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The Arab Republic of Egypt, with a population of approximately 79 million, has been governed by the National Democratic Party (NDP) since the party's establishment in 1978. The NDP, which continued to dominate national politics by maintaining an overriding majority in the popularly elected People's Assembly and the partially elected Shura (Consultative) Council, derives its governing authority from the 1971 constitution and subsequent amendments. Executive authority resides with the president of the republic and the cabinet. In September 2005, President Hosni Mubarak won a fifth 6-year term, with 88 percent of the vote, in the country's first multi-candidate presidential election, a landmark event that was otherwise marred by low voter turnout and charges of fraud. The civilian authorities generally maintained effective control of the 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. These included limitations on the right of citizens to change their government; a state of emergency, in place almost continuously since 1967; torture and abuse of prisoners and detainees; poor conditions in prisons and detention centers; impunity; arbitrary arrest and detention, including prolonged pretrial detention; executive branch limits on an independent judiciary; denial of fair public trial and lack of due process; political prisoners and detainees; restrictions on civil liberties--freedoms of speech and press, including internet freedom; assembly and association; some restrictions on religious freedom; corruption and lack of transparency; some restrictions on NGOs; and discrimination and violence against women, including female genital mutilation.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary and Unlawful Deprivation of Life

There were no reports of targeted political killings nor were there any confirmed reports of deaths in custody in police stations or prisons during the year. On January 23, the independent newspaper *Al-Masry Al-Youm* reported that 19 Islamist prisoners had died in captivity of unspecified causes during the preceding six months. By year's end, there had not been any public governmental or NGO investigation of this story.

On March 25, a plainclothes Alexandria police officer from the Montazah station allegedly shot and killed 19 year-old Youssef Khamis Ibrahim after Youssef refused to allow the officer to search him. A police spokesman later said Youssef was suspected of being a drug dealer, charges his family denied. Immediately following Youssef's funeral on March 25, a number of mourners attacked the Montazah police station; eight rioters were arrested. Two Members of Parliament from Alexandria submitted requests to the minister of interior and the Parliament to conduct official inquiries, but by year's end there had been no additional developments.

On September 7, the Egyptian Organization for Human Rights (EOHR) reported that 81 detainees were tortured to death inside police stations between 2000 and 2004 and that 21 detainees were reportedly tortured to death in police stations between April 2004 and July 2005. EOHR further reported that detainees were kicked, burned with cigarettes, shackled, forcibly stripped, beaten with water hoses, and dragged on the floor. There were no reports of death by torture during the year.

During the year, there were killings by terrorist groups. On April 24, three suicide bombers attacked the Red Sea resort of Dahab, killing at least 20 persons and injuring more than 100 others. On April 26, suicide bombers separately attacked a Multinational Force and Observers (MFO) vehicle in the northern Sinai (near Al-Gorah) and an Egyptian security vehicle (near Al-Arish). There were no casualties other than the bombers. According to police sources, the attackers were members of *Al-Tawhid wa Al-Jihad* (Monotheism and Holy War), a Sinai-based extremist group.

By mid-May, in response to the Dahab and Gorah attacks, the police announced they had detained at least 30 suspects, while at least 9 other suspects had been killed during exchanges of gunfire with the authorities. On May 9, according to media reports, security forces killed an alleged operational planner of the Dahab attacks, as well as previous Sinai terror attacks (in October 2004 in Taba and July 2005 in Sharm el-Sheikh), Nasser Khamis al-Mallahi, near al-'Arish in the northern Sinai.

On December 3, police in the northern city of Damietta shot and killed three fishermen, and injured 30 others, after the fishermen resisted police efforts to remove their fish traps from the Nile. The police were attempting to implement a new government policy to reduce water pollution; the fishermen were protesting the forcible removal of their traps. By year's end there had been no public investigation into the

Damietta deaths.

Several reported cases from 2005 of killings by security forces remained unresolved. On March 27, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions reported that the government denied that security forces were responsible for the death of 34-year old detainee Nefissa Zakariyya Al-Marakby in March 2003. The Special Rapporteur said the government had failed to substantiate this denial and noted that the autopsy results provided by the government were "consistent with sexual mistreatment." The Special Rapporteur also said that "it was especially troubling that the interviews were not conducted with the other detainees and members of the security forces who were potential witnesses."

The UN Special Rapporteur also regretted that the government "failed to cooperate with the mandate...given by the United Nations Commission on Human Rights" regarding allegations that an unnamed Egyptian police officer from the Atlas (Cairo) police station, in October 2005, had shot a bus driver, Alaa Mahmoud Abdel Lateef, and his friend Mohamed Adly. The UN report further stated that although Egyptian authorities had detained and investigated the police officer for four days, the government had not replied to the Special Rapporteur's request that the government take "all necessary measures" to ensure the accountability of the guilty party.

Regarding the government's response to allegations of excessive use of force by security forces in the deaths of 27 Sudanese migrants in December 2005, the Special Rapporteur noted that the government had rejected the allegations "without adequate substantiation." The Special Rapporteur regretted "that the government's response consists of conclusory denials that lack factual substantiation that would be provided by investigations and medical examinations." The government replied that "the loss of life resulted from the chaos and the stampede invoked by the extremist leaders of those demonstrators and not by...use of excessive force or firearms on the part of the police."

During the year, the government did not conduct any public investigation or disciplinary proceedings in the cases of the killings of 11 citizens by security forces during the parliamentary elections of November and December 2005. Most of these deaths had occurred after security forces closed hundreds of polling stations to opposition voters.

b. Disappearance

There were no reports of politically motivated cases of disappearance.

Human rights monitors continued to call attention to unresolved disappearances, including the 2003 disappearance of Egyptian journalist Reda Hilal.

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. Article 126 of the Penal Code penalizes acts of civil servants or public employees who commit or order acts of torture. However, torture and abuse of prisoners and detainees by police, security personnel, and prison guards remained common and persistent.

Torture and authorizing torture are felonies punishable by 3 to 10 years' imprisonment. For deaths resulting from torture, the crime is considered intentional murder punishable by a life sentence. Arrest without due cause, threatening death, or using physical torture are punishable by imprisonment. Abuse of power to inflict cruelty against persons is punishable by imprisonment and fines. Victims may also bring a criminal or civil action for compensation against the responsible government agency. There is no statute of limitations in such cases.

Amnesty International (AI), Human Rights Watch (HRW), and other human rights organizations have observed that the Penal Code 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.

According to HRW in a December 23 statement, "Torture is pervasive in Egyptian detention centers." There were numerous, credible reports that security forces tortured and mistreated prisoners and detainees. Domestic and international human rights groups reported that the State Security Investigations Service (SSIS), police, and other government entities continued to employ torture to extract information or force confessions. In prominent cases, defendants alleged that police tortured them during questioning (see sections 1.e. and 2.c.). Although the government investigated torture complaints in some criminal cases and punished some offending police officers, punishments generally have not conformed to the seriousness of the offenses.

Principal methods of torture reportedly employed by the police and the SSIS included stripping and blindfolding victims; suspending victims from a ceiling or doorframe with feet just touching the floor; beating victims with fists, whips, metal rods, or other objects; using electrical shocks; and dousing victims with cold water. Victims frequently reported being subjected to threats and forced to sign blank papers for use against themselves or their families should they in the future lodge complaints about the torture. Some victims, including male and female detainees and children, reported sexual assaults or threats of rape against themselves or family members. While the law requires security authorities to keep written records of detentions, human rights groups reported that the lack of such records often effectively blocked investigations.

The Emergency Law--applied almost continuously since 1967 under a declared state of emergency--authorizes incommunicado detention for prolonged periods. Detentions under this law frequently were accompanied by allegations of torture. On April 30, the government extended the State of Emergency until May 2008. Following terrorist attacks in October 2004 and April and July 2005, the authorities conducted mass arrests of hundreds of persons allegedly linked to the lead suspects and reportedly tortured some of them in custody (see section 1.d.).

On December 6, approximately 100 lawyers and civil society activists, representing 40 human rights organizations, attended a protest at the Lawyers' Syndicate in Cairo against "the crimes of torture committed by the security services." During the year human rights activists began to call attention to approximately a dozen amateur videos--taken by observers with mobile phone cameras and circulated on the internet--which appeared to document abuse or torture of detainees by security officials.

In 2004 the government's Central Audit Agency directed the Ministry of Interior to require any security or police officers found responsible for torture to be financially liable for any judgments levied against the ministry. According to the Human Rights Association for the Assistance of Prisoners (HRAAP), there were at least 2 instances of courts awarding punitive damages during the year to victims of police abuse.

Numerous cases of torture were documented. On September 7, EOHR issued a report on cases of torture and death in police stations. The report recorded 156 cases of torture between 2000 and 2004 (75 nonfatal) and 59 cases (38 nonfatal) between April 2005 and April 2006. The report said that detainees were kicked, burned with cigarettes, shackled, forcibly stripped, beaten with water hoses, and dragged on the floor.

In early March, three Britons, released from prison after a 2004 conviction by the Supreme State Security Emergency Court for belonging to a banned organization, alleged that security personnel had mistreated them through sleep deprivation, beatings, and unsanitary prison conditions, and that security personnel had tortured one of them with an electric prod (see section 1.e.).

On March 30, Muslim Brotherhood (MB) member Mohammed Nagui testified to the Public Prosecutor that SSIS officers in Al-Haram had arrested and tortured him. He specifically accused officers Mahmoud Nour El-Din and Ibrahim Abdel Gawad of stripping him naked and torturing him with electrical shocks.

On June 5, according to EOHR, officers at the Ain Shams police station beat and sexually assaulted Seham Mamdouh Mahmoud. The police briefly detained her, then repeatedly kicked her in the abdomen as she fought off an officer's attempt to sexually assault her. Seham was released that night. At year's end, authorities had not investigated the incident or punished the officer.

Authorities used force to disperse peaceful, unauthorized demonstrations. On May 25, opposition activists demonstrated at the Journalists' Syndicate in Cairo to mark the one year anniversary of "Black Wednesday." (During the May 25, 2005 national referendum, pro-government thugs, allegedly including undercover security personnel, attacked several groups of opposition protesters and journalists, and sexually assaulted several women journalists and protesters.) In late 2005, the public prosecutor closed the investigation into these assaults, claiming that that it was not possible to identify the perpetrators, many of whom were documented on video as they assaulted opposition demonstrators and journalists. No police officers were prosecuted for the abuses.

On May 26, according to EOHR and other widely circulated reports, police tortured Kifaya activists Muhamed al-Sharkawy and Karim al-Shaeer, who had been detained in the aftermath of the May 25 demonstration, at the Kasr al-Nil police station. (The Kifaya, or "Enough," Movement staged multiple demonstrations throughout the 2005 calling for political reform.) According to Sharkawy's own account, police severely beat him at a building on Abdel Khalek Tharwat Street and then took him to Kasr al-Nil police station, where they tortured, and reportedly sodomized him. Police also beat Shaeer, detained him at the Kasr al-Nil police station, and transferred him to the custody of SSIS. A dozen Tora Prison detainees, all opposition and pro-democracy activists, launched a hunger strike on May 29 to protest Sharkawy's treatment, and other protests took place in front of the Doctors' syndicate on May 30 and outside the Kasr al-Nil police station on June 1. Sharkawy and Shaeer remained in detention without charge until their release in July.

In late November, the security forces detained a group of students in Cairo and Alexandria (including 11 Western citizens and an unknown number of Tunisians, Syrians, and Egyptians), apparently on suspicion of having connections to networks recruiting Islamist extremists to fight in Iraq. Some of the Western detainees claimed that the SSIS tortured them at the SSIS office in Nasr City (north Cairo) with beatings and electric shocks, administered while the detainees were blindfolded and handcuffed. The detainees also reported that the SSIS deprived them of sleep, and forced to watch as other detainees were tortured. In December, the Western students were deported. According to AI, the Tunisians remained in detention at year's end. There was no information available at year's end about the status of the Egyptian and Syrian students.

During the year, the government continued efforts to hold some security personnel accountable for torturing prisoners in their custody; however, the government also continued to give light sentences to police officers convicted of serious abuses. Human rights organizations and the press reported that at least seven police officers in seven separate cases, faced criminal trials or civil suits during the year. Some of the cases involved incidents that took place in previous years.

On May 28, the Azbakeya Misdemeanor Court sentenced officers Amr Saudi and Yasser Al Tawel, of the Azbakeya Police Department, to three months in prison and a \$17 (LE 100) fine for beating Hossam Al Saeed Mohamed Amer, who had been accused of counterfeiting in 2003.

On June 3, the public prosecutor referred SSIS Captain Ashraf Mostafa Hussein Safwat Abdel Qader to Felony Court for torturing detainee Mohamed Abdel Kader al-Sayed to death in 2003. After court sessions on June 22 and November 4, the court postponed the trial until February 3, 2007. Also on November 4, the victim's family annulled the power of attorney it had given to its lawyers, the Association for Human Rights and Legal Assistance (AHLRA), and dropped its claim for civil damages. AHLRA accused the SSIS of pressuring the family to drop the civil suit against Captain Ashraf in exchange for the release of another family member who had also been detained since 2003. Several human rights organizations have called attention to the fact that this case marks the first government prosecution of an SSIS officer (as opposed to a regular police officer) in at least two decades.

On June 5, a misdemeanor court in Port Said convicted a police captain, Ahmed Tawfik Aly, of abusing a detainee, opposition activist

Mohamed Hegazy, in April 2005. The court sentenced the police officer to one year in prison, but suspended the sentence.

On December 26, Cairo prosecutor Bakr Ahmed Bakr ordered the detention of two police officers, Islam Nabih and Reda Fathi, in connection with the January 18 sexual assault (including sodomy with a stick) of Cairo mini-bus driver Imad Al-Kabir. A widely-circulated Internet video clip documented the attack on Imad and generated considerable public attention. HRW had issued an appeal on December 23 for the prosecution of Imad's attackers. At year's end, police officers Islam and Reda remained in detention, denied bail and awaiting trial.

In 2004 the public prosecutor indicted police Major Yasser Ibrahim al-Akkad, head of the criminal investigations unit at Haram Police Station in metropolitan Cairo, for torturing actress Habiba while investigating the 1999 killing of her husband. At year's end, the case against al-Akkad, who claimed that Habiba willingly confessed, remained unresolved.

In April 2005, two defendants facing prosecution for their alleged roles in the October 2004 bombings in Taba filed a lawsuit against the interior ministry, charging that their confessions had been obtained by torture. The lawsuit remained pending at year's end. On November 30, a state security court in Ismailiya convicted the defendants of involvement in the Taba bombings, sentencing them to death. At year's end they remained on death row.

In March 2005, six police officers were convicted of torturing to death Ahmed Khalil Ibrahim in 2002, and each was sentenced to 10 years' imprisonment; the sentences were reduced to 7 years by an appeals court. AHRLA filed a civil suit on behalf of Ibrahim's family, seeking \$1.6 million (LE 10 million) in compensation. The family's civil suit remained unresolved at year's end.

The Egyptian Initiative for Personal Rights (EIPR), supported by approximately a dozen other human rights NGOs, petitioned the African Commission for Human and People's Rights (the African Union's principal human rights body, headquartered in The Gambia) to hear evidence concerning assaults by government supporters on journalists and opposition demonstrators during the May 2005 referendum. The commission agreed to consider the merits of EIPR's claims that the government failed to prevent and prosecute physical and sexual attacks on female journalists and demonstrators in May 2007.

The government did not permit a visit during the year by the UN Special Rapporteur on Torture, who had been seeking to make an official visit since 1996.

Prison and Detention Center Conditions

Prison conditions remained poor, and the government did not permit visits by international human rights observers. During the year, officials from the National Council for Human Rights (NCHR), who visited several prisons were the only domestic human rights group permitted to visit detention facilities. EOHR and HRAAP both stressed the deteriorating conditions in prisons, especially overcrowded cells and a lack of medical care, proper hygiene, food, clean water, proper ventilation, and recreational activities. Tuberculosis was widespread; overcrowded cells remained a problem. Some prisons continued to be closed to the public.

On November 6, an estimated 800 detainees at Abu Zaabal prison staged a hunger strike in protest of mistreatment and the lack of visitation rights. At Tora Prison, south of Cairo, prisoners launched several hunger strikes over the course of the year. In April, the Parliament's Human Rights Committee requested that prisoners be permitted to meet with their wives as a means of preserving family ties and reducing AIDS among prisoners.

In April 2005, EOHR issued a report, based on prison visits made in 2004 and on complaints received from approximately 100 prisoners, that attributed the cause of poor health and sanitary conditions in prisons to the poor quality food given to the prisoners, overcrowding in cells, and the absence of specialized doctors, medicines, or medical equipment. HRAAP's 2004 report came to similar conclusions.

Failure to implement judicial rulings regarding the release of administrative detainees and the opening of prisons to visits remained a problem. Relatives and lawyers often were unable to obtain regular access to prisons for visits. Special restrictions were placed on the number of visits and visitors to prisoners incarcerated for political crimes or terrorism.

As required by law, the public prosecutor continued to inspect all regular prisons during the year; however, findings were not made public. SSIS detention centers were excluded from mandatory judicial inspection.

While separate prison facilities existed for men, women, and juveniles, adults were not always separated from juveniles, and abuse of minors was common.

Lawyers were permitted to visit prisoners in their capacity as legal counsel; however, they often faced bureaucratic obstacles preventing them from meeting with their clients (see section 1.d.). The International Committee of the Red Cross and other international and domestic human rights monitors did not have access to prisons or to other places of detention.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, during the year, police and security forces conducted large-scale arrests and detained hundreds of individuals without charge under the Emergency Law. Continuing a trend begun in 2005, the government arrested and detained hundreds of activists affiliated with the banned-but-tolerated Muslim Brotherhood, generally for periods lasting several weeks (see section 1.e. and 2.b.). The government continued to use the Emergency Law under the official state of emergency to try non-security

cases in the emergency courts and to restrict many other basic rights. Police also arbitrarily arrested and detained hundreds of persons involved with unlicensed demonstrations. The government detained several hundred Sudanese asylum seekers in late December 2005, and released them in January.

The government also arrested, detained, and abused several internet bloggers (see sections 1.c. and 2.a.).

There were varied and conflicting estimates of the number of extraordinary detainees (i.e. citizens held by the government, often without trial, for alleged political crimes). Credible NGOs estimated that there were 6,000-10,000 detainees in addition to those prisoners in the ordinary criminal justice system. The government did not release any official data on detainees. Citing a senior interior ministry source, a leading journalist, Salama A. Salama, reported on April 23 that there were at least 4,000 detainees. The government held a number of detainees, including many MB activists, for periods ranging from several weeks to several months. In other cases, generally involving Islamist extremists belonging to the Islamic Group or Islamic Jihad who were initially detained by the government during the 1990s, detention periods of more than ten years occurred.

Role of Police and Security Apparatus

The country has both local and national law enforcement agencies, all of which fall under the Ministry of Interior. Local police operate in large cities and governorates. The ministry controls the State Security Investigations Service (SSIS), which conducts investigations, and the Central Security Force (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 Anti-Narcotics General Administration, also work at the national level. The security forces operated under a central chain of command and were considered generally effective in their efforts to combat crime and terrorism and preserve and maintain public order. However, a culture of impunity militated against systematic prosecution of security personnel who committed human rights abuses.

There was widespread petty corruption in the police force, especially below senior levels. An internal affairs mechanism, the workings of which are not publicized, was regularly employed for investigating corruption and other instances of police malfeasance. Judicial recourse was also employed (see section 1.c.). In addition to acceptance of bribes or simple theft, there were instances of accompanying assault and even murder.

Impunity was a serious problem. The government failed to investigate and punish many instances of credible allegations of mistreatment by police and security forces.

Working with the UN Development Program (UNDP), the government has continued to provide human rights training for thousands of judicial and law enforcement officials. Ongoing programs target judges, prosecutors, police officers, media figures, and lawyers "to familiarize Egyptians...with international standards of human rights...as well as Egypt's treaty commitments." Despite these training programs, however, there were continued instances of torture by police, and human rights monitors believed the use of torture by police was widespread. Although some police were prosecuted, human rights monitors believed most incidents of torture went unpunished. Security forces continued to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and engage in mass arrests.

By year's end, the public prosecutor had not brought any action against security personnel for several unresolved incidents in 2005, including documented assaults on citizens on May 25, July 30, during the parliamentary elections, and during the December 30, 2005 violence against Sudanese asylum seekers (see sections 2.b., 2.d., and 3).

Arrest and Detention

The Emergency Law allows detention of an individual without charge for up to 30 days, only after which a detainee may demand a court hearing to challenge the legality of the detention order, and may resubmit a motion for a hearing at one-month intervals thereafter. There is no limit to the detention period if a judge continues to uphold the detention order or if the detainee fails to exercise his right to a hearing. Incommunicado detention is authorized for prolonged periods by internal prison regulations. Human rights groups and the UN Committee Against Torture both expressed concern over the application of measures of solitary confinement.

In cases tried under the Emergency Law, access to counsel was often restricted or denied prior to the transfer of the accused to a courtroom to begin legal proceedings. Many detainees under the Emergency Law remained incommunicado in State Security detention facilities without access to lawyers. After these cases are transferred to trial, the court appoints a lawyer.

The Penal Code also gives the government broad detention powers. Prosecutors must bring charges within 48 hours following detention, or release the suspect. However, they may hold a suspect for a maximum of six months while they investigate. Arrests under the Penal Code occurred openly and with warrants issued by a district prosecutor or judge. There was a functioning system of bail for persons detained under the Penal Code but none for persons detained under the Emergency Law. The Penal Code contains several provisions to combat extremist violence, which broadly define terrorism to include the acts of "spreading panic" and "obstructing the work of authorities."

On December 30, 2005, Egyptian police sought to clear a squatters' settlement of several thousand Sudanese asylum seekers who had occupied a Cairo park outside UN offices since September. The Sudanese had demanded that UNHCR resettle them in another country and refused to move. Police used water cannons and riot gear to clear the camp (see section 1.a.). According to police, some of the asylum seekers resisted police efforts to clear the camp. At least 27 asylum seekers died in the ensuing melee. Security forces detained approximately 700 Sudanese and threatened them with deportation. All of the refugees were released in the early part of the year.

There were also numerous arrests and detentions of non-MB opposition figures and demonstrators, particularly in connection with demonstrations in Cairo in May in support of judicial independence (see sections 2.b. and 3).

On April 28, state security briefly detained and interrogated Amir Salem and Ehab al-Kholy, lawyers for imprisoned opposition figure Ayman Nour. The investigation of Salem and El-Kholy, on charges of inciting the masses and insulting the president, came three weeks before Nour's scheduled appeal. Salem was the head of Nour's defense team.

Notwithstanding the prevailing State of Emergency, and the government's use of the emergency law provisions (e.g., to prohibit unauthorized gatherings of more than five people, or to arbitrarily detain citizens who aroused police suspicion), the government continued to rely on the regular penal code for the vast majority of criminal investigations and prosecutions. In those criminal cases investigated and prosecuted under the Penal Code, defendants generally had access to counsel. In cases tried under the extraordinary State Security courts authorized by the emergency law, defendants complained of inadequate access to counsel. In recent years, thousands of persons have been detained administratively under the Emergency Law on suspicion of terrorist or political activity. Several thousand others have been convicted and were serving sentences on similar charges (see section 1.e.). During the year HRAAP estimated that the total number of persons in administrative detention was approximately 10,000. HRAAP estimated that an additional 10,000 persons have been released over the past three years. Government officials disputed this figure, but did not provide authoritative data on detainees.

The security forces detained dozens of individuals in Sinai, in connection with ongoing investigations into the terror attacks there in October 2004, July 2005, and April 2006. At year's end there were no reliable estimates of the total number of suspects detained in the Sinai.

There were numerous examples of arrest and detention of peaceful demonstrators. During April and May, authorities arrested over 500 activists for participating in demonstrations in support of the independence of the judiciary (see section 2.b.). Also during the year, the government arrested and detained hundreds of persons associated with the MB, which has been an illegal organization since 1954.

Continuing a trend begun in 2005, the government periodically detained dozens of MB members and supporters. Over the course of the year, the government detained hundreds of opposition activists associated with the banned MB without charge or trial, including senior MB leaders Essam El-Erian and Mohamed Morsi, who remained in detention from May until early December as a result of their involvement in demonstrations in support of judicial independence. The precise number of MB activists in detention at year's end was unknown. Detention periods for MB members ranged from several weeks to several months, pending investigative outcomes. On October 26, HRW reported that it had collected the names of 792 MB members who had been detained between March and mid-October and that 62 of the 792 remained in custody: 33 of them without charge under provisions of the Emergency Law, and 29 of them on charges of "belonging to an illegal organization" (see sections 1.e. and 2.b.). (In 2004, by contrast, the government arrested only 90 MB members.)

On December 10, several dozen students affiliated with the MB at al-Azhar University conducted a "militia-style" parade clad in black balaclavas and demonstrating martial arts exercises. Government and independent media commentators criticized this display and the MB leadership distanced itself from the demonstrators and reiterated its commitment to peaceful change. Nevertheless, the government arrested several hundred MB members and sympathizers in response to the demonstration, including the organization's third-ranking official Khairat al-Shatir and several other businessmen who were thought to be leading financiers of the MB. At year's end, approximately 200 MB member remained in detention.

Amnesty

On April 11, the government released 300 detained former members of the militant Gama'a al-Islamiya (Islamic Group); during the previous six weeks, the government released 650 other former militants, apparently after they disavowed violence.

On October 24, the beginning of the Eid Al-Fitr holiday, President Mubarak declared amnesties for 176 prisoners who had served half their terms in criminal cases and were pardoned for good conduct, along with 100 more members of Gama'a al-Islamiya, including two of the group's historic leaders, Essam Derbala and Assem Abdel-Maged, who were jailed in 1981 for their role in the assassination of President Anwar El-Sadat and who were the last Gama'a leaders in prison.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary. The judiciary is, however, subject to executive influence. The president may invoke the Emergency Law to refer any criminal case to the emergency courts or military courts, in which the accused does not receive most of the constitutional protections of the civilian judicial system.

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 non-political cases. Nevertheless, during the year, thousands of judges affiliated with the Cairo and Alexandria Judges' Clubs (the two largest independent professional associations for the judiciary) publicly called for greater autonomy for the judiciary from the executive branch. The Judges' Clubs, whose leadership is selected by votes of the membership, called for the passage of a new law governing executive-judiciary relations, which would raise judicial salaries, separate judicial duties from compensation packages controlled by the Ministry of Justice (i.e. an executive branch organ), and decrease the oversight role of the Supreme Judicial Council, a regulatory body answering to the ministry and composed of government appointees.

On June 26, the Parliament approved a new law regulating the judiciary. In a letter to President Mubarak on July 12, the UN Special Rapporteur on the Independence of Judges and Lawyers, Leandro Despouy, expressed his concerns regarding the negative impact of the judicial authority law on the independence of the judiciary in Egypt. Despouy said that the government had not consulted on the new law with "all sectors concerned, in particular the Judges' Club and experts in constitutional law, whose points of view should be duly taken into

account." Despouy also raised concerns about the new law's criteria for selection and appointment of judges, its lack of recognition of the right of judges to form and join independent judges' associations, and a failure to clearly address the separation between the prosecution and the executive power. Additionally, Despouy said the new law did "not provide judges with basic fair trial guarantees," if they faced disciplinary action from the government.

Earlier, on June 14, the Special Rapporteur had expressed his concerns about the draft judicial law, as well as the disciplinary proceeding against Court of Cassation judges, and "the violent repression of peaceful demonstrations in support of the judges and their claims for the protection of their independence."

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 64. 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. The government included lectures on human rights and other social issues in its training courses for prosecutors and judges.

In the civilian court system, there are criminal courts, civil courts, administrative 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 appeal. 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.

According to a 1993 Supreme Constitutional Court decision, the president may invoke the Emergency Law to refer any crime, including charges against civilians, to a military court. Military verdicts were subject to a 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 a large number of defendants. Judges had guidelines for sentencing, defendants had the right to counsel, and statements of the charges against defendants were made public. Observers needed government permission to attend court sessions. Human rights activists have attended hearings, but only when acting as defense counsel.

Trial Procedures

The government will provide a lawyer at the state's expense if the defendant does not have counsel. The Bar Association maintains a roster of lawyers eligible to serve as public defenders. Defendants can appeal if denied this right. 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 counsel the time to prepare an adequate defense (see sections 1.c. and 1.d.). A woman's testimony is equal to a man's in court. No law prohibits a woman serving as a judge; however, Tahani al-Gabali, currently serving on the Constitutional Court, is Egypt's only female judge (see section 5).

The emergency courts share jurisdiction with military courts over crimes affecting national security. The president can appoint civilian judges to the emergency courts upon the recommendation of the minister of justice or military judges upon recommendation of the minister of defense. Sentences are subject to confirmation by the president. There is no right to appeal. The president may alter or annul a decision of an emergency court, including a decision to release a defendant.

The government has asserted that referral to emergency courts usually has been limited to terrorism or national security cases, as well as major cases of drug trafficking; however, the government also has occasionally used emergency courts to prosecute homosexuals, heterodox religious groups, and political dissidents. Government authorities ignored judicial orders in some cases. The government has used the Emergency Law to try cases outside the scope of combating terrorism and grave threats to national security.

On November 30, the High State Security Emergency Court in Ismailiya announced that the Mufti of the Republic had approved the court's conviction and death sentences against Ossama Al-Nakhlawi, Younis Alyan, and Mohamed Gayez Sabah, for involvement in the 2004 Taba terror bombings. HRW issued a statement after the verdict noting that the convicts' claims of incommunicado detention, denied access to counsel, and allegations of torture and forced confession raised serious questions, and urged the government to permit the men to be retried "in a trial that complies with basic standards of due process."

On May 17, a Higher State Security Court in Cairo began to try 14 persons charged with involvement in the Azhar and Abdul-Moneim Riyad terror bombings in Cairo in April 2005. The trial was ongoing at year's end.

On June 18, the government executed brothers Ezzat and Hamdan Hanafi, who had been convicted and sentenced to death by a state security emergency court in September 2005 for narcotics trafficking and kidnapping. Ezzat Hanafi had issued a statement protesting his death sentence by an emergency court, which cannot be appealed, and requested that President Mubarak use his authority as "military commander" under the state of emergency to order that the case be reviewed by a panel of civilian judges. Several domestic NGOs and Amnesty International protested the executions on the grounds that trials before (Emergency) Supreme State Security Courts "violate basic principles for a fair trial, including the right to appeal before a higher tribunal"

Political Prisoners and Detainees

There were political prisoners and detainees.

On May 18, the Court of Cassation, Egypt's highest appeals court, upheld the five-year prison sentence of Ayman Nour, runner-up in the 2005 presidential election and leader of the opposition al-Ghad (Tomorrow) Party. A Cairo court had convicted Nour in December 2005 of forging proxy signatures on his party's registration papers. Human rights organizations and Nour's supporters said his detention and trial had

been politically motivated and failed to meet basic international standards. Nour's situation has been closely followed by the international community, as well as by domestic and international human rights organizations. During the year, Nour also faced dozens of charges ranging from assault to insulting Islam. Nour's supporters asserted that these charges, raised by private citizens, were politically motivated harassment. His family and supporters reported that his health was deteriorating as a result of imprisonment. Nour, a diabetic with heart disease, remained in prison at year's end.

On October 31, a military court convicted independent parliamentarian Talaat Sadat, nephew of former president Anwar Sadat, of defaming the Egyptian military, and sentenced him to one year of prison with hard labor and no possibility of appeal. In interviews on October 4, Sadat publicly alleged that the Egyptian military, including then-Vice President Mubarak, had conspired to assassinate President Sadat in 1981. Prior to his trial, the Parliament had stripped Sadat of his parliamentary immunity (see section 2.a.).

During the year, the government continued to try and convict journalists and authors for libel, as well as for expressing their views on political and religious issues (see sections 2.a. and 2.c.).

Some observers regarded the large number of arrested, detained, and sometimes convicted (see sections 1.d. and 2.b.) members of the Muslim Brotherhood as political prisoners and detainees.

Other political prisoners included approximately 26 members of the banned Islamic Liberation Party (Hizb al-Tahrir al-Islami), including three Britons, Maajid Nawaz, Ian Nisbet, and Reza Pankhurst. In 2004, the 26 men linked to Hizb al-Tahrir were convicted by the Supreme State Security Emergency Court of belonging to a banned organization. Several of the defendants, including the three Britons, alleged they had been tortured to compel them to sign confessions. In early March, the three Britons were released and deported to the United Kingdom. After their release, they told British reporters that security personnel had mistreated them through sleep deprivation, beatings, and unsanitary prison conditions, and that security personnel had tortured Pankhurst with an electric prod. They also said that other prisoners had also suffered torture, including by electrical shocks. The 23 other Hizb al-Tahrir convicts reportedly remained in prison at year's end (see section 1.c.).

According to local human rights organizations, the government detained as many as 10,000 persons without charge on suspicion of illegal terrorist or political activity (see section 1.d.). In addition, several thousand prisoners were serving sentences after being convicted of similar charges.

The government did not permit international humanitarian organizations access to political prisoners (see section 1.c.).

Civil Judicial Procedures and Remedies

Human rights observers recommended that rules for pursuing judicial and administrative remedies, including standards for considering damages for victims, be established to obtain equitable redress and parity in compensation.

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. Under the constitution, police must obtain warrants before undertaking searches and wiretaps. Courts have dismissed cases in which police obtained warrants without sufficient cause. Police officers who conducted searches without proper warrants were subject to criminal penalties, although penalties seldom were imposed. However, 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.

A telecommunications law allows telephone wiretaps and Internet monitoring only by court order. However, some human rights observers alleged that the government routinely violated this law. Although the law does not explicitly criminalize homosexual acts, police have in the past targeted homosexuals using Internet-based "sting" operations leading to arrests on charges of "debauchery." There were no reports of such Internet entrapment cases during the year (see sections 1.c, 1.e., and 2.a.).

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, particularly by using the Emergency Law to infringe on civil liberties. Nevertheless, citizens openly expressed their views on a wide range of political and social issues, including vigorous criticism of government officials and policies and direct criticism of the president. During the year there was continued public debate about political reform, human rights, corruption, and related issues. Several independent newspapers played an important role in public life. For example, the daily *Al-Masry Al-Youm*, which focuses on domestic politics, has grown from its first run of 500 copies in 2004 to a circulation of over 60,000 during the year and has offered significant, independent coverage of the May demonstrations supporting judicial independence, Muslim Brotherhood activities, government corruption, and other controversial topics.

During the year, a number of opposition political activists, journalists, and non-governmental organizations continued to advocate political reform and openly criticized the government. The year witnessed a number of government actions, including disciplinary hearings against

independent judges, widescale detentions of MB members, and lawsuits against independent journalists that led some opposition figures to charge that the government was seeking to curtail criticism and activism.

On October 31, a military court convicted independent parliamentarian Talaat Sadat of "spreading false rumors and insulting the Armed Forces" and sentenced him to one year in prison, with no possibility of appeal. In early October, police arrested Sadat after he publicly accused Egyptian military commanders, including then-Vice President Mubarak, of complicity in the 1981 assassination of his uncle, former President Anwar Sadat. Sadat had given a series of interviews--including to *Deutsche Presse-Agentur* and to the Egyptian television programs *Cairo Today* and *Sorry for the Disturbance*--prior to the 25th anniversary of the assassination (see section 1.e.). Sadat remained imprisoned at year's end.

The Penal Code, Press Law, and Publications Law govern press issues. The Penal Code stipulates fines or imprisonment for criticism of the president, members of the government, and foreign heads of state. The Press and Publication Laws ostensibly provide protection against malicious and unsubstantiated reporting. In recent years, opposition party newspapers have published articles critical of the president and foreign heads of state without being charged or harassed; however, the government continued to charge journalists with libel. Under the law, an editor-in-chief found to be negligent could be considered criminally responsible for libel contained in any portion of the newspaper.

On July 10, the People's Assembly amended sections of the penal code governing the press by adding minimum sentences of high fines or jail for journalists who criticize foreign leaders or the president. Despite a pledge by President Mubarak in 2004 that the government would amend the law to eliminate jail time for journalistic offenses, the new law stipulates up to five years in prison for any journalist convicted of "vilifying" a foreign head of state. The amended law also preserved existing articles which allow for detention of "whoever affronts the president of the republic" as well as journalists whose work might "disturb public security, spread horror..., or cause harm to ... the public interest."

The constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. There were numerous restrictions on legal entities that sought to establish newspapers, including a limit of 10 percent ownership by any individual; however, this limit appeared to have been enforced 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 printing and distribution of newspapers, including those of the opposition parties.

Opposition political parties published their own newspapers, which frequently criticized the government. They also gave greater prominence to human rights abuses than did state-run newspapers. Most opposition newspapers were weeklies, with the exception of the dailies *Al-Wafd*, *Al-Ahrrar*, and *Al-Ghad*, first published in 2005.

During the year, the courts tried several prominent libel cases, filed both by government officials and private citizens. On February 23, a Cairo criminal appeals court upheld the April 2005 conviction and one-year prison sentence of journalist Abdel Nasser al-Zuheiry for libeling Mohamed Ibrahim Soliman, who had served as minister of housing until the end of 2005, as corrupt. The court overturned the prison sentences of Zuheiry's colleagues Youssef el-Aoumi and Alaa Yaha Mohamed el-Ghatrify, but upheld fines of \$1,750 (LE 10,000) for all three journalists. In a statement issued on March 3, Soliman announced that he was withdrawing his defamation complaint against the three journalists, along with more than 30 other defamation complaints that Soliman had filed. The Minister of Information, the Higher Press Council, and the head of the Egyptian Journalists' Union reportedly played a role in convincing Soliman to drop his case.

On February 27, a State Security prosecutor reportedly summoned opposition journalists Iman El-Ashraf (*Sawt El-Umma*) and Mohammed El-Malhy (*Dustour*) for interrogation in Cairo on charges of defaming Counselor Ezzat Agwa, who was a candidate for Chairman of the Judges Club in Alexandria.

A judge accused of electoral fraud pursued high-profile libel charges against three journalists and a lawyer, but eventually dropped the case after Egypt's highest court indicated in a separate finding that the judge may in fact have participated in fraud. Judge Mahmoud Seddiq Borham sued Wael Ibrashi, editor of *Sawt Al-Umma*; Hoda Abu Bakr, a reporter with *Sawt Al-Umma*; Abdel Rahim Al Shami, editor of the banned *Afaq Arabia*, and Gamal Tageddin, of the Bar Association, for their respective claims that Judge Borham had committed fraud during the 2005 parliamentary elections when he served as a poll supervisor. Borham launched his case on May 24, but dropped it on November 30 after the Court of Cassation ruled that the parliamentary results that Borham had supervised should be annulled due to fraud (Borham was the same judge who filed the complaint that led to disciplinary action against fellow judges Hisham Bastiyesi and Mahmoud Mekki. See section 3).

On June 26, a Giza misdemeanor court found *Al-Dustour* chief editor Ibrahim Issa and reporter Sahar Zaki guilty of "insulting and harming the president of the republic." A group of "concerned citizens" from the village of Al Warrak had filed the lawsuit after *Al-Dustour* had published a story in April 2005 about a complaint filed by citizen Sayid Mohamed Abdullah Soliman, who had accused President Mubarak, his family, and senior officials of unconstitutional conduct and wasting foreign aid during the privatization of several public companies. Issa and Zaki received one-year prison sentences with labor and were each fined \$1,735 (LE 10,000). Litigant Soliman was also sentenced to jail time and fined. At year's end, Issa, Zaki, and Soliman remained free pending their appeal.

Security personnel arrested or detained more than a dozen Egyptian journalists and a handful of foreign correspondents over the course of the year.

On April 12, prison authorities banned jailed opposition leader Ayman Nour from writing for his party's mouthpiece newspaper from jail reportedly because his articles were critical of senior officials in the ruling National Democratic Party.

On April 27, security forces in Dahab arrested *Al-Jazeera's* Cairo bureau chief, Hussein Abdul Ghani, after he mistakenly reported news of a clash between security forces and terrorists in the Delta governorate of Sharqiya. (No clash occurred. Al Jazeera retracted its story later on April 27.) A prosecutor charged Abdul Ghani with reporting "false information likely to harm the country's reputation." Abdul Ghani paid bail of L.E. 10,000, and was released. By year's end, Abdul Ghani had faced no additional judicial proceedings.

There were a number of detentions of journalists in connection with May demonstrations in support of judicial independence in Cairo. On May 3, security forces detained Osama Abdel Nabi, a photographer for *Al-Masry Al-Youm* newspaper. On May 7, security forces detained Nada Al-Qassas, journalist for *Al-Mawqif Al-Araby* newspaper. On May 11, security forces detained a Turkish television cameraman Hussein Mohsen and Al Jazeera journalists Lina Al-Ghadban, Mohammed Al-Daba', Yasser Seliman, and Nasr Youssef. Also on May 11, security personnel arrested *Al-Dostour* journalist Abeer Al-Askary while she covered a demonstration at the Cairo Lawyer's Syndicate building. According to credible reports, the police took her to a nearby station where they tore her clothes and beat her.

On May 19, security personnel briefly detained Associated Press correspondent Nadia Abul Magd in Sharm El Sheikh outside the meeting of the World Economic Forum, reportedly because she had strayed into a security zone near the conference center.

On May 21, police arrested *Al-Karama* journalist Hamada Abdul Latif in Dekernes for photographing a clash between security forces and farmers. He was released four days later. Also on May 21, police detained *Al-Tagammu* newspaper correspondent Beshir Sakr, *Al-Karama* newspaper correspondent Mohammed Abdel Latif, French journalists Elvis Younil and Jean Claude, Swiss journalist Gejoire Deboire, and Belgian journalist Thomas Geithaid.

On June 2, BBC correspondents Dina Samak and Dina Gameel reported that police assaulted them after they attempted to cover a meeting of the General Assembly of the Journalists' Syndicate.

On October 8, Reporters Without Borders (RSF) reported that security forces had harassed and threatened Summer Said, a journalist working for Reuters, in connection with her research and reportage focused on the detention of Islamist political activists.

On November 14, plainclothes security personnel prevented journalists from covering a demonstration in downtown Cairo to protest sexual harassment of women. The Cairo correspondent for Radio France and the French daily *Libération*, Claude Guibal, told RSF that the security personnel had prevented her from reaching the demonstration, even though she identified herself and presented her journalism permit. She was told to leave the area for "security reasons." Security officers then briefly surveilled Guibal in an apparent effort to make sure she did not return to the scene of the demonstration. She later told RSF that she felt "clearly threatened and physically intimidated."

Other government agencies also restricted freedom of speech. The Ministry of Education questioned 16-year-old Alaa Farag Megahed in June after the student wrote an essay criticizing President George W. Bush as well as the Egyptian government. School officials initially sought to ban her from taking her examinations, but high-level government intervention eventually allowed her to resume her studies.

The government closed at least one newspaper during the year. On March 8, the government-controlled Higher Press Council suspended publication of *Afaq Arabiya*, a newspaper published by the Ahrar Party which served as a mouthpiece for the Muslim Brotherhood, due to a dispute among the newspaper's board members. *Afaq Arabiya* remained closed at year's end.

The Emergency Law authorizes censorship for public safety and national security. The Ministry of Information is empowered only to ban particular issues or editions in the interest of public order. The Ministry of Interior has the authority to stop specific issues of foreign newspapers from entering the country on the grounds of protecting public order. Under the law, the public prosecutor may issue a temporary ban on the publication of news related to national security. The length of the ban is based on the length of time required for the prosecution to prepare its case. Only the cabinet can place a long term ban on a foreign publication.

The law authorizes various ministries to ban or confiscate books, other publications, and works of art upon obtaining a court order. The cabinet may ban works that it deems offensive to public morals, detrimental to religion, or likely to cause a breach of the peace. The government has increasingly ceded confiscatory authority to Al Azhar University and acted on its recommendations. In October, Al-Azhar banned the book *Daily Life in the Medieval Islamic World*, by James E. Lindsay, on the grounds that it contained information not in accordance with the principles of Islam. Also in October, the Egyptian Censorship Office and confiscated 280 copies of Mohamed Fattoh's *Modern Sheikhs and the Making of Religious Extremism* from Cairo's Madbouly bookstore on the grounds that the publisher had not acquired a license from Al Azhar. The book criticized Al Azhar and its censorship of art and literature. There was no official court decision to confiscate the book.

The Ministry of Interior regularly confiscated leaflets and other works by Islamists and other critics of the state. Members of the banned MB also were arrested in connection with publications (see sections 1.d. and 3). In many cases, the press reported that police confiscated written materials such as leaflets during the arrests. In February, the authorities banned editions of the German magazine *Der Spiegel*, which contained reprints of the Danish cartoons of the Prophet Muhammad and in September the authorities banned the importation of editions of *Le Figaro* and the *Frankfurter Allgemeine Zeitung* because of articles deemed insulting to Islam.

The government controlled and censored the state-owned broadcast media. The Ministry of Information owned and operated all ground-based domestic television and radio stations. Two private satellite stations, Al-Mihwar and Dream TV, operated without direct government control, although the government has a financial stake in both. The government did not block reception of foreign channels via satellite. The percentage of citizens who received satellite television broadcasts has grown steadily.

Approximately five million persons used the Internet, which the government has actively promoted through low cost access. The government blocked access to some sites and monitored the Internet (see section 1.f.).

On June 27, RSF issued a statement protesting the decision by the Administrative Court to uphold a Ministry of Communication and Information decree asserting the government's right to block, suspend, or shut down any Web site deemed to threaten national security. Judge Faruq Abdul Qader had ruled that authorities should "do their duty" when they perceived a threat to national security.

On October 30, RSF published a list of 13 countries it labeled as "enemies of the Internet," a list which included Egypt due to the recent imprisonment of pro-democracy bloggers. The blog aggregator egyptbloggers.com listed more than 1,400 Egypt-focused blogs at year's end. According to estimates by individual Egyptian bloggers at the end of the year, the actual number of bloggers in Egypt may be as high as 6,000.

During the year, the government, which has previously blocked Islamist Web sites, increasingly blocked secular sites as well. While there is no specific legislation regarding blocking of Web sites, the authorities may force Internet service providers to block sites on public safety or national security grounds. On January 27, the government reportedly blocked the Web site Save Egypt Front (saveegyptfront.org) and on March 3 blocked Masreyat (masreyat2.org/ib/). Use of encoding devices is prohibited by the Telecommunications Act.

On May 7, security forces arrested prominent blogger Alaa Seif Al-Islam (www.manalaa.net), and detained him at Tora Prison until June 22. The authorities never charged him; observers believed that his detention appeared linked to his participation in demonstrations in support of judicial independence, and not due to his role as a blogger. The security forces detained at least five other democracy activists who were also bloggers during the same general period as Alaa: Malek Mostafa from April 26-June 4; Asma Ali from May 7-June 4; Karim Al Shaer from May 7-22 and May 25-July 20; Mohamed Adel from May 7-27; and Mohamed Sharkawy from April 27-May 22 and May 25-July 20. Sharkawy was tortured while in detention in late May (see section 1.c.).

On June 15, Hala Helmy Boutros, a blogger based in the Upper Egypt city of Qena who had written about Egypt's Christians, reported that airport security personnel in Cairo prevented her from traveling to the United States to attend a conference on Coptic Christian issues. The authorities ordered Boutros, who had blogged under the name "Hala Al Masry," to appear in a Cairo State Security Court on June 25. At her June 25 hearing, Boutros faced charges of spreading false news and disrupting Christian-Muslim relations. She was released after paying bail of \$525 (LE 3000). After her release, she ceased her blogging and other public activism. She did not appear in court again before year's end.

On November 6, Alexandria security forces arrested 22-year old student blogger Abdel Karim Nabil Suleiman, whose blog entries had contained strongly-worded critiques of Islam and Al-Azhar's Sunni Muslim orthodoxy. (Abdel Karim had previously been detained for his writings for 18 days in October 2005.) Abdel Karim had been expelled and reported to the authorities by Al-Azhar University for criticizing Islamic authority. At year's end, Abdel Karim remained in detention, under a series of renewed detention orders "pending investigation."

Academic Freedom and Cultural Events

The government did not explicitly restrict academic freedom at universities; however, the government selected deans rather than permitting the faculty to elect them. The government justified the measure as a means to combat Islamist influence on campus. In June 2005, HRW issued a report entitled "Reading between the 'Red Lines': The Repression of Academic Freedom in Egyptian Universities," which said that the government stifled academic freedom by censoring some textbooks, prohibiting certain sensitive research topics, and closely monitoring and controlling student political life. In a March 5 television interview, Minister for Higher Education Hany Hilal said that "the role of the security agency is to secure the university and guarantee the safety of the people inside it." He said that although there were a "few exceptions," the security services "do not interfere in the universities' internal affairs." Hilal also said that student elections are "the responsibility of each university."

Plays and films must pass Ministry of Culture censorship tests as scripts and final productions. 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. On June 3, the Ministry of Culture confiscated 2,000 copies of "The Da Vinci Code" DVD on the grounds that it insulted religion. Later in June, after the People's Assembly discussed banning the film, the distributor opted not to pursue an Egyptian release.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly; however, the government restricted the exercise of this right. Citizens must obtain approval from the Ministry of Interior before holding public meetings, rallies, and protest marches. The Ministry of Interior refused to permit some political events to occur, such as the May rallies in support of judicial independence, and the government tightly controlled public demonstrations.

In numerous incidents, authorities showed little tolerance for demonstrations by opposition groups and activists protesting government policies. For example, on January 20, police dispersed a group of Ghad Party supporters after they held up "Free Ayman Nour" signs at the entrance to Cairo International Stadium. In February in the Red Sea port city of Safaga, security forces used tear gas to disperse a demonstration by family members of victims of the February 3 sinking of the Al-Salaam Ferry.

On April 24, police arrested 15 activists and beat Judge Mahmoud Mohammed Abdel Latif Hamza for their role in protests against the

February charges brought against Judges Hisham al-Bastawisy and Mahmoud Mekky. On April 27, hundreds of police sealed off the Judges Club in the face of mounting sit-in protests against Mekky and Bastawisy's charges. In April and May, security forces detained over 500 activists for participating in demonstrations in support of the independence of the judiciary.

On May 7, security forces arrested blogger Alaa Seif Al-Islam and detained him at Tora Prison until June 22. Observers believed that authorities detained him because of his participation in demonstrations in support of judicial independence (see section 2.a.).

On May 11, the scheduled day for the hearing of judges Bastawissi and Mekky, police violently dispersed a demonstration outside the Judges' Club and arrested 255 people, most of them members of the MB. In a statement to the media, the EOHR said "security forces used excessive levels of violence to end the protests." Observers estimated that approximately 10,000 security forces were deployed in and around downtown Cairo.

On May 18, riot police beat demonstrators who had gathered outside the High Court Building on the day of the hearing of senior Judges Mekky and Bastawisy. Police arrested approximately 300 demonstrators, most of them members of the MB. On May 17, the Minister of Interior issued an order banning demonstrations in front of the High Court Building.

On May 25, protestors gathered outside the Journalists' Syndicate in Cairo to mark the one year anniversary of the May 2005 referendum-day violence. (On May 25, 2005, supporters of the ruling party, possibly including undercover security personnel, assaulted opposition demonstrators and journalists, at several locations in Cairo. Journalists documented the violence, including sexual assaults on some female protestors and journalists, but in December 2005, the public prosecutor closed the official investigation into the events, claiming that it was impossible to determine the identity of the assailants. In November, the Egyptian Initiative for Personal Rights, supported by approximately a dozen other human rights NGOs, petitioned the African Commission for Human and People's Rights, to examine the case. The Commission's inquiry will commence in May 2007.)

At the conclusion of the May 25, 2006 demonstration, police arrested several demonstrators including Muhamed el Sharkawy, who later reported that police tortured and sexually assaulted him (see section 1.c.).

The authorities did allow some protests and demonstrations to occur. For example, in February, authorities permitted several demonstrations in Cairo and other cities to protest cartoons depicting the Prophet Muhammad that had appeared in the Danish newspaper *Jyllands-Posten*.

Police generally responded to political demonstrations during the year with high numbers of riot police deployed by the Ministry of Interior to contain both the size and effectiveness of the demonstrations. A pattern of arresting demonstrators, detaining them for at least 15 days "pending further investigation" continued, particularly in cases of unauthorized rallies.

In a number of unauthorized demonstrations, police detained suspected organizers, some of whom alleged mistreatment while in detention (see sections 1.c. and 1.d.).

The Kifaya movement organized several demonstrations during the year, but was less active than it had been in 2005. During a December 12 demonstration in Cairo to mark the second anniversary of the movement, Kifaya activists scuffled with police.

Members of the MB also staged a number of larger protests throughout the year, though these demonstrations, unlike those of Kifaya, often met stiff resistance from security forces (see section 1.d.).

The Ministry of Interior selectively obstructed some meetings scheduled to be held on private property and university campuses (see section 4).

In July 2005, approximately 200 demonstrators gathered in Cairo to protest President Mubarak's intention to seek a fifth term. The protesters were attacked by uniformed security forces and men in plain clothes armed with truncheons. Thirty persons were arrested and reportedly detained in unofficial detention centers, in the camps of the central security forces in Darassa, Cairo. By August 2005, all of the detainees had been released. The government took no steps to investigate the assaults.

Freedom of Association

The constitution provides for freedom of association; however, the government significantly restricted the exercise of this right. The minister of insurance and social affairs has the authority to dissolve NGOs by decree. The law also requires NGOs to obtain permission from the government before accepting foreign funds. According to officials, donations from foreign governments with established development programs in the country were excluded from this requirement.

During the year, a number of organizations active in human rights advocacy and civil society development registered and obtained legal status. However, applications of other groups, including the Egyptian Association Against Torture, the Center for Housing Rights, and the Word Center did not receive government approval. In 2005, dozens of NGOs and civil society groups worked together to pool resources, expertise, and volunteer staff to monitor and report on the presidential and parliamentary elections. These groups did not generally receive their requested governmental accreditation, access to polling stations, and vote counts. In a number of cases their volunteers experienced harassment, brief detentions for questions by security officials, and other forms of interference. The domestic monitoring coalitions were nevertheless able to play a leading role in monitoring and reporting on the presidential and parliamentary elections.

A July 2005 HRW report concluded that the extralegal role of the security services resulted in a serious barrier to meaningful freedom of

association. The report documented multiple cases where the government rejected NGO registrations, decided who could serve on NGO boards of directors, harassed NGO activists, and interfered with donations to the groups. The report further criticized the NGO Law's restriction on political and union-related activity and recommended legal reform to overturn the "host of intrusive administrative practices that stunt organizing by civil society groups, and provide ample means for state interference in their affairs."

On October 30, the administration of Helwan University banned several hundred students from running in the November 2 student union elections on the grounds that they were affiliated with the MB. Between October 30 and November 8, pro-government demonstrators allegedly supported by the security forces clashed repeatedly with student protesters at Helwan, Cairo, Mansoura, and Ain Shams universities. With the elimination of opposition and MB candidates, NDP student candidates won at most universities with student unions.

On November 29, members of the 9th March Movement for the Independence of Universities demonstrated at Ain Shams University to protest intimidation by security forces during student union elections earlier in November.

c. Freedom of Religion

The constitution provides for freedom of belief and the practice of religious rites; however, the government placed restrictions on 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. Members of non-Muslim religious minorities officially recognized by the government generally worshiped without harassment and maintained links with coreligionists in other countries. Members of religions not recognized by the government, particularly the Baha'i Faith, experienced personal and collective hardship. Approximately 90 percent of citizens are Sunni Muslims; less than 1 percent are Shi'a Muslims. The percentage of Christians in the population ranged from 8 percent to 15 percent, or between 6 to 11 million, the majority of whom belonged to the Coptic Orthodox Church. There were small numbers of other Christian denominations, including Mormons and Jehovah's Witnesses, a Baha'i community of approximately 2,000 persons, and a small Jewish community of less than 200 persons.

The law bans Baha'i institutions and community activities, and stripped Baha'is of legal recognition. The government continued to deny civil documents, including ID cards, birth certificates, and marriage licenses, to members of the Baha'i community. The Ministry of Interior requires identity card applicants to self-identify as Jew, Christian, or Muslim. As a result, Baha'is face great difficulties in conducting civil transactions, including registering births, marriages and deaths, obtaining passports, enrolling children in school, opening bank accounts, and obtaining driver's licenses. During the year, Baha'is and members of other religious groups were compelled either to misrepresent themselves as Muslim, Christian or Jewish, or go without valid identity documents. Many Baha'is have chosen the latter course.

On December 16, the Supreme Administrative Court overturning a lower court ruling, decided that Baha'is may not list their religion in the mandatory religion "field" on obligatory government identity cards. In May, the Ministry of Interior had appealed an administrative court ruling issued in April, which supported the right of Baha'i citizens to receive ID cards and birth certificates with the Baha'i religion noted on the documents. The government had indicated that all citizens must be in possession of new computerized ID cards by January 1, 2007, and that old, hand-written cards will no longer be valid. (Egyptian citizens not in possession of valid identity documents may be subject to detention.)

Some elements of the press published articles critical of the Baha'is. For example, on October 16, *Roz Al-Youssef*, a pro-government newspaper, published excerpts of a government's Advisory Report, which supported the Ministry of Interior's claim to overturn the April 4 ruling. The report argued that because the Baha'i Faith was not recognized in Egypt as a "divine religion," its followers were not entitled to citizenship rights. The report argued that constitutional guarantees of freedom of belief and religion do not apply to the Baha'is, and that Egypt is not bound under its commitment as a cosignatory to the **UN Universal Declaration on Human Rights**. The report also asserted that Baha'is are apostates, a threat to public order, and recommended that "methods must be defined that would insure that Baha'is are identified, confronted, and singled out so that they could be watched carefully, isolated and monitored in order to protect the rest of the population as well as Islam from their danger, influence and their teachings."

In 1998 and 1999, President Mubarak issued decrees to facilitate approval of permits for repairing, renovating, expanding, and building churches. In December 2005, updating the 1998-99 decrees, President Mubarak issued a new decree that devolved church repair and reconstruction decisions to the governorate level and stipulated that churches would be permitted to proceed with rebuilding and repair simply by notifying the governorate administration in writing. Permits for construction of new churches remained subject to presidential decree.

Despite these decrees, some local security and government officials continued to prevent churches from being renovated, often requiring an exhaustive list of documents to be submitted multiple times between administrative and security departments of governorates, in repeated attempts to preclude final authorization, despite presidential and interior ministry approvals for a building permit to be issued. As a result, congregations have experienced lengthy delays--lasting for years in many cases--while waiting for new church building permits to be issued. Authorities have also refused to issue decrees for restoration, renovation, and expansion of churches, or have failed to enforce decrees that have already been approved. Local authorities have also closed unlicensed buildings used as places of worship.

Overall, the approval process for church construction continued to be hindered by delays often measured in years. According to statistics published by the Government's Official Gazette, 63 Presidential decrees were issued from June 30, 2005, through July 1, for church-related construction, compared with 12 permits reported during the previous period. Government officials have previously asserted that the government approves a much larger number of projects for church construction and expansion, through informal arrangements between church authorities and local security and administrative officials.

In March Coptic Orthodox Pope Shenouda III consecrated a Cathedral in Aswan that had taken six years to build. In November 2005, the Presidency issued a decree permitting the construction of a church in al-Rehab City, a development on the outskirts of Cairo. Church officials

had applied for the decree in 2001. In 2005 and 2006, the Presidency also issued decrees to build churches in the newly developed urban centers of Sheikh Zaied, Tenth of Ramadan, New Cairo, New Assuit, and New Minya.

The National Council for Human Rights gave more attention to religious freedom in its second annual report released in March, calling for a solution for official recognition of Baha'is; addressing the problem of Jehovah's Witnesses; and criticizing religious textbooks for failing to address human rights. The report also recommended that Parliament pass a law to facilitate construction of new places of worship for all religious groups. Finally, the report noted that the council had not received any response from the Ministry of Interior or several governorates to its nine inquiries regarding alleged violations of religious freedom that it had received.

In October, Helwan University instituted a new policy banning the wearing of full facial veils (*niqab*) at the university residence halls.

Rulings concerning marriage, divorce, alimony, child custody, and burial, are based on an individual's religion. In the practice of family law, the government recognizes only the three "heavenly religions": Islam, Christianity, and Judaism. Muslim families are subject to Shari'a, Christian families to Canon law, and Jewish families to Jewish law. In cases of family law disputes involving a marriage between a Christian woman and a Muslim man, the courts apply Shari'a. The government does not recognize the marriages of citizens adhering to faiths other than Christianity, Judaism, or Islam. A civil marriage abroad is an option should a Christian male and a Muslim female citizen decide to marry; however, their marriage would not be legally recognized in the country. A female Muslim citizen in such a situation could be arrested and charged with apostasy, and any children from such a marriage could be taken and assigned to the physical custody of a male Muslim guardian, as determined by the government's interpretation of Shari'a.

Neither the constitution nor the Civil and Penal Codes prohibits proselytizing, but those accused of proselytizing have been harassed by police or arrested on charges of violating Article 98(F) of the Penal Code, which prohibits citizens from ridiculing or insulting "heavenly religions" or inciting sectarian strife.

There are no legal restrictions on the conversion of non-Muslims to Islam; conversion of Muslims to Christianity, however, is prohibited by Shari'a. There were occasional reports that police harassed converts from Islam.

Muslim-born convert to Christianity Bahaa Al-Accad has been imprisoned without charge since April 2005. According to Al-Accad's attorney, his family, and human rights activists, his conversion to Christianity is the reason for his detention. They also reported that al-Accad's health had been harmed by harsh detention conditions, including malnutrition, and that other inmates had threatened to kill him since they believed him to be an apostate. Accad remained in detention at the Wadi al-Natroun Prison at year's end.

In 2004, an administrative court issued a verdict allowing Mona Makram Gibran, who had converted to Islam and later converted back to Christianity, to recover her original (Christian) name and identity. Some legal observers believed the case would constitute a significant precedent as the government has otherwise refused to acknowledge citizens' conversions from Islam to Christianity. As of late June, there were 148 other cases involving individuals who converted to Islam and then back to Christianity, who were attempting to recover their original Christian identities. Of these 148 individuals, 32 have received verdicts allowing them to recover their Christian identities and many of them have done so. The government has not appealed any of these cases.

In the absence of a legal means to register their change in religious status, some converts have resorted to soliciting illicit identity papers, often by submitting fraudulent supporting documents or bribing the government clerks who process the documents. In such cases, authorities periodically charge converts with violating laws prohibiting the falsification of documents.

Coptic males are prevented from marrying Muslim women by both civil and religious laws. A civil marriage abroad is an option should a Christian male and an Egyptian Muslim female desire to marry; however, if the couple returned to Egypt, their marriage would not be legally recognized. Additionally, the woman could be arrested and charged with apostasy, and any children from such a marriage could be taken and assigned to the physical custody of a male Muslim guardian, as determined by the government's interpretation of Shari'a. The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.

There were no reports of forced religious conversion carried out by the government; however, unsubstantiated reports of forced conversions of Coptic women and girls to Islam by Muslim men continued to be received. Reports of such cases were disputed and often included allegations and denials of kidnapping and rape. Observers, including human rights groups, found it extremely difficult to determine whether compulsion was used, as most cases involved a Coptic female who converted to Islam when she married a Muslim man. Reports of such cases almost never appear in the local media.

While there is no legal requirement for a Christian girl or woman to convert to Islam to marry a Muslim man, conversion to Islam has been used to circumvent the legal prohibition on marriage under the age of 16 or marriage between the ages of 16 and 21 without the approval and presence of the girl's male guardian (usually her father). The law only recognizes the willing conversion to Islam of any person over age 16. However, there are credible reports of local government authorities failing to uphold the law. Local authorities sometimes allow custody of a minor Christian female who "converts" to Islam to be transferred to a Muslim custodian, who is likely to grant approval for an underage marriage. Some Coptic activists maintain that government officials do not respond effectively to instances of alleged kidnapping. In cases of marriage between an underage Christian girl and a Muslim man, there have been credible reports that government authorities have failed to sufficiently cooperate with Christian families seeking to regain custody of their daughters.

Article 19 of the constitution requires elementary and secondary public schools to offer religious instruction. Public and private schools provide religious instruction according to the faith of the student.

The government occasionally prosecuted members of religious groups whose practices deviated from mainstream Islamic beliefs and whose

activities were believed to jeopardize communal harmony.

On May 10, the public prosecutor Maher Abdul Wahid ordered Abdul Sabur al-Kashef and Mohammed Radwan to be tried by a low-level criminal court on charges of blaspheming Islam. Kashef is being prosecuted for claiming to have seen God, a sacrilegious act in Islam, while Radwan is being prosecuted for denying the existence of heaven and hell. Their trial was ongoing at year's end.

Metwalli Ibrahim Metwalli Saleh, arrested by the SSIS in May 2003 apparently for his views on Islam, including support of the right to convert, was released on April 23 after receiving eight separate rulings from the Supreme State Security Emergency Court in his favor and an official statement from the state security prosecutor ordering his release.

During the year, a delegation of Jehovah's Witnesses from Europe and the United States made several visits to Cairo to meet with government officials in order to explore the prospects for the formal establishment of the faith in Egypt, and to advocate for the human rights and religious freedom of Egypt's small community of Jehovah's Witnesses, which has been subject to periodic surveillance and occasional harsh interrogations by the security services. By year's end the Jehovah's Witnesses remained without legal status but reported that hostile treatment from the security services had diminished significantly.

Societal Abuses and Discrimination

There generally continued to be religious discrimination and sectarian tension in society during the year. Tradition and some aspects of the law discriminated against religious minorities, including Christians and particularly Baha'is.

Article 40 of the constitution provides for equal public rights and duties without discrimination based on religion or creed, and in general the government upholds these constitutional protections; however, government discrimination against non-Muslims exists. There are no Christians serving as presidents or deans of public universities and they are rarely nominated by the ruling party to run in elections as NDP candidates. At year's end, there were 6 Christians (5 appointed; 1 elected) in the 454-seat People's Assembly; 6 Christians (all appointed) in the 264-seat Shura Council; and 2 Christians in the 32-member Cabinet. Christians, who represent approximately 10 percent of the population, currently hold less than 2 percent of the seats in the People's Assembly and Shura Council.

There also are few Christians in the upper ranks of the security services and armed forces. Government discriminatory practices continued to include discrimination against Christians in public sector employment, in staff appointments to public universities, by payment of Muslim imams through public funds (Christian clergy are paid by private church funds), and by refusal to admit Christians to Al-Azhar University (a publicly-funded institution). In general, public university training programs for Arabic language teachers refuse to admit non-Muslims because the curriculum involves the study of the Qur'an. There have been no reports of Christian graduates since 2001.

On January 18, Muslim villagers in El Udaysaat attacked a group of Christians, resulting in the death of one individual and the injury of 12 others. The confrontation was sparked by the discovery, on the previous day, that the El Udaysaat Copts were secretly using a guest house as a church.

On April 14, a seventy-eight year old Christian in Alexandria, Nushi Atta Girgis, was killed by a Muslim, Mahmoud Salah al-Din Abd al-Raziq, who had entered Girgis' church and stabbed three parishioners. According to police accounts, al-Raziq attacked two other Alexandria churches and wounded 15 others before being apprehended. At Girgis's funeral on April 15, and again on April 16, Christian and Muslim protestors clashed in riots that resulted in the death of at least one Muslim, dozens of injuries to both Christians and Muslims, significant damage to property belonging primarily to Copts, and some damage to churches.

In 2000, Shayboub William Aarsal, a Coptic Christian, was convicted and sentenced for the 1998 murders of two Copts in al-Kush. His appeal, which has been pending for 6 years, had still not been heard by year's end. There was a widespread perception in the local Christian community that Shayboub was convicted because of his religion.

Egypt's small Jewish community numbers approximately 200; most are senior citizens. Anti-Semitic sentiments appeared in both the pro-government and opposition press. Anti-Semitism in the media was common, but less prevalent than in recent years, and 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 to Hitler and the Nazis were published throughout the year. These expressions occurred primarily in the government sponsored daily newspaper, *Al-Gumhuriyya*, *Akhbar Al-Yawm*, and *Al-Ahram*, and occurred without government response. For example, on August 7, in an article in the government-controlled daily newspaper *Al-Ahram*, the Grand Mufti Ali Gom'a criticized recent Israeli military action in Lebanon and wrote that Israeli "lies have exposed the true and hideous face of the blood-suckers who...planned [to prepare] a *matzo* [unleavened Passover bread] using human blood."

On June 12, *Al-Gumhuriyya*, published an article entitled "The Octopus...Embellishes" which stated that "Jewish leaders managed to utilize the Holocaust, and what was said about massacres of Jews in Germany and Eastern Europe, which were ordered by the Nazi Leader Adolph Hitler, and translated this into sympathy and even extortion to help establish the state of Israel. The first thing that Israel did was to declare the map of Greater Israel from the Nile to the Euphrates, and abstained from abiding by UN (drawn) borders."

On August 24 a Muslim cleric, Safwat Higazi, appeared on Dream TV to discuss recent media reports that he had issued a ruling (on the Islamic Al-Nas channel) which permitted the killing of Israeli Jews in Egypt. Higazi opined that killing of certain Israeli Jews (specifically, adults, who are currently serving in the Israeli Defense Forces reserves) in Egypt was permissible. On September 13, *Al-Ahram* published an opinion column entitled "Who is the Nazi Now" and stated that "...The war which Hitler led against the Jews was an excuse through which the Zionists justified their colonizing of Palestine...But the Jews, who escaped from oppression, oppressed the Palestinians... and thus, the victims of the old Nazis became the new Nazis...Who is the Nazi now? Guenther Gras, who admitted the mistake he made when he was an

adolescent? Or David Ben Gurion, Begin, Shamir, Sharon, Olmert, and people of their kind?"

The government has advised journalists and cartoonists to avoid anti-Semitism. Government officials insist that anti-Semitic statements in the media are a reaction to Israeli government actions against Palestinians and do not reflect historical anti-Semitism; however, there are few public attempts to distinguish between anti-Semitism and anti-Israeli sentiment.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them in practice; however, there were some notable exceptions. Citizens and foreigners were free to travel within the country, except in certain areas 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 circumstances. Unmarried women under the age of 21 must have permission from their fathers to obtain passports and travel. Married women no longer legally require the same permission from their husbands; however, in practice police reportedly still required such permission in most cases (see section 5). Citizens who left the country had the right to return.

On February 3, Egyptian authorities, purportedly for reasons of national security, detained British parliamentarian George Galloway overnight in an airport detention facility after he attempted to enter Egypt. Upon his release, Galloway "gave evidence" in a mock trial of President George Bush and Prime Minister Tony Blair conducted by anti-war activists in Cairo. Galloway also reported that Egyptian parliamentarian Mustafa Al-Fiqi had transmitted an apology, on behalf of President Mubarak, to him for the detention.

On October 27, security authorities prevented Dr. Abdel Hamid Al-Ghazaly, advisor to MB Supreme Guide Mahdy Akef, from traveling to London to attend a scientific conference.

On November 17, *Al-Masry Al-Youm* reported that the security services prevented Ahmed Sayf Al-Islam, son of Hassan Al-Banna (the founder of the Muslim Brotherhood), and other members of the Al-Banna family from traveling to Jordan to attend a meeting in Amman to mark the centenary of Hassan Al-Banna's birth. Ahmed Sayf Al-Islam, who serves as the Secretary General of Egypt's Bar Association, protested that the government's refusal to allow him to travel was "a blatant violation of the law and the human rights principals which allow freedom of movement and travel."

According to a statement issued by prominent Pakistani politician Qazi Hussain Ahmed (leader of Pakistan's leading Islamist party) on November 22, the Egyptian Embassy in Islamabad refused to issue him a visa so that he could attend the World Assembly of Muslim Youth conference in Cairo.

The constitution prohibits forced exile, and the government did not use it during the year.

Protection of Refugees

The constitution includes provisions for the granting of refugee status or asylum to persons who meet the definition in the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. Apart from a 1954 agreement with UNHCR and two "technical decrees" from the Ministry of Interior relating to residence and travel, Egypt has no national legislative framework on asylum. The government generally did not issue work permits to refugees. The government admitted refugees on the understanding that their presence in the country was temporary. Because the country lacked national legislation or a legal framework governing the granting of asylum, UNHCR assumed full responsibility for the determination of refugee status on behalf of the government; however, the January 2004 peace accord in the Sudan led the UNHCR to halt new refugee status determinations in mid-2004. This led to protests by some Sudanese who sought refugee status and resettlement. The UNHCR provided recognized refugees with a refugee identification card that was considered a residence permit and bore the stamp of the national authorities. Refugees generally may not obtain citizenship.

During the year, approximately 20,000 recognized refugees (as well as 13,000 individuals presenting asylum claims to UNHCR), resided in the country. Approximately 25,000 of these individuals were Sudanese nationals. A total of 12,350 Sudanese were registered with UNHCR as refugees, but another 12,650 were registered asylum seekers who sought formal refugee status. In addition, 40,000-70,000 Palestinian refugees are reported to be in Egypt, although less than 200 are registered with UNHCR. The number of Iraqi asylum seekers approaching UNHCR increased, with more than 1,500 who registered during the year. Conflicting press reports, some citing UNHCR, gave widely varying estimates of the number of Iraqis seeking protection in Egypt at year's end, ranging from 20,000 to 150,000. Press reports also noted that some Iraqi children had been expelled from Egyptian schools, that Iraqis had protested Interior Ministry delays in the issuance of residence permits, and that the authorities in Sixth of October City had rejected a request by Iraqi asylum seekers to open a Shi'a mosque.

UNHCR halted refugee determinations in 2004, after the Sudanese peace accords, and ceased consideration of applications by Sudanese for resettlement abroad. Sudanese nationals residing in Egypt protested this decision by periodically organizing peaceful demonstrations. During occasional security sweeps the government periodically detained some asylum seekers who were not carrying proper identification. Following intervention by the UNHCR, they were released. Sudanese refugees, as well as those Sudanese who unsuccessfully sought refugee status, were part of a much larger community of Sudanese residents, many in Egypt illegally. Estimates of the total number of resident Sudanese ranged from two to four million. Many Sudanese legally enter with short-term visas and then decide to remain.

On December 30, 2005, Egyptian police sought to clear a squatters' settlement of several thousand Sudanese asylum seekers who had occupied a Cairo park outside UN offices since September. The Sudanese had demanded that UNHCR resettle them in another country and refused to move. Police used water cannons and riot gear to clear the camp (see section 1.a.). According to police, some of the asylum

seekers resisted police efforts to clear the camp. At least 27 asylum seekers died in the ensuing melee. Security forces detained approximately 700 Sudanese and threatened them with deportation. All of the refugees were released in the early part of the year. Human Rights Watch and Amnesty International called for inquiries into the deaths, but by year's end, the Egyptian government had made no such investigation (see section 1.d).

According to a study produced by the American University in Cairo's Center for Forced Migration and Refugee Studies in July, migrants from Sudan, regardless of their official status, face unemployment, poor housing, limited access to health and education, and racial discrimination.

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

Elections and Political Participation

Article 76 of the constitution, as amended in May 2005, provides for a presidential election to be held every six years, replacing the referendum system in place since 1952. In September 2005, in the country's first competitive presidential election, voters elected President Hosni Mubarak to a fifth 6-year term, defeating nine other candidates representing political opposition parties. The government announced that Mubarak received 88 percent of the vote and that Ayman Nour of the Al-Ghad party had placed second, with 7 percent.

Press reports, voters, opposition groups, and civil society monitors reported technical flaws and fraud during the presidential election. NDP representatives reportedly controlled many polling stations and pressured voters to support Mubarak; NDP parliamentarians reportedly paid small bribes and used other illegal inducements to win votes for Mubarak; voter lists were outdated and included the names of deceased persons; nonresident or unregistered voters were allowed to vote for Mubarak; the NDP had exclusive control over voter lists in some areas and refused to make the lists available to all competing parties; some polling places were located in police stations; the "indelible" ink used to mark voters' fingers was applied inconsistently and easily rubbed off; that there was confusion over voter registration, including who was registered and where persons were supposed to vote; and voters were not allowed to register to vote after January 2005. Additionally, the government did not invite international election observers to formally observe the election, and the operations of the Presidential Election Commission, a nine-member quasi-judicial body tasked with approving candidates, were marred by a lack of transparency.

Under the amendment to Article 76 of the constitution, licensed and operating political parties can nominate candidates for the presidency, provided they have been in legal status as recognized parties for 5 continuous years and secured at least 5 percent of the elected seats in each of the PA and the Shura Council in the most recent parliamentary elections. Fourteen of the country's 18 licensed opposition political parties met the licensing and operating requirements for the 2005 race, but only due to a one-time exemption clause for 2005, which eliminated the requirement that an opposition party hold at least five percent of elected seats in parliament.

The amendment also provides that candidates unaffiliated with political parties may run for president, provided they secure endorsements from at least 250 elected officials, to include at least 65 of the 444 elected members of the PA, at least 25 of the 176 elected members of the Shura Council, and at least 10 elected members of local councils in each of at least 14 of 26 governorates. No independent candidates competed in the 2005 presidential election.

The elections for the 444 open seats of the People's Assembly took place in three stages during November and December 2005. The first round in the greater Cairo area occurred peacefully, but there were multiple confirmed reports of vote buying and charges of vote rigging. Presidential runner-up Ayman Nour lost his parliamentary seat in a race against a recently-retired state security officer. Nour's camp alleged government fraud.

The second round of the parliamentary elections, which included Alexandria, witnessed violence by government supporters against opposition voters, resulting in at least three deaths and sporadic police cordons intended to limit access to polling stations.

The third round of the parliamentary elections was marred by widespread police cordons at polling stations aimed at limiting opposition voters, as well as multiple clashes between police and opposition voters which left at least eight persons dead. The NDP retained its overriding majority in the new parliament but was joined by 88 independent deputies allied with the Muslim Brotherhood and a handful of other opposition deputies.

In a series of October rulings, the Court of Cassation ruled that approximately 100 parliamentary contests spanning at least five constituencies--Nasr City and Khalifa in Cairo, Qellin in Kafr El-Sheikh, and Nadrawa and Dekerness in Daqahliya--should be invalidated due to evidence of vote rigging during the 2005 parliamentary elections. Article 93 of the constitution gives Parliament the right to decide which judicial rulings against it must be enforced. Historically, the NDP-controlled Parliament has used Article 93 to ratify only those court judgments that go against select opposition and independent candidates. The National Council for Human Rights recommended that Article 93 be amended so that court rulings against Parliament should be binding and non-reviewable. By year's end, the Parliament had not taken any action in response to the Court of Cassation rulings.

In March, prominent judges, including Hesham Bastawissi and Ahmed Mekky, accused other judges of taking part in election fraud during the parliamentary elections. One of the accused judges, Mahmoud Seddiq Borham, then filed a complaint claiming that Bastawissi and Mekky had wrongly accused him of complicity fraud at the Mansoura polling station he supervised during the parliamentary elections. On February 16, the Supreme Judicial Council lifted the immunity of Bastawissi, Mekky, and two other judges. A State Security Prosecutor ordered the four to appear for questioning, which they did. On March 17, nearly 1,000 judges held a half-hour silent protest in downtown Cairo to demonstrate for full judicial independence and to protest the government's order to interrogate their colleagues who criticized the recent elections.

Two months later, on May 18, a Supreme Judicial Council disciplinary tribunal exonerated Judge Mekky on charges that he had "disparaged the Supreme Judicial Council" and "talked to the press about political affairs." But on the same grounds, the court issued a rebuke and denied a promotion to Judge Bastawissi. (Mahmoud Seddiq Borham eventually dropped his own libel suit in November against journalists after the Court of Cassation invalidated the parliamentary race that Borham had been responsible for supervising, due to evidence of fraud. See section 2.a.)

On June 25, parliament approved a new Judiciary Law. Some judges charged that the new limits imposed by the law would further diminish the judiciary's supervisory role during elections (see section 1.e.).

Following the parliamentary elections, the NDP preserved its dominance of the 454-seat People's Assembly. It also dominated the 264-seat Shura Council, local governments, the mass media, labor, and the large public sector, and controlled the licensing of new political parties, newspapers, and private organizations. However, the independent MPs linked to the Muslim Brotherhood have been increasingly vocal in parliament. Several parliamentarians and parliament-watchers have observed that the MBs' 88 "independent" members contributed to a new, more rigorous dynamic in the parliament, including more substantive debates and have led to better attendance and timeliness by the ruling party members.

The People's Assembly debated government proposals, and members exercised their authority to call cabinet ministers to explain policy. The executive initiated almost all legislation. The Assembly exercised limited influence in the areas of security and foreign policy and retained little oversight of the Ministry of Interior's use of Emergency Law powers. Many executive branch initiatives and policies were carried out by regulation through ministerial decree without legislative oversight. Individual voting records were not published, and citizens had no independent method of checking a member's voting record.

The Shura Council, the upper house of parliament, has 264 seats. The constitution provides that two-thirds of the members are elected and one-third are appointed by the president.

In addition, during the year, a variety of other aspirant political parties, including the Karama ("Dignity," Arab nationalist) and Wasat ("Center," moderate Islamist) sought legal recognition from the courts or the PPC. At year's end, at least 12 aspirant parties were awaiting decisions on their applications.

The Political Parties Law prohibits political parties based on religion, and the MB remained an illegal organization; however, MB members openly and publicly expressed their views. They remained subject to government pressure (see section 1.d.). A total of 88 candidates affiliated with the MB were elected to the People's Assembly in 2005 as independents. There were 6 women elected to the 454-seat People's Assembly, as well as 5 women appointed. Two women served among the 32 ministers in the cabinet.

Christians, who make up an estimated 8-15 percent of the population, held less than 2 percent of the parliamentary seats.

On February 12, the Shura Council postponed the April municipal elections until 2008. The opposition protested this move, which extended the terms of 45,000 municipal officeholders, most of whom belong to the NDP ruling party.

Government Corruption and Transparency

There was a widespread public perception of corruption in the executive and legislative branches.

The February 3 sinking of the *Al-Salaam Bocaccio 98* ferry in the Red Sea killed more than 1,000 people, many of them Egyptian migrant workers returning from jobs in the Gulf. A parliamentary inquiry in April ruled that the ship was overloaded, possessed inadequate safety equipment, and had not been properly maintained. The relationship of ferry owner Mamdouh Ismail, a Shura Council member, with presidential chief of staff Zakaria Azmi sparked public debate about corruption. Although he was stripped of his parliamentary immunity shortly after the accident, Ismail fled the country. His role as a board member of the Red Sea Ports Authority led to media claims that he had used his regulatory role to boost his business interests. At the time of the Salaam sinking, his ferry company possessed a virtual monopoly on Red Sea ferry traffic. By year's end, there had been no governmental investigation or prosecutions in the Salaam disaster.

On October 1, press reports said that the police had arrested at least nine members of a ring in North Sinai--at least two of whom were policeman--who sold explosives and weapons to Palestinians and Sinai residents.

Corruption was a topic of opposition media speculation, and it emerged as a campaign theme for the opposition during both the presidential and parliamentary elections of 2005. Kamal El-Shazly, who served as minister for parliamentary affairs, and Ibrahim Soliman, who served as minister of housing, until President Mubarak replaced them in December 2005, have frequently been the subjects of unproven allegations of corruption. Shazly and Soliman both won re-election to Parliament in 2005.

In December 2005, prosecutors indicted two key figures in the country's media sector on corruption charges. Abdel Rahman Hafez, director of the state-owned Media Production City, and Ehab Talaat, a private sector advertising executive, were indicted on December 8 by the public prosecutor, after a case against them was brought by the Administrative Control Authority (a government anti-corruption body). According to the indictment, Hafez conspired with Talaat to grant the latter's ad agency advertising time on the state-owned Nile Satellite Channel for a tenth of its actual value. At year's end, the case against the two men was unresolved.

In August 2005, the press reported a wide-ranging scandal allegedly involving senior members of the Ministry of Education who colluded with teachers to assist dozens of secondary school students in Giza to cheat on their general secondary school exams. According to press

reports, several of the cheating students came from prominent families who were NDP members. Minister of Education Ahmed Gamaledin Moussa referred the case to the administrative and public prosecutors, who had taken no action by year's end. Minister Moussa lost his cabinet portfolio in the December 2005 cabinet reshuffle.

The local press routinely reported on confirmed cases of low-level corruption, including tampering with official documents, embezzlement, and acceptances of bribes by officials in various government departments.

There are no legal provisions for public access to government information.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Government restrictions on NGO activities, including limits on organizations' ability to accept funding, continued to limit reporting on human rights abuses. Government officials were selectively cooperative and responsive to NGO views (see section 2.d.).

The law governing the regulation and operation of all NGOs grants the minister of social solidarity the authority to dissolve an NGO by decree, rather than requiring a court order. There were no reports that the minister used this measure during the year.

In late December, 16 domestic human rights organizations criticized the closure of a local NGO, Ahalina, in Qaliubiya governorate. On December 24, municipality and security officials in the working class district of Shubra al-Kheima, closed Ahalina's offices on the grounds that the organization was "inciting riots" and did not have a proper license to operate. Ahalina, which works in the health, environment, legal and educational fields, had unsuccessfully sought to register with the Ministry of Social Solidarity. In November, Ahalina had publicly challenged statements by Qaliubiya governor Adly Hussein that the slum areas of the municipality were fully supplied with utilities. Ahalina had sought to rebut the governor's assertion by pointing to publicly available statistics which documented that 183 villages in the governorate lack potable water, electricity, have inadequate sewerage, and polluted air.

The leading independent human rights NGOs included the Egyptian Organization for Human Rights, the Human Rights Association for the Assistance of Prisoners, the Cairo Institute for Human Rights Studies, the Egyptian Initiative for Personal Rights, the Ibn Khaldun Center, the Arab Center for the Independence of the Judiciary and the Legal Profession, the Arab Network for Human Rights Information, and the Egyptian Center for Women's Rights. The Arab Organization for Human Rights generally took a softer line towards the government. Informal coalitions of internet activists and bloggers played an increasingly significant role during the year in publicizing information about human rights abuses. The government did not demonstrate a consistent approach towards cooperating with human rights NGOs and detained and abused some Internet bloggers (see section 1.c.).

The National Council for Human Rights (NCHR), established by parliament in 2003, and operational in 2004, continued to monitor government abuses of human rights by formally submitting citizen complaints to the government and issuing reports critical of the government. NCHR issued its second annual report in March, covering the last 10 months of 2005 and the first two months of 2006. The NCHR report pointed to the 2005 elections as examples of limited democratic progress but also called attention to voting irregularities and fraud as well as intervention by the security forces. The NCHR also called for an end to the State of Emergency, expressed its concern about administrative detentions outside of the procedures established by law, and urged additional steps "to put an end to torture and to assure that the mistreatment of detainees and those arrested is also discontinued." The NCHR urged "all governmental entities" to "give proper attention to complaints referred to them" by the council. The report also called for an end to "assaulting demonstrators" and an expanded protection of media freedom, and described the Student Body Regulations of 1979 as "unjustified restrictions on the practice of democracy within student activities." The NCHR also issued a variety of studies keyed to particular issues, including the 2005 presidential and parliamentary elections. During the year, NCHR conducted public seminars on a number of controversial current issues including civil rights for Baha'is, the government's regulation of NGOs, and constitutional amendments.

At year's end, the NCHR reported that it had received 5,826 complaints during the year, of which 1,762 pertained to civil and political rights. The NCHR officially forwarded complaints to relevant ministries. Although NCHR did not publicize full details on complaints forwarded to the Ministry of Interior, NCHR did note that the ministry replied to 58 percent of the complaints it received from the NCHR.

One NCHR member, Bahey Eddin Hassan, criticized what he described as the weak performance of the NCHR and indicated that would not seek reappointment to the Council in January 2007, when the three year terms of the original NCHR board members expires. Hassan questioned the effectiveness of the NCHR since the organization possessed no legal authority to compel the government to address the concerns it raised.

Several leading human rights groups and civil society organizations continued to press legal challenges against government decisions to allow them to register under the NGO law. Although these organizations were generally allowed to conduct operations, albeit on a limited basis, they did so in technical violation of the NGO law with the omnipresent specter of government interference and/or closure looming over them (see section 2.b.).

EOHR, HRAAP, and other groups obtained limited cooperation of government officials in visiting some prisons in their capacity as legal counsel, but not as human rights observers.

A number of civil society organizations received direct funding from foreign governmental and non-governmental donors to support their work in a variety of areas, including human rights advocacy and election monitoring. During the year, the government permitted various human rights organizations--including the Cairo Institute for Human Rights Studies, HRAAP, EOHR, the Ibn Khaldoun Center, and the Arab Center for Independence of the Judiciary--to hold and participate in international conferences.

At the end of the year, the Arab Penal Reform Organization (APRO), a local NGO, began mass distribution of human rights-based children's stories to elementary schools in Cairo. The group aims to educate children between the ages of 8 and 13 on the universal principles of human rights and international law through a series of Arabic and English stories about a young boy named Ali. The group aims to have 500 copies distributed by the end of the year. According to APRO, the Ministry of Education welcomed APRO's initiative. The project is partly funded by USAID.

International human rights NGOs have generally been allowed to establish informal operations. Organizations such as Human Rights Watch made periodic visits as part of their regional research program and were able to work with domestic human rights groups. The National Democratic Institute, International Republican Institute, and IFES, which provide technical assistance in support of expanded political and civil rights, established informal operations in Egypt in 2005. In June, however, the Ministry of Foreign Affairs ordered all three groups to "freeze" their operations pending formal approval of their registrations. By year's end, the three organizations remained unregistered and unable to pursue full operations in Egypt.

The government did not respond to standing requests from at least five UN Special Rapporteurs--on torture, the situation of human rights defenders, freedom of religion, independence of judges and lawyers, human rights and counterterrorism--to visit.

The People's Assembly has a "Human Rights Committee," which human rights activists did not judge effective.

On April 3, the leadership of Cairo's Judges Club, citing government pressure, cancelled a scheduled meeting with a visiting HRW delegation.

In September, the AI Secretary-General visited and met with Minister of Interior. In comments to the press after the meeting (the first between an AI secretary-general and the top official in Egypt's security apparatus), she described the human rights situation as "very serious. We have long had concerns about secret detentions, disappearances, arbitrary detention of political prisoners, torture, and ill-treatment issues of trial by the emergency security court, and so on." She also said that there was a "window of opportunity" to replace the emergency law with counterterrorism laws. "Now, whether that will lead to something depends on the political will of the government of Egypt."

EOHR reported that on May 6, SSIS officials attempted to summon Usama Abdel Razik, an EOHR lawyer, without legal basis. EOHR formally protested and petitioned the Minister of the Interior order an investigation into the incident. By year's end there had been no further action on the matter.

Section 5 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.

Women

The law does not prohibit spousal abuse; however, provisions of law relating to assault in general are applied. Domestic violence against women was a significant problem and was reflected in press accounts of specific incidents. According to a 2003 survey by the Center for Egyptian Women's Legal Affairs, an estimated 67 percent of women in urban areas and 30 percent in rural areas had been involved in some form of domestic violence at least once between 2002 and 2003. Among those who had been beaten, less than half had ever sought help. The 2005 Egypt Demographic and Health Survey indicated that 47.4 percent of women above age 14 had experienced domestic violence. Due to the value attached to privacy in the country's traditional society, abuse within the family rarely was discussed publicly. Spousal abuse is grounds for a divorce. However, the law requires the plaintiff to produce several eyewitnesses, a difficult condition to meet. Several NGOs offered counseling, legal aid, and other services to women who were victims of domestic violence.

The Ministry of Social Solidarity operated more than 150 family counseling bureaus nationwide, which provided legal and medical services.

The court case of celebrity costume designer Hind El Hinnawy attracted considerable public attention. On January 28, a family court refused El Hinnawy's request that actor Ahmed El Fishawy be recognized as her daughter's father, despite DNA evidence that proved his paternity, because El Hinnawy could not produce proof that they had had a secret, informal marriage. On May 24, however, an appeals court overturned the family court ruling and recognized Fishawy as the child's father.

The National Council for Women proposed and advocated policies that promoted women's empowerment and also designed development programs that benefited women. The Office of the National Ombudsman for Women provided assistance to women facing discrimination in employment and housing, domestic violence, sexual assault, and child custody disputes.

The law prohibits non-spousal rape and punishment ranges from three years to life imprisonment; however, spousal rape is not illegal. Although reliable statistics regarding rape were not available, activists believed that it was not uncommon, despite strong social disapproval. A rapist, if also convicted of abducting his victim, is subject to execution.

In May 2005, after hearing confessions from two defendants that they had raped and beaten to death 23-year old Hoda Al-Zaher, Judge Abdo Attia handed down sentences of only three years for one defendant and three months for another, justifying these sentences under Article 17 of the criminal penalties code. In November, the public prosecutor appealed the court's decision. At year's end, the case was under appeal.

The law does not specifically address "honor" crimes (violent assaults by a male against a female, usually a family member, with intent to kill because of perceived lack of chastity). In practice, the courts sentenced perpetrators of such crimes to lesser punishments than those convicted in other cases of murder. There were no reliable statistics regarding the extent of honor killings; however, there were no reports indicating that honor killings were a widespread problem.

Female genital mutilation (FGM) remained a serious, widespread problem, despite the government's attempts to eliminate the practice and NGO efforts to combat it. Tradition and family pressure continued to play a leading role in the persistence of FGM. In 2005 a leading NGO reported that the percentage of women who had undergone FGM had fallen to 94 percent of all women age 18-49. The same study estimated that 60 percent of girls age 10-13 were at risk for FGM. The Ministry of Health estimated that 50 percent of girls age 10 to 18 were subjected to FGM. The 2005 Egypt Demographic and Health Survey, however, indicated that 95.8 percent of ever-married women were subjected to FGM. The government supported efforts to educate the public about FGM; however, illiteracy impeded some women from distinguishing between the deep-rooted tradition of FGM and religious practices. Moreover, many citizens believed that FGM was an important part of maintaining female chastity. FGM was equally prevalent among Muslims and Christians. Religious leaders joined the government in publicly refuting the notion that FGM had any sort of religious sanction. In late November, the three leading government-appointed Muslim religious leaders, participating in a conference in Cairo aimed at eradicating FGM under the sponsorship of a German human rights NGO (Target), said that FGM is not encouraged by Islam. The Grand Sheikh of Al-Azhar (Mohamed Sayed Tantawi), the Grand Mufti (Ali Gom'a), and the Minister of Muslim Religious Endowments (Mahmud Hamdi Zaquq) expressed the view that FGM was not condoned by the Holy Quran or by the teachings and traditions of the Prophet Muhammad. The government-supported National Council for Childhood and Motherhood, also played a leading role in the November conference and in the overall attempt to eliminate FGM.

Prostitution and sex tourism are illegal but continued to occur, particularly in Cairo and Alexandria.

Sexual harassment is not prohibited specifically by law. There were no statistics available regarding its prevalence. On October 24-26, during the Muslim Eid Al-Fitr holiday marking the end of Ramadan, there were reports of several incidents of sexual harassment of female pedestrians by groups of young men in downtown Cairo. Some critics of the government charged that security forces had failed to intervene to stop the harassment. Government officials and certain pro-government newspapers said that the reports of harassment were fabricated. The episode sparked considerable public debate and led to calls by women's rights NGOs and the independent media for action by the government and society to combat sexual harassment.

During the May 2005 national referendum, several women, including demonstrators and journalists, were reportedly assaulted and sexually humiliated by pro-government thugs, including perhaps undercover security force personnel. The public prosecutor concluded in late 2005 that a case could not be pursued because it was impossible to determine who assaulted demonstrators (see section 2.b.). In response to a request from EIPR, a Cairo-based rights group, the African Commission on Human and People's Rights, the African Union's highest rights body, agreed to consider formally the merits of the case in May 2007 (see section 2.b).

The law provides for equality of the sexes; however, aspects of the law and many traditional practices discriminated against women. By law, unmarried women under the age of 21 must have permission from their fathers to obtain passports and to travel. Married women do not require such permission, but police did not apply the law consistently. A woman's testimony is equal to that of a man in court. Under the Penal Code, a married man is adulterous only if the sexual act is committed in the marital home (Article 277) while a woman is adulterous wherever the act is committed.

While no law prohibits a woman from serving as a judge, there was only one female judge, Counselor Tahany al-Gabbani, appointed to the Supreme Constitutional Court in 2003. In the cases of two female attorneys, Fatma Lashin and Amany Talaat, who had challenged the government's refusal to appoint them as public prosecutors, the administrative court ruled that it had no jurisdiction and referred the case to the Supreme Judicial Council for determination. By year's end, the Supreme Judicial Council had not ruled in the case.

Laws affecting marriage and personal status generally corresponded to an individual's religion. *Khul* divorce allows a Muslim woman to obtain a divorce without her husband's consent, provided that she is willing to forego all of her financial rights, including alimony, dowry, and other benefits. However, in practice, some judges have not applied the law accurately or fairly, causing lengthy bureaucratic delays for the thousands of women who have filed for *khul* divorce. Many women have also complained that after being granted *khul* divorce, their ex-husbands have been able to avoid paying required child support.

The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.

Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all of his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, in practice this assistance was not always provided. Labor laws provide for equal rates of pay for equal work for men and women in the public sector. According to government figures from 2003, women constituted 17 percent of private business owners and occupied 25 percent of the managerial positions in the four major national banks. Educated women had employment opportunities, but social pressure against women pursuing a career was strong. Women's rights advocates claimed that Islamist influence inhibited further gains. Women's rights advocates also pointed to other discriminatory traditional or cultural attitudes and practices, such as FGM and the traditional male relative's role in enforcing chastity.

A number of active women's rights groups worked to reform family law, educate women on their legal rights, promote literacy, and combat FGM.

Children

The government remained committed to the protection of children's welfare; in practice, the government made some progress in eliminating FGM and in affording rights to children with foreign fathers. However, the government made little progress in addressing the plight of street children, which remained a significant problem. The government provided public education, which is compulsory for the first 9 academic years (typically until the age of 15). The government treated boys and girls equally at all levels of education. The minister of education asserted that 98 percent of citizen children were enrolled in compulsory education through 9th grade. By contrast, UNICEF reported that in the period 2000-05, 83 percent of citizen children of primary school age attended school.

Approximately 30 percent of citizen students pursued studies at the post-secondary level.

The government was publicly committed to provide medical care for all children, but strained health facilities and budgetary pressures sometimes limited the provision of care.

The Child Law provides for privileges, protection, and care for children in general. Six of the law's 144 articles set rules protective of working children (see section 6.d.).

FGM remained a serious problem, despite some signs of a modest downward trend, and was widely performed (see section 5, Women).

Child labor continued to be a significant problem, although the government took steps during the year to increase awareness of child labor-related issues and enforcement (see section 6.d.).

The late November arrests of Ramadan Mansour and several associates in connection with a series of murders of street children focused public attention on the plight of the country's approximately 500,000 street children.

Although reliable data is 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, are a significant problem.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, other portions of the criminal code may be used to prosecute traffickers. It is unclear how many prosecutions for trafficking related crimes occurred during the year. There were press reports of persons trafficked from Eastern Europe through the country to Israel for commercial sexual exploitation and forced labor. Because the country lacks a systematic victim identification mechanism, it was difficult to determine how many of the aliens illegally transiting the country were actually being trafficked and how many were voluntary economic migrants. The government aggressively patrolled its borders to prevent alien smuggling, but geography and finances limited the efforts. Government officials participated in international conferences on combating trafficking in persons. Some anti-trafficking activists suggested that some Egyptian children may be trafficked from rural areas within the country for work as domestic servants or laborers in the agriculture industry, but there was no data available to support or refute this assertion.

Persons with Disabilities

There are no laws prohibiting discrimination against persons with physical or mental disabilities in education, access to health care, or the provision of other state services. Law 39 of 1975 ("The Social Integration Law"), amended by law 49 of 1981 and by the Unified Labor Law of 2002 (articles 12-14), provides that all businesses must designate five percent of their jobs for persons with disabilities who are exempt from normal literacy requirements. Statistics regarding the practical implementation of this policy were unavailable. Similarly, there were no reliable statistics regarding the total number of citizens with disabilities, but NGOs estimated that at least eight percent of the population has some sort of disability, and that one to two percent of the population is severely disabled.

There is no legislation mandating access of persons with disabilities to public accommodations and transportation; however, persons with disabilities rode government-owned mass transit buses free of charge, were expeditiously approved for installation of new telephone landlines, and received reductions on customs duties for specially equipped private vehicles to accommodate disabled drivers.

The Higher Council for Social Integration, which was established by the 1975 law to provide leadership on the issue of persons with disabilities, has met twice during the past three decades. A leading NGO focused on the rights of persons with disabilities has sought to increase the government's and society's activities in support of persons with disabilities. The government, led by the Ministry of Social Affairs, made efforts to address the rights of persons with disabilities. It worked closely with UN agencies and other international aid donors to design job-training programs for persons with disabilities. Beginning in 2004, and with international donor support, the government, working with concerned NGOs, also sought to increase the public awareness of the capabilities of persons with disabilities in television programming, the print media, and educational material in public schools. However, there remains widespread societal discrimination against persons with disabilities, resulting in a lack of acceptance into mainstream society.

Other Societal Abuses and Discrimination

There have also been reports of abuse of foreign workers employed as domestic servants. For example, on January 26, the Philippine government reported that Veronica Bangit had reported abuse by her employers when she worked as a domestic helper in Cairo.

Section 6 Worker Rights

a. The Right of Association

There are no legal obstacles to establishing private sector labor unions, although such unions were uncommon. Workers may join trade unions, but were not required to do so. A local union or workers' committee may be formed if 50 employees express a desire to organize. Most union members, about one-quarter of the labor force, were employed by state-owned enterprises.

Unionization has decreased in the past several years as a result of early retirement plans in public sector enterprises, which have aimed at rightsizing workforces. Privatization of public sector enterprises has also led to some job losses, although unions have continued to operate in privatized companies.

There were 23 trade unions; all were required to belong to the Egyptian Trade Union Federation (ETUF), the sole legally recognized labor federation. The ETUF controlled the nomination and election procedures for trade union officers and permitted public authorities to intervene in union financial activities.

ETUF officials had close relations with the ruling NDP, and some were members of the People's Assembly or the Shura Council. They spoke on behalf of worker concerns, and public confrontations between the ETUF and the government were rare. Previous ETUF president Sayed Rashad served as an NDP member of parliament until his unsuccessful bid for re-election in 2005. Rashad also served as head of the NDP's labor committee. During the 2005 presidential campaign, Sayed Rashad had announced that ETUF's four million members supported President Mubarak's re-election bid. Hussein Magawar, another NDP member of parliament, replaced Sayed Rashad as ETUF head in January.

Elections for seats in the local unions (or "factory councils"), the 23 national trade unions, and ETUF, held every five years, occurred in three stages from October - November. There were widespread reports of irregularities in the registering of candidates. Opposition activists charged that ETUF collaborated with the ruling NDP and security forces to prevent opposition labor leaders from contesting the elections. In the elections to determine the leadership of the 23 national unions, NDP-affiliated candidates won 22 of the seats. Minister of Manpower Aisha Abul Hadi described the elections as "impartial, clean, and democratic," but the independent Center for Trade Union and Worker Services charged that the elections "were the worst ever in terms of violations" and were "undemocratic and non-transparent."

Some unions within ETUF were affiliated with international trade union organizations. Others were in the process of becoming affiliated. The law does not permit anti-union discrimination. There were no reports of attempted discrimination, nor were there reports of attempts to enforce this protection.

b. The Right to Organize and Bargain Collectively

The 2003 Labor Law establishes a labor consultative council, including representatives from the government, employers, and workers associations. The council was intended to address tripartite issues and problems and review labor-related domestic and international legislation; however, the council did not meet during the year. The law provides for collective bargaining, allowing for tripartite negotiations to improve labor terms and conditions and resolve disputes between workers and employers. Collective negotiation may be set in motion by any of the concerned parties without the consent of other parties involved with the assistance of the concerned administrative authority.

The Labor Law also established special pentagonal committees composed of two judges and representatives from the Ministry of Manpower and Migration (MOMM), the ETUF, and employers. The Labor Law provides these committees with judicial powers to adjudicate labor disputes arising from the law's application. Decisions by these committees, which are intended to serve in place of the courts of first resort, may be appealed through the regular appeals process. 2006 statistics regarding the number of complaints lodged and verdicts issued were not yet available at the time of going to print; however, observers noted that the pentagonal committees often failed to establish quorums, thus limiting their responsiveness.

The MOMM has a unit for collective negotiations and for monitoring the implementation of collective agreements. The government sets wages, benefits, and job classifications for public sector and government employees, and the private sector sets compensation for its employees in accordance with the government's laws regarding minimum wages.

The Labor Law permits strikes, but only after an extended negotiation process. There were no formal, recognized strikes during the year. Wildcat strikes are prohibited, but un-authorized strikes nonetheless took place. Peaceful strikes were allowed, provided they were announced in advance and organized by the trade union to defend vocational, economic, and social interests. To call a strike, the trade union must notify the employer and concerned administrative authority at least 10 days in advance of the strike date, giving the reason for the strike and the date it would commence. Prior to this formal notification, the strike action must be approved by a two-thirds majority of the ETUF board of directors. Strikes are prohibited by law during the validity of collective bargaining agreements and during the mediation and arbitration process. Strikes are also prohibited in strategic or vital entities in which the interruption of work could result in a disturbance of national security or basic services. The Labor Law also regulates litigation related to collective bargaining and allows collective bargaining in what are identified as strategic and vital establishments. The Land Center for Human Rights (LCHR), a pro-labor group, reported that during the first half of the year, there were 107 workers' protests (38 in the governmental sector, 36 in state-owned businesses, and 33 in the private sector) According to LCHR's analysis, the protests included 18 strikes, 15 demonstrations, 31 gatherings, and 43 sit-ins.

For example, on November 5, train drivers at Cairo's main rail station organized an unapproved strike in support of one of their colleagues who was facing disciplinary action for alleged negligence leading to an accident. The train drivers charged that government negligence and poor maintenance were at fault. The strike caused significant disruptions on a busy intercity commuter route.

On November 8, workers at the shipyard in Port Said, protested unsafe work conditions with a day-long demonstration after a crane accident

killed a colleague.

On November 24, 2,000 members of the Pharmacists' Syndicate met in Cairo to discuss recent police raids against pharmacies. The pharmacists said the raids were aimed at pressuring the pharmacists to halt their opposition to plans to privatize state-owned pharmacies. The police raids on the pharmacies stopped after the pharmacists threatened to strike and to boycott pharmaceutical products from state-owned drug factories.

From December 7-10, an estimated 20,000 textile workers (including 7,000 women) at the Ghazl Al-Mahalla factory engaged in a work stoppage to protest non-payment of bonuses. Minister of Manpower Aisha Abdul Hadi reportedly played a direct role in the negotiations. The job action was eventually resolved after management agreed to pay the disputed bonuses. Some workers reportedly voiced displeasure with the local factory council leadership, arguing that they were more interested in doing the government's bidding than protecting the workers.

Firms, other than large companies in the private sector, generally did not adhere to government-mandated standards. Although they were required to observe some government practices, such as the minimum wage, social security insurance, and official holidays, firms often did not adhere to government practice in non-binding matters, including award of the annual Labor Day bonus.

Labor law and practice were the same in the six existing export-processing zones (EPZs) as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

The constitution prohibits forced or compulsory labor. The 2003 Labor Law and the Child Law do not specifically prohibit forced and compulsory labor by children. Such practices, including by children, were reportedly rare.

d. Prohibition of Child Labor and Minimum Age for Employment

Child Law number 12 of 1996 and its executive regulations protect children from exploitation in the workplace. While MOMM, working with the National Council for Childhood and Motherhood (NCCM) and the interior ministry, generally enforced these regulations in state-owned enterprises, enforcement in the private sector, especially in the informal sector, was lax. Employers continued to abuse, overwork, and generally endanger many working children.

The law limits the type and conditions of work that children under the age of 18 may perform legally. In nonagricultural work, the minimum age for employment is 14 or the age of completing basic education (15), whichever is higher. Provincial governors, with the approval of the minister of education, may authorize seasonal work for children between the ages of 12 and 14, provided that duties are not hazardous and do not interfere with schooling.

Pre-employment training for children under the age of 12 is prohibited. 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 continuously.

During the summer months, children under the age of 14 were periodically seen working outdoors in and near construction areas of Al-Rehab City, outside Cairo, and engaged in landscaping work alongside, or in the median, of busy roadways near Katameyya, also on the outskirts of Cairo.

Statistical information regarding the number of working children was difficult to obtain and often outdated. NGOs estimated that up to 2.7 million children worked. Government studies indicated that the concentration of working children was higher in rural than in urban areas. Approximately 78 percent of working children were in the agricultural sector. However, children also worked in light industry, on construction sites, and in service businesses such as auto repair shops. Press reports during the year focused attention on the estimated 2,000-3,000 children working in the stone quarries in Minya.

Previous changes in the Child Labor Law have not significantly improved conditions due to lax enforcement by the government. Enforcement remained spotty, and in cases where offenders have been prosecuted, the fines imposed were often small (i.e. \$3.25 or LE 20) and thus had questionable deterrent effect. Regulations proposed in 2003 under the revised labor law, however, sharply increased the minimum fines in child labor cases to \$81 (LE 500). The increased penalties did not appear to have any impact during the year.

The government made progress toward eliminating the worst forms of child labor, pursuant to the UN Convention on the Rights of the Child (CRC); however, many challenges remain. The Ministry of Justice's department for legal protection of the Child worked with the NCCM to finalize comprehensive changes to the child labor law during the year. By year's end the draft changes had reportedly been submitted to parliament for consideration. The NCCM also worked with the MOMM, ETUF, ILO, UNICEF, and various government ministries to formulate and implement a national strategy to combat child labor and eliminate the worst forms of child labor; trained police officers on children's rights and working with juveniles coordinated with the Ministry of Education to incorporate study of the CRC into curricula; and set up social and economic projects in several governorates to transfer working children into non-hazardous activities. The MOMM also increased child labor inspections in governorates with high dropout rates. The government's campaign to increase public awareness was highlighted by workshops and conferences throughout the country. Many of these efforts were characterized by high-level government involvement. For example, during the African Football Cup of Nations, which Egypt hosted in January-February, first lady Suzanne Mubarak (who also serves as chairperson of the NCCM) publicized the fight against child labor by participating in the ILO's "Red Card to Child Labor" campaign.

During the year, a foreign government, in partnership with the World Food Program (WFP) and the Egyptian government, launched a five million dollar project aimed at building government capacity to monitor and combat child labor. A specific goal of the project is to move 4,300 child laborers into school and other training opportunities, and prevent an additional 6,000 children from entering industries known to employ child labor.

e. Acceptable Conditions of Work

The minimum wage for government and public sector employees was determined by the National Council of Wages and differed among sectors. The law stipulates that 48 hours is the maximum number of hours that may be worked in 1 week. Overtime for hours worked beyond 36 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 while workers should receive 200 percent for work on national holidays. The nationwide minimum wage generally was enforced effectively for larger private companies; however, smaller firms did not always pay the minimum wage. The minimum wage frequently did not provide a decent standard of living for a worker and family; however, base pay commonly was supplemented by a complex system of fringe benefits and bonuses that may double or triple a worker's take-home pay and provide a decent standard of living.

The Ministry of Labor sets worker health and safety standards, which also apply in the EPZs; however, enforcement and inspections were uneven. A council for occupational health and safety was established by the Labor Law to address health and safety issues nationwide. During the year, ETUF called for development of a national health insurance program prior to proposed changes in the health insurance law.

The 2003 labor 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 occasional reports of employer abuse of undocumented workers, especially domestic workers. A few 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.