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EGYPT

According to its Constitution, Egypt is a social democracy in which Islam is the state religion. 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 fourth 6-year term in a national referendum held in September. 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; however, there is no appellate process for verdicts issued by the military or State Security Emergency courts.

There are several security services in the Ministry of Interior, two of which are involved primarily 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 President is the commander-in-chief of the military; the military is a primary stabilizing factor within society but generally does not involve itself in internal issues. The use of violence by security forces in the campaign against suspected terrorists appeared more limited than in previous years. 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 generates the largest amount of foreign currency. Petroleum exports, Suez Canal revenues, and remittances from approximately 2 million Egyptians working abroad are the other principal sources of foreign currency. These income sources are vulnerable to external shocks. Over the past decade, 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. However, export growth has lagged behind the growth in imports, which has resulted in an increase in the merchandise trade deficit to \$12 billion for the year 1998-99. Several government policies enacted during the year, including restrictive trade decrees and foreign exchange rationing, led observers to question whether the Government can sustain its current exchange rate policy and interest rates. President Mubarak reshuffled the Cabinet in October to address these problems and to institute more coherent economic policies and accelerated reforms. Continued progress in economic development depends primarily upon implementation of a wide range of structural reforms. The per capita gross domestic product (GDP) is about \$1,100 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 again improved somewhat over the previous year, mainly due to a decrease in terrorist activity by Islamic extremists. 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, continues to restrict many basic rights. The security forces continued to arrest and detain suspected members of terrorist groups. 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 killed, tortured, and otherwise abused both criminal suspects and other persons. The Government took disciplinary action against police officers accused of abusing detainees, including prosecution of several offenders, but it did not pursue most cases or seek adequate punishments. In August the public prosecutor reopened and expanded an investigation into police brutality and torture that took place during a 1998 police investigation of a double murder in the largely Coptic village of Al-Kush in Sohag governorate.

Prison conditions remain poor. The Ministry of Interior released more than 1,000 political detainees, bringing the total number of detainees released since 1998 to more than 6,000. The use of military courts to try civilians continued to infringe on a defendant's right to a fair trial before an independent judiciary. During the year, the Government referred 3 cases involving 148 civilian defendants to the military court system. Twenty of these defendants are leaders of the Muslim Brotherhood. They were arrested in October on charges of illegal political activity. Most observers believe that the Government is seeking to block Muslim Brotherhood participation in the elections to professional syndicates and the People's Assembly. The Government used the Emergency Law to infringe on citizens' privacy rights. Although citizens generally express themselves freely, the Government partially restricts freedom of the press. The Government significantly restricts freedom of assembly and association. The Government places restrictions on freedom of religion. Despite difficulties due to an inadequate legal framework and periodic government harassment, a number of local human rights groups are active. Although the Government does not recognize them legally, it allows these groups to operate openly.

Domestic violence against women is a problem. Although the Government enforces the 1996 decree banning the practice of female genital mutilation (FGM), many families

persist in subjecting their daughters to the traditional practice. Women and Christians face discrimination based on tradition and some aspects of the law. Terrorist violence against Christians has been a problem in recent years. There were no reports of terrorist attacks against Christians during the year; however, a Christian priest in Mahalla and a Christian priest in Dairout were attacked by individual extremists. Child labor remains widespread despite government efforts to eradicate it. Abuse by employers continues, and the Government does not enforce the law effectively. The Government limits workers' rights.

In contrast to the previous year, and for the first time in 10 years, there were no reports of terrorist incidents.

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, police committed extrajudicial killings, and such killings also may have occurred in certain antiterrorist operations.

In August The Egyptian Organization for Human Rights (EOHR) reported the deaths of five criminal suspects in police custody during the year: Ahmad Mahmoud Mohamed Tammam, Hany Kamal Shawky, Said Sayyed Abd Al-Aal, Hamdy Ahmad Mohamed Ahmad Askar, and Amr Salim Mohamed (see Section 1.c.). The Ministry of Interior responded to the EOHR's inquiry about these cases, and noted that the Public Prosecutor charged a security official with premeditated murder in one instance (see Section 1.c.).

The London-based Islamic Observation Center reported that Mahmoud Agami Muhalhel Muawad died on October 21 in Damanhour prison as a result of poor conditions. Muawad's older brother, Sayyed Agami Muhalhel Muawad, was convicted in absentia in April by a military court and sentenced to 10 years in prison for membership in the terrorist group, the "Jihad Group of Egypt" (see Sections 1.c. and 1.e.). The press reported the following deaths due to police torture: Ahmad Mahmoud Ali Abdallah, who died on November 1 as a result of torture in a Cairo police station; Sharif Abd Al-Galil Sharaf, who died on December 2 after being detained and tortured in a police station in the governorate of Sharkiya; and Mohamed Ahmad Ibrahim, who died after being detained in a police station in Alexandria late in the year (see Section 1.c.).

During the year, the public prosecution referred to court the case of five security officials accused of premeditated murder in the 1998 death in detention of Waheed Al-Sayyid Ahmad. A court date was not set by year's end. The public prosecution took no action on the case of Gamal Mohammed Abdallah Mustafa, who died as a result of police torture in 1998. The public prosecution took no action on the case of a businessman who died in 1997 in the governorate of Galoubiya, reportedly as a result of police torture (see Section 1.c.).

In antiterrorist campaigns, security forces killed four members of the "Islamic Group of Egypt" (IG), including Farid Salim Abdel Qader Kidwani, who was the leader of the IG's military wing. The security forces reportedly raided an IG hideout in Giza on September 7. The four IG members were killed in an exchange of gunfire. On August 1, a resident of

Assiyut governorate shot and killed a member of the security forces. The gunman subsequently was shot and killed by security forces. Although there were some reports that this exchange was a terrorist incident, local observers attribute the incident to a dispute over cattle theft. There were no reports of killings of relatives of suspected extremists by security forces in apparent vendettas.

According to press reports, in October a State Security Emergency court began the trial of four members of a terrorist group from the upper (southern) Egyptian city of Dairout who were accused of murder and attempted murder of policemen and Christians in the early 1990's. The trial was postponed until December, then later postponed again until February 2000. There was no information available about the identities of the defendants and the specific charges against them (see Sections 1.e. and 5.).

According to reports released by the Land Center for Human Rights, during the year, 64 persons died and 324 were wounded in land disputes, including conflicts over demarcation lines, water rights, and cattle theft. The Land Center also reported 265 arrests related to land disputes. These incidents took place in rural areas, primarily in upper (southern) Egypt.

b. Disappearance

There were no reports of politically motivated disappearances.

The Human Rights Center for the Assistance of Prisoners reported six new cases of persons who disappeared between 1989 and 1998. The Center learned that 3 of the 19 persons reported missing in 1998 are in prison. The EOHR continues to investigate 30 previously reported disappearances. The EOHR has provided these names to the U.N. Committee on Disappearances, but the Government reportedly has denied any involvement in these cases.

On February 22, an appeals court in Cairo ordered the Ministry of Interior to pay Bahaa Al-Amari, the wife of former Libyan Foreign Minister Mansur Kikhiya, \$30,000 (100,000 Egyptian pounds). Kikhiya's family sued the Government following reports that he had been kidnaped from Cairo by Libyan agents, taken to Libya, and executed there in 1994. The court awarded the sum as compensation for the Ministry of Interior's inability to protect a foreign dignitary on Egyptian soil. The Ministry of Interior appealed the decision to the Court of Cassation. The case is pending.

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, torture and abuse of detainees by police, security personnel, and prison guards is common.

Under the Penal Code, torture of a defendant or giving 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 persons by relying on one's position is punishable by imprisonment of no more than 1 year or a fine of no more than \$65 (125 Egyptian

pounds). 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 tortured and mistreated citizens. Reports of torture and mistreatment at police stations remain frequent. According to a newspaper interview published in June, Interior Minister Habib Al-Adly said that human rights were "an important component of state practices," and that he was seeking "to restore the necessary level of security discipline." He stated that it was necessary to restore the confidence of citizens in the "competence" of the security services, and to restore "the positive relationship" between citizens and the security services. In August it was reported in the press that the Public Prosecutor instructed his subordinates to avoid the use of physical or psychological violence during the interrogation of suspects.

However, while the Government has investigated torture complaints in criminal cases and punished some offending officers, the punishments do not conform with the seriousness of the offense. Government officials have stated that administrative punishments can be severe enough to prevent further career advancement, and that some police officers have chosen to face criminal charges instead. The Government has stated that it would 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 to employ torture. 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 that are employed by state security personnel and the police. Detainees frequently are stripped; hung by their wrists with their feet just 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 that 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 that the police deny any knowledge of the detainee when inquiries are made about specific cases, effectively blocking the investigation of torture complaints.

In January the Human Rights Center for the Assistance of Prisoners released a report called "The Price of Dignity: Torture in Egypt is a Judicial Reality." The report presents a random sample of 190 cases of torture from the period 1982 to 1997. All of the cases involve a civilian defendant who successfully sued the Ministry of Interior for compensation for torture inflicted by state security forces or police during detention. For the 190 sample cases cited, the Interior Ministry was ordered to pay a total of \$ 260,000 (877,000 Egyptian pounds) in awards ranging from \$150 (500 Egyptian pounds) to \$10,300 (35,000 Egyptian pounds).

In August the EOHR reported that five criminal suspects died during the year while in police custody, and provided eyewitness accounts of police torture of these persons. According to the EOHR, Hamdy Ahmad Mohamed Askar died on February 16 in Al-Mansoura general hospital, where he had been transferred following detention at a police station in Mansoura Governorate. Said Sayyed Abd Al-Aal died on April 17 in a police station in Giza. Hany Kamal Shawky died on April 21 in a police station in Cairo. Amr Salim Mohamed died on July 17 in a police station in the governorate of Galoubiya. Ahmad Mahmoud Mohamed Tammam died on July 21 in a police station in Giza.

In response to the EOHR's inquiry about these cases, the Ministry of Interior stated that Askar had been transferred to the hospital because of respiratory problems, and noted that the forensics evidence conflicts with eyewitness accounts of Askar's treatment. According to the Ministry, Abd Al-Aal died from circulatory failure in a hospital. The Ministry reported that the Public Prosecutor charged a security official in Cairo with premeditated murder following the death of Shawky. The Ministry stated that a forensic report indicated that Mohamed died from pleural effusion and circulatory failure, and noted that Mohamed's father said that his son was suffering from pneumonia.

The Islamic Observation Center, based in London, reported that Mahmoud Agami Muhalhel Muawad died on October 21 in Damanhour prison "as a result of the deteriorating conditions of Egyptian prisons." Muawad was the younger brother of Sayyed Agami Muhalhel Muawad, who was convicted in absentia in April by a military court and sentenced to 10 years in prison for membership in the terrorist group the Islamic Jihad of Egypt (see Sections 1.a. and 1.e.). The press reported that Ahmad Mahmoud Ali Abdallah was arrested on October 30 and died on November 1 at the Rod Al-Farag police station in Cairo from torture. Abdallah's family claimed that the police forced them to bury his body, which revealed evidence of torture. In December the press reported that 16-year-old Mohamed Ahmad Ibrahim died after police tortured him in the Al-Raml police station in Alexandria. Ibrahim's family complained to the office of the public prosecutor about bruises on their son's body. The press also reported that police in Minya Al-Kamh in the governorate of Sharikiya tortured to death Sharif Abd Al-Galil Sharaf. Sharif reportedly was arrested on November 13 and beaten so badly that he fell into a coma. He was taken to a hospital where he died on December 2.

In May the Public Prosecutor in Sohag announced that the medical evidence did not support allegations of police torture and mistreatment of 15 suspects from the village of Al-Kush in the governorate of Sohag in 1998 (see Sections 2.a., 2.c., and 4). The Sohag Public Prosecutor dismissed the charges against the police officers. The 15 suspects were detained during a 1998 murder investigation and subsequently filed an official complaint. There was no evidence to substantiate a newspaper report that the Government compensated the four implicated officers, and the minister of Interior denied the report. The officers were transferred during the investigation and have not been reassigned to Al-Kush. In August the newly appointed national Public Prosecutor reopened and expanded the investigation of police conduct in Al-Kush. According to the EOHR and other groups, during the incident, the police detained hundreds of citizens, including relatives of suspects, women, and children. Local observers reported that police tortured and mistreated dozens of these detainees. The public prosecution is interviewing 989 Al-Kush residents about the incident.

During the year the public prosecution referred to court the case of five security officials

accused of premeditated murder in the 1998 death of Waheed Al-Sayyid Ahmad, who allegedly died as a result of police torture. A court date was not set by year's end. The public prosecution took no action on the case of Gamal Mohammed Abdallah Mustafa, who died as a result of police torture in 1998. The public prosecution took no action on the case of a businessman who died in 1997 in the governorate of Galoubiya, reportedly as a result of police torture. The public prosecution continued to investigate the torture of Mohammed Badr Al-Din Gomah in 1996 by 13 members of the Alexandria police force. The appeal of a 1-year sentence of a police officer convicted of engaging in torture in 1994 is pending.

A December 31 dispute escalated into violent exchanges between Christians and Muslims in the south (see Section 5.).

Prison conditions remain poor. Government authorities reported the renovation or construction of 14 prisons during the past 5 years. Nonetheless, human rights groups report that overcrowding and unhealthy conditions continue. Cells are poorly ventilated, food is inadequate in quantity and nutritional value, drinking water often is polluted, and medical services are insufficient. These conditions contribute to the spread of disease and epidemics. The use of torture and mistreatment in prisons continues to be common.

In August the Public Prosecutor ordered his subordinates to visit prisons under their jurisdiction randomly at least once a month. He also instructed them to inspect prison records and to investigate complaints raised by prisoners. Inspections began after the announcement.

Relatives and lawyers often are unable to obtain access to prisons for visits. Prisons in Abu Zaabal, Tora, and Al-Fayoum remain closed to visits. In response to 10 separate cases filed by the Human Rights Center for the Assistance of Prisoners, an administrative court issued 10 rulings on December 14, directing the Interior Ministry to open the Tora prison to visits. The Center has filed 33 additional cases within the past 2 years requesting visits to other closed prisons. These cases are pending before the court. However, human rights groups report 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; however, in practice they often face considerable bureaucratic obstacles that prevent them from meeting with prisoners. The Government does not permit the International Committee of the Red Cross (ICRC) to visit prisons.

d. Arbitrary Arrest, Detention, or Exile

As part of the Government's antiterrorist campaign, security forces conducted mass arrests and detained hundreds of individuals without charge. Police also at times arbitrarily arrested and detained persons. 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 showing that an individual likely has committed a specific crime to obtain a warrant from a judge or prosecutor.

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 broad 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, security forces and police arrested at least 249 persons allegedly associated with the Muslim Brotherhood, an Islamist opposition organization. In August security forces arrested about 2 dozen students at Cairo and Zagazig Universities who were suspected of Muslim Brotherhood membership. The EOHR alleged that the security forces harass politically affiliated students at the beginning of each academic year (see Section 2.a.). In October and November, security forces arrested 26 alleged members of the Muslim Brotherhood in the Delta region and 8 in Minya. Four more suspected members were arrested in Qena in December. An unknown number of Muslim Brotherhood members who were arrested during the year reportedly were released later.

On October 20, security forces arrested and detained 20 professional leaders of the Muslim Brotherhood and accused them of membership in an illegal group and incitement against the Government. The Government referred the case to the military courts. The first hearing was held on December 25 and the next was scheduled for January 12, 2000. The arrests and trial before the military courts coincided with preparations for elections to the boards of professional syndicates and to the People's Assembly (see Section 1.e.).

In January Mahmoud Mohamed was arrested and detained for more than 30 days by security forces after he sent a telegram to President Mubarak asserting that he would not support Mubarak in the presidential referendum held in September. After the media publicized the story, Mubarak ordered Mohamed's release.

In March six members of the Tagammu opposition party were arrested by security forces, following a meeting in Cairo, for possessing pamphlets that criticized the draft labor law. Three of the six were released immediately; the other three were questioned and released after they paid bail (see Sections 2.a. and 6.a.). Also in March, Fathy Abu Al-Ezz was detained briefly for publishing an article in a company newspaper that explained why he would not vote for President Mubarak (see Section 2.a.). In October state security forces arrested Fathy Al-Masri and detained him for over 15 days for possessing a pamphlet that criticized the prohibition of medical services in a nonemergency situation by a hide tanning company. He was released in November (see Sections 2.a. and 6.e.).

There were a few unconfirmed reports that several converts to Christianity were subjected to harassment by the security services, including temporary detention (see Section 2.c.).

Human rights groups reported that hundreds, and according to one report, thousands, of

persons 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 reportedly have ignored the orders. The Ministry of Interior frequently reissues detention orders to return detainees to prison. In April the Ministry of Interior reported that it had released 1,200 political detainees described as "repentant extremists." This group included persons who had served their sentences but had remained in detention, and persons who had never been charged or tried. The release brought the total number of detainees released in the past 2 years to more than 6,000. Following the releases, revised prison population estimates indicate that there are 10,000 prisoners who are registered and serving sentences and approximately 12,000 political detainees.

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 State Security Emergency courts, in which 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, which represents 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 and at the second level by three judges. Felonies that are punishable by imprisonment or execution are heard in criminal court by three judges. Appeals 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 grounds for appeal 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. A woman's testimony is equal to that of a man's in court. There is no legal prohibition against a woman serving as a judge, although in practice no women serve as judges (see Section 5).

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 in which 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 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 courts under the Emergency Law has deprived hundreds of civilian defendants of their constitutional right to be tried by a civilian 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 confirmation 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 involving a large number of defendants.

During the year, the Government referred three groups of civilian defendants to the military courts. A military court tried 107 suspected members of the Jihad group in Egypt. Of these defendants, known as the "Returnees from Albania," 60 were tried in absentia. On April 18 the court sentenced nine defendants to death; all nine were tried in absentia and are believed to reside outside of Egypt. The court also sentenced 11 to life imprisonment at hard labor and 67 to prison sentences ranging from 1 to 15 years. The court acquitted 20 defendants. In the second case, a military court tried 21 suspected members of the Islamic Group in Egypt. On June 17, the court sentenced 1 defendant to life imprisonment, and 19 defendants to prison sentences ranging from 5 to 25 years. One defendant was acquitted. On October 27, the state security prosecutor announced that a third case involving 20 professional leaders of the Muslim Brotherhood would be referred to a military court. The Muslim Brotherhood leaders were arrested on October 20 and charged with belonging to an illegal group. The first hearing was held on December 25 and the next was scheduled for January 12, 2000. The arrests and trial before the military courts coincided with preparations for elections to the boards of professional syndicates and to the People's Assembly (see Section 1.d.).

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 may not be appealed. The President may alter or annul a decision of a State Security Emergency court, including a decision to release a defendant.

On March 8, the State Security Emergency courts issued judgments in 2 cases involving 26 defendants who were charged with terrorist acts. One case involved 24 members of the

Islamic Group; the second involved 2 members of the group known as "Redeemed from Hell." A third trial, involving 14 Islamic Group members before a State Security Emergency court, began in July, resumed December 17, then was postponed until February 2000. According to press reports, in October a State Security Emergency court began the trial of four members of a terrorist group from the upper (southern) city of Dairout who were accused of murder and attempted murder of policemen and Christians in the early 1990's. The trial was postponed until December, then again until February 28, 2000. There was no information available about the identities of the defendants and the specific charges against them (see Sections 1.a. and 5).

There are no reliable statistics on the numbers of political prisoners, but the total may approach 100; observers estimate that the number of political detainees may be in the thousands (see Section 1.d.).

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

The Constitution provides for the sanctity and secrecy of homes, correspondence, telephone calls, and other means of communication; however, the Government used the Emergency Law to infringe on these rights. 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 penalties seldom are imposed. However, the Emergency Law abridges 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.

The Ministry of Interior has the authority to stop specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order; it exercises this authority sporadically (also see Section 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 restricts 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. 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 those of the opposition parties. The Government used its monopolistic control of newsprint to limit the output of opposition publications. The newspaper Al-Dustur, which in 1998 lost its government permission to print, ceased to exist.

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 newspapers are weeklies, with the exception of the dailies Al-Wafd, Al-Araby, and Al-Ahrar, and the semiweekly of the Islamist-oriented Socialist Labor Party, Al-Shaab. All have small circulations. Opposition newspapers frequently publish criticism of the Government. 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. In September the Government rejected a request by the Arab Egypt Socialist opposition party to reissue the party newspaper, Misr. The Government cited the party's failure to publish the newspaper continuously.

The Constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. There are numerous restrictions on legal entities that seek to establish their own newspapers, including a maximum of 10 percent on individual ownership. In January 1998, the People's Assembly approved a law that requires newspapers managed by joint stock companies to obtain the approval of the Prime Minister prior to publishing. Given government restrictions, a joint stock company is the only feasible incorporation option for publishers. In February the Government revoked the license of the newspaper Sawt Al-Umma, citing the publisher's violations of joint stock company regulations. In July a publisher contested before an administrative court the Prime Minister's refusal to act on his request for approval of a joint stock company formed to publish the newspaper Al-Karama. Also in July, a higher court upheld a lower court's decision to withdraw a license from the publisher of Al-Siyasa, ruling that the publisher is a limited liability company, not a joint stock company.

The Press Law, the Publications Law, and the Penal Code govern press issues. The Penal Code stipulate fines or imprisonment for criticism of the President, members of the Government, and foreign heads of state. The Supreme Constitutional Court agreed in November 1998 to review the constitutionality of those articles of the Penal Code that specify imprisonment as a penalty for journalists convicted of libel. The case is pending. In October the Public Prosecutor charged editor Mohamed Hassan Al-Banna and journalist Fouad Fawaz of the weekly newspaper Al-Khamis with insulting Libya's leader, Mu'ammar Al-Qadhafi. A court date has not yet been set.

Because of the difficulties in obtaining a license in Egypt, several publishers of newspapers and magazines developed for the Egyptian market have obtained a foreign license. Most of these publications are printed in the free trade zone. Those newspapers and magazines published under a foreign license may be distributed with government permission. However, the Department of Censorship in the Ministry of Information has the authority to censor or halt distribution of publications printed in the free trade zone under a foreign license. During the year, the Ministry censored several articles of the English-language weekly, the Middle East Times. The Government continues to refuse to grant a visa to the weekly's publisher, Thomas Cromwell, but cited reasons unrelated to his position as a journalist for the action. The Ministry also prohibited distribution of one edition of the English-language biweekly, the Cairo Times. During the year the Center for Human Rights and Legal Assistance organized a legal challenge to the constitutionality of the Information Ministry's censorship of these publications. The Supreme Constitutional Court has agreed to hear the case, but had not yet set a court date by year's end.

The Press and Publication Laws ostensibly provide protection against malicious rumor-mongering and unsubstantiated reporting. Financial penalties were increased substantially

in 1996 when relevant provisions of the Penal Code were revised, but 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. The Government continues to charge journalists with libel.

In 1996 the People's Assembly approved a revised Press Law following criticism of a more restrictive revision that had been approved in 1995. The People's Assembly also revised certain articles in the Penal Code pertaining to libel and slander. In addition in 1997 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 subsequently was applied by the courts.

In August a criminal court convicted three journalists from the opposition daily newspaper Al-Shaab of libeling Youssef Wally, Deputy Prime Minister and Minister of Agriculture. Editor in chief Magdy Hussein, reporter Salah Bedewi, and cartoonist Essam Hanafi were sentenced on August 14 to 2 years in prison and each fined \$6,000 (20,000 Egyptian pounds). A fourth Al-Shaab journalist, Adel Hussein, was convicted of libel and fined the same amount. On December 5, the Court of Cassation ordered a retrial of the case before a different circuit of the criminal court. The sentences against all four were suspended and, on December 6, the Public Prosecutor ordered the release of the three detained defendants. The date for the new trial was not set by year's end.

The courts acquitted seven journalists in six cases during the year. In three cases involving four journalists, the courts fined each \$3,000 (10,000 Egyptian pounds). In September journalist Ashraf Ayoub of the Ahali weekly newspaper was sentenced in absentia for libel to 1 year's imprisonment. Ayoub's defense is appealing the conviction.

According to statistics compiled by the EOHR during the year, and covering the period from the enactment of the 1996 Press Law through July, the Public Prosecutor has referred 117 cases to a court of misdemeanors, 55 cases to a criminal court, and 3 cases to a military court. Of these, 52 are pending. Of those adjudicated, 4 resulted in prison sentences.

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. The length of the ban is based on the length of time required for the prosecution to prepare its case. In May the Public Prosecutor banned publication of news related to the case of an employee of the Ministry of Culture accused of embezzlement and corruption. The Public Prosecutor also temporarily banned news related to an investigation of vice among movie actresses.

On April 7, the People's Assembly approved several restrictive amendments to the Law of Public Mobilization, which was enacted in 1960. The amendments increase the penalties applicable to individuals who disclose information about the State during emergencies, including war and natural disasters. The new penalties include fines up to \$1,700 (6,000 Egyptian pounds) and prison sentences up to 3 years. The EOHR characterized the change as an additional obstacle to freedom of information.

In 1998 the People's Assembly approved a law that prohibits current or former members of the police from publishing work-related information without prior permission from the Interior Minister.

In March Fathy Abu Al-Ezz was detained by state security following publication in a company newsletter of an article written by Abu Al-Ezz that explained why he would not vote for President Mubarak in the presidential referendum held in September. He was released after paying bail in the amount of \$60 (200 Egyptian pounds).

In December 1998, a state security prosecutor charged EOHR secretary-general Hafez Abu Se'da and EOHR attorney Mustafa Zidane with violating Article 102 of the Penal Code, which relates to deliberate dissemination of false information or inflammatory propaganda that harms public security or public interests. The charges were based on an EOHR report that was critical of police conduct during a 1998 murder investigation in Sohag. Abu Se'da also was charged with accepting foreign funds without government permission. The state security prosecutor alleged that the EOHR had accepted \$25,000 from the British Embassy in Cairo to publish the critical report. In fact, the money was provided by the British Embassy on behalf of the Human Rights Committee in the British House of Commons to support a women's legal aid project begun in 1995. The British Government had been supporting this EOHR project since 1996. On December 25 and 26, the state security prosecutor questioned EOHR chairman Abdel Aziz Mohamed about the organization's use of the British money. The outstanding charges against Abu Se'da and Zidane have not been dropped (see Sections 1.d., 2.c., and 4).

Various ministries legally are 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 censor, 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. During the year, the Center ruled in favor of distribution of the book "My Father Adam: The Story of the Creation Between Legend and Reality," written by Abdel Sabour Shahine. However, an Islamist lawyer sued the Sheikh of Al-Azhar and several other senior Islamic figures in an effort to block publication of the book. The trial was set for January 20, 2000.

The Ministry of Information owns and operates all domestic television and radio stations. The Government refuses to license private broadcast stations or to privatize the State's broadcast media. In addition to public television, the Government also offers several pay-for-view television channels. Government control and censorship of the broadcast media is significant.

In 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 invalidated 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-Mufti of the Republic, who is now the Grand Imam of Al-Azhar.

There were no court-ordered confiscations during the year. An appeal to the Court of Cassation by author Ala'a Hamed is pending. Hamed previously was convicted for the

alleged pornographic content of his book "The Bed."

The Ministry of Interior regularly confiscates leaflets and other works by Muslim fundamentalists and other critics of the State. In March six members of the Tagammu opposition party were arrested by security forces following a meeting in Cairo to discuss opposition to draft labor legislation. They were charged with possessing publications that disturb public order and security. (They were carrying pamphlets criticizing the draft labor law.) Three of the six members were released immediately. The other three were questioned and released following payment of bail in the amount of \$170 (500 Egyptian pounds) each (see Sections 1.d. and 6.b.). In October security forces detained Fathy Al-Masri for over 15 days for possession of a pamphlet called "The Right to Medical Services in a Nonemergency Situation." He was charged with possessing publications that disturb public order and security. Al-Masri was protesting the medical policy of a private company. He was released in November (see Sections 1.d. and 6.e.).

The Ministry of Interior 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 (also see Section 1.f.). 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. However, many plays and films that are highly critical of the Government and its policies are not censored. The Ministry of Culture also censors foreign films that are to be shown 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 the country 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 the country.

An appeals court is scheduled to review in February 2000 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 in 1997.

Moderate Muslims and secularist writers still are subject to legal action 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. However, the Supreme Constitutional Court agreed in 1998 to review the constitutionality of the 1996 ruling. No court date had been set by year's end. The definition of appropriate books for class use, library use, or sale in the university bookstore continued to be debated at the American University of Cairo.

The Government does not restrict directly academic freedom at universities. However, some university professors claim that the Government tightened its control over universities in 1994 by 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. The EOHR alleged that security forces harass politically affiliated students at the beginning of each academic year.

b. Freedom of Peaceful Assembly and Association

The Government significantly restricts 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 and university campuses (also see Section 4).

During the year the Government prohibited the Cairo Institute for Human Rights from holding a conference on the subject of human rights in the Arab world. The Government also prohibited the Association for the Independence of the Judiciary from holding a conference on the subject of the future of the judiciary in the Arab world (see Section 4).

The Government significantly restricts freedom of association. In June the Government approved a new law pertaining to the formation, function, and funding of nongovernmental organizations (NGO's) and private foundations. On November 28, the Minister of Social Affairs issued the executive regulations to the law, and asserted that the regulations reflect the Government's commitment to support civil society. The regulations, which are to govern implementation of the law, specify a wide range of permissible NGO activities, including in the area of human rights. They also facilitate registration of NGO's and the receipt of financial donations. However, critics charge that the law and regulations place unduly burdensome restrictions on NGO's. Observers claim that it is too soon to assess the implementation of the law and its impact on NGO's.

Since 1985 the Government has refused to license the Egyptian Organization for Human Rights and the Arab Organization for Human Rights (AOHR) on grounds that they are political organizations. Nevertheless, in general both continue to operate openly (see Section 4). Following approval of the new NGO law, the Government stated that it would award a license to the EOHR. By year's end, the EOHR had not applied for status as an NGO under the new law. 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 irregular electoral techniques such as physically blocking polling places and limiting or changing the location of polling sites. In October the Court of Cassation upheld an earlier court decision to lift the government sequestration of the bar syndicate.

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 Sunni Muslims. Approximately 10 percent of the population, numbering more than 6 million persons, belong to the Coptic Orthodox Church. There are other small Christian denominations, as well as a Jewish community that numbers approximately 200 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. In most matters of family law, including marriage, divorce, alimony, and child custody, Christians are subject to canon law. In cases of family law disputes involving a marriage between a Christian woman and a Muslim man, Islamic law applies. The children of such marriages must be raised as Muslims. Muslim women are prohibited from marrying Christian men.

While neither the Constitution nor the Civil and Penal Codes prohibit proselytizing, Christians who proselytize 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 such reports during the year; however, one Christian who was engaged in proselytizing activities was detained briefly by state security forces. Some Christians complained that the Government is 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. In the past, authorities have charged a few Muslim converts to Christianity under article 98f of the Penal Code. There were no reports of such arrests during the year; however, there were a few unconfirmed reports that several converts to Christianity were subjected to harassment by the security services, including temporary detention.

In other cases involving conversion from Islam to Christianity, authorities have charged converts with violating laws prohibiting the falsification of documents. In such instances, converts, who fear government harassment if they officially register the change from Islam to Christianity, have altered their identification cards and other official documents themselves to reflect their new religious affiliation. There were no confirmed reports of individuals detained or charged under these laws during the year. In 1997 human rights activist Mamdouh Naklah filed suit seeking removal of the religious affiliation category from identification cards. The court referred the case to the state commissioner's office, which has not yet issued an opinion.

An 1856 Ottoman decree still in force requires non-Muslims to obtain what is now a presidential decree to build 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 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. The Ottoman decree also requires the President to approve permits for the repair of church facilities. In response to strong criticism of the decree, President Mubarak in 1998 delegated to governors the authority to approve permits for the repair of church facilities. In December the President acted again and issued a new decree that made the repair of all places of worship subject to a 1976 civil construction code. This decree, which superseded the decree issued in 1998, is significant because it places churches and mosques on equal footing before the law, and is intended to facilitate church repairs. However, notwithstanding these initiatives, the approval process for church construction and repair remains time-consuming and insufficiently responsive to the wishes of the Christian community. Although President Mubarak has approved all requests for permits that have been presented to him (reportedly a total of more than 250 during his 18-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.

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 an average of 5 permits issued annually in the 1980's. During the year, the Government approved 39 permits for church-related construction, including 2 permits for the construction of a new church, 34 permits for churches previously constructed without authorization, and 3 permits for the construction of additional church facilities. The Government reported that governors issued more than 200 permits for church-related repair during the year. However, the Government was unable to provide a breakdown by governorate; unofficial reports from the governorates vary. In January 1996, human rights activist Mamdouh Naklah filed suit challenging the constitutionality of the Ottoman decree. In 1998 an administrative court referred Naklah's case to a state body of legal experts. This decision was considered a setback, as the body is not required to issue an opinion expeditiously and its opinions are not binding. The body had not issued an opinion in the case by year's end. As a result of these restrictions, some communities use private buildings and apartments for religious services.

In 1952 the Government seized approximately 1,500 acres of land from the Coptic Orthodox Church and transferred title to the Ministry of Awqaf, which is responsible for administering religious trusts. In 1996 Awqaf Minister Hamdy Zaqzouq established a committee to address the issue. Based on the committee's recommendations, more than 800 acres have been returned to the Church since 1996. The committee continues to study the return of the remaining disputed property.

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 who officiate in mosques, and proposes themes for and monitors sermons. In September the Awqaf minister announced that the Government now controls 46,000 mosques and 12,000 zawaya ("corner" mosques, or mosques located within a multipurpose building). In an effort to combat Islamic extremists, the Government has announced its intention to bring all unauthorized mosques under its control by 2000. There are an estimated 70,000 mosques.

In July a state security court in Alexandria convicted 14 persons of heresy against Islam. The lead defendant, Mohamed Ibrahim Mahfouz, was sentenced to 5 years in prison for claiming that he speaks directly to God and is at times transformed into God or the Prophet Mohamed. Seven of his followers were sentenced to 3 years in prison. Six of his followers were sentenced to 1 year in prison. Five other defendants were acquitted.

On November 11, the state security prosecutor arrested 50 persons in Cairo suspected of heresy against Islam. On November 15, the state security prosecutor released 30 of the detainees and is investigating charges of heresy against Islam and insulting Islam against the remaining 20. The lead defendant, a woman named Manal Wahid Mana'a, is accused of attempting to establish a new Islamic sect. She claims that the Prophet Mohamed speaks to her.

In August the Public Prosecutor reopened and expanded an investigation into police

torture of mostly Christian detainees that took place during a 1998 police investigation of a double murder in the largely Coptic village of Al-Kush in Sohag governorate. The trial of Shayboub William Aarsal, the man accused of murdering two Al-Kush residents in August 1998, began during the year. A court conducted hearings on the case on December 4 and 6. The next hearing was scheduled for January 2000. Related charges of witness tampering raised by the public prosecution in 1998 against Bishop Wisa and Arch-Priest Antonius have not been dropped.

In 1960 Baha'i institutions and community activities were banned by presidential decree and all community properties, including Baha'i centers, libraries, and cemeteries, were confiscated. The ban on Baha'i institutions has never been rescinded.

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 may 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 provides for the grant of political asylum and prohibits the extradition of political refugees. There were no reports of the forced return of persons to a country where they feared persecution. Egypt grants first asylum for humanitarian reasons or in the event of internal turmoil in neighboring countries. The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR). Asylum seekers generally are screened by UNHCR representatives, whose recommendations regarding settlement are forwarded to the Ministries of Interior and Foreign Affairs for final determination. The Government permits accepted refugees to live and work in Egypt, but not to acquire citizenship, except in rare cases. During the year, the Government accepted approximately 6,400 persons, including more than 2,500 Somalis and 2,400 Sudanese. Although there is no pattern of abuse of refugees, the Government temporarily detained during random security sweeps some refugees who earlier had been accorded protection status. 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 dominates the 454-seat People's Assembly, the Shura Council, local governments, the mass media, labor, the large public sector, and controls 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 September President Hosni Mubarak was elected unopposed to a fourth 6-year term in a national referendum. According to official results he received 94 percent of the vote. The referendum followed the constitutionally-mandated nomination by the People's Assembly. Under the Constitution, the electorate is not presented with a choice among competing presidential candidates.

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 People's Assembly, a right that the Assembly claims solely for itself, citing the concept of parliamentary sovereignty. The Assembly did not call for any new by-elections in response to the courts' judgments.

The People's 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 retains 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 generally are reported in aggregate terms of yeas and nays, and thus constituents have no independent method of checking a member's voting record.

The Shura Council, the upper chamber of Parliament, has 264 members. Two-thirds of the members are elected popularly and one-third are appointed by the President. One half of the Shura seats are up for reelection or reappointment every 3 years. In 1998 the NDP won all 88 seats up for election. One Coptic Christian, from Alexandria, won a seat. The President made 47 appointments (including an additional 3 over the 44 open seats to replace deceased members). Those appointed included nine women, eight Coptic Christians, and two members of opposition parties.

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 that includes a substantial majority of members from the ruling NDP and some members from among the independent and opposition parties. Decisions of the Parties Committee may be appealed to the civil courts. During the year the Committee refused the applications of three parties. These rejected parties filed an appeal of the Committee's decision. Three other applications are pending before the committee. During the year, a court rejected six of eight pending appeals by parties whose applications previously were denied, including the appeal of the Egyptian Wasat party. Two appeals still are pending.

According to the law, which prohibits political parties based on religion, the Muslim Brotherhood is an illegal political organization. Muslim Brothers are known publicly and openly speak their views, although they do not explicitly identify themselves as members of the organization. They remain subject to government pressure (see Section 1.d.). Some have served in the Assembly as independents or as members of other recognized parties.

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 women and Coptic Christians. Five women but 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 has refused to license local human rights groups as private entities under Law 32 of 1964 (see Section 2.b.). Since the EOHR's establishment in 1986, the Government has refused to license the organization on the grounds that it is a political organization and duplicates the activities of an existing, although moribund, human rights group. However, in June the Government approved a controversial new law pertaining to the formation, functioning, and funding of nongovernmental organizations and private foundations (see Section 2.b.). In November the Minister of Social Affairs issued executive regulations to the new law. These regulations, which are to guide implementation of the new law, explicitly cite human rights as a permissible NGO activity. However, critics charge that the law and regulations place unduly burdensome restrictions on NGO's. The Government also announced its intention to license the EOHR; however, the EOHR did not apply for status as an NGO under the new law by year's end.

On December 25 and 26, the state security prosecutor questioned EOHR chairman Abdel Aziz Mohamed about charges brought by the state security prosecutor in 1998, following the EOHR's publication of a report critical of police conduct in the village of Al-Kush in Sohag governorate (see Sections 1.c., 2.a., and 2.b.). The charges included allegations that Abu Se'da accepted foreign funds without government permission. The state security prosecutor alleged that the EOHR had accepted \$25,000 from the British Embassy in Cairo to publish the critical report. In fact, the money was provided by the British Embassy on behalf of the Human Rights Committee in the British House of Commons to support a women's legal aid project begun in 1995. The British Government had been supporting this EOHR project since 1996. The state security prosecutor has not dropped the outstanding charges against Abu Se'da and EOHR attorney Mustafa Zidane.

The AOHR, the 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 years of nonrecognition, the EOHR and other groups sometimes obtain 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. However, many local and international human rights activists have concluded that government restrictions on NGO activities have inhibited significantly reporting on human rights abuses.

During the year the Government prohibited the Cairo Institute for Human Rights from holding a conference on the subject of human rights in the Arab world. The Government also prohibited the Association for the Independence of the Judiciary from holding a conference on the subject of the future of the judiciary in the Arab world. On occasion, 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 registered as corporations to avoid the obstacles posed by Law 32 (see Section 2.b.).

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; however, aspects of the law and many traditional practices discriminate against women and Christians.

Women

Domestic violence against women is a significant problem and is reflected in press accounts of specific incidents. According to a national study conducted in 1995 as part of a comprehensive demographic and health survey, 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. Smaller, independent studies confirm that wife-beating is common. In general, neighbors and extended family members intervene to limit incidents of domestic violence. Due to the value attached to privacy in the country's traditional society, abuse within the family rarely is discussed publicly. Spousal abuse is grounds for a divorce, but the law requires the plaintiff to produce eyewitnesses, a difficult condition to meet. Several NGO's offer counseling, legal aid, and other services to women who are victims of domestic violence. These activists believe that in general the police and the judiciary consider the "integrity of the family" more important than the well-being of the woman. The Ministry of Insurance and Social Affairs runs more than 150 family counseling bureaus nationwide, which provide legal and medical services.

The punishment for rape ranges from 3 years in prison to life imprisonment at hard labor, and the Government prosecutes rapists. If a rapist is convicted of abducting his victim, he is subject to execution; however, there were no reports of the execution of rapists. During the year, the Government abolished an article of the Penal Code that permitted a rapist to be absolved of criminal charges if he married his victim. However, marital rape is not illegal. Although reliable statistics regarding rape are not available, activists believe that it is not uncommon, despite strong social disapproval. 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.

Prostitution and sex tourism are illegal, but known to occur.

The law provides for equality of the sexes; however, 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 to travel; married women of any age require the same permission from their husbands (see Section 2.d.). Only males may confer citizenship. In rare cases, this means that children who are born to Egyptian mothers and stateless fathers are themselves stateless. A woman's testimony is equal to that of a man's in the courts. There is no legal prohibition against a woman serving as a judge, although in practice no women serve as judges. The Court of Cassation agreed to hear in January 2000 the case of attorney Fatma Lashin, who is challenging the Government's refusal to appoint her as a public prosecutor. (To become a judge, one must first serve as a public prosecutor.)

Laws affecting marriage and personal status generally correspond to an individual's

religion. A 1979 liberalization of the Family Status Law, which strengthened a Muslim woman's rights to divorce and child custody, was repealed in 1985 after the Supreme Constitutional Court ruled that the use of a presidential decree to implement the law was unjustified.

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 require assistance; however, this assistance is not always provided.

Women have employment opportunities in government, medicine, law, academia, the arts, and, to a lesser degree, business. Labor laws provide for equal rates of pay for equal work for men and women in the public sector. 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 family law, educating women on their legal rights, promoting literacy, and combating FGM.

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 8 academic years (typically until the age of 15). The Government treats boys and girls equally at all levels of education.

The Government enacted a Child Law in 1996. The law provides for 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: A requirement for employers to set up or contract with a child care center if they employ more than 100 women; the right of rehabilitation for disabled children; a prohibition on sentencing defendants between the ages of 16 and 18 to capital punishment, hard labor for life, or temporary hard labor; and a prohibition on placing defendants under the age of 15 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 study conducted in 1995 places the percentage of women who have ever been married who have undergone FGM at 97 percent. In February the Population Council released the results of a 1997 survey of Egyptian adolescents, which found that 86 percent of girls between the ages of 13 and 19 had undergone FGM. FGM generally is performed on girls between the ages of 7 and 10, with equal prevalence among Muslims and Christians.

The Court of Cassation issued a decision in 1997 that upheld the legality of the decree banning FGM issued in 1996 by the Minister of Health and Population Planning. In addition to enforcing the decree, the Government 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 criticizing the practice. Government ministers are outspoken in advising citizens to cease the practice, and senior religious leaders also support efforts to stop it. 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. However, illiteracy impedes some women from distinguishing between the deep-rooted tradition of FGM and religious practices. A number of NGO's also work actively to educate the public about the health hazards of the practice.

People With Disabilities

There are approximately 5.7 million disabled persons, of whom 1.5 million are disabled severely. The Government makes serious efforts to address their rights. It works closely with U.N. 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 for equal public rights and duties without discrimination due to religion or creed. For the most part, these constitutional protections are upheld by the Government. However, discrimination against Christians exists. There are no Christians serving as governors, university presidents, and deans. There are few Christians in the upper ranks of the security services and armed forces. Although there was improvement in a few areas, government discriminatory practices include: Suspected statistical underrepresentation of the size of the Christian population; bias against Christianity and Coptic history in the educational curricula; limited or biased coverage of Christian subjects in the media; failure to admit Christians into public university training programs

for Arabic language teachers (because the curriculum involves study of the Koran); discrimination against Christians in the public sector; and discrimination against Christians in staff appointments to public universities.

The approximately 6 million Coptic Christians have been the objects of occasional violent assaults by the Islamic Group and other terrorists. However, there were no reports of terrorist attacks against Christians during the year. In incidents unrelated to terrorism, a Christian priest in Mahalla and a Christian priest in Dairout were attacked by individual extremists in August and September, respectively. The assailant in the first incident was charged with attempted murder and the case was referred to a criminal court. No trial date was set by year's end. The assailant in the Dairout case was determined to be mentally unstable and remains in custody. The Government provided the priests with medical care. The Public Prosecutor charged Ahmad Fergally Ahmad Nasir and Ibrhaim Fergally Ahmad Nasir with premeditated murder after the Nasir brothers shot and killed a monk on September 2 in Assiyut governorate following a land dispute. The monk was affiliated with a monastery that rents thousands of acres of agricultural land to local tenants; the Nasir brothers were tenants on the land. The Public Prosecutor appealed the September 21 verdict of a criminal court that ruled that the Nasir brothers were guilty of an "attack leading to death" and sentenced them to 7 years in prison. The Public Prosecutor is seeking a conviction for premeditated murder. The case is pending before an appeals court. A December 31 dispute between a Christian shop owner and a Muslim customer in the village of Al-Kush in Sohag governorate escalated into violent exchanges between Christians and Muslims (see Section 1.c.).

According to press reports, in October a State Security Emergency court began the trial of four members of a terrorist group from the upper (southern) city of Dairout accused of murder and attempted murder of policemen and Christians in the early 1990's. The trial was postponed until December, then later postponed again until February 2000. There was no information available about the identities of the defendants and the specific charges against them by year's end (see Sections 1.a. and 1.e.).

Some Christians have alleged 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.

There were reports of forced conversions of Coptic girls to Islam. Reports of such cases are disputed and often include inflammatory allegations and categorical denials of kidnaping and rape. Observers, including human rights groups, find it extremely difficult to determine whether compulsion was used, as most cases involve a Coptic girl who converts to Islam when she marries a Muslim boy. According to the Government, in such cases the girl 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 that attempt to regain custody of their daughters, and of the failure of the authorities to uphold the law (which 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) in cases of marriage between an underage Christian girl and a Muslim boy.

There is no legal requirement for a Christian girl or woman to convert to Islam in order to marry a Muslim. If a Christian woman marries a Muslim man, she is excommunicated by the Coptic Church. Ignorance of the law and social pressure, including the centrality of marriage to a woman's identity, often affect her decision. Family conflict and financial pressure also are cited as factors. In addition conversion is a means of circumventing the legal prohibition on marriage between the ages of 16 and 21 without the approval and presence of the girl's guardian. Most Christian families would object to a daughter's wish to marry a Muslim. If a Christian girl converts to Islam, her family loses guardianship, which transfers to a Muslim custodian, who is likely to grant approval. The law is silent on the matter of the acceptable age of conversion.

Anti-Semitism in the Egyptian press is found in both the government press and in the press of the opposition parties. The Government has criticized anti-Semitism and advised journalists and cartoonists to avoid anti-Semitism. There have been no violent 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 that requires all trade unions to belong to a single federation infringes on 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 more often are resolved by consensus behind closed doors.

The labor laws do not provide adequately 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 therefore illegal.

In March six members of the Tagammu opposition party were arrested by state security forces following a meeting in Cairo to discuss opposition to draft labor legislation. They were charged with "possessing publications that disturb public order and security" for carrying pamphlets that criticized the draft labor law. Three of the six were released immediately. The other three were questioned and released following payment of bail in the amount of \$170 (500 Egyptian pounds) each (see Section 1.d. and 2.a.)

An increasing number of strikes took place in the public sector and at privatized

companies during the year, mainly over issues of wage cuts and dismissals. From the period January to October, 28 strikes occurred. Most of the strikes took place in Alexandria, Cairo, and the delta (northern Egypt), the country's industrial centers. Most of the strikes occurred in public-sector companies and lasted for 1 day. Each strike involved hundreds of workers, and in several instances more than a thousand workers were involved. Ten strikes occurred in January alone. Bonuses and incentives tied to the previous year's production typically are disbursed in January, and failure to disburse the bonuses often leads to a strike. ETUF or government officials successfully mediated most of the strikes.

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 Egypt's six export processing zones (EPZ's) as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced labor; however, the Criminal Code authorizes sentences of hard labor for some crimes. Although the law does not prohibit specifically forced and bonded labor by children, such practices are not known to occur (see Section 6.d.). Domestic and foreign workers generally are not subject to coerced or bonded labor. During the year the Government successfully resolved one sensationalized incident of forced domestic labor involving a foreign resident employer.

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

Under the 1996 Child Law (see Section 5), the minimum age for employment is 14 in nonagricultural work. 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. 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. One or more breaks totaling at least 1 hour must be included. Children are not to work overtime, during their weekly day off, between 8 p.m. and 7 a.m., or for more than 4 hours continuously. Education is compulsory, free, and universal for the first 8 academic years (typically until the age of 15).

In general the Government does not devote adequate resources and oversight to child labor policies. Statistical information on the number of working children is difficult to obtain and often out of date. A comprehensive study prepared by the Government's statistical agency in 1988 indicated that 1.309 million children between the ages of 6 and 14 are employed. In November the Minister of Social Affairs reportedly stated that 1 million children participate in agricultural labor. Government studies also indicate that the concentration of working children is higher in rural than urban areas. Nearly 78 percent of working children are in the agricultural sector. However, children also work as domestics, as apprentices in auto repair and craft shops, in heavier industries such as construction, in brick-making and textiles, and as workers in tanneries 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 Child Law have not improved conditions due to lax enforcement on the part of the Government. There are no records of cases in which an employer was fined or imprisoned.

Although the law does not prohibit specifically forced and bonded labor by children, such practices are not known to occur (see Section 6.c.).

e. Acceptable conditions of work

For Government and public sector employees, the minimum wage is approximately \$34 (about 116 Egyptian pounds) a month for a 6-day, 42-hour workweek. The minimum wage, which is set by the Government and applied nationwide, is enforced effectively by the Ministry of Administrative Development. The minimum wage does not provide for a decent standard of living for a worker and family; however, base pay commonly is supplemented by a complex system of fringe benefits and bonuses that may double or triple a worker's take-home pay. The minimum wage also is binding legally 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; however, enforcement and inspections are uneven. In October state security forces arrested Fathy Al-Masri and detained him for 15 days for possessing a pamphlet entitled "The Right to Medical Services." The pamphlet was prepared in response to an administrative bulletin announcing a prohibition on nonmedical emergency services issued by the General Director for Medical Services for the Al-Nasr hide tanning company (see Sections 1.d. and 2.a.).

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.

f. Trafficking in Persons

The law does not prohibit specifically trafficking in persons; however, the law prohibits prostitution and sex tourism.

There were no reports that persons were trafficked in, to, or from the country.

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