member accusing him of using profanity and depicting nudity in his graphic novel *Metro*. Observers believed the suit was politically motivated due to the novel's criticism of the NDP and the government. On November 21, a court fined Sharkawy 5,000 pounds (\$910) and prohibited the novel.

On December 27, a court fined Adel Hamouda, the editor of the independent weekly newspaper *Al-Fagr* 10,000 pounds (\$1,820) for defaming NDP Assistant Secretary-General Ahmed Ezz. The paper had written that Ezz compelled his wife to resign from a position in the NDP. Observers believed the decision was politically motivated. Hamouda was one of the four editors fined by an appeals court in January for insulting a senior NDP official.

According to one NGO observer, the government prohibited three books during the International Book Fair in Cairo.

In April 2008 authorities confiscated 5,000 copies of a book written by former senior police officer Amr Afifi. The book discussed legal procedures relating to interactions with police officers, including investigations, arrests, and inspections, and it explained citizens' rights vis-a-vis security forces. Afifi subsequently fled the country and remained in self-imposed exile at year's end.

On October 5, the government's Supreme Press Council revoked the license of the weekly newspaper *Al-Balagh Al-Gadid*, effectively shutting it down. The action was in response to an article in the newspaper alleging that police questioned a group of named popular male actors for engaging in a gay prostitution ring. On October 6, the newspaper's editor stated publicly that his source was a senior police officer, but observers believed the paper had no evidence for its allegations.

Throughout the year the government routinely searched imported written material to confiscate items deemed insulting to religious sensibilities.

Internet Freedom

According to 2008 International Telecommunication Union statistics, approximately 14 percent of the country's inhabitants used the Internet, which the government actively promoted through low-cost access. According to the government, during the year there were more than 160,000 blogs in the country, and approximately 20 percent of them focused on politics, 15 percent on art and culture, 7 percent on religion, 6 percent on personal issues, 4 percent on science and technology, and 2 percent on social issues. According to the government, 68 percent of blogs were in Arabic, 10 percent in English, and 20 percent combined Arabic and English. On rare occasions during the year, the government blocked access to some Web sites and monitored the Internet. According to Arabic Network for Human Rights Information (ANHRI), during the year the government continued to implement an August 2008 regulation requiring Internet cafes to gather personal information of Internet users, including names, e-mail addresses, and telephone numbers.

During the year police harassed, detained, and allegedly abused certain bloggers and Internet activists. On January 20, a court fined blogger Tamer Mabrouk 42,500 pounds (\$7,750) for defaming the Trust Chemical Company by accusing it of polluting a lake near the Suez Canal. On May 26, an appeals court upheld the decision, reduced the fine to 2,500 pounds (\$460), and ordered Mabrouk to pay the company 40,000 pounds (\$7,290) in compensation.

On February 6, the SSIS detained pro-Palestinian blogger and activist Dia Eddin Gad under the Emergency Law without charge after he insulted President Mubarak on his blog as a "Zionist, an agent for Israel, and a loser." On March 23, the ANHRI released a public statement accusing the government of placing Gad in solitary confinement, depriving him of medical care, and threatening to kill him. On March 27, the SSIS released Gad. According to the government, the SSIS arrested Gad under the Emergency Law because his activities posed a threat to public order.

On June 30, customs officials held blogger Wael Abbas for 13 hours at Cairo International Airport upon his return from a conference in Sweden where he had criticized the government. Customs officials seized some of his personal property, including his laptop computer.

On July 22, the SSIS detained three MB-affiliated bloggers--Magdy Saad, Abd El Rahman Ayyash, and Ahmed Abu Khalil--and held them for approximately a week before releasing them. The three bloggers had criticized trials of MB members in military courts and voiced support for MB detainees.

In October 2008 the SSIS arrested blogger Hany Nazir under the Emergency Law following his blogging on allegedly sensitive religious issues. The MOI rejected several court orders for his release after his incarceration began. In August the ANHRI publicly asserted that prison officials attempted to pressure Nazir to convert to Islam in exchange for his release. At year's end Nazir remained in prison. According to the government, the SSIS continued to detain Nazir under the Emergency Law for his own security, in light of public anger toward him because of his blogging.

On November 11, a court sentenced blogger Wael Abbas in absentia to six months in prison for allegedly damaging a neighbor's Internet line. Observers believed the court decision was a politically motivated reaction to Abbas' blogging, which was often critical of the government. At year's end Abbas remained free, pending his attendance at a subsequent court session.

On March 10, the SSIS released blogger and activist Mohammed Adel, who was previously affiliated with the MB. The SSIS had held Adel in detention since November 2008. SSIS officers allegedly seized many of Adel's books and CDs from his home and tortured him in detention. Adel's blog called for MB detainees to be released. According to the government, the SSIS arrested him for illegally entering Palestinian territory.

Blogger Karim Amer, jailed in 2006 and convicted and sentenced in 2007 to four years in prison for "denigrating religion" and insulting President Mubarak, remained in prison at year's end. On December 22, a Cairo court rejected Amer's appeal.

Blogger and activist Musad Abu Fagr, jailed in 2007 under the Emergency Law following posts about the Sinai Bedouins' difficulties, remained in prison at year's end. The government blocked several court orders for his release.

On September 29, the government detained Swedish journalist and blogger Per Bjorklund at the airport, preventing him from entering the country, and deported him on October 1. Bjorklund had lived in the country for the previous three years and had written critically about labor issues.

Academic Freedom and Cultural Events

The government restricted academic freedom through various means. It selected deans rather than permitting the faculty to elect them, justifying the measure as a way to combat Islamist influence on campus. It also restricted some academic travel. Professors published articles in academic journals covering a wide range of topics, but observers assessed that professors practiced degrees of self-censorship regarding commentary on sensitive issues such as the military, the security forces, and government corruption.

The Ministry of Culture must approve all scripts and final productions of plays and films. The ministry censored foreign films to be shown in theaters but was more lenient regarding the same films in videocassette or DVD format. Government censors ensured that foreign films made in the country portrayed the country in a favorable light.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly, but the government restricted the exercise of this right. Citizens must obtain approval from the MOI before holding public meetings, rallies, and protest marches. Protests may not be held in or near places of worship, per a 2008 ministerial decree. The MOI refused to grant permits for some political events, and the government tightly controlled public demonstrations, including some meetings on private property and university campuses. In January, during attacks on Gaza, the government prevented many demonstrations from proceeding in Cairo by deploying large numbers of riot police to stop protesters from gathering and to forcibly break up demonstrations. The government generally permitted such demonstrations to proceed outside Cairo. At some demonstrations throughout the country, police and protesters clashed, resulting in injuries to both sides. During the January demonstrations, police arrested several hundred protesters, releasing most of them after holding them between two and 24 hours. Most detentions did not exceed 24 hours. A large percentage of the protesters arrested were reportedly MB members.

On January 2, at a demonstration in downtown Cairo, police beat unconscious an *Al-Masry Al-Youm* journalist covering the event. The journalist was treated at a local hospital and subsequently discharged. On January 9, the MB and other opposition groups organized a "day of anger and solidarity with Gaza," and thousands of protesters demonstrated in several cities outside Cairo. More than 50,000 protesters demonstrated outside the central mosque in Alexandria. On January 9, police and approximately 1,000 protesters clashed in El-Arish in the Northern Sinai, resulting in injuries to both sides. Protesters reportedly damaged shops and cars.

Throughout the year authorities sometimes showed little tolerance for peaceful demonstrations by opposition groups and activists protesting government policies. Police sometimes responded to political demonstrations in large numbers to contain the size and effectiveness of the demonstrations, and they sometimes used excessive force. In certain demonstrations police detained suspected organizers, some of whom alleged mistreatment in detention.

On February 6, SSIS officers arrested Egyptian-German pro-Palestinian activist, student, blogger, and filmmaker Philip Rizk following a small, peaceful rally in Ismailia to call for opening the Rafah border crossing with Gaza. On February 11, the SSIS released Rizk after subjecting him to physical and mental abuse. According to the government, the SSIS arrested Rizk because he had not followed procedures to request and receive permission to hold the rally.

In the seven days before a planned strike on April 6, police arrested approximately 15 activists affiliated with the April 6 Movement, who were planning the strike, and generally released them within 24 hours. Police reportedly beat some of the activists in custody and while breaking up an April 4 courthouse demonstration in the Delta protesting some of the arrests. Throughout the year police briefly detained members of the April 6 Movement who distributed leaflets and planned political events.

Freedom of Association

The constitution provides for freedom of association; however, the government significantly restricted the exercise of this right. The minister of social solidarity has the authority to dissolve NGOs by decree, and the law requires NGOs to obtain permission from the government before accepting foreign funds, apart from donations from foreign governments with established development programs in the country. On April 27, the EOHR received a letter from the Ministry of Social Solidarity reminding it of the ministry's right to dissolve the organization for receiving unauthorized foreign funding. The EOHR had received funding from a Moroccan NGO for a Cairo conference in January on press freedom. On May 10, the EOHR received a letter from the ministry stating that the ministry did not intend to dissolve the EOHR. On September 27, security forces arrested 15 MB members in three provinces (Beni Suef, Giza, and Sharqiya) on charges of recruiting for an illegal organization. On November 21, the MB announced that a Cairo court had ordered the release of Gamal Heshmat and nine others. On November 26, the MB announced that the MOI released Heshmat on medical grounds.

Throughout the year the Ministry of Social Solidarity delayed or did not grant permission for some NGOs to receive foreign funding. In one case the ministry prevented an NGO from distributing 1,100 human rights-themed children's books produced through a foreign government grant.

Throughout the year the government prevented some NGOs from holding human rights-themed conferences at hotels in different cities.

c. Freedom of Religion

The constitution provides for freedom of belief and the practice of religious rites; however, the government restricted the exercise of these rights. According to the constitution, Islam is the official state religion and Shari'a (Islamic law) the primary source of legislation. Religious practices that conflict with the government's interpretation of Shari'a are prohibited.

The government continued to sponsor "reconciliation sessions" following sectarian attacks, which generally prevented the prosecution of perpetrators of crimes against Copts and precluded their recourse to the judicial system for restitution. This practice contributed to a climate of impunity that encouraged further assaults. Members of non-Muslim religious minorities

officially recognized by the government generally worshipped without harassment; however, Christians and members of the Baha'i faith, which the government does not recognize, faced personal and collective discrimination in many areas. Religious groups seeking recognition must submit a request to the MOI, which determines whether in its view the group would pose a threat to national security or social order. The MOI also consulted leading religious figures, particularly the pope of the Coptic Orthodox Church and the sheikh of Al-Azhar. The last official recognition of a religious group occurred in 1990. The government does not recognize marriages of citizens adhering to faiths other than Christianity, Judaism, or Islam nor does it recognize conversions of Muslim-born citizens to other religions.

On June 13, the Cairo Administrative Court ruled against Maher El-Gohary, a convert from Islam to Christianity, who had filed suit on the basis of constitutional guarantees of religious freedom to compel the government to issue him an identity document listing his religion as Christian.

The law prohibits blasphemy and the "denigration of religions." Although there were no reported prosecutions, the government detained members of religious groups whose practices deviated from mainstream Islamic beliefs and whose activities were believed to jeopardize communal harmony. The law prohibits Baha'i institutions and community activities, and the Baha'i religion is not recognized. On March 16, the Supreme Administrative Court dismissed a legal challenge filed by an Islamist lawyer to block the implementation of a January 2008 court decision directing the MOI to issue identification documents to members of the country's Baha'i community. Previously, all such documents specified the holder's religion as Muslim, Christian, or Jewish. Many Baha'is were unwilling to accept such a document because they considered that it would require them to give false testimony concerning their faith. On April 14, the MOI published a decree authorizing members of "nonrecognized religions" to obtain identification documents with a dash in the mandatory religious identification space. Egyptian Baha'is reported that the government issued 17 national identification cards and 70 birth certificates to Baha'is during the year.

The government failed to redress laws and government practices that discriminate against Christians. The law requires non-Muslims to obtain a presidential decree to build new worship facilities. MOI regulations, issued in 1934 under the Al-Ezabi decree, specify 10 conditions that the government must consider before a presidential decree for construction of a new non-Muslim place of worship can be issued. The conditions include the requirement that the distance between a church and a mosque be at least 100 meters (328 feet) and that approval of the neighboring Muslim community be obtained before a permit to build a new church may be issued.

The law also requires non-Muslims to obtain a governor's approval to repair, renovate, or expand existing church complexes. While Decree 291 of 2005 delegates this authority, which was formerly held by the president, to the governors, loopholes in the law were exploited to prevent its implementation. For example, some local authorities refused to process applications without "supporting documents" that were virtually impossible to obtain (e.g., a presidential decree authorizing the existence of a church that had been established during the country's monarchical era). Church and lay leaders maintained that security forces blocked them from using permits that had been issued and, at times, denied them permits for repairs to church buildings and for the supply of water and electricity to existing church facilities. As a result, congregations generally continued to wait years to be able to build and repair church properties.

The constitution requires elementary and secondary public schools to offer religious instruction. Public and private schools provided religious instruction according to the faith of the student.

The government did not carry out forced conversions; however, there were again claims of Muslim men forcing Coptic women and girls to convert to Islam. Reports of such cases were disputed and often included inflammatory allegations and

categorical denials of kidnapping and rape. Most cases involved a female Copt who converted to Islam when she married a male Muslim. Government authorities detained and harassed some converts from Islam to Christianity and pressured them to revert to Islam.

On June 15, the Court of Cassation granted Kamilia Lotfy custody of her 14-year-old twin sons, overruling a September 2008 Alexandria Appeals Court decision that gave custody to the boys' father following his conversion from Christianity to Islam. The Court of Cassation ruling affirmed for the first time the right of a non-Muslim to retain custody of children until the age of 15 following the conversion of a spouse to Islam. Human rights groups, however, criticized the court for failing to address the policy that considers children younger than 15, whose parents convert from Islam, to be Muslim.

Neither the constitution nor the civil and penal codes prohibit proselytizing, but police harassed or arrested some individuals proselytizing on charges of ridiculing or insulting the "heavenly religions" (Islam, Christianity, and Judaism) or inciting sectarian strife.

Jehovah's Witness leadership reported that authorities monitored the homes, telephones, and meeting places of members of Jehovah's Witnesses. The government also reportedly maintained regular and sometimes hostile surveillance of Muslim -born citizens who were suspected of having converted to Christianity.

Authorities monitored and occasionally placed restrictions on religious materials (both published in the country and imported) as they did other written materials.

The government prohibited women and girls in public primary schools from wearing the niqab, or face veil. Girls in secondary or preparatory schools could wear a face veil only upon a parent's written request to the school.

Societal Abuses and Discrimination

Societal religious discrimination and sectarian tension continued during the year. In a May report, the quasi-governmental NCHR expressed alarm at growing sectarian conflict. In March Muslim villagers in the Sohag governorate attacked and burned homes of their Baha'i neighbors.

On August 20, authorities released two Copts, held in detention without charges since May 2008, who had been accused of killing a Muslim during the armed attack by Muslim Bedouins on the Abu Fana Monastery. A December 2008 court order requiring their release was not implemented. According to a credible human rights organization, their release came after an agreement was reached in which the monastery dropped criminal charges against the attackers. Two Muslims, held since the attack, were also released. There were no charges filed against the assailants, who assaulted the monastery and abducted and abused the monks.

The constitution provides for equal public rights and duties without discrimination based on religion or creed, and the government generally upheld these protections; however, government discrimination against non-Muslims existed. The government continued to discriminate against non-Muslims in public sector employment and in admission to the publicly financed Al Azhar University.

Anti-Semitism in the media was common, although less prevalent than in recent years. There were no reports of anti-Semitic acts directed toward the country's approximately 125 Jews. However, anti-Semitic sentiments frequently appeared in both the progovernment and independent press. According to the Middle East Media Research Institute (MEMRI), a

series of clerics appeared on Al-Rahma TV conveying anti-Semitic messages, such as celebrating the Holocaust and praising the humiliation that the Holocaust inflicted on Jews. Anti-Semitic editorial cartoons and articles depicting demonic images of Jews and Israeli leaders, stereotypical images of Jews along with Jewish symbols, and comparisons of Israeli leaders with Hitler and the Nazis were published throughout the year, particularly during and following the attacks on Gaza in January. The government reportedly advised journalists and cartoonists to avoid anti-Semitism. Government officials insisted that anti-Semitic statements in the media were a reaction to Israeli government actions against Palestinians and did not constitute anti-Semitism.

For a more detailed discussion, see the *2009 International Religious Freedom Report* at www.state.gov/g/drl/rls/irf/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice, albeit with some notable exceptions. Citizens and foreigners may not travel in areas of the country designated as military zones. Males who have not completed compulsory military service may not travel abroad or emigrate, although this restriction may be deferred or bypassed under special but unclear circumstances. Baha'i men of draft age had difficulty obtaining passports because, according to some reports, the Ministry of Defense would not issue military service exemption certificates, a requirement for draft-age men who have not served in the military to obtain passports. The Baha'i did not have national identification cards because they are unable to establish that they have fulfilled or are exempt from military service obligations. An unmarried woman younger than 21 must have permission from her father to obtain a passport and to travel, and police reportedly required such permission for married women in practice, although the law does not require it. Authorities occasionally held individuals at the airport to delay or prevent altogether their travel for what appeared to be political reasons. The government also used travel prohibitions to punish dissidents.

The constitution prohibits forced exile, and the government did not use it during the year; a number of citizens remained outside the country in self-imposed exile.

The government did not consistently cooperate with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

The country is a party to the 1951 Convention relating to the Status of Refugees, its 1967 Protocol, and the 1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa. The constitution includes provisions for the granting of refugee status or asylum; however, the country has no national legislative framework or system for granting asylum. The government admits refugees on the understanding that their presence in the country is temporary and that the UNHCR assumes full responsibility for the determination of refugee status on behalf of the government.

In practice the government sometimes did not provide protection against the expulsion or forced return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The government continued to forcibly repatriate Eritrean asylum seekers, although fewer were returned during the year than in 2008, when more than 1,300 were returned. The basic problem of forced return has not been resolved. According to AI, between December 23, 2008, and January 18, the government

forcibly returned to Eritrea approximately 100 Eritrean asylum seekers, who were apprehended attempting to enter Israel. AI stated that the asylum seekers faced likely torture in Eritrea. Hundreds of other Eritrean asylum seekers were being held in detention centers in Nekhl and elsewhere in the country at year's end.

Refugees also faced violence by security forces, abuse, and discrimination.

There was a consistent flow of Eritrean, Sudanese, and other African asylum seekers, who attempted to migrate illegally through the country to Israel during the year. Since May border police shot and killed at least 17 African migrants attempting to cross the border into Israel. Many more migrants were injured in shootings at the border, and more than 400 were arrested in the first seven months of the year and charged with attempting an unlawful crossing of the country's eastern border with Israel. Those apprehended were tried in military courts that, according to AI, did not meet international standards for fair trial. The migrants were subsequently sentenced to one year in prison and were subject to deportation following completion of the sentence. The government maintained that these measures were necessary to ensure security along the border and combat smuggling. The UNHCR did not have access to those arrested to determine their refugee status. At year's end the government had not taken action to prosecute any of the officers involved in these incidents. According to an October 25 press report, Hawa Shogar, a female refugee from Darfur, said lack of employment opportunities, rising food prices, and the global economic crisis compelled her and her husband Ahmed to try to go to Israel, where they heard other Africans were getting jobs. They borrowed \$500 and gave it to a Bedouin smuggler. They joined 23 other Sudanese and Eritreans, carrying their possessions in small plastic bags. As they approached the border, an Egyptian patrol fired into the air and stopped their trucks. Her husband said that some of the migrants tried to flee and were shot, at least one fatally.

According to a December 11 report in a foreign publication, police shot at Eritrean Yirgalam Beyene and her three children as they tried to cross the border into Israel. During the incident, her 21-year-old son Iskender and three-year-old daughter Rosa were shot. While Rosa survived, Iskender later died from his wounds in a Sinai hospital. They were among a group of some 20 asylum seekers from Eritrea, Darfur, and southern Sudan trying to cross the border that night.

Imprisoned refugees were held in small cells with convicted criminals, where they had limited or no access to sunlight for periods of three to five months, no access to medical treatment, and poor food. African prisoners often faced race-related beatings and discrimination.

Refugees continued to face limitations with regards to access to work, education, and health services. African refugees in particular faced harassment by the SSIS, restrictions on employment, poor housing, limited access to health care and education, and societal discrimination based on race. Iraqi refugees faced restrictions on employment and on access to health and education services.

Representatives of stateless refugees living in Cairo expressed concern that such refugees often did not qualify for protection under the local refugee apparatus. Stateless persons comprised less than 1 percent of all registered refugees. Nearly all stateless persons, many of whom were the children of Eritrean fathers and Ethiopian mothers, lacked refugee status and were not considered citizens by either of their parents' countries. They received no monetary assistance, lacked the ability to work, and were isolated from other members of refugee communities.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides that citizens shall elect the president every six years and the 454-seat People's Assembly every five years. The constitution also provides that two-thirds of the 264-member Shura Council, the upper house of parliament,

are elected and one-third are appointed by the president. Shura Council terms are six years, with half of the council's elected seats contested every three years. There continued to be limitations on citizens' rights to change their government peacefully.

Elections and Political Participation

In July 2008 the country held parliamentary by-elections for four vacant parliament seats in Kafr Al Sheikh and Alexandria. MB-affiliated candidates ran for three of the seats, but the NDP won all four. The MB subsequently accused the government of rigging the vote to favor the NDP. The four seats had been vacant since a legal challenge during the 2005 parliamentary election, which international monitors were not permitted to observe. The government also barred international observers from the 2005 presidential election, which was marred by low voter turnout and charges of fraud. In October 2008 the country held parliamentary by-elections for two seats in Fayoum (Utssa Constituency). The NDP won both contested seats, which had been vacant since a legal challenge during the 2005 parliamentary election.

In February the country held parliamentary by-elections for one seat in Minya (Samalout), which became vacant following the death of an NDP member of parliament. The NDP candidate won the seat.

In March and May, there were parliamentary by-elections for a seat in Cairo (Masr El Qadima Constituency) and another in Alexandria (Moharram Bek Constituency), which became vacant following the death of an NDP member of parliament. The NDP candidate won the seat.

In August there were parliamentary by-elections for two vacant seats in Qaliuybia, and the NDP won both seats.

The NDP continued to dominate national politics by maintaining an overriding majority in the People's Assembly and the Shura Council. It also dominated local governments, mass media, labor, and the public sector and controlled licensing of new political parties, newspapers, and private organizations. The law prohibits political parties based on religion, and the MB remained an illegal organization; however, independent MB-affiliated members of parliament continued to participate in parliament. In previous years the government refused to grant official registration to at least 12 political parties that had filed applications. In August the political parties committee rejected the Al-Wasat Party's application for registration.

There were nine women in the 454-seat People's Assembly and 21 in the 264-seat Shura Council. Two women served among the 32 ministers in the cabinet. On June 14, the parliament passed a law to allocate a quota of 64 parliamentary seats for women, effective in 2010.

There were six Christians (five appointed, one elected) in the People's Assembly, 10 Christians (all appointed) in the Shura Council, and two Christians in the cabinet. Christians, who represent 8 to 12 percent of the population, held fewer than 2 percent of the seats in the People's Assembly and Shura Council. A Copt served as one of the country's 28 governors in Qena. According to available information, there were very few Christians in the upper ranks of the security services and armed forces. No other minorities served in political or other high-ranking positions.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, but the government did not consistently and effectively implement the law, and impunity was a problem. The media routinely reported on confirmed cases of low-level corruption, including the fraudulent alteration of official documents, embezzlement, and bribery. The Central Agency for Auditing and

Accounting (CAA) is the government's anticorruption body and submits biennial reports to the People's Assembly that are not available to the public. The CAA stations monitors at state-owned companies to report corrupt practices. Observers did not judge the CAA to be effective.

On March 11, the Safaga Misdemeanor Appeals Court sentenced ferry owner and Shura Council member Mamdouh Ismail in absentia to seven years in prison in connection with the 2006 Al-Salaam Bocaccio 90 ferry sinking, which killed more than 1,000 persons. In addition the court sentenced two other defendants to three years' imprisonment for negligence. In July 2008 the Safaga Misdemeanors Court had acquitted Ismail, along with five other defendants, of failing to offer assistance in the 2006 sinking. Ismail's relationship with presidential chief of staff Zakaria Azmi had sparked public debate about corruption. At year's end Ismail remained in London, where he fled immediately after the sinking.

There were no financial disclosure laws for public officials, nor was there a legal framework stipulating how citizens could access government information. In practice the government was not generally responsive to requests for documents regarding government activities and did not provide reasons for its lack of responsiveness. The government released public statements and held press briefings for foreign and domestic journalists. According to the government, ministries provided publications and pamphlets to citizens who requested information.

Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Government restrictions on NGO and international organization activities, including limits on domestic organizations' ability to accept foreign funding, continued to limit investigation of and reporting on human rights abuses.

Local independent human rights NGOs included the EOHR, the HRAAP, the Arab Penal Reform Organization, AHRLA, the Cairo Institute for Human Rights Studies, the EIPR, the Ibn Khaldun Center, the Arab Center for the Independence of the Judiciary and the Legal Profession, the Arab Network for Human Rights Information, the Nadim Center for the Rehabilitation of Victims of Torture and Violence, and the Egyptian Center for Women's Rights (ECWR). Informal coalitions of Internet activists and bloggers continued to play a significant role in publicizing information about human rights abuses. Although nonregistered organizations generally were allowed to conduct operations, they did so in technical violation of the NGO law with the prospect of government interference or closure.

The government did not demonstrate a consistent approach to cooperating with human rights NGOs, sometimes harassing them or restricting their activities. For example, the government prevented some NGOs from holding certain conferences and events during the year. Government officials were selectively cooperative and responsive to some NGOs' views. Throughout the year the government met with a range of NGOs to discuss legislation related to human rights. The government generally allowed international human rights NGOs to establish informal operations, and Human Rights Watch maintained an office in the country. Other organizations, such as AI, made periodic visits as part of their regional research program and were able to work with domestic human rights groups. In April 2008 the Ministry of Foreign Affairs withdrew approval for the International Federation for Human Rights to open a regional office in Cairo. At year's end the NGO was still waiting for official approval. The National Democratic Institute, the International Republican Institute, and the International Foundation for Electoral Systems, which provided technical assistance in support of expanded political and civil rights, remained unregistered but were able to pursue limited activities.

The government cooperated selectively with the UN and other international organizations. For the first time in history, it permitted the visits of a UN special rapporteur and a UN independent expert.

From April 17 to 21, Martin Scheinin, the UN special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, visited the country and met with government officials and NGOs. The special rapporteur's August 3 report to the UN General Assembly noted that the visit focused on the government's draft counterterrorism law and that he had requested a follow-up trip to visit places of detention and observe legal proceedings. On October 14, Scheinin issued a report to the UN Human Rights Council that expressed concern about the long-standing Emergency Law's "restrictions on fundamental rights and freedoms," and called for lifting the law "with a view to restoring the rule of law and full compliance with human rights."

From June 21 to 28, Catarina de Albuquerque, the UN independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, visited the country to meet with government officials and visit relevant sites. In a public statement on June 28, de Albuquerque noted the government's "vision and a strategy with the objective of providing access to safe drinking water and sanitation for all...accompanied by significant political will, at the highest levels, and incredible amounts of money." She outlined recommendations for the government to improve drinking water quality, sanitation facilities for clean water, and the affordability of clean water.

According to the UN on November 29, the government did not agree to visit requests from six special rapporteurs and one working group. The requests were made by the special rapporteur on the independence of judges and lawyers; the special rapporteur on the situation of human rights defenders (requested in 2003 and renewed in 2008); the special rapporteur on freedom of religion or belief (requested in 2005); the special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (requested in 1996 and 2007); the Working Group on Arbitrary Detention (requested in 2008); the special rapporteur on extrajudicial, summary, or arbitrary executions (requested in 2008); and the special rapporteur on the sale of children, child prostitution, and child pornography (requested in 2009).

The NCHR is a consultative subsidiary of the Shura Council that monitored government abuses of human rights, formally submitted citizen complaints to the government, and issued reports critical of the government. On May 6, the NCHR issued its fifth annual report on the status of human rights in the country, covering 2008 and the first quarter of 2009. The report called on the government to lift the state of emergency, address mistreatment of citizens in detention centers, improve judicial supervision of prisons and detention centers, provide the draft counterterrorism law to the NCHR for review, lift restrictions on political parties and NGOs, issue new election regulations, follow up on the implementation of political rights, and enforce citizenship rights. The People's Assembly had a Human Rights Committee that human rights activists deemed ineffective.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equality of the sexes and equal treatment of non-Muslims; however, aspects of the law and many traditional practices discriminated against women and religious minorities. The constitution prohibits discrimination based on race, ethnic origin, language, religion or creed.

Women

The law prohibits rape, prescribing penalties of 15 to 25 years' imprisonment or life imprisonment for cases involving armed abduction. The number of cases investigated was small because women were reluctant to report rape. Spousal rape is not illegal. According to a 2007 study by the National Center for Criminal and Social Research, there were approximately 20,000 cases of rape annually.

Although the law does not prohibit domestic violence or spousal abuse, provisions of law relating to assault in general may

be applied with accompanying penalties. However, the law requires that an assault victim produce multiple eyewitnesses, which is a difficult condition for a domestic abuse victim. Domestic violence continued to be a significant problem. Several NGOs offered counseling, legal aid, and other services to women who were victims of domestic violence. The quasi-governmental National Council for Women (NCW) trained law enforcement personnel and attorneys on increasing their efforts to combat domestic violence against women. The NCW also held sessions to train women on how to report domestic violence to attorneys and law enforcement personnel.

The law does not specifically address honor crimes, in which a man violently assaults or kills a woman, usually a family member, because of a perceived lack of chastity. There were no reliable statistics regarding the extent of honor killings, but observers believed such killings took place during the year, particularly in rural areas.

Prostitution and sex tourism were illegal but continued to occur, particularly in Cairo and Alexandria. Prostitution existed in cities and in some rural areas. Sex tourism existed in Luxor and Sharm El-Sheikh. Street children were subject to prostitution. Most sex tourists came from Europe and the Persian Gulf region.

There is no specific law criminalizing sexual harassment, but the government prosecuted sexual harassment under a statute titled Public Exposure and the Corruption of Morals. Sexual harassment remained a serious problem. A 2008 ECWR survey found that 83 percent of Egyptian women and 98 percent of foreign women in the country had been sexually harassed and that approximately half of women surveyed faced harassment daily. In June, to combat increasing rates of sexual harassment, the Ministry of Islamic Endowments distributed a book entitled *Sexual Harassment: Its Reasons and How to Address It* to imams and preachers in all governorates. The ECWR noted the step but criticized the book's discussion of sexual harassment, which included blaming women for triggering harassment.

The Ministry of Population and Families conducted a public awareness campaign to encourage smaller families.

The Ministry of Health distributed contraception, provided personnel at no cost to attend births, postpartum care to mothers and children, and treatment for sexually transmitted diseases at no cost. The government did not restrict citizens' family planning decisions. According to the government, the maternal mortality rate in 2008 was 55 deaths per 100,000 live births, an improvement from 75 deaths per 100,000 live births in 2002. NGO observers reported that poor health care contributed to the maternal mortality rate, and that government family planning information and services were not adequate to meet the needs of the entire population. NGOs expressed concern over lack of access to reproductive information and services for adolescent girls.

The law provides for equality of the sexes; however, aspects of the law and traditional practices discriminated against women.

Laws affecting marriage and personal status generally corresponded to an individual's religion. For example, a female Muslim citizen may not marry a non-Muslim man without risking arrest and conviction for apostasy; under the government's interpretation of Shari'a, any children from such a marriage could be put in the custody of a male Muslim guardian. Khul divorce allows a Muslim woman to obtain a divorce without her husband's consent, provided she is willing to forgo all her financial rights, including alimony, dowry, and other benefits. The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion. A Muslim female heir receives half the amount of a male heir's inheritance, and Christian widows of Muslims have no inheritance rights. A sole Muslim female heir receives half her parents' estate, with the balance going to the siblings of the parents or to the children of the siblings if the siblings are deceased. A sole male heir inherits his parents' entire estate. A woman's testimony is

equal to that of a man in courts dealing with all matters except for personal status, such as marriage and divorce.

Labor laws provide for equal rates of pay for equal work for men and women in the public sector, although this did not always happen in practice. Educated women had employment opportunities, but social pressure against women pursuing a career was strong. Women's rights advocates claimed that Islamist influence and other traditional and cultural attitudes and practices inhibited further gains. According to 2007 government figures, women filled 19 percent of private sector jobs, 29 percent of public sector jobs, and 22 percent of the total workforce. According to 2006 government figures, women's average monthly wages were approximately 80 percent of men's average monthly wages. On June 10, President Mubarak appointed Hend Hanafy as president of Alexandria University. Hanafy, who took office for the 2009-10 academic year, was the country's first female university president.

During the year the government continued to implement a 2004 law that grants citizenship to those born to either Egyptian fathers or mothers. The law previously conferred citizenship only on those born to Egyptian fathers.

At year's end the Supreme Judicial Council had not ruled on the 2006 cases of two female attorneys, Fatma Lashin and Amany Talaat, who had challenged the government's refusal to appoint them as public prosecutors. A variety of government offices promoted women's legal rights. The Ministry of Social Solidarity operated more than 150 family counseling bureaus nationwide to provide legal and medical services. The NCW proposed and advocated policies to promote women's empowerment and designed development programs to benefit women. It also provided assistance to women facing discrimination in employment and housing, domestic violence, sexual assault, and child custody disputes. A number of active women's rights groups also worked to reform family law, educate women on their legal rights, promote literacy, and combat female genital mutilation (FGM).

Children

Citizenship is derived through a combination of the principles of birth within the country's territory (*jus soli*) and from one's parents (*jus sanguinis*). The government generally attempted to register all births but faced resistance from citizens in some remote areas of the country, such as the Sinai. The government worked with NGOs in an attempt to address this problem.

FGM remained a problem, but the government addressed it seriously, and FGM rates declined from previous years. According to government information, between 2005 and December, it received 4,821 reports of FGM cases from citizens. In 2008 the minister of family and population stated publicly that FGM rates in Upper Egypt were 65 percent but did not exceed 9 percent in northern governorates. In June 2008 the People's Assembly criminalized FGM except in cases of medical necessity, with penalties of three months to two years in prison or a fine of up to 5,000 pounds (approximately \$911).

The Ministry for Population and Families continued its campaign to combat FGM through public outreach and prosecutions. The ministry partnered in these efforts with NGOs, the Justice Ministry, and the public prosecutor. In cooperation with the ministry's public outreach, which included renunciation ceremonies, the ministry made announcements through the year that certain villages were FGM-free.

Although reliable data were lacking, several NGOs, including the Hope Village Society, the Egyptian Center for Women's Rights, and the Alliance for Arab Women, reported that child marriages, including temporary marriages intended to mask prostitution, were a significant problem. In June 2008, as part of the Child Law amendments, the government raised the legal age of marriage from 16 to 18. The amendments also allow the mother of a child whose father is unknown to receive

a birth certificate for the child under the mother's name.

On May 12, an Alexandria court, using the Child Law's antitrafficking provisions and other criminal laws, convicted two Egyptian men of forcing eight street children into prostitution. The court sentenced Mohammed Kamel Al-Zangeery to life imprisonment with labor and Ramadan Abdel Salaam El-Sayed to 15 years in prison with labor. On October 19 and 22, a court in the Delta Governorate of Gharbeya sentenced two marriage registrars to two years in prison for registering the marriages of hundreds of girls younger than 18. According to press reports, many of the marriages involved short-term relationships between underage Egyptian girls and male tourists.

The Ministry of Social Solidarity offered shelters for street children, but many children chose not to seek refuge there. The shelters closed at night, forcing the children back onto the street. The Ministry for Population and Families offered a hotline for street children and abused children and in January established a day shelter to rehabilitate male street children that also provided literacy training, computer training, and health care.

On January 26, the Tanta Criminal Court upheld the death sentences of Ramadan Abdel Rahman Mansour and Farrag Mahmoud Al Sayed and the 18- to 45-year prison sentences of four others for kidnapping, deceiving, molesting, and murdering 24 street children in 2006. At year's end the death sentences had not been carried out.

Trafficking in Persons

There is no comprehensive law prohibiting trafficking in persons. However, other laws, such as the labor code and the 2008 child law amendments, were used to prosecute traffickers. The government prosecuted trafficking-related cases under laws prohibiting commercial sexual exploitation, with a maximum penalty of seven years' imprisonment and forced labor. Under the child law amendments, an individual who sells, buys, or offers a child for sale may be sentenced to at least five years' imprisonment and fined as much as 200,000 pounds (\$36,500).

The country was a source, transit point, and destination for women and children trafficked primarily for the purposes of forced labor and sexual exploitation. The ECWR reported that Egyptian women and girls were sexually exploited through "temporary marriages" to tourists from the Persian Gulf region. Traffickers brought East European women through the country to Israel for sexual exploitation. Children were trafficked from rural areas in the country for work as domestic servants or laborers in agriculture. Street children--both boys and girls--were at high risk for being trafficked into prostitution and forced begging. Young female Sudanese refugees, including those under 18, may be coerced into prostitution in Cairo's nightclubs by family members or Sudanese gang members.

Marriage brokers were known to facilitate some "temporary marriages." Organized crime groups usually facilitated East European women's transit through the country to Israel. Local gangs were often responsible for exploitation of street children.

In May the government prosecuted two men under the 2008 Child Law amendments and the antiprostitution law for forcing eight street children into prostitution. One defendant received a sentence of life imprisonment, and the other received an eight-year sentence. In October the government prosecuted two marriage registrars for registering the marriages of hundreds of underage girls, also in violation of the 2008 Child Law amendments. Courts convicted both and sentenced them to prison.

Sixteen government agencies were involved in antitrafficking efforts under the auspices of the National Coordinating

Committee to Combat and Prevent Trafficking in Persons, chaired by the Ministry of Foreign Affairs deputy assistant minister for human rights and international social affairs.

The government continued to lack a formal victim identification program, and there were reports that police at times harassed and arrested street children for allegedly violating prostitution or other laws, rather than treating them as victims. The government offered minimal protection services to victims during the year. It continued to operate a child abuse hotline and launched a new hotline in August to provide family consultations and investigate child-related trafficking complaints, especially those involving child marriages. There was no evidence of government officials participating in or condoning trafficking.

The National Council for Childhood and Motherhood (NCCM) formed a new antitrafficking unit to provide services and training and held several workshops during the year. In February the NCCM released a manual to train parents, doctors, and nurses on how to protect newborn babies from being kidnapped from hospitals and subjected to trafficking.

The Department of State's annual *Trafficking in Persons Report* can be found at www.state.gov/g/tip.

Persons with Disabilities

The law provides that all businesses must designate 5 percent of their positions for persons with physical or mental disabilities; however, there are no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor are there laws mandating access to buildings or transportation. Widespread societal discrimination continued against persons with disabilities, particularly mental disabilities, resulting in a lack of acceptance into mainstream society. Government-run treatment centers for persons with disabilities, especially children, were poor.

On April 26, the People's Assembly passed the Law for the Care of Mental Patients, which provides a bill of rights for patients in mental health facilities, increases safeguards on the involuntary admission of patients to mental health facilities, and prohibits solitary confinement or physical restrictions patients except in exceptional cases.

The Ministry of Education and the Ministry of Social Solidarity share responsibility for protecting rights of persons with disabilities. Persons with disabilities rode government-owned mass transit buses free of charge, received special subsidies to purchase household products, wheelchairs, and prosthetic devices. Persons with disabilities also received expeditious approval for the installation of new telephone lines and received reductions on customs duties for specially equipped private vehicles. The government also worked closely with UN agencies and other international aid donors to design job-training programs for persons with disabilities.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Although the law does not explicitly criminalize homosexual acts, in at least one case, police targeted homosexual persons and arrested them on charges of debauchery. On January 2, police arrested 10 men in Cairo on charges of debauchery. Authorities forced the men to undergo HIV tests and anal examinations in detention. Following a May 27 court order, police released the men on May 30 and 31. Homosexual persons faced significant social stigma in society and in the workplace.

Other Societal Violence or Discrimination

HIV-positive individuals faced significant social stigma in society and in the workplace.

Section 7 Worker Rights

a. The Right of Association

The law permits workers to form unions, with several significant restrictions. All unions are required to join one of the 23 officially recognized industrial federations to operate, and these federations must affiliate with the government-linked Egyptian Trade Union Federation (ETUF) to be legally recognized. In addition a minimum of 50 employees are required to form a union. In practice there was minimal private-sector union representation, and private-sector union representation was most often found in privatized, formerly state-owned factories.

According to the Land Center for Human Rights, ETUF represented approximately 4.5 million workers. ETUF influenced nomination and election procedures for trade union officers and permitted public authorities to intervene in union financial activities. State-owned enterprises employed most union members, who made up approximately one-quarter of the labor force.

Workers seeking to form unions outside of the legal framework may face dismissal. Nevertheless, in December 2008 the country's 52,000 public-sector real estate tax collectors announced the formation of the Real Estate Tax Collectors Authority (RETA) Union and refused to join the ETUF. On April 22, the independent RETA presented its application for registration to the Ministry of Manpower and Migration (MOMM). The registration was not rejected, but the RETA union has uncertain legal standing because it has not been formally recognized by the ETUF. ETUF leadership filed a complaint with the public prosecutor against the RETA union president in September. The public prosecutor interviewed the president but took no further action.

The 2003 Unified Labor Law permits peaceful strikes, but only after an extended negotiation process and only if the strike is announced in advance and approved by a general trade union affiliated with ETUF. In practice strikes were rarely, if ever, approved. According to credible workers' rights NGOs, there were 117 strikes as of October 30 and an additional 170 actions that did not involve a work stoppage; a general trade union, the General Union of Textile Workers, approved only one strike. Police rarely intervened, and intervention generally was limited to containing protests and demonstrations to the immediate vicinity of the workplace. To call a strike, the trade union must notify the employer and concerned administrative authority at least 10 days in advance, giving the reason for the strike and the date it would commence. Prior to this formal notification, approval from two-thirds majority of the ETUF-member general trade union is necessary. The law prohibits strikes while collective bargaining agreements are in force or during the mediation and arbitration process. The law also prohibits strikes in a lengthy list of "strategic or vital" entities, at which the interruption of work could result in disturbance of national security or basic services. Despite these prohibitions, strikes and work stoppages occurred throughout the country.

Strikes were largely peaceful, despite the presence of government security forces at larger strikes. The majority of high-profile strikes occurred in the textile industry. With some notable exceptions, the government generally did not interfere in strikes in either the public or private sector, provided they did not become violent and strikers' demands were focused on economic issues.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining; however, it requires tripartite negotiations, including the employer, workers, and the government's MOMM. In practice the requirement for tripartite negotiations was seldom followed, and workers negotiated directly with employers. In a few cases of strikes in the private sector, the government reportedly involved itself in negotiations. In many cases, such as the large state-owned textile factories in Mahalla, the government is the employer.

The law does not permit antiunion discrimination; however, there were reports that such discrimination occurred in practice and that enforcement efforts were ineffective.

Labor law and practice were the same in the approximately 10 existing export processing zones (EPZs) as in the rest of the country. The International Trade Union Confederation reported that private sector workers throughout the country, including in special economic zones, complained of poor working conditions and of being required to sign letters of resignation before accepting employment to facilitate their being dismissed at a later date.

c. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit forced or compulsory labor, including by children. Such practices were reportedly rare. There were NGO reports that women were sexually exploited through "temporary marriages" to tourists from the Persian Gulf (see section 6).

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits children younger than 17 from working in most sectors. In some cases employers abused, overworked, and generally endangered working children. The law limits the type and conditions of work a child younger than 18 may perform. In nonagricultural work the minimum age for employment is 15. Provincial governors, with the approval of the minister of education, may authorize seasonal work for children who are 13 and 14, provided that duties are not hazardous and do not interfere with schooling. Children are prohibited from working for more than six hours per day, and one or more breaks totaling at least one hour must be included. Several other restrictions apply to children. They may not work overtime, during their weekly day(s) off, between 7 p.m. and 7 a.m., or on official holidays. Children are also prohibited from working for more than four hours without a break. Children younger than 16 are prohibited from working in 44 hazardous industries, including agricultural work involving the use of pesticides. A person convicted of forcing children below the minimum age to work may face a prison sentence of three to six months.

According to recent UN, NGO, and American University in Cairo estimates, between 2.7 million and 5.5 million children worked in the country, 70 to 80 percent in agriculture. Children also worked in light industry, on construction sites, and in service businesses such as auto repair shops. Press reports continued to focus attention on the estimated 2,000 to 3,000 children working in stone quarries in Minya and hundreds of children working in small brick factories in the Arab Jbour area. According to NGO reports, street children in were at risk of being sexually exploited or forced to beg.

The MOMM, working with the NCCM and the MOI, generally enforced child labor laws in state-owned enterprises through labor inspections and supervision of factory management, but enforcement in the informal sector was spotty. When offenders were prosecuted, the fines imposed were often as low as 500 pounds (\$91) and thus had questionable deterrent effect. According to the independent Hisham Mubarak Center, the government's efforts to combat child labor in the informal sector were ineffective. The government made progress toward eliminating the worst forms of child labor, pursuant to the UN Convention on the Rights of the Child; however, challenges remained. The NCCM worked during the year to provide working children with social security safeguards and reduce school dropout rates by providing families with

alternative sources of income.

e. Acceptable Conditions of Work

The government did not set a private-sector minimum wage, but the private sector generally followed public-sector compensation practices, including the public-sector minimum wage, which frequently did not provide a decent standard of living. Base pay commonly was supplemented by a complex system of fringe benefits and bonuses that could double or triple a worker's base pay.

The National Council of Wages determined working hours for government and public-sector employees, but there were no standards for the private sector. The law stipulates that the maximum workweek is 48 hours. Most private-sector employees worked five days per week, usually Sunday to Thursday. Overtime for hours worked beyond 36 hours per week is payable at the rate of 35 percent extra for daylight hours and 70 percent extra for work performed at night. The premium for work on rest days is 100 percent, and workers are supposed to receive 200 percent for work on national holidays. The labor law permits overtime work in limited circumstances; the law was enforced through labor inspections.

The Ministry of Labor sets and enforces worker health and safety standards, which also apply in the EPZs; enforcement and inspections were uneven. The law prohibits employers from maintaining hazardous working conditions, and workers have the right to remove themselves from hazardous conditions without risking loss of employment.

There were reports of employer abuse of undocumented workers, especially domestic workers. A number of private sector employers were prosecuted during the year for abuse of domestic workers, but many claims of abuse were unsubstantiated because undocumented workers were reluctant to make their identities public.