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U.S. Department of State

Egypt Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

EGYPT

According to its Constitution, Egypt is a social democracy in which Islam is the state religion. However, the National Democratic Party (NDP), which has governed since its establishment in 1978, has used its entrenched position to dominate national politics, and it maintains an overriding majority in the popularly elected People's Assembly and the partially elected Shura (Consultative) Council. President Hosni Mubarak was reelected unopposed to a third 6-year term by the People's Assembly in 1993. The Cabinet and the country's 26 governors are appointed by the President and may be dismissed by him at his discretion. The judiciary is independent.

There are several security services in the Ministry of Interior, two of which are primarily involved in combating terrorism: The State Security Investigations Sector (SSIS), which conducts investigations and interrogates detainees; and the Central Security Force (CSF), which enforces curfews and bans on public demonstrations, and conducts paramilitary operations against terrorists. The use of violence by security forces in the campaign against suspected terrorists appeared more limited than in 1996. The security forces committed numerous serious human rights abuses.

Egypt is in transition from a government-controlled economy to a free market system. The Government continued its privatization program, although key sectors of the economy remain under government control. Agriculture remains the largest employer and is almost entirely in private hands. The tourism sector generated the largest amount of foreign currency, although earnings fell off sharply after terrorists massacred 58 foreign tourists in Luxor in November. Petroleum exports and remittances from approximately 2 million Egyptians working abroad are the two other principal sources of foreign

currency. In the past 7 years, the Government has enacted significant economic reforms, which have reduced the budget deficit, stabilized the exchange rate, reduced inflation and interest rates significantly, and built up substantial reserves. The success of the reform efforts has resulted in an increase in annual economic growth rates to 5 percent for fiscal year 1996-97. The per capita gross domestic product (GDP) is about \$1,000 per year. Official statistics place 34.4 percent of wage earners in the agricultural sector, and knowledgeable observers estimate that perhaps 3 to 5 percent of those engage in subsistence farming. The annual population increase is 2.1 percent. Adult literacy rates are 63 percent for males and 34 percent for females.

The Government continued to commit numerous serious human rights abuses, although its record improved somewhat over the previous year. The ruling NDP dominates the political scene to such an extent that citizens do not have a meaningful ability to change their government.

The Emergency Law, which has been in effect since 1981, was renewed on February 23 for another 3 years and continues to restrict many basic rights. The security forces and terrorist groups continued to engage in violent exchanges. In fighting the terrorists, the security forces continued to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and occasionally engage in mass arrests. In actions unrelated to the antiterrorist campaign, local police abused criminal suspects. Prison conditions are poor. During the year, the Government arrested and detained hundreds of individuals for opposition to the implementation of the Agrarian Reform Law, which ended artificially low rents for farmland. The activities that provoked government action ranged from possession of documents about the Agrarian Reform Law to attacks on government-owned property. In civil unrest related to the implementation of the new law, an estimated 28 persons were killed in ensuing clashes. The Government took disciplinary action against police officers accused of abusing detainees, but it did not pursue most cases or seek adequate punishments.

The use of military courts to try civilians continued to infringe on a defendant's right to a fair trial before an independent judiciary. The Government used the Emergency Law to infringe on citizens' privacy rights. Although citizens generally express themselves freely, the Government continued to place some restrictions on freedom of the press. State prosecutors brought libel charges in civilian courts against several journalists for criticizing corruption and abuse of authority among government officials and their families. The Government restricts freedom of assembly and association. Although the Government does not legally recognize local human rights groups, these groups are allowed to operate openly. The Government places limits on the freedom of religion.

Women and Christians face discrimination based on tradition and some aspects of the law. Violence against women is a problem. Terrorist violence against Christians is a problem. The Child Labor Law approved in 1996 increased protections for children, but child labor remains widespread despite the Government's efforts to eradicate it. Abuse by employers continues, and the Government does not enforce the law effectively. The 1996 government decree banning the practice of female genital mutilation (FGM) was challenged in the courts on the grounds that the ban was unconstitutional. The Government ban was upheld by the Supreme Administrative Court on December 28. The Government limits worker rights.

Terrorist groups committed numerous serious abuses. Terrorist groups seeking to overthrow the Government and establish a purportedly Islamic state continued their attacks on police, Coptic Christians, and tourists. Terrorist groups were responsible for the majority of the 155 civilian and police deaths. Major actions included a terrorist attack in February on youths who were attending a church meeting in Abu Qurqas in upper (southern) Egypt; 13 persons were killed and 5 wounded. In March terrorists attacked a village in upper Egypt, and fired on a passing train, killing 14 persons and wounding 21 others. In September a politically-motivated gunman killed 9 tourists and 1 Egyptian in Cairo. In

October terrorists killed 11 police and security officials, binding their hands and feet prior to shooting them. In November 6 terrorists attacked foreign tourists at Hatshepsut's temple in Luxor, killing 58 tourists, 2 police, and 2 Egyptian civilians before being killed themselves when surrounded by police.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political killings; however, extrajudicial killings may have occurred in certain antiterrorist operations.

There were no total figures for deaths in custody from government or human rights sources by year's end. The press reported 3 deaths under suspicious circumstances in police custody. According to these reports, Mahmoud Abdel Hamid Abu Al Ela'a died in February following his detention at Boulaq Al Dakrour police station in Giza; Bekheet Abdel Rahman Salem died in March at Fayoum prison; and Kamel Mohammed Zayed died in March at Wadi Natroun prison. Human rights groups are investigating the deaths to determine whether they involved medical negligence. In October the Human Rights Center for the Assistance of Prisoners issued a report describing the deaths of seven prisoners detained in Al-Wadi Al-Jadid prison between 1994 and 1996. Other human rights groups continue to investigate outstanding cases, including 13 prison deaths related to medical negligence (see Section 1.c.).

In antiterrorist campaigns, security forces killed 41 suspected terrorists; there were no reports of excessive use of lethal force. No suspects died while attempting to escape arrest. There were no reports of killings of relatives of suspected extremists by security forces in apparent vendettas.

The case against a policeman charged with torture and use of excessive force in the 1994 death of a detainee remained pending (see Section 1.c.).

In civil unrest related to the implementation of the Agrarian Reform Law, an estimated 28 persons were killed in ensuing clashes (see Section 1.d.).

Terrorist groups were responsible for the majority of the deaths in civil unrest. They killed 155 persons, compared with 132 in 1996. This total included 41 police and security officers and 114 civilians (which includes foreign tourists).

On March 13, a group of armed terrorists emerged from the sugar cane fields near the village of Bahgoura and indiscriminately fired on the residents, killing 13 persons and wounding 15 others. Nine of the dead were Coptic Christians. Apparently while fleeing the Bahgoura massacre, the group fired bursts of automatic fire at the Luxor-Cairo train, killing one female passenger and wounding six other passengers slightly. On September 18, two men attacked and killed nine German tourists and their Egyptian driver outside Cairo's Egyptian Museum. On October 13, terrorists in the province of Al-Minya setup a roadblock, stopped vehicles in a search for security officers, and captured and killed 11 policemen and one government employee. One civilian was wounded in these shootings. On October 29, a military court sentenced to death the two perpetrators of the September 18 attack. In addition, six other defendants were sentenced to prison terms varying in length from 1 to 10 years for supplying a weapon and ammunitions. One other defendant was acquitted. On November 17, six terrorists attacked foreign tourists at the site of Hatshepsut's temple in Luxor. They killed 58 tourists, 2 Egyptian civilians, and 2 policemen before they were killed by police.

Terrorist attacks directed specifically against Christians continued, resulting in the death of at least 23 persons, including a group of 13 people in Abu Qurqas in February. Terrorist entered a church during a youth prayer meeting, shot and killed some participants, and attacked other villagers later. Thirteen persons were killed and 5 wounded. Terrorists also attacked churches and other properties owned by Christians.

In September a military court sentenced defendants charged with killing a senior state security officer in 1995 (see Section 1.e.).

In January four Muslim militants were convicted on charges relating to attacks in 1993 and 1994. One of the four, Ali Mohammed Farahat, was convicted for grenade attacks on two Cairo movie theaters that a police guard killed and wounded six civilians, and for an attack on a tourist bus that wounded eight Austrians and eight Egyptians. All four were convicted of plotting to kill senior state officials and tourists. The four were sentenced to death; the sentence was carried out in October.

b. Disappearance

There were no reports of politically motivated disappearances.

The Human Rights Center for the Assistance of Prisoners issued a report describing the cases of 11 individuals who disappeared during the period between 1992 and 1996. The Egypt Organization of Human Rights (EOHR) continues to investigate eight other disappearances. The Government has not responded to queries from human rights monitors regarding these outstanding cases.

The case of Marwa Al Sayeed Metwalli Hafez, who was reported to have disappeared in 1995, was resolved. She had eloped and been out of contact with her family.

There were credible reports that former Libyan Foreign Minister Mansur Kikhiya, who disappeared from Cairo in 1993, had been kidnaped by Libyan agents, taken to Libya, and executed there in early 1994. Possible involvement by Egyptian government officials remains under investigation.

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

The Constitution prohibits the infliction of "physical or moral harm" upon persons who have been arrested or detained. However, abuse and torture of detainees by police, security personnel, and prison guards is common.

Under the Penal Code, torture of a defendant or orders to torture are felonies punishable by temporary hard labor or 3 to 10 years' imprisonment. If the defendant dies, the crime is one of intentional murder punishable by a life sentence at hard labor. Arrest without due cause, threatening death, or using physical torture is punishable by temporary hard labor. The use of cruelty against people by relying on one's position is punishable by imprisonment of no more than 1 year or a fine of no more than \$65. Victims may bring a criminal or civil action for compensation against the responsible government agency. There is no statute of limitations in such cases.

Despite these legal safeguards, there were numerous credible reports, including statements by government officials, that security forces mistreated and tortured citizens. Reports of mistreatment and torture at police stations remain frequent.

In an interview published in April, the Minister of Interior stated that he had placed 128 police officers

"on reserve," a step that precedes dismissal, for abuses involving excessive use of force. He also stated that 12 police officers had been referred to criminal courts and 44 to disciplinary courts for crimes of torture. He said that "many" officers had been convicted of torture and are serving prison sentences. The EOHR reported that three police officers and six policemen accused of torture in 1993 were acquitted in June.

While the Government has investigated torture complaints in criminal cases and punished some offending officers, the punishments are not in line with the seriousness of the offense. However, government officials have stated that administrative punishments can be severe enough to prevent further career advancement, and that some police officers have opted to face criminal charges instead. The Government has said that it will not disclose further details of individual cases of police abuse for fear of harming the morale of law enforcement officers involved in counterterrorism operations.

Human rights groups believe that the SSIS continues its practices. Torture takes place in SSIS offices, including its headquarters in Cairo, and at Central Security Force camps. Torture victims usually are taken to an SSIS office where they are handcuffed, blindfolded, and questioned about their associations, religious beliefs, and political views. Torture is used to extract information, coerce the victims to end their antigovernment activities, and deter others from such activities.

Egyptian human rights groups and victims reported a number of torture methods. Detainees are frequently stripped; hung by their wrists with their feet touching the floor or forced to stand for prolonged periods; doused with hot or cold water; beaten; forced to stand outdoors in cold weather; and subjected to electrical shocks. Some victims, including female detainees, report they have been threatened with rape.

While the law requires security authorities to keep written records of detained citizens, human rights groups report that such records often are not available, not found, or the police deny any knowledge of the detainee when they inquire about specific cases, effectively blocking the investigation of torture complaints.

The EOHR issued a report in March presenting 57 cases of torture of "ordinary citizens" in police stations. The report states that torture is also used against the relatives of detainees. The Center for Human Rights Legal Aid (CHRLA) reported that five political activists--Hamdeen Sabahy, Mohammed Abdu, Mohammed Assayed Sulayman, Mohammed Bayyoumi, and Hamdy Heikal--were tortured in June at the prison known as the "Scorpion," part of the Tora prison complex. The men were arrested for nonviolent opposition to the Agrarian Reform Bill (see Section 1.d.). The CHRLA also reported the torture of Khaled Hagag Sayeed in May at Al Wayli police station in Cairo after he was arrested for suspected car theft.

Security forces used tear gas and physical force to break up a strike in June at Zagazig University (see Section 6.a.). Two cases of torture from previous years, the 1994 charge of torture by a policeman in the case of Fateh Al-Bab Abdel Moneim, and the 1995 charge of torture by police in the case of Famal El-Shazly, remain under investigation.

Prison conditions remain poor. Government authorities reported the renovation or construction of 14 prisons during the past 4 years. Nonetheless, human rights groups report that overcrowding and unhealthy conditions continue. Cells reportedly are poorly ventilated, food is inadequate in quantity and nutritional value, and medical services were not always available. The use of torture and mistreatment continues to be common, and relatives of prisoners and their lawyers are often unable to obtain access to prisons for visits. The Human Rights Center for the Assistance of Prisoners issued a report in October

conditions in the Al-Wadi Al-Jadid prison, including 61 case studies of prisoners who are suffering from inhuman conditions, including inadequate medical treatment. Health conditions in the Al-Wadi Al-Jadid prison and in the maximum security prison, the "Scorpion," part of the Tora prison complex, reportedly included widespread tuberculosis among the inmates. Human rights groups are investigating 13 prison deaths related to medical negligence.

On July 15, an administrative court issued a ruling canceling a decree by the Minister of Interior that prohibits visits of both family and lawyers to the Fayoum and Tora prisons. The Interior Minister is contesting this judgment. Since 1994 there have been six court orders directing the Interior Ministry to open these prisons for visits. Human rights groups report, however, that visits have been refused at several prisons. At others, restrictions have been placed on visits to prisoners incarcerated for political or terrorist crimes, limiting the number of visits allowed each prisoner, and the total number of visitors allowed in the prison at any one time.

In principle, human rights monitors are allowed to visit prisoners in their capacity as legal counsel, but in practice they often face considerable bureaucratic obstacles that prevent them from meeting with prisoners.

d. Arbitrary Arrest, Detention, or Exile

As part of the Government's antiterrorist campaign, security forces have conducted mass arrests and detained hundreds of individuals without charge after specific terrorist incidents. While terrorist groups stated that more than 1,000 persons were arrested, there are no confirmed reports of such claims. Under the provisions of the Emergency Law, which has been in effect since 1981, the police may obtain an arrest warrant from the Ministry of Interior upon showing that an individual poses a danger to security and public order. This procedure nullifies the constitutional requirement of obtaining a warrant from a judge or prosecutor upon showing that an individual has likely committed a specific crime.

The Emergency Law allows authorities to detain an individual without charge. After 30 days, a detainee has the right to demand a court hearing to challenge the legality of the detention order and may resubmit his motion for a hearing at 1-month intervals thereafter. There is no maximum limit to the length of detention if the judge continues to uphold the legality of the detention order, or if the detainee fails to exercise his right to a hearing.

In addition to the Emergency Law, the Penal Code also gives the State wide detention powers. Under the Penal Code, prosecutors must bring charges within 48 hours or release the suspect. However, they may detain a suspect for a maximum of 6 months, pending investigation. Arrests under the Penal Code occur openly and with warrants issued by a district prosecutor or judge. There is a system of bail. The Penal Code contains several provisions to combat extremist violence. These provisions broadly define terrorism to include the acts of "spreading panic" and "obstructing the work of authorities."

During the year the Government arrested and detained hundreds of people under the Penal Code for opposition to implementation of the Agrarian Reform Bill. One local human rights group claimed that up to 1,000 persons had been arrested. Activities by the detainees included photocopying statements opposing the law, distributing leaflets opposing the law, meeting to discuss concerns about the law, and efforts to collect signatures and to organize demonstrations opposing the law. Some detainees were involved in demonstrations that included attacks on government-owned property. The majority of detainees were released after a short period of detention. However, some 200 individuals remained in detention at year's end. Dr. Ahmed Al Ahwany, a professor of nuclear energy at Cairo University, was detained on April 24 for possessing papers opposing the law. He was released on May 21 after paying a

fine of \$58.82 (200 Egyptian pounds.) Five opponents--Hamdeen Sabahy, Mohammed Abdu, Mohammed Assayed Sulayman, Mohammed Bayyoumi, and Hamdy Heikal--were detained for 3 months at the Tora prison complex without trial and then released 1 week prior to the bill's implementation on October 6. They were charged with possessing documents that opposed the law and thereby encouraged unrest.

In January state security forces arrested some 80 young people devoted to heavy metal rock music and its trappings; all were released without charge in about 2 weeks (see Section 2.a.). Human rights groups reported that hundreds, and according to one report, thousands, of people detained under the Emergency Law have been incarcerated for several years without charge. The courts have ordered the release of several of these detainees, but prison officials have reportedly ignored the orders. Frequently, the Ministry of Interior reissues detention orders, sending detainees back to prison.

On August 9, security forces and police in Alexandria arrested 33 alleged members of the Muslim Brotherhood (an Islamist opposition organization). The charges included organizing a training camp for instruction on how to infiltrate the student body of Alexandria University, possessing illegal leaflets, and membership in an illegal organization. More than half were later released while the remainder are still in detention. On September 23, security forces and police in Alexandria arrested 60 alleged members of the Muslim Brotherhood and released them 2 days later.

Neither the Government nor human rights groups were able to provide firm figures for the total prison population. One human rights group cited a government figure of 12,000 registered and serving sentences, but provided a rough estimate of 32,000 for the total prison population, including those being held pending sentencing.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The judiciary is independent; however, cases involving national security or terrorism may be handled by military or Emergency State Security courts, where constitutional protections may not be observed. The Constitution provides for the independence and immunity of judges and forbids interference by other authorities in the exercise of their judicial functions. The President appoints all judges upon recommendation of the Higher Judicial Council, a constitutional body composed of senior judges, and chaired by the President of the Court of Cassation. The Council regulates judicial promotions and transfers. In the last few years, the Government has added lectures on human rights and other social issues to its training courses for prosecutors and judges.

There are three levels of regular criminal courts: primary courts, appeals courts, and the Court of Cassation, the final stage of criminal appeal. The judicial system is based on the Napoleonic tradition; hence, there are no juries. Misdemeanors that are punishable by imprisonment are heard at the first level by one judge; at the second level by three judges. Felonies that are punishable by imprisonment or execution are heard in criminal court by three judges. Contestations of rulings are heard by the Court of Cassation. A lawyer is appointed at the court's expense if the defendant does not have one. The appointment of lawyers is based on a roster chosen by the Bar Association; however, expenses are incurred by the State. Any denial of this right is cause for contestation of the ruling. However, detainees in certain high security prisons alleged 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.

Defense lawyers generally agree that the regular judiciary respects the rights of the accused and

exercises its independence. In the past, criminal court judges have dismissed cases where confessions were obtained by coercion. However, while the judiciary generally is credited with conducting fair trials, under the Emergency Law, cases involving terrorism and national security may be tried in military or State Security Emergency courts, in which the accused do not receive all the constitutional protections of the civilian judicial system.

In the past, human rights groups and defense lawyers have claimed that the Government intimidated lawyers representing terrorist suspects by detaining and questioning them on the activities of their clients. There were no such reports during the year.

In 1992, following a rise in extremist violence, the Government began trying cases of persons accused of terrorism and membership in terrorist groups before military tribunals. In 1993 the Supreme Constitutional Court ruled that the President may invoke the Emergency Law to refer any crime to a military court. This use of military and State Security Emergency court under the Emergency Law has deprived hundreds of civilian defendants of their constitutional right to be tried by an ordinary judge.

The Government defends the use of military courts as necessary in terrorism cases, maintaining that trials in the civilian courts are protracted and that civilian judges and their families are vulnerable to terrorist threats. Some civilian judges have confirmed their fear of trying high visibility terrorism cases because of possible reprisal. The Government claims that civilian defendants receive fair trials in the military courts and enjoy the same rights as defendants in civilian courts.

However, the military courts do not ensure civilian defendants due process before an independent tribunal. While military judges are lawyers, they are also military officers appointed by the Minister of Defense and subject to military discipline. They are not as independent or as qualified as civilian judges in applying the civilian Penal Code. There is no appellate process for verdicts issued by military courts; instead, verdicts are subject to a review by other military judges and confirmed by the President, who in practice usually delegates the review function to a senior military officer. Defense attorneys have complained that they have not been given sufficient time to prepare defenses and that judges tend to rush cases with many defendants.

During the year, the Government referred 280 civilian defendants to the military courts in 6 separate cases. In January, 19 defendants accused of the 1994 bombing of the Magda theater were brought to trial before a military court. The court acquitted 2, sentenced 4 to death, and sentenced 13 to prison terms of various lengths (see Section 1.a.). In July a military court sentenced Ramzy Al Muwafy to 31 years' imprisonment for belonging to a terrorist group, for having links with terrorist groups in Afghanistan and Pakistan, for forging documents, and for providing terrorist groups in Egypt with information that assisted them in perpetrating their terrorist activities. In September a military court handed down sentences in the case of 98 defendants accused of bombing 9 banks and killing a senior state security officer in 1995. The court acquitted 25 and sentenced 4 to death, 8 to life imprisonment, and 60 to hard labor or prison terms of various lengths. The court dropped charges against one defendant who died during the trial.

On October 15, a military court handed down sentences in the case involving 84 defendants accused in 1995 of planning to revive the activities of the "Jihad" terrorist group, including plans to bomb tourist areas. The court acquitted 31 persons and sentenced 3 to death, 2 to life imprisonment, and 51 to prison terms varying in length from 2 to 15 years. In October a military court sentenced eight defendants and acquitted one in connection with the September 18 attack on German tourists (see Section 1.a.).

The State Security Emergency Courts share jurisdiction with military courts over crimes affecting

national security. The President appoints judges to these courts from the civilian judiciary upon the recommendation of the Minister of Justice and, if he chooses to appoint military judges, the Minister of Defense. Sentences are subject to confirmation by the President but cannot be appealed. The President may alter or annul a decision of a State Security Emergency Court, including a decision to release a defendant.

During the year, 8 cases were referred to State Security Emergency Courts involving 123 defendants charged with terrorist acts.

There are no reliable statistics on the number of political prisoners, but observers estimate that the total may be in the thousands.

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

Under the Constitution, homes, correspondence, telephone calls, and other means of communication "shall have their own sanctity, and their secrecy shall be guaranteed." Police must obtain warrants before undertaking searches and wiretaps. Courts have dismissed cases in which warrants were issued without sufficient cause. Police officers who conduct searches without proper warrants are subject to criminal penalties, although these are seldom imposed.

However, the Emergency Law has abridged the constitutional provisions regarding the right to privacy. The Emergency Law empowers the Government to place wiretaps, intercept mail, and search persons or places without warrants. Security agencies frequently place political activists, suspected subversives, journalists, foreigners, and writers under surveillance, screen their correspondence (especially international mail), search them and their homes, and confiscate personal property.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press. However, the Government continued to place some limitations on these rights. Citizens openly speak their views on a wide range of political and social issues, including vigorous criticism of the Government.

The Government owns stock in the three largest daily newspapers, and the President appoints their editors-in-chief. However, although these newspapers generally follow the government line, they frequently criticize government policies. The Government also enjoys a monopoly on the printing and distribution of newspapers, including the opposition parties' papers. The Government has been known to use its monopolistic control of newsprint to limit the output of opposition publications.

Opposition political parties publish their own newspapers but receive a subsidy from the Government and, in some cases, subsidies from foreign interests as well. Most are weeklies, with the exception of the daily Al Wafd, the daily Al-Ahrar, and Al-Shaab, the semiweekly of the Islamist-oriented Socialist Labor Party. All have small circulations. Opposition newspapers frequently publish criticism of the Government, inspiring rejoinders from the government-owned press. They also give greater prominence to human rights abuses than the state-run newspapers. All party newspapers are required by law to reflect the platform of their party.

The Press Law, the Publications Law, and the Penal Code govern press issues. The laws stipulate fines or imprisonment for criticism of the President, members of the Government, and foreign heads of state.

The Constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. However, there are numerous restrictions on legal entities that wish to establish their own newspapers. Following implementation of the Press Law in 1996, the Government issued licenses for four new newspapers. Newspapers published outside Egypt can be distributed with government permission.

Libel laws provide protection against malicious rumor-mongering and unsubstantiated reporting. Financial penalties increased substantially in 1996 when relevant provisions of the Penal Code were revised. However, the judicial process remains long and costly, creating a bar to realistic legal recourse for those wrongly defamed. In recent years, opposition party newspapers have, within limits, published articles critical of the President and foreign heads of state without being charged or harassed. Most libel cases are brought by the Government, usually involving rumors or charges of corruption against members of the families of government officials. On several occasions in 1996, the public prosecutor interrogated editors and journalists for publishing allegations of official misconduct and corruption. In one instance the Government confiscated an issue of the newspaper, Sawt Al Umma which contained an article critical of the Information Minister.

In 1996 the People's Assembly approved a revised Press Law, following criticism of a more restrictive revision that had been approved in 1995. In related action, the People's Assembly also revised certain articles in the Penal Code pertaining to libel and slander. In addition, in February the Supreme Constitutional Court declared unconstitutional Article 195 of the Penal Code under which an editor-in-chief could have been considered criminally responsible for libel contained in any portion of the newspaper. The Court ruled that the correct standard of responsibility should be "negligence." This lesser standard was subsequently applied by the courts in separate cases.

During the year, family members of senior government officials sued for libel in two high-profile cases. In July an appeals court upheld an earlier conviction of Magdy Ahmad Hussein, editor of the Islamic fundamentalist newspaper, Al Shaab, for libeling Ala'a Alfi, a son of Interior Minister Hassan Alfi. This conviction involved a 3-year sentence and a fine of \$4,411.76 (15,000 Egyptian pounds). Hussein has appealed to the Court of Cassation. Separately, other members of the Alfi family also sued Hussein and fellow Al Shaab journalist Mohammed Hillal for libel. In January a misdemeanor court combined the cases and sentenced the two men to a suspended sentence of 1 year. Hussein and Hillal are appealing this ruling.

On September 13, a misdemeanor court convicted six journalists from the London-based newspaper Al-Sharq al-Awsat for libel of President Mubarak's sons, Gamal and Alaa. On December 10, an appellate court judge dismissed this judgment after Mubarak's sons dropped the charges following an out-of-court settlement in which the newspaper agreed to reopen its Cairo office and rehire its Egyptian employees.

Government officials also filed suit against 16 journalists in 6 cases during the year.

On occasion, based on authority granted to him by law, the public prosecutor may issue a temporary ban on the publication of news pertaining to cases involving national security and order so as to protect the confidentiality of the cases. During the year, the public prosecutor banned publication of news in at least four instances, including reporting on the Interior Minister's libel suit against Al Shaab editor Hussein and the September 18 attack on tourists visiting the Egyptian museum. The length of the ban is based on the length of time required for the prosecution to prepare its case.

Various ministries are legally authorized to ban or confiscate books and other works of art, upon obtaining a court order. The Islamic Research Center at Al Azhar University has legal authority to

ensor, but not to confiscate, all publications dealing with the Koran and Islamic scriptural texts. In recent years the Center has passed judgment on the suitability of nonreligious books and artistic productions.

In January 1995, an administrative court ruled that the sole authority to prohibit publication or distribution of books and other works of art resides with the Ministry of Culture. This decision voided a 1994 advisory opinion by a judiciary council that had expanded Al-Azhar's censorship authority to include visual and audio artistic works. The same year, President Mubarak stated that the Government would not allow confiscation of books from the market without a court order, a position supported by the then-Grand Mufti, who is now the Grand Imam of Al Azhar.

There were no court-ordered confiscations during the year. However, one book written by Islamist thinker Sayyed Al Qimny was seized by police on August 16 without a court order, after officials at the Islamic Research Center at Al Azhar ruled that it should be banned for violating religious laws and norms. On September 15, a court ruled in favor of lifting the confiscation and releasing all copies of the book, "The God of Time."

On May 25, an appeals court upheld a previous decision by a lower court to sentence author Ala'a Hamed to 1 year in prison and a fine of \$58.82 (200 Egyptian pounds) for the pornographic content of his book, "The Bed." Hamed appealed to the Court of Cassation; on August 3, an appeals court suspended implementation of his sentence and released him from jail pending a final ruling.

The Ministry of Interior regularly confiscates leaflets and other works by Muslim fundamentalists. It also has the authority, which it exercises sporadically, to stop specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order. The Ministry of Defense may ban works about sensitive security issues.

The Council of Ministers may order the banning of works that it deems offensive to public morals, detrimental to religion, or likely to cause a breach of the peace.

Plays and films must pass Ministry of Culture censorship tests as scripts and as final productions. Many plays and films, highly critical of the Government and its policies, are not censored. The Ministry of Culture also censors foreign films for viewing in theaters, but it is more lenient when the same films are released in video cassette format. Government censors ensure that foreign films made in Egypt portray Egypt in a favorable light. Censors review scripts before filming, are present during filming, and have the right to review the film before it is sent out of Egypt.

On August 3, a court dismissed all lawsuits filed against the film, "The Emigrant," ending a 2-year legal battle. Still pending before an appeals court is the case against the film, "Birds of Darkness." The plaintiffs charge that it is insulting to lawyers. Two related cases against the movie were dropped during the year. On March 21, a court rejected an attempt to ban the distribution of the film, "Sleeping in Honey." A group of lawyers filed suit against film director Youssef Chahine on May 21, charging him with neglecting to obtain the approval of Al Azhar's Islamic Research Center prior to distribution of his film, "Destiny." On May 19, an appeals court acquitted two actors formerly convicted of pornography for their work in the film, "Father of Gold," and augmented the fine assessed against the producer to \$1,470.59 (5,000 Egyptian pounds).

The Ministry of Information owns and operates all domestic television productions. In the past, it has censored artistic works that criticized the Government or dealt with social problems from a nongovernmental perspective. The Ministry also censored 10 articles of the English-language weekly

The Middle East Times

during the year. Some of the articles had contained allegations of human rights violations. The Government also expelled the weekly's publisher, Thomas Cromwell, but cited reasons unrelated to his position as a journalist for the action. Moderate Muslims and secularist writers continue to find themselves under legal attack by Islamic extremists. Cairo University professor Nasr Abu Zeid and his wife continue to live abroad following the 1996 Court of Cassation ruling that affirmed lower court judgments that Abu Zeid is an apostate because of his controversial interpretation of Koranic teachings. In May a member of the Al Azhar's Islamic Research Center publicly attacked the writings of Dr. Hassan Hanafy, a professor of philosophy at Cairo University; however, the Center took no action against Hanafy. The courts have also ruled against Islamic extremists. On June 29, a misdemeanor court dismissed a libel suit brought against the magazine Rose Al Yusef for alleged violations of Islamic norms, and awarded the magazine \$5,882.35 (20,000 Egyptian pounds) as compensation. On August 30, a misdemeanor court dismissed the \$500 million suit against the Cable News Network (CNN); the plaintiffs had accused CNN of defaming Egypt's reputation in the network's 1994 news report depicting the performance of female genital mutilation (FGM) on an Egyptian girl.

In January state security forces carried out raids in which they arrested some 80 middle and upper-class young people, mostly private school and university students, devoted to heavy metal rock music and its trappings. According to rumors, they were involved in Satan worship, marijuana use, and animal sacrifices. Forty-four of those picked up were remanded to custody, but all were released without charge after about 2 weeks.

The Government does not directly restrict academic freedom at universities. However, some university professors claim that the Government tightened its control over universities in 1994 in a law authorizing university presidents to appoint the deans of the various faculties. Under the previous law, faculty deans were elected by their peers. The Government has justified the measure as a means to combat Islamist influence on campus.

b. Freedom of Peaceful Assembly and Association

The Government continues to maintain substantial restrictions on freedom of assembly. Under a 1923 law, citizens must obtain approval from the Ministry of Interior before holding public meetings, rallies, and protest marches. The Interior Ministry selectively obstructs meetings scheduled to be held on private property, including university campuses. According to human rights groups, the Government canceled or disrupted more than 40 meetings during the year, most of which were related to opposition to the Agrarian Reform Law.

The Government continues to maintain substantial restrictions on freedom of association. Under law 32 of 1964, the Ministry of Social Affairs has extensive authority over associations and private foundations, including the right to license and dissolve them, confiscate their properties, appoint members to their boards, and intercede in other administrative matters. Licenses may be revoked if such organizations engage in political or religious activities. The law authorizes the Ministry to "merge two or more associations to achieve a similar function," a provision that may be used to merge an undesirable organization out of existence.

Since 1985 the Government has refused to license the Egyptian Organization for Human Rights (EOHR) and the Arab Organization for Human Rights (AOHR) on grounds that they are political organizations. Nevertheless, both continue to operate openly (see Section 4). Under 1993 legislation on professional syndicates, an association must elect its governing board by at least 50 percent of its general

membership. Failing a quorum, a second election must be held in which at least 30 percent of the membership votes for the board. If such a quorum is impossible, the judiciary may appoint a caretaker board until new elections can be set. The law was adopted to prevent well-organized minorities, specifically Islamists, from capturing or retaining the leadership of professional syndicates. Members of these syndicates have reported that Islamists have used such irregular electoral techniques as physically blocking polling places and limiting or changing the location of polling sites.

c. Freedom of Religion

The Constitution provides for freedom of belief and the practice of religious rites. However, the Government places clear restrictions on this right. Most Egyptians are Muslim, but at least 10 per cent of the population, 6 million people, belong to the Coptic Orthodox Church. There are other small Christian denominations, as well as a Jewish community numbering fewer than 50 persons.

For the most part, members of the non-Muslim minority worship without harassment and maintain links with coreligionists abroad. Under the Constitution, Islam is the official state religion and primary source of legislation. Accordingly, religious practices that conflict with Islamic law are prohibited. However, in most matters of family law, Christians are subject to church law. While neither the Constitution nor the Civil and Penal Codes prohibit proselytizing, Christians have been arrested on charges of violating Article 98f of the Penal Code, which prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife. There were no reports of such arrests during the year. Some Christians have complained that the Government and security forces are lax in protecting Christian lives and property (see Section 5). There are no legal restrictions on the conversion of non-Muslims to Islam. However, Muslims may face legal problems if they convert to another faith. Authorities have charged a few Muslim converts to Christianity under Article 98f of the Penal Code. In other cases, authorities have charged converts with violating laws prohibiting the falsification of documents. In such instances, Muslim converts to Christianity, who fear government harassment if they seek an official modification, have themselves altered their identification cards and other official identity documents to reflect their new religious affiliation. There were no confirmed reports of individuals detained or charged during the year under these laws. In January human rights activist Mamdouh Nakhlah filed suit seeking removal of the religious affiliation category from identification cards (see below).

An 1856 Ottoman Decree still in force requires non-Muslims to obtain what is now a presidential decree to build or repair a place of worship. In addition, Interior Ministry regulations issued in 1934 specify a set of 10 conditions that the Government must consider prior to issuance of a presidential decree permitting construction or renovation of a church. These conditions include the location of the proposed site, the religious composition of the surrounding community, and the proximity of other churches. Although President Mubarak has approved all requests for permits presented to him (reportedly a total of 230 during his 16-year tenure), Christians maintain that the Interior Ministry delays, in some instances indefinitely, submission to the President of their requests. They also maintain that security forces have blocked them from utilizing permits that have been issued. In January 1996, human rights activist Mamdouh Nakhla filed a lawsuit challenging the constitutionality of the Ottoman Decree and the Interior Ministry regulations. The case remains before the court.

As a result of these restrictions, some communities use private buildings and apartments for religious services. During the 1990's, the Government increased the number of building permits issued to Christian communities to an average of more than 20 per year, compared with the average of 5 permits issued annually in the 1980's. However, in 1997 the Government issued only 3 permits for the construction of new churches and another 3 for repairs and reconstruction. Construction and renovation approved by previously issued permits continued throughout the year.

In 1994 the Alexandria government closed two buildings near the city that had been used by evangelical Christians since 1990 for church activities. The Government claimed that the church lacked a building permit. Lawyers for the church argued that the closures violated previous court rulings upholding the right to conduct religious services in private buildings without prior government approval. They also pointed out that the closed buildings were located in an area where unlicensed buildings are common. On September 1, an administrative court in Alexandria upheld the Government's decision to close the buildings, stating that the construction of the buildings without permits violated the building code. The court did not address the issue of freedom of worship in its decision. The plaintiffs are appealing this decision.

The Government continued its efforts to extend legal controls to all mosques, which by law must be licensed. The Government appoints and pays the salaries of the imams officiating in mosques, and proposes themes for and monitors sermons. Of the country's approximately 70,000 mosques, nearly half remain unlicensed and operate outside the control of government authorities. In an effort to combat Islamic extremists, the Government announced its intention to bring 10,000 unauthorized mosques its control during the year.

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

Citizens and foreigners are free to travel within Egypt except in certain military areas. Males who have not completed compulsory military service may not travel abroad or emigrate, although this restriction can be deferred or bypassed. Unmarried women under the age of 21 must have permission from their fathers to obtain passports and travel; married women require the same permission from their husbands. Citizens who leave the country have the right to return.

The Constitution forbids the deportation of citizens and aliens granted political asylum. Egypt grants first asylum for humanitarian reasons or in the event of internal turmoil in neighboring countries. Asylum seekers generally are screened by representatives of the United Nations High Commissioner for Refugees (UNHCR), whose recommendations regarding settlement are forwarded to the Ministries of Interior and Foreign Affairs for final determination. Refugees accepted by the Government are permitted to live and work but cannot acquire Egyptian citizenship, with rare exceptions. During the year, the Government accepted more than 6,000 refugees, including more than 3,000 Somalis and more than 1,500 Sudanese, for temporary resettlement. Although there is no pattern of abuse of refugees, the Government temporarily detained some refugees (who had earlier been accorded protection status) during random security sweeps. Following intervention by the UNHCR, the refugees were released.

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

The ruling National Democratic Party (NDP) dominates the 454-seat People's Assembly, the Shura Council, local governments, the mass media, labor, the large public sector, and the licensing of new political parties, newspapers, and private organizations to such an extent that, as a practical matter, citizens do not have a meaningful ability to change their government.

In 1993 President Hosni Mubarak was elected unopposed to a third 6-year term by the People's Assembly. In October of that year, his reelection was approved by 96 percent of the voters in a national referendum. Under the Constitution, the electorate is not presented with a choice among competing presidential candidates. Two opposition parties urged the public to boycott the referendum, and two other parties urged the public to vote against the President. The other opposition parties endorsed the President's candidacy.

More than 100 losing candidates in the fall 1995 legislative elections filed complaints in the administrative courts, alleging ballot-rigging and other irregularities. The courts agreed with most of these claims. Although the judiciary has the authority to determine whether or not irregularities took place, it does not have the authority to remove an elected member of the Assembly, a right that the Assembly claims solely for itself, citing the concept of parliamentary sovereignty. The Assembly has called for any new by-elections in response to the court's judgment, nor is it expected to do so.

The Assembly debates government proposals, and members exercise their authority to call cabinet ministers to explain policy. The executive initiates almost all legislation. Nevertheless, the Assembly maintains the authority to challenge or restrain the executive in the areas of economic and social policy, but it may not modify the budget except with the Government's approval. The Assembly exercises limited influence in the areas of security and foreign policy, and there is little oversight of the Interior Ministry's use of emergency law powers. Many executive branch initiatives and policies are carried out by regulation through ministerial decree without legislative oversight. The military budget is prepared by the executive and not debated publicly. Roll-call votes in the Assembly are rare. Votes are generally reported in aggregate terms of yeas and nays, and thus constituents have no independent method of checking a member's voting record.

There are 13 recognized opposition parties. The law empowers the Government to bring felony charges against those who form a party without a license. New parties must be approved by the Parties Committee, a semiofficial body including a substantial majority of members from the ruling NDP and some members from among the independents and opposition parties. Decisions of the Parties Committee may be appealed to the civil courts. No new parties sought approval during the year. Sixteen parties whose applications have been previously denied are contesting the decisions.

According to the law, which prohibits political parties based on religion, the Muslim Brotherhood is an illegal political organization. Muslim Brothers are publicly known and openly speak their views, but are subject to government pressure (see Section 1.d.). Some have served in the Assembly as independents or as members of other recognized parties.

In the April elections to local councils, which range in size from the smallest government administrative unit to the governorate level, the NDP won more than 95 percent of the seats. Prior to the actual voting, the NDP had gained more than 50 percent of the seats by default. Some opposition parties boycotted the elections, which were characterized by a low turnout. Local council elections are held every 4 years.

Women and minorities are underrepresented in government and politics. The Constitution reserves 10 assembly seats for presidential appointees, which the President traditionally has used to assure representation for Coptic Christians and women. Five women and no Copts were elected in 1995; of the 10 presidential appointments, 6 were Copts and 4 were women. The ruling NDP nominated no Coptic candidates in the 1995 parliamentary elections. Two women and 2 Copts serve among the 32 ministers in the Cabinet.

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

The Government refuses to license local human rights groups as private entities under Law 32 of 1964 (see Section 2.b.). Since 1986 the Government has refused to license the Egyptian Organization for Human Rights on grounds that it is a political organization and duplicates the activities of an existing, although moribund, human rights group (see Section 2.b.). The EOHR has appealed the denial in the courts, and continues to conduct activities openly, pending a final judicial determination of its status.

The Arab Organization for Human Rights, EOHR's parent organization, has a longstanding request for registration as a foreign organization with the Ministry of Foreign Affairs. The Ministry has not approved the request thus far, stating that the issue is dependent on the outcome of efforts within the League of Arab States to establish a human rights body.

Despite their nonrecognition, the EOHR and other groups sometimes enjoy the cooperation of government officials. The Government allows EOHR field workers to visit prisons in their capacity as legal counsel, to call on some government officials, and to receive funding from foreign human rights organizations. Many local and international human rights activists have concluded, however, that government restrictions on the activities of NGO's have significantly inhibited reporting on human rights abuses.

There were no reports during the year that the Government banned meetings of human rights groups, although the Government on occasion makes the holding of such meetings difficult. For example, some human rights organizations have found requests for conference space turned down for "security reasons" or reservations later canceled for "maintenance reasons." Other human rights organizations, such as the Center for Human Rights Legal Aid, are registered with the Government as corporations under commercial or civil law, thus avoiding the obstacles posed by Law 32 (see Section 2.b.).

In 1995 the Ministry of Justice issued a nonbinding advisory ruling stating that such organizations properly should be considered nongovernmental organizations as defined by Law 32 and registered accordingly, or face punitive action. However, the Government did not close down any group during the year.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality of the sexes and equal treatment of non-Muslims, but aspects of the law and many traditional practices discriminate against women and Christians.

Women

Family violence against women occurs and is reflected in press accounts of specific incidents. According to recent statistics, one of every three women who have ever been married has been beaten at least once during marriage. Among those who have been beaten, less than half have ever sought help. In general, neighbors and extended family members intervene to limit incidents of domestic violence. Abuse within the family is rarely discussed publicly, due to the value attached to privacy in this traditional society. Several NGO's have begun offering counseling, legal aid, and other services to women who are victims of domestic violence. Rape is known to occur, but reliable statistics are not available. When "honor killings" (a man murdering a female relative for her perceived lack of chastity) occur, perpetrators generally receive lighter punishments than those convicted in other cases of murder. The law provides for equality of the sexes, but aspects of the law and many traditional practices discriminate against women. By law, unmarried women under the age of 21 must have permission from their fathers to obtain passports and travel; married women of any age require the same permission from their husbands (see Section 2.d.). Only males can confer citizenship. In rare cases, this means that children born to Egyptian mothers and stateless fathers are themselves stateless. A woman's testimony is equal to that of a man's in Egyptian courts.

Laws affecting marriage and personal status generally correspond to an individual's religion, which is Islam for most citizens. A 1979 liberalization of the Family Status Law strengthening a Muslim woman's rights to divorce and child custody was repealed in 1985 after it was found unconstitutional for

conflicting with Islamic law. A new marriage contract for Muslim women was proposed in 1995 to replace the current one drafted in 1931. It stipulates premarital negotiations on a wide variety of issues, including the woman's right to work, study and travel abroad, and divorce settlements. Government approval is still pending.

Under Islamic law, non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. 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 his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who need assistance. However, this assistance is not always provided.

Women have employment opportunities in government, medicine, law, academia, the arts, and, to a lesser degree, in business. According to government figures, women constitute 17 percent of private business owners, and occupy 25 percent of the managerial positions in the four major national banks. Social pressure against women pursuing a career is strong, and some women's rights advocates say that a resurgent Islamic fundamentalist trend limits further gains. Women's rights advocates also point to other discriminatory traditional or cultural attitudes and practices such as female genital mutilation and the traditional male relative's role in enforcing chastity and chaste sexual conduct.

A number of active women's rights groups work in diverse areas, including reforming the Personal Status Code, educating women on their legal rights, combating FGM, and rewriting the marriage contract.

Children

The Government remains committed to the protection of children's welfare within the limits of its budgetary resources. Many of the resources for children's welfare are provided by international donors, especially in the field of child immunization. Child labor is widespread, despite the Government's commitment to eradicate it (see Section 6.d.).

The Government provides public education, which is compulsory for the first 9 academic years (typically until the age of 15). In education the Government treats boys and girls equally at all levels of education.

The Government enacted a new Child Law in 1996. The law provides for more privileges, protection, and care for children in general. Six of the law's 144 articles set advantageous rules for working children (see Section 6.d.). Other provisions include: Employers are to set up or contract with a child care center if they employ more than 100 women; the right of rehabilitation for disabled children; defendants between the ages of 16 and 18 may not be sentenced to capital punishment, hard labor for life, or temporary hard labor; and defendants under the age of 15 may not be placed in preventive custody, although the prosecution may order that they be lodged in an "observation house" and be summoned upon request.

The Government remains committed to eradicating the practice of female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health. Despite strong government and community efforts to eradicate FGM, government and private sources agree that it is common. Traditional and family pressures remain strong; a recent study places the percentage of Egyptian women who have undergone FGM at 97 percent. FGM is generally performed on girls between the ages of 7 and 10, with equal prevalence among Muslims and Coptic

Christians.

The 1996 decree by the Minister of Health and Population Planning banning the practice of female genital mutilation (FGM) was challenged in the courts on the grounds that the ban was unconstitutional. On December 28, the Supreme Administrative Court, the court of last resort in this matter, upheld the Government's ban. The Government also supports a range of efforts to educate the public. A discussion of FGM and its dangers has been added to the curriculum of the school system. The Government broadcasts television programs condemning the practice. The Minister of Awqaf (religious endowments) and the Minister of Health met with 6,500 new imams (Muslim preachers) on August 25 and advised them that FGM is a bad habit unrelated to Islam. Senior religious leaders also support efforts to stop the practice. The Sheikh of Al Azhar, the most senior Islamic figure in the country, and the leader of the Coptic Christian community, Pope Shenouda, have stated repeatedly that FGM is not required by religious doctrine. A number of NGO's also work actively to educate the public about the health hazards of the practice.

In December a provincial court in Qalyub found Dr. Rabie Ibrahim Mahgoub guilty of "immense medical negligence" in the death of a 14-year-old girl on whom he performed FGM in April. The court sentenced Mahgoub to 1 year on jail and a \$150 (510 Egyptian pounds) fine for causing her death.

People with Disabilities

There are approximately 5.7 million disabled persons, of whom 1.5 million are severely disabled. The Government makes serious efforts to address their rights. It works closely with United Nations agencies and other international aid donors to design job-training programs for the disabled. The Government also seeks to increase the public's awareness of the capabilities of the disabled in television programming, the print media, and in educational material in public schools.

By law, all businesses must designate 5 percent of their jobs for the disabled, who are exempt from normal literacy requirements. Although there is no legislation mandating access to public accommodations and transportation, the disabled may ride government-owned mass transit buses without charge, are given priority in obtaining telephones, and receive reductions on customs duties for private vehicles.

Religious Minorities

The Constitution provides that all citizens are equal before the law and prohibits discrimination based on religion. For the most part these constitutional protections are upheld by the Government. However, discrimination against Christians still exists.

The approximately 6 million Coptic Christians are the objects of occasional violent assaults by Muslim extremists. During the year, extremists were responsible for killing at least 23 Egyptian Christians, most in the Minya and Assiyut governorates, where about 30 to 40 percent of the inhabitants are Christian (see Section 1.a.). Acts of violence also were reported against churches and Coptic-owned businesses; some carried out by extremists, but others committed by ordinary citizens. Rumors of church repairs or building without permits occasionally resulted in anti-Christian rioting by citizens. In one incident in the delta village of Greis, local newspapers reported that two members of the Muslim Brotherhood claimed that a priest was building a monastery without government permission. This false rumor, repeated at evening prayer, incited local residents to set fire to the house on June 18.

Some Christians have complained that the Government is lax in protecting Christian lives and property.

Security forces arrest extremists who perpetrate violence against Christians, but some members of the Christian community do not believe that the Government is sufficiently vigorous in its efforts to prevent attacks. They also maintain that the Government does little to correct nonviolent forms of discrimination, including its own.

In general, security forces responded rapidly to attacks against Christians during the year. The Government also thoroughly investigated the incidents, filing charges as appropriate. Following the deadly attack on church youths in Abu Qurqas in February, the Minister of Awqaf and senior Islamic figures traveled to the site to condemn the action and to express condolences.

There were reports of forced conversions of Coptic children to Islam, but even human rights groups find it extremely difficult to determine the actual degree of compulsion used, as most cases involve a Coptic girl converting to Islam to marry a Muslim boy. According to the Government, the girl in such cases must meet with her family, with her priest, and with the head of her church before she is allowed to convert. However, there are credible reports of government harassment of Christian families attempting to regain custody of their daughters, and of the failure of the authorities to uphold the law that states that a marriage of a girl under the age of 16 is prohibited and between the ages of 16 and 21 is illegal without the approval and presence of her guardian.

Government discriminatory practices include: Suspected statistical underrepresentation of the size of the Christian population; anti-Christian discrimination in education; failure to admit Christians into schools of Arabic studies to become Arabic teachers as the curriculum involves study of the Koran; job discrimination in the public sector--the police, the armed forces, and other government agencies; reported discrimination against Christians in staff appointments at universities; and their underrepresentation in government. There are no Coptic governors and no Copts in the upper ranks of the military or police. There were no anti-Christian television programs during the year.

In November more than 100 leading Egyptians, including university professors, members of the People's Assembly and Shura Council, journalists, artists, and NGO activists, signed a public statement that acknowledged discrimination against Christians. This "Declaration to the Nation" ran in Al-Shaab, an opposition newspaper often critical of the Government, which is published by the minority Labor Party. The statement, which Al-Shaab ran for free with 50 signatures on November 7, and again with an additional 50 signatures on November 21, acknowledged that Christians suffer from discrimination, but it stated that the Egyptian people and authorities had to resolve these problems within an "Egyptian framework." The statement also rejected foreign criticism and interference in this area.

Anti-Semitism in the Egyptian press is found primarily, but not exclusively, in the nonofficial press of the opposition parties. The Government has condemned anti-Semitism and advised journalists and cartoonists to avoid anti-Semitism. There have been no anti-Semitic incidents in recent years directed at the tiny Jewish community.

Section 6 Worker Rights

a. The Right of Association

Workers may join trade unions but are not required to do so. A union local, or workers' committee, may be formed if 50 employees express a desire to organize. Most union members, about 27 per cent of the labor force, are employed by state-owned enterprises. The law stipulates that "high administrative" officials in government and the public sector may not join unions.

There are 23 trade unions, all required to belong to the Egyptian Trade Union Federation (ETUF), the sole legally recognized labor federation. The International Labor Organization's Committee of Experts repeatedly has emphasized that a law requiring all trade unions to belong to a single federation infringes on the freedom of association. The Government has shown no sign that it intends to accept the establishment of more than one federation. The ETUF leadership asserts that it actively promotes worker interests and that there is no need for another federation. ETUF officials have close relations with the NDP, and some are members of the People's Assembly or the Shura Council. They speak vigorously on behalf of worker concerns, but public confrontations between the ETUF and the Government are rare. Disputes are more often resolved by consensus behind closed doors.

The labor laws do not adequately provide statutory authorization for the rights to strike and to engage in collective bargaining. Even though the right to strike is not provided, strikes occur. The Government considers strikes a form of public disturbance and hence illegal.

A limited number of strikes took place in the public sector during the year, mainly over wage and dismissal questions. Local security forces used tear gas and physical force on June 18 to break up a strike involving hundreds of employees at Zagazig University, located 50 miles east of Cairo. One employee was reportedly seriously harmed by exposure to tear gas, but the person recovered.

Some unions within the ETUF are affiliated with international trade union organizations. Others are in the process of becoming affiliated.

b. The Right to Organize and Bargain Collectively

Under the law, unions may negotiate work contracts with public sector enterprises if the latter agree to such negotiations, but unions otherwise lack collective bargaining power in the state sector. Under current circumstances, collective bargaining does not exist in any meaningful sense because the Government sets wages, benefits, and job classifications by law.

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

Labor law and practice are the same in the export processing zones (EPZ's) as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

Article 13 of the Constitution prohibits forced labor. However, the Criminal Code authorizes sentences of hard labor for some crimes. Although the law does not specifically prohibit forced and bonded labor by children, such practices are not known to occur (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

Under the Child Law approved in 1996 (see Section 5), the minimum age for employment is 14 in nonagricultural work. Provincial governors, with the approval of the Minister of Agriculture, can authorize seasonal work for children between the ages of 12 and 14, provided that duties are not hazardous and do not interfere with schooling. Preemployment training for children under the age of 12 is prohibited. It is prohibited for children to work for more than 6 hours a day, including one or more breaks totaling at least 1 hour. Children are not to work overtime, during their weekly day off, between 8

p.m. and 7 a.m., or more than 4 hours continuously. Education is compulsory for the first 9 academic years (typically until the age of 15). Ministry of Health figures indicate that 2 million children between the ages of 6 and 15 are employed. A 1989 study estimated that perhaps 720,000 children work on farms. However, children also work as apprentices in repair and craft shops, in heavier industries such as brick making and textiles, and as workers in leather and carpet making factories. While local trade unions report that the Ministry of Labor adequately enforces the labor laws in state-owned enterprises, enforcement in the private sector, especially in family-owned enterprises, is lax. Many of these children are abused and overworked by their employers, and the restrictions in the new Child Law have not improved their condition due to lax enforcement on the part of the Government. Although the law does not specifically prohibit forced and bonded labor by children, such practices are not known to occur (see Section 6.c).

Two accidents involving child agricultural workers during the year highlighted the problem of enforcement. On September 21, 29 children were drowned and 56 were injured when a truck crashed into a canal in Kfar Sheikh. More than 100 children, ranging in age from 5 to 15, were being transported in the truck to pick cotton. On October 1, six children were drowned in a similar truck accident in Dakhaliya. Ranging in age from 5 to 15, they too were harvesting cotton.

e. Acceptable Conditions of Work

For government and public-sector employees, the minimum wage is approximately \$28 (about 95 Egyptian pounds) a month for a 6-day, 42-hour workweek. Base pay is supplemented by a complex system of fringe benefits and bonuses that may double or triple a worker's take-home pay. The average worker and family could not survive on a worker's base pay at the minimum wage rate. The minimum wage is also legally binding on the private sector, and larger private companies generally observe the requirement and pay bonuses as well. Smaller firms do not always pay the minimum wage or bonuses.

The Ministry of Labor sets worker health and safety standards, which also apply in the export processing zones, but enforcement and inspection are uneven. The law prohibits employers from maintaining hazardous working conditions, and workers have the right to remove themselves from hazardous conditions without risking loss of employment.

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