EGYPT 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Egypt is a republic governed at year's end by interim President Adly Mansour, appointed by the armed forces on July 3 following the removal of President Mohamed Morsy and his government the same day. The government derives its authority from the July 3 announcement by Minister of Defense Abdel Fattah al-Sisi and the July 8 Constitutional Declaration issued by interim President Mansour. The Constitutional Declaration vested the interim president with legislative authority until a new legislature is elected, which was expected in the first half of 2014. Elections, both parliamentary and presidential, were scheduled to follow a January 2014 referendum on a new draft constitution that was completed on December 6. The authorities at times failed to maintain effective control over the security forces. Security forces committed human rights abuses.

After antigovernment protests throughout the spring, which culminated in massive demonstrations against the government in Cairo and other governorates on June 30, President Morsy and his government were ousted, and security forces detained Morsy at an undisclosed location. The military suspended the 2012 constitution, and six weeks of confrontations between security forces and demonstrators opposed to Morsy's removal followed. On August 14, Ministry of Interior forces supported by military units used lethal force to disperse large Muslim Brotherhood (MB)-organized sit-ins at Rabaa al-Adawiya Square in Cairo and Nahda Square in Giza. According to the Forensic Medicine Authority, 398 persons died during these operations, and a total of 726 protesters were killed nationwide between August 14 and November 13. Most nongovernmental organizations (NGOs) estimated 600 to 900 persons died in the August 14 operations. The government declared a state of emergency on August 14, imposing a curfew and arresting prominent MB members and other Morsy supporters. The state of emergency expired on November 14 and was not renewed. On December 25, the interim government declared the MB a terrorist organization.

The most significant human rights problems were: the removal of an elected civilian government; excessive use of force by security forces, including unlawful killings and torture; the suppression of civil liberties, including societal and government restrictions on freedom of expression and press and freedom of assembly; and military trials of civilians. Domestic and international human rights organizations reported that police tortured suspects at police stations under both the Morsy and interim governments. The interim government closed several Islamist

satellite television stations and jammed three pan-Arab channels, claiming they were inciting violence. Under the Morsy government, there also were actions taken to stifle freedom of expression, with private citizens and the government bringing cases against public and media personalities for blasphemy, incitement, or insulting the president or other government figures. President Morsy withdrew complaints against media professionals that were brought by his office. A restrictive November 24 law on demonstrations requires permission to demonstrate, contains vague language listing prohibited activities, and gives the minister of interior the authority to prohibit or curtail planned demonstrations.

Other human rights problems included disappearances; harsh conditions in prisons; arbitrary arrests and prolonged pretrial detentions; restrictions on academic freedom; impunity for security forces; political prisoners and detainees; lack of religious freedom; calls for violence against refugees from Syria; allegations of and pending court cases concerning official corruption; limiting of NGOs' freedom of association; harassment of and societal discrimination against women and girls; child abuse, including female genital mutilation/cutting (FGM/C); discrimination against persons with disabilities; trafficking in persons; societal discrimination and violence against religious minorities; discrimination based on sexual orientation and against HIV-positive persons; and worker abuse, including security force strike-breaking and child labor.

On rare occasions the Morsy and interim governments prosecuted persons, including security personnel, who committed human rights abuses. Either the government did not seriously investigate most incidents of security force violence, or investigation resulted in acquittals, fostering an environment of impunity for security personnel.

Nongovernmental actors killed several hundred persons, including 146 security forces personnel, and attacked government buildings, police stations, and Coptic Christians and their property, including churches.

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

a. Arbitrary or Unlawful Deprivation of Life

There were many reports that the Morsy and interim governments or their agents committed arbitrary or unlawful killings, both during the dispersal of demonstrations and of persons in custody. No entity was specifically assigned to examine alleged killings by security forces, although interim President Mansour

announced on December 22 the formation of a fact-finding committee to examine violent incidents since June 30, including the Rabaa al-Adawiya Square and Nahda Square clearing operations. The committee was charged with reporting its findings in six months. The cabinet commissioned the quasigovernmental National Council for Human Rights (NCHR) to investigate many high-profile incidents of violence dating back to 2011. The council's mandate, however, is limited to collecting and recording data, and it has no judicial power. Its report on the 2011 Maspiro clashes was the only fact-finding effort to have facilitated a successful prosecution.

Between January 26 and 28, according to domestic and international human rights NGOs, 40 persons died during clashes with security personnel in Port Said while demonstrating against a court decision sentencing 21 local residents to death for their role in killings at a soccer match in January 2012. According to the international NGO Human Rights Watch (HRW), demonstrators first opened fire on police, who returned fire and continued shooting during the next two days after the threat had receded. On February 18, the minister of justice appointed a judge to investigate the incident. There was no information about the results of the investigation by year's end.

On July 8, according to *The New York Times*, security forces shot and killed at least 51 reportedly peaceful pro-Morsy demonstrators outside the Republican Guard headquarters. Government officials claimed that some demonstrators were armed and that three security and police forces were also killed.

According to Reuters, the Health Ministry reported 65 dead when on July 27 security forces fired on pro-Morsy protesters who were marching on Nasr Road in Cairo. HRW reported that most of the victims were shot in the head and chest.

On August 14, security personnel forcefully dispersed antigovernment sit-ins at Rabaa al-Adawiya Square in Cairo and Nahda Square in Giza. The Forensic Medicine Authority of the Ministry of Justice stated that 398 persons, including three journalists, died during these operations, although most NGOs estimated that between 600 and 900 persons died. The interim government justified its actions with accusations that sit-in participants possessed weapons, committed acts of violence, including torture, and interfered with transportation and commerce.

According to HRW the August 14 dispersal operations represented "the most serious incident of mass unlawful killings in modern Egyptian history," in part because of "the decision to use live ammunition on a large scale from the outset." The NGO was unable to establish whether protesters or security forces first used

live ammunition but argued there was no evidence that use of live ammunition by some protesters justified the use of "massive lethal force against largely unarmed protesters."

The NGO Egyptian Organization for Human Rights issued a statement in which it expressed its "grave concern" about the August 14 dispersal operations, calling on the MB to "stop their violent acts" while demanding "the utmost self-restraint from the police side." A joint statement of 21 human rights organizations condemned the "excessive use of lethal force against protests and sit-ins held by the MB and its supporters, as well as the return of MB supporters to the use of violence."

The NGO Amnesty International (AI) reported 93 persons died during clashes in Cairo's Ramses Square on August 16 and 1,089 persons were killed on August 14-18. An AI representative attributed many of the deaths to "the use of excessive, grossly disproportionate, and unwarranted lethal force by security forces." In an August 23 follow-up statement, the NGO asserted that it had collected evidence indicating some armed Morsy supporters used live ammunition against police and that some local residents sided with the security forces. The statement added "bystanders and nonviolent protesters were also killed in the chaos that ensued."

On August 18, police allegedly killed 37 MB detainees being transferred to Abu Zaabal Prison near Cairo. According to the Ministry of Interior, the prisoners died from "suffocation and crowding" when security forces used tear gas after the prisoners reportedly took a police officer hostage. The MB-led National Alliance to Support Legitimacy, a coalition of Islamist parties and groups, claimed the prisoners died when police fired live ammunition and tear gas into the van. The interim government promised a fact-finding committee, and the NCHR launched a separate examination of the events. On October 22, the public prosecutor ordered the arrest of four police officers in connection with the incident. Their homicide trial began on November 12 and was underway at year's end.

On September 20, the NCHR announced it had appointed four fact-finding missions: one looking into attacks on places of worship since June 30 (information was not available on the status of this investigation at year's end); a second looking into incidents of violence since August 14 (this investigation was reported underway at year's end); a third looking into an August 14 attack on a police station in Kerdasa (information was not available on the status of this investigation at year's end); and a fourth looking into the August 18 Abu Zaabal Prison transfer killings(four police were on trial at year's end). On December 22, the government announced the formation of an official fact-finding committee to investigate

violent incidents following the June 30 protests, including the dispersal of sit-ins at Rabaa al-Adawiya Square and Nahda Square, but there was no further information on whether authorities had actually formed the committee by year's end.

Reports by international media alleged the armed forces used indiscriminate force during military operations in the Sinai, resulting in unlawful killings and widespread destruction of property.

No further information was available at year's end about the status of the Prosecutor General's Office's July 5 request for an independent judicial examination of the 2012 killing of journalist Al-Husseini Abu Deif, re-opening an investigation that authorities closed in June. Abu Deif had written about then president Morsy's pardon of his brother-in-law, who was serving a three-year prison sentence for bribery.

On August 22, authorities released former president Hosni Mubarak from detention and placed him under house arrest at a military hospital while he was retried on charges that he directed the killing of demonstrators in 2011. On December 19, the court acquitted Mubarak's two sons of charges of embezzlement, although remained in jail awaiting trial on other charges.

There were no further developments in the prosecutorial investigations of the 2012 killings of Atef al-Mansi and of Mohamed Abdel Mawgoud Mohamed.

At year's end the retrial of two police officers continued in the high-profile case of Khaled Said, whom the officers allegedly killed in custody in 2010.

b. Disappearance

According to the 2012 UN Human Rights Council Report of the Working Group on Enforced or Involuntary Disappearances, there were 41 outstanding disappearance cases. The government made no efforts to prevent or investigate these incidents.

At the end of 2012, more than 1,000 persons missing since the 2011 revolution remained unaccounted for, according to domestic and international human rights organizations.

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

The suspended 2012 constitution states that no physical or moral harm shall be inflicted upon a person whose movements are restricted or who has been detained or arrested. The July 8 Constitutional Declaration does not contain this article. The penal code forbids torture but fails to account for mental or psychological abuse against persons who have not been formally accused or abuse occurring for reasons other than securing a confession. Observers reported incidents of torture throughout the year. According to domestic and international human rights organizations, police and prison guards sometimes resorted to torture to extract information from detainees, including minors, usually beatings with fists, whips, rifle butts, or other objects; electric shocks; sexual assault; and forcing detainees to crawl on broken glass. Both the Morsy and interim governments often stated they were investigating allegations of torture, but they rarely made results public.

On February 4, Mohamed el-Guindy, a member of the secularist political movement Popular Current, died in a Cairo hospital after having been found comatose by the side of a highway. On February 1, a domestic media outlet reported he had been kidnapped on January 28 after a protest and tortured by police. A February 6 Reuters news report, citing two security sources, claimed he had been "interrogated" at Gabal Ahmar, a state security camp, for three days and nights before he died. A government autopsy on February 13 concluded his injuries were consistent with an automobile accident, but a private autopsy commissioned by el-Guindy's family concluded he was a victim of torture.

The Justice Ministry's Forensic Medical Authority stated that 11 bodies found on August 14 at the Rabaa al-Adawiya and Nahda Square sit-in sites bore signs of torture. Domestic media reported that Morsy supporters tortured at least 10 persons, including a policeman and a soldier, at the sit-ins.

Observers noted that police and security services' abusive practices did not significantly change despite the change in government. According to September 11 domestic media reports and the NGO El-Nadim Center for the Rehabilitation of Victims of Violence, police at the al-Darb al-Ahmar police station tortured to death a man suspected of robbery. An autopsy reportedly indicated the victim suffered bruising on his hand and severe bleeding from his knees. The public prosecutor launched an investigation into the case, but there was no information on the conclusions of this investigation.

Prison and Detention Center Conditions

Conditions in the country's prisons and detention centers remained harsh.

Physical Conditions: According to domestic and international NGO observers, prison cells were overcrowded, with a lack of medical care, proper sanitation, food, clean water, and proper ventilation. Tuberculosis remained widespread. Abuse was common, particularly of juveniles in adult facilities, and guards brutalized prisoners.

There were at least 62,000 prisoners, including as many as 2,000 pretrial detainees. Authorities did not always separate juveniles from adults and sometimes held pretrial detainees with convicted prisoners. Prison conditions for women were marginally better than those for men, although there were credible reports of sexual abuse of female prisoners. Provisions for temperature control and lighting generally were inadequate.

Administration: The penal code provides for reasonable access to prisoners. According to NGO observers and relatives, however, the government sometimes prevented visitors' access to detainees. Prisoners were permitted religious observance. Prisoners could submit complaints to judicial authorities without censorship and request investigation of alleged inhumane conditions. NGO observers claimed, however, that prisoners sometimes were reluctant to do so due to fear of retribution from prison officials. The government investigated some, but not all, of these allegations. As required by law, the public prosecutor continued to inspect regular prisons. The NCHR considered itself an ombudsman serving on behalf of prisoners, but there was no official ombudsman.

Independent Monitoring: The government permitted some visits by independent human rights observers to prisons and jails during the year, but authorities more often denied permission to conduct such visits.

d. Arbitrary Arrest or Detention

The 2012 constitution and the July 8 Constitutional Declaration prohibit arbitrary arrest and detention, but the incidence of such practices increased sharply following the removal of President Morsy.

Role of the Police and Security Apparatus

The Morsy government did not maintain effective control over security forces, which observers attributed in part to long-standing animosity between the MB and

the security bureaucracy. The interim government exercised a degree of greater control over the security forces, but they continued to commit human rights abuses. Notably, security forces also had significant influence within the government. The Ministry of Interior's primary security forces are the Egyptian National Police and the Central Security Forces. The Egyptian National Police are responsible for law enforcement nationwide. The Central Security Forces provide security for infrastructure and key domestic and foreign officials, and are responsible for crowd control. The Egyptian Armed Forces are generally responsible for external defense, but they also played a role in internal security during the year due to lack of police capacity. The interim government granted military personnel arrest authority during periods of significant turmoil during the year. The National Security Sector also played a role in investigating counterterrorism and internal security threats. Single-mission law enforcement agencies, such as the Tourist and Antiquities Police and the Antinarcotics General Administration, also worked throughout the country.

Police were more visible after Morsy's removal. The interim government insisted law enforcement activities had reduced crime, but there was no independent verification of this claim. Police investigative skills remained poor and, in particular, did not investigate sexual violence sufficiently.

Impunity was a problem, particularly in cases involving alleged abuses by the Central Security Forces. Although the Morsy government's Civil Rights Defense Committee was expected to produce findings on the use of force by security services during the 2011 revolution, and despite leaks to domestic media in late 2012, the report still was not made public by year's end. The government investigated and prosecuted some, but not all, past instances of abuse, and many prosecutions resulted in acquittals due to insufficient or contradictory evidence. The government frequently called for investigations or appointed fact-finding committees to investigate abuses by security forces, although the results of these investigations rarely resulted in punishments. On November 28, a Cairo criminal court acquitted three police officers accused of torturing five men by administering electric shocks and beatings and depriving them of food in separate incidents at a Cairo police station between 1987 and 2009.

On September 9, a criminal court in Suezciting acquitted 10 police officers and four civilians accused of killing 17 protesters and injuring 300 during the January 2011 revolution, citing lack of evidence.

The Morsy government frequently spoke about the need to reform abusive behavior within the civilian security forces but undertook no identifiable efforts to do so. The interim government also did not attempt to reform the civilian security forces.

Throughout the year there were credible reports that security forces failed to prevent or respond to societal violence against Coptic Christians and other religious minorities (see section 6).

Arrest Procedures and Treatment of Detainees

For persons other than those apprehended in the process of committing a crime, the government required warrants under the penal code and the code of military justice, both of which were in effect simultaneously throughout the year. Although the interim government's declaration of a state of emergency on August 14 allowed security forces, including the military, to conduct warrantless searches and arrests, there were no verifiable reports indicating that it was used to facilitate any measures other than a nightly curfew. The state of emergency expired on November 14. On January 27, then president Morsy declared a state of emergency in Port Said, Suez, and Ismailiya for 30 days following violence that left more than 50 persons dead. Unlike the August 14 to November 14 declaration, the Morsy government used it to facilitate warrantless searches and arrests, including by the military.

On June 2, the Supreme Constitutional Court declared the Emergency Law's provision on warrantless searches and arrests unconstitutional under the 2012 constitution, which also eliminated the state security courts but retained the state security prosecutor. Interim government officials insisted that all arrests since July 3, when the 2012 constitution was suspended, were made in accordance with the penal code and denied the occurrence of warrantless arrests.

Ordinary criminal courts heard cases brought by the state security prosecutor. The penal code stipulates access to an attorney and, if the detainee is indigent, an attorney provided by the state, but these provisions were not always honored.

According to HRW, the military kept President Morsy and "at least 10 members of his team in incommunicado detention for four days." Morsy's lawyers complained that, between July 3 and November 4, they did not have access to him or to documents concerning the charges against him. According to a Reuters report on September 17, international media stated that other detained MB members claimed

they were held in solitary confinement in dark cells and let out only for questioning. One said he was denied medicine, and relatives of several others claimed they were not permitted to deliver food.

In May 2012 the People's Assembly, the lower legislative body, barred the government from prosecuting civilians under the code of military justice except in cases in which the alleged crimes were against the military. The code of military justice previously allowed the arrest of military personnel and civilians accused of ordinary crimes as well as offenses against the armed forces and those that "harm national security."

The Morsy and interim governments denied that civilians were tried in military courts solely for civilian offenses, but civilians involved in conflicts with the military are subject to military jurisdiction and faced military court trials under both the Morsy and interim governments. On September 3, a military court in Suez sentenced 54 civilians to terms ranging from five years' to life imprisonment for attacking government buildings, police stations, and churches. Nonviolent actions were also punished. On September 17, for example, a military court sentenced four civilians in Suez to two to three years' imprisonment for breaking curfew.

Arrests under the penal code occurred openly and with warrants issued by a public prosecutor or judge. There was a functioning bail system, although some defendants claimed that judges imposed unreasonably high bail amounts. In cases involving crimes against a person, the prosecutor may order four days of provisional detention. After that period the case must be submitted to a judge, who can release the accused person or renew the detention in increments of 15 days (but no longer than 45 days at a time) up to five months. The case thereafter either must be referred to the felony court for trial or dropped. The trial court may extend the provisional detention in increments of 15 days (but no longer than 45 days at a time) up to two years. Except in death penalty cases, the maximum period for provisional detention is two years. After two years (cumulative) provisional detention without a conviction, the accused person must be released immediately.

On September 12, the interim government amended the code of criminal procedure to allow indefinite detentions of appellants in cases involving the death penalty or life imprisonment. In cases involving crimes against national security, such as treason and possession of arms, the procedures are the same, except that the prosecutor may start with provisional detention of 15 days instead of four days and is authorized to extend it up to 45 days without judicial review or order. Charges

involving the death penalty or life imprisonment sometimes can apply to cases related to demonstrations, such as blocking of roads or demonstrating outside government buildings, meaning appellants charged with political crimes may be held indefinitely. Criminal defendants have the right to counsel promptly after arrest and usually, but not always, are allowed access to family members. The court is obliged to provide a lawyer to indigent defendants. Nevertheless, defendants often faced administrative, and in some cases political, obstacles and were unable to secure regular access to lawyers or family visits.

Arbitrary Arrest: According to AI the authorities arrested at least 3,000 persons following Morsy's removal. Human rights groups accused the interim government of arresting persons solely on the grounds of affiliation with the MB or other Islamist organizations, such as the Islamic Group, and holding them on suspicion of involvement in vaguely defined crimes such as "thuggery" and "inciting violence."

On July 3, the military detained President Morsy incommunicado in an undisclosed location, stating it was for his safety. On July 7, the public prosecutor announced Morsy was under investigation for allegedly inciting the killing of protesters, insulting the judiciary, espionage, and colluding with Hamas to carry out attacks on prisons during the 2011 revolution that reportedly allowed Morsy and other MB leaders to escape.

The interim government allowed Morsy to receive visits from EU High Representative for Foreign Affairs Catherine Ashton on July 29 and from an African Union delegation on July 30. The ousted president reportedly refused to see two domestic human rights figures permitted to visit him on July 27. On September 18, he spoke to his family by telephone for the first time since his detention. On November 4, Morsy, along with 14 codefendants, appeared in a Cairo criminal court for the first time to face charges of murder and incitement stemming from the deaths of antigovernment protesters in December 2012. Following the hearing he was transferred to Borg el-Arab Prison in Alexandria. The next trial session was scheduled for January 2014. Morsy subsequently was provided access to counsel and received family visitors. On December 6, the Ministry of Interior stated that Morsy could no longer receive visitors because he allegedly "incited violence" against the interim government in a meeting with his lawyers on November 13.

On December 18, authorities also charged Morsy with conspiring to commit terrorist acts. On December 21, prosecutors referred Morsy to a third trial on

charges of organizing prison breaks during the 2011 revolution, spreading chaos, and abducting policemen in collaboration with foreign militants.

Members of Morsy's government, as well as leaders of the MB and its Freedom and Justice Party, faced some of the same charges and were arbitrarily detained following July 3. Authorities charged a number of MB leaders with incitement stemming from June 30 clashes that left nine dead when MB members opened fire on protesters who had begun to storm their Cairo headquarters. Authorities detained at least five Morsy aides incommunicado following July 3 for more than five months and denied visit requests from relatives and lawyers representing the individuals. They faced charges including joining an illegal organization, spreading false news that threatens national security, and conspiring with foreign powers to destabilize the country.

On September 2, the international NGO Reporters without Borders stated that, since July 3, authorities had arbitrarily detained 80 journalists. According to a Committee to Protect Journalists (CPJ) annual report, as of December 1, five journalists remained in custody, two of whom were affiliated with al-Jazeera. On December 28, authorities arrested four other al-Jazeera journalists on charges of broadcasting without permission.

Some arbitrary arrests resulted in military trials of civilians. On January 4, authorities arrested Sinai-based journalist Mohamed Sabry for filming in a prohibited place without authorization and referred him to the military prosecutor. He remained in prison at year's end. On September 4, authorities arrested journalist Ahmed Abu Deraa and referred him to military prosecution on September 6. On October 5, a military court sentenced Deraa to six months, suspended, and a fine of 200 Egyptian pounds (LE) ($29) for broadcasting false information about the military, communicating with "terrorist groups" in the Sinai, filming military property, and provoking the armed forces.

According to the Office of the UN High Commissioner for Refugees (UNHCR), during July and August authorities arbitrarily arrested and detained approximately 150 refugees from Syria. The UNHCR and activists working with refugees reported that the government deported many of those arrested to third countries in the region. Authorities did not give the UNHCR and its lawyers access to all refugees, including those registered with them. The number of arrests declined later in the year, although after August authorities arrested or detained hundreds of refugees from Syria as they attempted to leave the country by boat (see section 2.d.).

Pretrial Detention: Pretrial detention was a problem throughout the year. Pretrial detainees sometimes were held with convicted prisoners. Large backlogs in the criminal courts contributed to protracted periods of pretrial detention. On June 10, a lawyer for the April 6 Youth Movement asserted that prosecutors demanded unreasonably high bail amounts, thereby transforming pretrial detention into a penalty.

Detention of Rejected Asylum Seekers or Stateless Persons: There were no reports of any migrants or refugees who were detained after a rejected asylum application. Authorities, however, detained hundreds of African migrants and refugees without access to asylum procedures, some of whom were victims of severe abuse after being smuggled or trafficked to the Sinai. In addition, there were approximately 300,000 Syrians and 70,000 Palestinians (an unknown number of whom were stateless) living in the country, some of whom were detained in prison (see section 2.d.). According to HRW, authorities detained 206 Syrian refugees in police stations across the country starting in July and, on December 10, released 171 of these persons. The government granted these persons temporary residency permits.

Amnesty: Unlike in the previous year, there were no amnesties.

e. Denial of Fair Public Trial

The 2012 constitution and the July 8 Constitutional Declaration provided for the independence and immunity of judges, although the courts were subject to government influence. At various points throughout the year, they exhibited autonomy and freedom from executive influence by declaring some of Morsy's decrees illegal or unconstitutional while he was president. The government generally respected court orders in nonpolitical cases but not always in politically charged cases. In January Morsy's prosecutor general appealed as too lenient the life sentence given to former president Hosni Mubarak following his June 2012 conviction for ordering the killing of demonstrators during the 2011 revolution. Mubarak's retrial began in April and continued at year's end.

Trial Procedures

Defendants are presumed innocent and are usually informed promptly and in detail of the charges. There are no juries. Civilian criminal trials usually are public. Military courts are not open to the public. Defendants have the right to consult an

attorney in civilian courts, and the government is responsible for providing counsel if the defendant cannot afford a lawyer. Defendants in military courts have the right to consult an attorney but sometimes were denied timely access to counsel. In both systems the law allows defendants to question witnesses against them and to present witnesses and evidence on their own behalf, and it provides defendants and their attorneys the right to access government-held evidence. Military courts sometimes ruled so quickly that defendants were unable to exercise these rights.

In civilian and military courts, defendants have the right of appeal up to the Court of Cassation and the Military Appeals Court. Sentences by military courts are subject to certification by the president. The president and the grand mufti must confirm all death sentences. Lawyers and NGOs asserted that military court trials did not meet basic standards of due process, since defendants often were tried in a matter of hours, frequently in groups, and sometimes without access to an attorney.

Political Prisoners and Detainees

According to AI, authorities arrested at least 3,000 persons following Morsy's removal, most of whom were detained for less than 48 hours. HRW reported that the military kept Morsy and "at least 10 members of his team, in incommunicado detention for four days" (see section 1.d.).

Civil Judicial Procedures and Remedies

Individuals had access to civil courts for lawsuits relating to human rights violations and filed such lawsuits during the year. Nonetheless, the evidentiary standard and lack of investigatory capacity and will required for a conviction in cases of alleged human rights violations often meant that courts dismissed cases or acquitted defendants for lack of evidence or conflicting witness testimonies.

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

The July 8 Constitutional Declaration and the 2012 constitution provided for the privacy of the home, correspondence, telephone calls, and other means of communication. Security agencies sometimes placed political activists, suspected subversives, journalists, foreigners, and writers under surveillance; screened their correspondence; examined their bank records; searched their persons and their homes; and confiscated personal property. Security services also employed extensive informer systems.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The July 8 Constitutional Declaration provides for freedom of speech and of the press, but it contains a national security exception permitting "limited oversight" in "matters related to national security" in case of emergency or in time of war. The suspended 2012 constitution also provided for freedom of speech and of the press but included a clause stating "control over the media is prohibited, with the exception of specific censorship that may be imposed in times of war or public mobilization." Private individuals and the government initiated lawsuits under articles of the 2012 constitution and provisions of the penal code prohibiting incitement, discrimination, and insults to religion or public figures.

Freedom of Speech: Citizens expressed their views on a wide range of political and social topics, but there were sometimes adverse consequences. Both the Morsy government and the interim government sought to dampen criticism. Both governments investigated and prosecuted critics for alleged incitement of violence, insults to religion, or insults to public figures and institutions, such as the judiciary.

On June 11, for example, a court in Luxor convicted a Coptic primary school teacher, Dimyana Abdel-Nour, of "insulting Islam" when teaching History of Religion and ordered her to pay a fine of LE 100,000 ($14,500).

On December 14, prosecutors ordered the detention of a man whose 15-year-old son, Khaled Mohamed, was previously arrested for possessing a ruler bearing a symbol associated with the MB. The man was investigated on charges of "inducing" his son to possess the ruler. Khaled remained in detention on suspicion of inciting violence, slandering the army, and being a member of a banned group. Prosecutors also issued arrest warrants against two teachers, Ashraf Raslan and Hamido al-Kheish, on similar charges.

After Morsy's removal, authorities released as many as 500 activists detained while he was president. On July 6, the public prosecutor ordered Ahmed Douma released from prison. Douma, a blogger and political activist, was sentenced on June 3 to six months' imprisonment for calling then president Morsy "a criminal who escaped justice." On July 7, a judge acquitted Douma and 10 other anti-Morsy activists on charges of inciting violence against the MB stemming from the March clashes at the MB's Guidance Bureau offices in Cairo in which 130 persons

were injured. Authorities later arrested him again under different charges (see section 2.b.).

Press Freedoms: The penal code and the press and publications law govern press issues. Authorities pursued several cases against reporters accused of insulting public officials or publishing false information under both the Morsy and interim governments.

Under both the Morsy and interim governments, the more than 20 state-owned media outlets responded to government policy directives. State-owned and privately held media outlets openly supported the government after July 3 in publishing reports depicting the country as engaged in a "war on terror" and Islamist groups, in particular the MB, as threats to national security.

The nonstate-owned media actively expressed a range of views on political and social issues, although domestic private cable outlets expressed unanimous support for Morsy's removal. On July 3, accusing them of inciting violence, the interim government closed three Islamist satellite television stations: al-Hafez, al-Nas, and Rahma. Also on July 3, soldiers raided the premises of al-Jazeera Mubashr Misr (AJMM), the Egyptian affiliate of al-Jazeera, temporarily halting a live news broadcast. On July 20, police raided and shut the Cairo broadcast facilities of Iran's Arabic-language al-Alam channel. On August 21, they shuttered the Cairo bureau of Turkey's Ihlas News Agency.

Following critical international media coverage of the July removal of President Morsy and the clearing of the Rabaa al-Adawiya Square sit-in in August, the Egyptian Foreign Press Center reportedly implemented a change in procedures for approving new and renewed credentials for members of the foreign press. The change led to delays, which resulted in almost no issuances of credentials in August and early September. Members of the foreign press who travelled to the country during this time were often unable to obtain credentials during their stay.

By late September, foreign media members said the Egyptian Foreign Press Center had resumed issuing credentials, albeit after significant delays. After the delays, the center in some instances issued only temporary accreditations, valid for under two weeks, to members of the foreign press permanently stationed in the country, forcing them to reapply immediately. As of the end of the year, several members of the foreign press corps continued to experience long delays, often lasting months, when applying for credentials. As a result of the new problems in

obtaining credentials, some members of the foreign press corps who were not credentialed exposed themselves to potential legal charges.

The government controlled the licensing, printing, and distribution of newspapers, including independent papers and those of opposition political parties, including the MB-backed Freedom and Justice Party. The 2012 constitution removed restrictions on newspaper ownership.

Violence and Harassment: State and nonstate actors arrested and imprisoned, killed, physically attacked, harassed, and intimidated journalists throughout the year. Six journalists were killed during the year, according to the CPJ.

On June 28 and 29, one journalist was killed, seven wounded, and one raped while covering anti-Morsy protests across the country. Conditions for journalists worsened while covering clashes between demonstrators and security forces after July 3. Security forces and private citizens assaulted at least 40 reporters and photographers during July and August, and authorities arrested or detained 80 journalists covering antigovernment protests, according to Reporters without Borders.

According to the CPJ, on August 14, Moaab al-Shami of Rassd News Network, Ahmed Abdel Gawad of *al-Akhbar* and Misr25, and Mick Deane of British Sky News died from gunshot wounds during police dispersals of pro-Morsy demonstrators.

On August 19, military personnel shot and killed Tamer Abdel-Raouf, Beheira governorate bureau chief for *al-Ahram* newspaper, as his vehicle approached a curfew checkpoint near the city of Damanhour. The shooting also wounded another journalist in the car with Abdel-Raouf. The military stated that the car did not respond to directives to slow down as it approached the checkpoint and that it had opened an investigation into the incident. There was no information available on the results of this investigation by year's end.

On August 27, police arrested four members of an al-Jazeera English television crew, raided their offices, and seized equipment. Authorities released the crew and deported the foreign members the following day.

Censorship or Content Restrictions: On July 3, security forces raided and closed the studios of MB-affiliated satellite television channel Misr 25. They also raided and closed three Salafist channels known for their rhetorical support of Morsy's

government: al-Hafiz, al-Nas, and Rahma. In all these cases, the interim government accused the stations of involvement in incitement to violence.

On September 3, a court ruled that AJMM and three other stations – al-Quds, al-Aqsa, and al-Yarmouk – had operated illegally and were banned. In addition, on September 3, the court shut al-Ahrar-25, the MB's successor to Misr-25. Al-Ahrar and al-Jazeera had provided coverage of the pro-Morsy demonstrations and protests.

Some activists and journalists reported they self-censored criticisms of the military or comments that could be perceived as sympathetic to the MB due to the extremely anti-MB and progovernment media environment.

Libel Laws/National Security: Under the law an editor in chief can be considered criminally responsible for libel contained in any portion of a newspaper. As in the previous year, however, there were no instances of this provision of the law being applied. Unlike in the prior year, the government did not stop the printing and distribution of newspaper editions on the basis of "national security grounds."

On July 6, the National Telecommunications Regulatory Authority instructed 49 percent government-owned Nilesat to block the transmissions of three pan-Arab channels known for their favorable coverage of the MB and Hamas – al-Quds, al-Aqsa, and al-Yarmouk – on the grounds their reporting represented a threat to national security.

In an August 15 statement, the interim government accused AJMM of operating without a valid license and "inciting hatred, constituting a threat to national security."

On December 28, interim government authorities arrested four al-Jazeera journalists, and government prosecutors reportedly ordered their detainment on suspicion of joining a terrorist organization and spreading false news harmful to state security. The order reportedly listed accusations against the journalists and alleged they were setting up a media network aimed at "tarnishing Egypt's image abroad and harming its political position."

Nongovernmental Impact: Nongovernmental actors also attacked journalists and inhibited freedom of expression during the year. According to the CPJ, police and MB supporters attacked at least 14 journalists outside the MB's Cairo headquarters on March 16 and 17. Members of the Western press corps reported in August that

they exercised caution while filming in the streets and took care to avoid crowds predisposed to regard foreign journalists as "spies." At least one news outlet permitted only local staff to cover protests. Popular hostility toward reporters reduced the quality of coverage, with journalists resorting to filming events at a distance from inside buildings. During the August 16 Ramses Square clashes, security forces protected some journalists from hostile crowds by sheltering them in armored vehicles.

On March 24, Islamist protesters surrounded Media Production City for 13 hours. According to local media reports, the protesters assaulted journalists and media workers and forcibly prevented guests from appearing on television shows. NGO Egyptian Organization for Human Rights director Hafez Abou Seada, whom protesters attacked after he appeared on a talk show, filed a legal complaint on March 25 alleging the protesters had committed a "serious violation of freedom of expression." The complaint remained under investigation at year's end.

Internet Freedom

Internet communications were open and unrestricted, but the government monitored them and occasionally prosecuted individuals accused of posting "insulting" material. Local service providers blocked access to websites containing illegal material, such as child pornography. Courts additionally ordered the blocking of some online content, including YouTube. A criminal court in February ruled the site was to be banned for one month after it did not remove a video considered anti-Islamic. In March, however, the Administrative Court upheld the Ministry of Information and Communication Technologies' decision not to implement the YouTube ban on the grounds that blockage did not fall under the ministry's legal authority and was too expensive to implement.

On March 27, authorities charged video blogger Ahmed Anwar with insulting the Ministry of Interior, "abuse of the internet," and provocation concerning a satirical video he uploaded one year earlier in which he made fun of police. He faced a fine ranging from LE 20,000 to 100,000 ($2,900 to $14,500) and possible imprisonment. His case, initially postponed until June 1, had not gone to trial by year's end.

On October 5, a military tribunal issued a six-month suspended sentence and a fine of LE 200 ($29) to Ahmed Abu Deraa, a Sinai-based journalist working with independent media group Al Masry El Youm, for a post on his Facebook wall suggesting the military was misinforming the public about its offensive in Sinai.

The International Telecommunication Union reported that 44 percent of individuals used the internet in 2012 and that there were 2.72 broadband subscriptions per 100 inhabitants.

Academic Freedom and Cultural Events

There were reports of government restrictions on academic freedom. A degree of self-censorship, similar to that experienced by other commentators, existed when academics publicly commented on sensitive political and socioeconomic issues. In late October protests by Morsy supporters increased on university campuses throughout the country. At several universities, particularly Al-Azhar University in Cairo, security forces forcibly dispersed pro-Morsy student protesters or intervened to stop clashes between supporters and opponents of Morsy. On December 30, a Cairo court banned demonstrations on university campuses without prior approval, effectively reversing a 2010 court ruling that prohibited security forces and police from operating on university grounds.

The June conviction of a primary school teacher for "insulting Islam" when teaching History of Religion was an example of an intolerant climate (see section 2.a.).

There was also censorship of cultural events. The Ministry of Culture must approve all scripts and final productions of plays and films. It censored foreign films to be shown in theaters but generally did not censor the same films sold as DVDs. Citing "national security" concerns, the government in March halted the screening of a documentary on the country's Jewish community.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The July 8 Constitutional Declaration and the 2012 constitution provided for freedom of assembly "according to notification regulated by law." On November 24, interim President Mansour decreed a restrictive demonstrations law. It included vague language listing prohibited activities and gave the minister of interior the authority to prohibit or curtail planned demonstrations. Domestic and international human rights organizations asserted that the law was not in keeping with international standards regarding freedom of assembly.

There were thousands of protests during the year that ranged widely in size, and many of these occurred under the Morsy and interim governments without government interference. There were numerous instances, however, throughout the year in which unidentified civilians attacked and provoked peaceful demonstrators, or rival groups of demonstrators encountered each other, leading to violence. At times security forces failed to protect demonstrators from civilian attacks. There were also several high-profile incidents, particularly after July 3, during which the government used excessive force to disperse demonstrators, claiming the demonstrators became violent, were armed, or were disrupting daily life (see section 1.a.).

On November 26, police used tear gas, batons, and water cannons to disperse forcefully an unauthorized protest in Cairo outside the Shura Council opposing military trials of civilians. According to NGOs security forces arrested dozens of demonstrators, allegedly sexually assaulting some of them. While some were released, several were detained. According to the Egyptian Center for Economic and Social Rights, authorities dropped off 14 of the female protesters late at night on a desert road outside of Cairo, more than 20 miles south of the protest site. Prosecutors charged several prominent activists, including Ahmed Douma, Mohammed Adel, and Ahmed Maher, with unlawfully inciting the protests. Courts found them guilty on December 22 and sentenced each to three years in prison and substantial fines.

On December 7, a court in Alexandria reduced the sentences of 21 women, including seven minors, who held an October 31 protest opposing the removal of former president Morsy as part of a group called “7am.” The court reduced the sentences for the defendants over the age of 18 from 11 years in prison to one year, suspended. The minors’ sentences were reduced from being held in a juvenile facility until they turned 18 to three months’ probation. One of the defendants’ lawyers stated to the press that two of those arrested were a mother and her daughter who were crossing the street by coincidence near the protest. Prosecutors had charged the protesters with vandalism, hooliganism, rioting, illegal public gathering, and use of weapons. Police also detained and questioned a lawyer representing the protesters for several hours.

Freedom of Association

The July 8 Constitutional Declaration and the 2012 constitution provided for freedom of association, but the government restricted this right through a highly restrictive law governing associations. The law on associations and community

foundations affected all nongovernmental civil society associations, the overwhelming majority of which were domestic welfare, educational, and environmental foundations. The Ministry of Social Solidarity applied the law in a highly restrictive manner to international NGOs and domestic NGOs receiving international funding, resulting in delays in approving programs that NGOs sought to implement and, in one case, criminal prosecutions of NGO staff.

On June 4, a Cairo criminal court convicted all 43 defendants in a trial that began in February 2012 of operating unlicensed organizations and receiving foreign funding without government permission. The court sentenced 27 mostly foreign defendants to five years in prison in their absence, sentenced two Egyptians and three foreigners to two years in prison, and sentenced 11 mostly local defendants to one-year suspended sentences. The court also ordered the offices of Freedom House, the International Center for Journalists, the International Republican Institute, the National Democratic Institute, and the Konrad Adenauer Foundation closed and their assets and properties confiscated. Domestic and international human rights organizations condemned the convictions. Lawyers for the organizations filed appeals that were pending at year's end.

On September 23, a judge banned the activities of the MB organization and its NGO and all the activities that it participated in and any organization derived from it. The court ordered the government to seize the MB's funds and administer its frozen assets. On October 9, the Ministry of Insurance and Social Affairs ordered the MB's NGO, which had been registered in April, to be dissolved and its assets seized by the government. Lawyers for the MB filed an appeal that was denied on November 6. On December 25, the interim government declared the MB a terrorist organization, allowing the government to apply sections of the penal code related to terrorism to the MB.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

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

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights, albeit with some notable exceptions, including the handling of refugees and asylum

seekers. The Civil Aviation Authority, in cooperation with the Ministry of Justice and the Ministry of Interior, maintained a "no-fly" list that prevented defendants in some court cases from exiting the country. MB members and other individuals wanted by the interim government appeared on the list after July 3. Authorities also prevented at least one MB member not wanted by the interim government from traveling as well.

The government did not cooperate consistently with the UNHCR and other humanitarian organizations in providing protection and assistance to asylum seekers and other persons of concern.

In-country Movement: Citizens and foreigners may not travel in areas of the country designated as military zones.

Foreign Travel: Men who have not completed compulsory military service may not travel abroad or emigrate. Completion of military service is indicated on national identification cards. Married Baha'is and their children faced difficulties obtaining national identification cards because the government did not recognize Baha'i marriages as legitimate. As a result some Baha'i men of draft age were unable to establish that they had fulfilled or were exempt from military service and therefore were unable to obtain passports. Police officials reportedly forced unmarried young women, sometimes including those in their 30s, to present their father's written permission to obtain a passport and to travel, although this is not required by law.

Exile: The 2012 constitution prohibited forced exile, and the government did not utilize the practice. Some Mubarak-era politicians lived outside the country of their own accord during the Morsy administration, fearing prosecution, and some other political leaders, particularly of the MB, and activists left the country after July 3, fearing prosecution by the new government.

Internally Displaced Persons (IDPs)

Attacks and intimidation by Islamic extremists and "thugs" displaced several hundred Coptic families from their homes. For example, local Islamists and armed young men, apparently unaffiliated with any political or religious movement, took control of the Minya Governorate village of Delga following Morsy's July 3 ouster, displacing approximately 100 Coptic families. On September 16, security forces regained control of Delga. On July 3-4 in the Luxor Governorate village of al-Dabaiya, sectarian clashes resulted in the displacement of approximately 100

additional Coptic families. There were reports that some of the displaced families had returned to these villages by year's end.

Protection of Refugees

Access to Asylum: The suspended 2012 constitution provided for the protection of political refugees, but the country's laws do not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The July 8 Constitutional Declaration does not refer to protection of refugees.

The government has provided the UNHCR with the authority to make refugee status determinations, with the exception of Sudanese citizens, who were treated as asylum seekers rather than as refugees.

According to the UNHCR, there were approximately 230,000 refugees and asylum seekers, mainly from Syria, Sudan, Iraq, and countries in the Horn of Africa. During the year an estimated 300,000 displaced Syrians entered the country, although only approximately 123,000 registered as refugees with the UNHCR. Under the Morsy administration, the government afforded Syrians visa-free entry. On July 8, the interim government imposed new visa and security clearance requirements, thus ensuring no direct entries from Syria since Egypt lacked consular services there. The interim government asserted these measures were temporary, but there was no indication that they eased the requirements or made exceptions for women and children by year's end.

Following the introduction of the new requirements, authorities sent planes carrying persons from Syria back from Cairo International Airport to their points of origin, including returns to Damascus and Latakia. A July UNHCR report indicated that the interim government deported or denied entry to 476 Syrians.

Refugees from Syria, including children, suffered verbal attacks, threats in the media and by public figures, arbitrary arrests, unlawful detention, and in some cases refoulement.

According to the UNHCR, during July and August, authorities arbitrarily arrested and detained approximately 150 refugees from Syria. Authorities did not give the UNHCR and its lawyers access to all refugees, including those registered with them.

While the UNHCR was usually allowed contact with detained registered refugees and asylum seekers, the government continued to deny access to unregistered asylum seekers. Authorities subjected detained migrants, many of whom were Eritrean and Sudanese and may have had a basis for asylum claims, to criminal penalties and indefinite administrative detention for unauthorized entry or residence. Detained migrants did not have access to the UNHCR. Authorities often held them in jails, military camps, and regular prisons with convicted criminals.

Refoulement: According to human rights advocates, detained migrants were typically given two options: voluntary return to their country of origin or indefinite administrative detention. As the government denied the UNHCR access to unregistered detained migrants and asylum seekers, the number of potential asylum seekers returned to their countries was unknown.

Refugee Abuse: After July 3, governmental lack of receptivity and societal abuse of Syrian refugees increased significantly. The deteriorating protection environment drove some to risk sea crossings to Europe. The Egyptian Navy intercepted some of these boats on grounds of suspicion of "illegal migration." During the first 10 months of the year, authorities reportedly arrested 946 refugees attempting sea crossings to Europe, releasing 76, deporting 146 (including at least 46 children), and detaining 724. Those in detention included refugees with Egyptian residence permits or UNHCR cards.

Refugees from Syria, including children, suffered from the public backlash against the MB through verbal attacks and threats in the media and by public figures, arbitrary arrests, unlawful detention, and in some cases refoulement. On July 10, presenters on satellite television channels al-Faraeen and ON TV accused Syrians living in the country of siding with Morsy supporters. Popular al-Faraeen presenter Tawfiq Okasha told Syrians living in the country that, if they did not stop "supporting the MB" within 48 hours, Egyptians would destroy their homes.

Unlike in the previous year, there were no police killings of sub-Saharan African migrants in the Sinai. There were reports of societal abuse and abuse by their abductors and captors, but these reports declined significantly during the year. The most obvious reason was the dissuasive effect of Israeli construction of a fence that prevented migrants from entering Israel and accordingly reduced the number of migrants who attempted to transit the country to reach Israel.

Employment: Authorities did not grant most refugees legal authority to work in the country. Those seeking unauthorized employment faced challenges due to lack of jobs and societal discrimination against sub-Saharan Africans. Refugees who found work generally took low-paying jobs in the informal market, such as domestic servants, and were vulnerable to exploitation by employers.

Access to Basic Services: Refugees, in particular those from sub-Saharan African countries, continued to face limited access to housing, education, health services, and other social services. The Ministry of Interior restricted some international organizations seeking to assist migrants and refugees in the Sinai but provided the International Organization for Migration with access. The UNHCR provided refugees with modest support for education and health care, as well as small monthly financial assistance grants for new arrivals and particularly vulnerable refugees. Some public schools enrolled refugee children, but most did not, citing overcrowding and lack of resources. Instead, refugee children mainly attended refugee-run schools, private schools, or were home-schooled. The law required government hospitals to provide free medical care to refugees, but many of the hospitals did not have adequate resources to provide care to refugees. In response to the influx of Syrians, the government allowed Syrian refugees and asylum seekers access to public education and health services while in the country. The government continued to allow Syrian children access to the public educational system.

Stateless Persons

Citizenship is derived through a combination of birth within the country's territory and the nationality of one's parents. Stateless persons, who accounted for 0.02 percent of all registered refugees and asylum seekers (236,944 persons as of September 26), frequently did not qualify for protection under the local refugee determination apparatus. Many stateless persons faced indefinite detention. Of the 60 registered stateless persons, approximately two dozen were Armenians displaced for more than 50 years.

There were approximately 70,000 Palestinians living in the country, an unknown number of whom were stateless. Since the onset of the Syrian crisis, at least 6,000 Palestinian refugees from Syria were living in the country. The United Nations Relief and Works Agency for Palestine Refugees in the Near East assisted these "double refugees" in Syria but had difficulty providing assistance in Egypt, where its presence is limited to a liaison office. The government does not allow the

UNHCR to register Palestinian refugees, thus preventing them from accessing refugee services provided by UNHCR partners.

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

Mass protests led Hosni Mubarak to step down in February 2011. Mohamed Morsy was subsequently announced the winner of presidential elections in June 2012. During the year there were numerous demonstrations by citizens against and in support of Morsy, and he and his government were ousted following large demonstrations on July 3. The July 8 Constitutional Declaration formally dissolved the Shura Council and vested full legislative authority in the interim president. It also set forth a timeline for an appointed panel to draft a constitution that must be approved by popular referendum, after which parliamentary and presidential elections are to be held.

Elections and Political Participation

Recent Elections: In May and June 2012, the first-round and presidential runoff election occurred. In the runoff Freedom and Justice Party candidate Mohamed Morsy took 51.7 percent of the vote, according to the election commission. Voter turnout was announced to have been 52 percent. Observers from the Carter Center reported they could not provide a comprehensive assessment of the integrity of the elections due to administrative problems that limited their mandate but noted that the elections were free from major and systematic flaws that unfairly advantaged either candidate. Domestic observers also reported irregularities but generally concluded that they did not rise to the level of organized fraud.

A constitutional referendum was held in two rounds in December 2012. The question was whether voters approved of the draft constitution that the Constituent Assembly endorsed in November 2012. On December 25, the election commission announced that 64 percent of the voters approved the draft constitution in an election in which turnout was 34 percent of eligible voters. There were no international observers. The Carter Center did not participate, citing the short preparation process and inability to comprehensively assess the referendum process in time. Domestic observer groups cited a variety of scattered violations, including campaigning too close to polling stations and some polling stations opening late or lacking all necessary technical equipment, but they generally concluded that the violations did not alter the results. Some liberal groups boycotted the vote due to Islamists having constituted the large majority of

remaining members of the drafting committee, and others objected to the referendum it being held during a period that featured large demonstrations and violence.

Political Parties: According to the 2012 constitution and the July 8 Constitutional Declaration, citizens were free to form, legally register, and operate political parties, although the 2012 constitution prohibited forming any party "that discriminates on the basis of gender, origin, or religion." The law requires new parties to have a minimum of 5,000 members from at least 10 provinces. After July 3, authorities arrested thousands of members and many leaders of Islamist parties, such as the MB's Freedom and Justice Party and the Al Wasat Party, alleging they had incited violence or participated in violent demonstrations.

Participation of Women and Minorities: Religious and cultural barriers continued to prevent women's political participation and leadership in nearly all political parties and government institutions. The interim cabinet included three women and three Copts (one of the women was also a Copt). Five women served on the 50-person panel drafting the new constitution. Women were only permitted to serve in the medical corps of the armed forces and were excluded from compulsory military service, and non-Muslims generally were selected for retirement before reaching senior active-duty ranks. No women or members of religious minorities were among the appointed governors of the country's 27 governorates. There were no women on the Supreme Constitutional Court. There were several senior judges who were Coptic Christian.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, but the government did not consistently enforce the law, and there were allegations that members of the Mubarak and Morsy governments engaged in corrupt practices with impunity. Court cases still pending at year's end were inconclusive regarding the accusations of impunity.

Corruption: The Central Agency for Auditing and Accounting was the government's anticorruption body and submitted biennial reports to the People's Assembly that were not available to the public. The auditing and accounting agency stationed monitors at state-owned companies to report corrupt practices. Observers did not judge the agency to be effective, independent, or sufficiently resourced, and it did not actively collaborate with civil society.

Steel magnate and former National Democratic Party Secretary General Ahmed Ezz faced retrial on charges of laundering LE 6.4 billion ($9.3 million) in illegally acquired funds between 2003 and 2011. He was found guilty of the charges in October 2012 and sentenced to seven years in prison and a fine of LE 19.3 billion ($2.8 billion), but in mid-December the Court of Cassation accepted his appeal and ordered a retrial.

Whistleblower Protection: The law does not provide protection to public and private employees for making internal disclosures or lawful public disclosures of evidence of illegality.

Financial Disclosure: There are no financial disclosure laws for public officials, but interim President Mansour decreed a conflict-of-interest law on November 17, which forbids government officials from maintaining any pecuniary interest in matters over which they exercise authority.

Public Access to Information: There is no legal framework stipulating how citizens can access government information. The government generally was not responsive to requests for documents regarding government activities and did not provide reasons for its lack of responsiveness.

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

The government exhibited an inconsistent approach to cooperating with human rights NGOs. Government officials publicly asserted they shared the NGOs' goals, but they were frequently uncooperative with and unresponsive to the organizations' views. Many NGOs criticized the Morsy government's consultations with civil society as superficial and insincere. They were more supportive of the interim government's consultations, in particular with respect to amending the 2012 constitution and drafting a new NGO law. With the exception of the NGOs put on trial, the Morsy and interim governments allowed international human rights NGOs to operate (see section 2.b.). HRW maintained an office in Cairo. Other organizations, such as AI, made periodic visits as part of their regional research programs and were able to work with domestic human rights groups.

Government restrictions on local and international NGO activities continued to limit the ability of NGOs to carry out their work. State-owned and independent media frequently depicted NGOs, particularly international NGOs and domestic

NGOs that received funding from international sources, as spies undertaking subversive activities. Some NGOs reported receiving visits or calls from security service officers monitoring their activities. Government officials and public and private media also argued in the weeks and months following the August 14 clearing of pro-Morsy demonstrations that human rights concerns were used to protect individuals the government deemed "terrorists." On December 25, the interim government declared the MB a terrorist organization.

There were many well-established, independent domestic human rights NGOs operating in the country. Internet activists and bloggers continued to play a significant role in publicizing information about human rights abuses. Authorities generally allowed unregistered organizations to operate, but such organizations did so in violation of the law and faced harassment, along with the threat of government interference or closure.

On December 18, more than 60 armed security and police officers raided the local NGO Egyptian Center for Economic and Social Rights, beating NGO employees and confiscated computers, according to a December 19 Freedom House report. Officials reportedly detained six activists (a lawyer, an employee, and four volunteers) overnight; five were released with the exception of Mohamed Adel, an activist from the April 6th movement. On December 22, authorities charged Adel with organizing an unauthorized protest, along with Ahmed Maher and Ahmed Douma, and sentenced each to three years in prison. While authorities claimed they made the raid to arrest Mohamed Adel, local and international NGOs claim the government conducted the raid to intimidate independent human rights groups.

On March 21, the Morsy government approved the MB's March 19 bid to achieve legal status by registering itself as an NGO – the Muslim Brotherhood Association – following indications that its appeal to overturn the 1954 ban would be unsuccessful in court. On October 9, the interim government ordered the dissolution and asset seizure of the MB's NGO (see section 2.b.). Lawyers for the MB filed an appeal that the court denied on November 6.

<u>UN and Other International Bodies</u>: Several UN special rapporteurs charged with investigation or monitoring of alleged human rights abuses continued to have visit requests pending for many years. Authorities continued to deny the International Committee of the Red Cross access to prisoners and detainees. The Ministry of Interior restricted some international organizations seeking to assist migrants and refugees, but it provided the International Organization for Migration with access (see section 2.d.).

Government Human Rights Bodies: The NCHR monitored government abuses of human rights and submitted citizen complaints to the government. Most human rights advocates viewed it as ineffectual prior to Morsy's removal because the Morsy government appointed many Islamists with no human rights experience to the council. The interim government reconstituted the NCHR following Morsy's removal and appointed a number of well-known human rights activists to the board. At year's end the NCHR was preparing fact-finding reports on the August 18 deaths of 37 MB detainees at Abu Zaabal prison and the August 14 attack on the police station in Kerdasa that killed 11 policemen. The status of fact-finding reports into three other large-scale incidents was unknown (see section 1.a.).

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The suspended 2012 constitution stated "all citizens are equal before the law. They have equal public rights and duties without discrimination." The July 8 Constitutional Declaration included the same first sentence but added in place of the second "they shall have equal public rights and duties, with no discrimination whatsoever among them based on sex, origin, language, religion, or belief." It also added "the State shall provide for equal opportunities among citizens." It does not specifically mention disability, sexual orientation and/or gender identity, or social status. Many aspects of the law discriminate against women and religious minorities, and the Morsy and interim governments did not effectively enforce prohibitions against such discrimination.

Women

Women faced discrimination and violence both in private and public. The security situation and widespread sexual harassment significantly inhibited women's political participation and expression, although women participated in demonstrations, and some women played prominent roles on television and in the activist community.

Rape and Domestic Violence: The law prohibits rape, prescribing penalties of 15 to 25 years' imprisonment, or life imprisonment for cases involving armed abduction. The government did not effectively enforce the law. Police pressure and fear of societal reprisal actively discouraged women from going to police stations to report crimes, resulting in a very small number of cases being investigated or effectively prosecuted. Spousal rape is not illegal. According to the Ministry of Interior, approximately 20,000 cases of rape were reported each

year. Women's rights groups estimated that fewer than 100 were prosecuted. NGOs estimated the prevalence of rape was several times higher than the rate reported by the government. Public sexual assault, up to and including gang rape, occurred, especially during political protests. Citing Egyptian antisexual harassment groups, HRW reported that unknown persons sexually assaulted and, in some cases raped, at least 91 women in Tahrir Square during a four-day period beginning June 30. There were no prosecutions related to these allegations. In a July 3 statement, six domestic NGOs claimed that, between June 28 and July 3, 101 incidents of sexual assault occurred. The groups condemned the lack of effective government response to these incidents but noted that incidents of sexual assault decreased after July 3 as the security presence in the streets increased.

Domestic violence continued to be a significant problem. A 2011 academic survey conducted on a random sample of 1,503 households in Minya, Sohag, Cairo, and Alexandria found that 81 percent of men believed they had the right to beat their wives and daughters. The law does not prohibit domestic violence or spousal abuse, but provisions relating to assault may be applied, with accompanying penalties. The law requires that an assault victim produce multiple eyewitnesses, a difficult condition for domestic abuse victims, making prosecutions extremely rare. NGOs reported police often treated domestic violence as a social rather than criminal matter.

Several NGOs offered counseling, legal aid, and other services to women who were victims of rape and domestic violence. There were no shelters administered by the government. In June the Ministry of Interior established a new unit to combat sexual and gender-based violence. In August the interim government identified the National Council for Women as one of the institutions that should "enhance democracy" among citizens and protect women's rights. In November the minister of social solidarity and the president's advisor for women's affairs announced they would work with the National Council for Women to launch an awareness-raising initiative to counter violence against women.

Harmful Traditional Practices: The law does not specifically address "honor" crimes, which are considered as any other crime. There were no reliable statistics regarding the incidence of killings and assaults motivated by "honor," but observers said such killings occurred during the year, particularly in rural areas. For example, the May 24 domestic media reported that police detained five male relatives for killing a mother and her two daughters near the city of Luxor because they had allegedly committed adultery.

Sexual Harassment: Sexual harassment remained a serious problem. According to a study published in April by the UN Entity for Gender Equality and the Empowerment of Women, known as UN Women, 99 percent of women and girls in the Egyptian sample reported they had experienced some form of sexual harassment. Nazra for Feminist Studies and other NGOs reported the overall incidence of sexual harassment increased during the times of large public demonstrations. There is no specific law criminalizing sexual harassment, but perpetrators can be charged with the misdemeanor "public display of affection," which women's rights groups contended was tantamount to holding the victims equally responsible, because the term implies mutual consent.

Reproductive Rights: The government did not restrict citizens' family-planning decisions, although men and women did not always have the information and means to make decisions free from discrimination, coercion, and violence. Social, cultural, and religious barriers restricted individuals', especially women's, rights to make reproductive decisions. The Ministry of Health distributed contraceptive materials and provided personnel to attend births, postpartum care to mothers and children, and treatment for sexually transmitted diseases at no cost. According to UN Children's Fund (UNICEF) estimates from 2010, skilled health personnel attended 79 percent of births, and 58 percent of women between ages 15 and 49 used a modern method of contraception. NGOs reported that government family planning information and services were not adequate to meet the needs of the entire population, particularly outside of large urban areas. For example, NGOs expressed concern over lack of access to reproductive information and services for adolescent girls in rural areas.

Discrimination: Women continued to face widespread societal discrimination, threats to their physical security, and workplace bias in favor of men which hindered their social and economic advancement.

The July 8 Constitutional Declaration contains a reference to equal rights for male and female citizens. Women did not effectively enjoy the same legal rights and opportunities as men, and discrimination continued to be widespread. Aspects of the law and traditional practices continued to disadvantage women in family, social, and economic life. Laws affecting marriage and personal status generally corresponded to an individual's religion. For example, a female Muslim citizen may not marry a non-Muslim man without risking arrest and conviction for apostasy. Under the government's interpretation of sharia, any children from such a marriage could be placed in the custody of a male Muslim guardian. "Khula" divorce allows a Muslim woman to obtain a divorce without her husband's

consent, provided she is willing to forgo all her financial rights, including alimony, dowry, and other benefits. The National Council for Women, which is appointed by the government, leads efforts to combat discrimination. Women's rights NGOs criticized it for failing to address effectively any of the challenges facing women in the country.

The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion. A Muslim female heir receives half the amount of a male heir's inheritance, and Christian widows of Muslims have no inheritance rights. A sole Muslim female heir receives half her parents' estate, with the balance going to the siblings of the parents or to the children of the siblings if the siblings are deceased. A sole male heir, because he is expected to provide for his female relatives, inherits his parents' entire estate. A woman's testimony is equal to that of a man in courts dealing with all matters except for personal status, such as marriage and divorce, where an adult male relative or representative often will testify on a woman's behalf. In marriage and divorce cases, a woman's testimony must be judged credible to be admissible. Usually this is accomplished by having her convey her testimony through an adult male relative or representative. A man's testimony is assumed credible unless proven otherwise.

According to legal experts, there were approximately 50 women judges, most serving in family courts. Less than 1 percent of judges were women.

The law made it difficult for women to access formal credit. While the law allows women to own property, social and religious barriers strongly discouraged women's ownership of land, a primary source of collateral in the banking system. The threat of criminal bankruptcy and fear of the conditions in prisons contributed to extremely low rates of women accessing commercial credit.

Women faced extensive discrimination in the labor force. Although labor laws provide for equal rates of pay for equal work for men and women in the public sector, pay was not always equal. In 2012 the World Economic Forum found that women received 82 percent of the income of their male counterparts, not of men in general. Educated women had employment opportunities, but social pressure against women pursuing a career was strong. Women's rights advocates claimed that Islamist influence as well as traditional and cultural attitudes and practices inhibited further gains. Women were excluded from high-level positions in large sectors of the economy controlled by the military, since women did not serve in the military and thus were not given access to these jobs. In 2011 the government

reported women were five times more likely to be unemployed than men. More than half of female university graduates were unemployed. The Ministry of Insurance and Social Affairs operated more than 150 family counseling bureaus nationwide to provide legal and medical services to unemployed women who were unmarried or did not reside with their husband or family.

Children

Birth Registration: Children derive citizenship through a combination of birth within the country's territory and the nationality of one's parents. The government attempted to register all births but faced resistance from citizens in remote and tribal areas, such as the Sinai. The government cooperated with NGOs in addressing this problem. In some cases failure to register resulted in denial of public services, particularly in urban areas where most services required presentation of a national identification card.

Education: Education is compulsory, free, and universal until the ninth grade. The law provides this benefit to stateless persons and refugees, but in practical terms they were often excluded from public education.

Child Abuse: There were widespread reports of child abuse according to a 2011 survey (see section 6, Women). There were no effective government institutions dedicated to addressing child abuse, although several civil society organizations were involved in assisting runaway and abandoned children.

Local NGOs reported the arrests of hundreds of children during the year, many of them at scenes of protests or violent clashes. According to HRW police beat some of these children, held them with adults, denied their right to counsel, and did not notify their families.

Forced and Early Marriage: The legal age of marriage is 18. According to a 2012 study by the National Council for Women, 22 percent of girls were married before the age of 18. The media reported some child marriages were temporary marriages intended to mask prostitution. Families sometimes encouraged victims to marry wealthy men from the Persian Gulf in what were known locally as transactional or "summer" marriages. The National Council for Childhood and Motherhood's Child Antitrafficking Unit was charged with raising awareness of the issue.

Harmful Traditional Practices: FGM/C is illegal, but it remained a problem. According to UNICEF in July, 81 percent of Egyptian females – Muslims and

Christians alike – had undergone FGM/C by age 19. The law criminalizes FGM/C, except in cases of medical necessity, with penalties of three months to two years in prison or a fine of approximately LE 5,000 ($725). The government did not effectively enforce this law, and some organizations that had advocated against FGM/C were no longer active. On June 5, a 13-year-old girl died while undergoing an FGM/C procedure at a private clinic in Daqahliya Governorate, according to the National Council for Women. The physician who performed the procedure surrendered to authorities but was not prosecuted.

Sexual Exploitation of Children: The law provides for sentences of not less than five years in prison and fines of up to LE 200,000 ($29,000) for commercial sexual exploitation of children and child pornography. The minimum age for consensual sex is 18. NGOs and local media reported that economic hardship resulted in a rise in sex tourism and in the number of street children in Cairo and other metropolitan areas where children were sometimes sexually exploited.

Displaced Children: Experts who worked with street children struggled to define exactly to whom the term "displaced children" applies, and consequently estimates of the number of children on the streets varied from under 10,000 to several million. Many were victims of violence and sexual abuse, including forced prostitution. The Ministry of Insurance and Social Affairs offered shelters for street children, but many chose not to seek refuge in them because they closed at night, forcing the children back onto the streets. Religious institutions and NGOs such as the Nour al-Hayat Child Welfare Association and the Hope Village Society provided services for street children, including meals, clothing, and literacy classes. The Ministry of Health and Population offered mobile health clinics staffed by nurses and social workers.

International Child Abductions: Egypt is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see country-specific information at travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

There were no reports of anti-Semitic violence directed toward Egypt's fewer than 100-person Jewish community. Anti-Israel sentiment, however, was widespread and occasionally reached the level of anti-Semitism in public discourse. The

state-owned and private media sometimes included anti-Semitic rhetoric, including by academics and clerics, with cartoons demonizing Jews and accusing them of seeking to subvert Egypt and Islam. There were reports of imams using anti-Semitic rhetoric in their sermons.

According to the Anti-Defamation League, Prime Minister Hisham Kandil and other cabinet ministers on June 7 attended an anti-Semitic sermon at the Rabaa al-Adawiya Mosque delivered by Salah Sultan, a member of the International Union of Muslim Scholars. Sultan asked Muslims to be ready to fight the "sons of Israel" and called upon Christians to remember that Jews conspired to kill Jesus. He also claimed the Talmud taught that "God created Jews from human sperm and non-Jews from animal sperm," thereby entitling Jews to treat non-Jews as subhuman.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The July 8 Constitutional Declaration does not specifically prohibit discrimination against persons with disabilities. The law gives such persons access to vocational training and employment but does not outlaw discrimination altogether. The government policy for employing persons with disabilities is based on a quota system (5 percent) for companies with more than 50 employees. According to most sources, however, this quota was not enforced, and companies often had persons with disabilities on their payroll to meet the quota without actually employing these individuals. There are no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor are there laws mandating access to buildings or transportation. Widespread discrimination continued against persons with disabilities, particularly persons with mental disabilities, resulting in a lack of acceptance into mainstream society. Government-operated treatment centers for persons with disabilities, especially children, were of poor quality.

In 2011 the World Health Organization, UNICEF, and local civil society organizations estimated the percentage of persons with disabilities to be approximately 11 percent, or approximately 8.5 million persons. The Ministries of Education and Social Solidarity shared responsibility for protecting the rights of

persons with disabilities. Persons with disabilities rode government-owned mass transit buses free of charge, but the buses were not wheelchair-accessible and access assistance from friends and relatives was needed. Persons with disabilities received special subsidies to purchase household products, wheelchairs, and prosthetic devices. Persons with disabilities also received expeditious approval for the installation of new telephone lines and received reductions on customs duties for specially equipped private vehicles.

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

The law does not explicitly criminalize consensual same-sex sexual activity, but it allows police to arrest lesbian, gay, bisexual, and transgender (LGBT) persons on charges such as "debauchery," "prostitution," and "violating the teachings of religion," which happened on rare occasions, and provides for up to 10 years in prison for these charges. Authorities did not effectively use antidiscrimination laws to protect LGBT individuals. Gay men and lesbians faced significant social stigma and discrimination in society, impeding their ability to organize or publicly advocate on behalf of LGBT persons. Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address potential discrimination.

There were few reports of violence against LGBT individuals, although intimidation and the risk of arrest greatly restricted open reporting and contributed to self-censorship.

According to the Egyptian Initiative for Personal Rights, on October 13, the public prosecutor ordered the release of 11 suspects arrested the previous day on allegations they committed "homosexual acts" at a private gymnasium and sauna in northeast Cairo. Media reports claimed neighbors subsequently destroyed the facility.

According to a report on December 6, a censorship board demanded that 13 scenes be removed from a local film depicting a homosexual protagonist.

Other Societal Violence or Discrimination

Societal violence against religious minorities, especially Coptic Christians and Shia Muslims, occurred periodically throughout the year and increased following July 3.

Religious minorities continued to face discrimination during the year, and there were repeated instances of sectarian violence against Coptic Christians. Christian religious and lay leaders reported that under the Morsy government, local Islamists felt empowered to establish and enforce their own laws.

There were occasional incidents of mob violence and vigilantism during the year. On June 23, local media reported a mob of Sunni extremists attacked, tortured, and killed a Shia leader and three other Shias in Giza. Police arrested eight men in connection with the incident, and their trial was underway at year's end. According to HRW, the attack followed two years of anti-Shia hate speech emanating from Salafi sheikhs as well as MB and Freedom and Justice Party leaders. On June 25, although it previously had expressed opposition to the alleged spread of Shia Islam in the country, Cairo's Al-Azhar University – the foremost institution in the Islamic world for the study of orthodox Sunni theology and sharia – publicly condemned the attack in a statement.

On June 29, Muslim extremists killed several Copts, destroyed a number of homes and businesses, and forced tens of Coptic families to flee the North Sinai town of al-Arish, according to domestic rights activists.

On July 3-4 in the Luxor Governorate village of al-Dabaiya, sectarian clashes resulted in the displacement of approximately 100 Coptic families.

Sectarian violence against Christians increased after the July 3 removal of the Morsy government and the August 14 dispersal of pro-Morsy demonstrators. The Egyptian Center for Public Policy Studies reported 30 churches, 122 shops, and 51 houses owned by Copts were destroyed or burned in Upper Egypt during August. HRW and the Egyptian Initiative for Personal Rights reported at least 42 to 45 churches and other Christian religious institutions were destroyed or damaged.

On September 16, security forces regained control over the Minya town of Delga, which had been dominated by local Islamists and "thugs" after local police abandoned their posts on August 14. On September 19, security forces reestablished government control over Kerdasa, a city in the Giza Governorate. Local Islamists and armed "thugs," young men apparently unaffiliated with any political or religious movement, had seized control of the city following an August

14 attack on a police station in which assailants killed 11 police officers and desecrated their bodies. Citizens in Kerdasa and Delga reported that before security forces re-established control, Islamist vigilantes imposed severe, heterodox interpretations of sharia and subjected Copts (including clergy) to verbal threats and physical abuse.

HIV-positive individuals faced significant social stigma and discrimination in society and the workplace. According to UNICEF, an estimated 11,000 persons in Egypt were HIV-positive. The continuum of care was significantly enhanced, with the provision of anonymous counseling and testing for HIV, free adult and pediatric antiretroviral therapy, and support groups for persons with HIV. Insufficient attention, however, was paid to the specific needs of women and children, particularly in the areas of medical treatment, psychosocial support, and the prevention of mother-to-child transmission.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of workers to form and join independent unions, the right to strike, and collective bargaining, with significant restrictions.

Important elements of the legal framework for worker rights were unclear or contradictory, although the 2012 constitution and the July 8 Constitutional Declaration appear to provide for freedom of association. In the absence of implementing legislation to reverse pre-2011 labor laws, however, worker rights remained unclear.

In 2011 the minister of manpower and migration issued a declaration recognizing complete freedom of association. The decree declared the Trade Union Act of 1976 in conflict with the country's International Labor Organization commitments and thus void. Subsequent ministers continued to recognize the 2011 declaration. Although the Trade Union Act of 1976 remained the law, the government no longer recognized or enforced its provisions restricting freedom of association, most significantly a requirement that all unions belong to the previously government-controlled Egyptian Trade Union Federation (ETUF), which was the country's only trade union federation until the establishment of independent labor unions in 2009. Articles 52 and 53 of the 2012 constitution provided for the right to form trade unions. The Constitutional Declaration of July 8 does not assure freedom of association but states that this right will be determined by the law. It

does not clearly restrict the dissolution of unions by administrative decrees and restricts the professional syndicates to one per profession, stating that the right to establish professional syndicates is "organized by the law" as opposed to "freedom of establishment."

The 2012 constitution and the July 8 Constitutional Declaration provide for the right to "peaceful" strikes. The Unified Labor Law permits peaceful strikes but imposes significant restrictions for strikes to be considered legal, including prior approval by a general trade union affiliated with the ETUF.

The law provides for collective bargaining but imposes significant restrictions in that the government sets wages and benefits for all public sector and government employees. The law does not provide for enterprise-level collective bargaining in the private sector but requires centralized tripartite negotiations with workers represented by an ETUF-affiliated union and the Ministry of Manpower and Migration (MOMM) overseeing and monitoring collective negotiations and agreements. The law prohibits antiunion discrimination and provides for the reinstatement of workers fired for union activity. Labor laws do not cover wide ranges of workers, including agricultural and domestic workers, among other sectors of the informal economy.

Government enforcement of applicable laws was inconsistent, reflecting in part the rapidly evolving legal environment and continuing political transition. While the government rarely enforced the decree criminalizing most strikes and allowed hundreds of new unions to register, it also occasionally used its powers to arrest striking workers. The government rarely reversed arbitrary dismissals. The government seldom followed the requirement for tripartite negotiations in collective disputes, and workers negotiated directly with employers, usually after resorting to a strike.

When the government became involved, it most often was for dispute resolution rather than for genuine collective bargaining. Nonetheless, MOMM reported receiving 9,012 individual complaints and 908 group complaints from workers during the year, and it claimed to have resolved 65 percent of the individual complaints and 85 percent of the group disputes through negotiations between workers and management, with the remainder referred to courts.

The pace of labor strikes significantly dropped following July 3, but a series of strikes began in October, reflecting unmet expectations of change. The government took steps to address the continued high rate of strikes and other

worker protests during the year, including establishing minimum and maximum wages. Among the large-scale strikes during the year were several public sector strikes, including university workers, doctors and medical employees, transportation workers, and state-owned spinning and weaving factory employees. Workers in ministries, including the Ministries of Agriculture, Justice, Civil Aviation, Electricity, and Endowments, also frequently took part in strikes. MOMM reported that it continued to monitor the pace and causes of labor protests and presented its good offices for mediation between employers and workers in the cases brought to its attention. MOMM claimed 350 labor strikes occurred during the year, whereas a worker rights NGO asserted that approximately 5,000 labor strikes and protests took place throughout the year, with the majority of the protests concentrated before July 3.

Workers' ability to exercise freedom of association and the right to collective bargaining somewhat improved over previous years, although significant problems remained. Workers were able to organize and register new labor unions without difficulty. According to the MOMM, as of March a total of 1,606 new trade unions had registered since the 2011 MOMM decree on freedom of association. There were no reports of unions applying for registration being unduly rejected or delayed. New worker organizations were generally independent of the government and political parties. Two main independent trade union federations, the Egyptian Federation of Independent Trade Unions and the Egyptian Democratic Labor Congress, operated alongside previously state-controlled ETUF.

While no longer directly controlled by the state, the ETUF was seen as vulnerable to government interference. On May 25, the now-dissolved Shura Council (upper chamber of the parliament) issued a decree extending the term of the ETUF board for one year or until the passage of a Freedom of Association Law, whichever occurs first. In November 2012, then president Morsy issued a decree that gives the manpower minister the authority to replace ETUF board members over retirement age and to fill board posts left open for other reasons. Former manpower minister Khaled Alazhary used this decree to replace the leadership of ETUF in the same month. Both the ETUF and independent labor activists criticized the move as governmental intervention in union affairs. Shortly after his designation as new minister of manpower, Kamal Abu-Eita used the same decree to dismiss a number of ETUF board members and appoint new ones from within and outside the organization. On October 10, however, the ETUF board convened and dismissed some of those appointed members belonging to the independent labor movement and not previously members of the ETUF's structure.

The ETUF received some advantages from the state. The government halted direct financial support for the ETUF in mid-2011 but continued to permit it to deduct automatically dues from workers' salaries, reportedly including from workers who had resigned their memberships. During the year new unions achieved some progress with regard to collection of dues from workers through salary deductions at their respective workplaces, including some governmental agencies, but on a case-by-case basis. The government also continued to grant the ETUF proportionately larger representation at the annual International Labor Conference compared with independent federations. ETUF officials continued to fight independent trade unions' right to represent workers and attacked independent trade unionists in the media. In August the ETUF sent a letter to interim Prime Minister Hazem Beblawi claiming the Ministry of Manpower, by seeking to adopt a freedom of association law, was "implementing foreign schemes as an agent of the West." It remained difficult for workers to disassociate themselves from the formerly state-affiliated ETUF unions, which continued to control worker certifications as well as retirement, medical, and social security benefits for as many as 3.5 million workers.

Two labor representatives were included in the 50-member Constituent Assembly that revised the 2012 constitution. Both were aligned with the state and not representative of the independent unions' movement.

During the year workers increasingly turned to extralegal means and violence to press their demands. Workers frequently staged sit-ins on government and private property. In November hundreds of workers at the private Crystal Asfour factory staged a two-week sit-in demanding fixed employment and better health care. In December approximately 3,000 workers at the public-sector Egypt Iron and Steel Company staged a month-long sit-in demanding profit sharing and the firing of the company's administration.

Antiunion discrimination was common, and authorities sometimes charged workers with crimes for union activities. The country's largest independent union federations, the Egyptian Federation of Independent Unions and the Egyptian Democratic Labor Congress, often publicly called for rehiring tens of workers who were alleged to have been dismissed because of union activism. In November the Crystal Asfour company lawyer filed a police report accusing nine union leaders of "inciting strikes." At year's end, investigation of the report continued, and the workers remained free. Labor NGOs reported that tens of Asfour workers were referred to internal disciplinary committees for engagement in strikes and sit-ins.

Authorities arrested or subjected to other legal sanctions an increasing number of labor organizers, often following the dispersal or end of a labor strike. Police, and the military to a lesser extent, were involved in forceful dispersal of labor demonstrations or actions. On January 1, Care Services (a private security firm) relocated five employees to distant areas after the employees led a rally to demand higher pay. On August 14, the military forcefully dispersed a sit-in by Suez Steel Company workers and arrested two union leaders in Suez City. At other sit-ins workers reported being threatened by security services for raising their demands in the media.

Antiunion discrimination occurred particularly against organizers of new independent unions. In the private sector, some employers asserted they were not legally obligated to recognize new union. Since the 2011 decree was not codified into law, some employers claimed the Trade Union Act (granting a monopoly to the ETUF) still applied. This stance, which was supported by the ETUF, undermined independent unions' ability to represent members. On February 23, privately owned Faragalla Group FMCG suspended 27 members of the newly established company union and referred them to an in-house disciplinary body for "inciting riots and strikes" and also filed reports against them with the prosecutor general.

Employers frequently refused to bargain unless strike action necessitated government intervention. Employers also subjected an increasing number of labor organizers to harassment and arbitrary dismissal, according to independent labor unions, NGOs, and media reports. For instance, al-Ain al-Sokhna port workers in Suez staged a three-week strike in January and February, demanding further employment benefits. The company was unwilling to initiate dialogue until the presidency and MOMM sent envoys.

b. Prohibition of Forced or Compulsory Labor

The July 8 Constitutional Declaration states that no work may be compulsorily imposed unless by virtue of a law. Some workers, most often migrant workers and children, were subjected to conditions indicative of forced labor. Some female workers in domestic service were held in conditions indicative of forced labor.

See also the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The Child Law of 2008 sets the minimum age for regular employment at 15, and at 12 for seasonal employment. A 2003 MOMM decree bars children under age 18 from 44 specific hazardous occupations, while the Child Law prohibits employment of children (under 18) from any work that "puts the health, safety, or morals of the child into danger." Provincial governors, with the approval of the minister of education, may authorize seasonal work (often agricultural) for children who are 12 years old or older, provided that duties are not hazardous and do not interfere with schooling. The labor code and Child Law limit children's work hours and mandate breaks. The labor code explicitly excludes domestic work, work in family businesses, and children working in noncommercial agriculture from minimum age and other restrictions.

Overall, authorities did not enforce child labor laws effectively. MOMM, in coordination with the National Council for Childhood and Motherhood (NCCM) and the Ministry of Interior, enforced child labor laws in state-owned enterprises and private sector establishments through inspections and supervision of factory management. Labor inspectors generally operated without specific training on child labor issues, but rather generic labor inspection training. The government did not inspect noncommercial farms for child labor, and there were very limited monitoring and enforcement mechanisms for children in domestic service. When authorities prosecuted offenders, the fines imposed were often as low as LE 500 ($72) and thus had questionable deterrent effect. The government did not enforce child labor laws in the informal sector.

During the year MOMM inspected 6,732 businesses for the use of child labor and found 9,268 children working in violation of the Child Law. Where child labor was found, MOMM issued warnings, fines, and/or referred the offending companies to the prosecutor general.

Although relevant laws were often not effectively enforced, the government continued to implement a number of social, educational, and poverty reduction programs to reduce children's vulnerability to exploitive labor. The NCCM, working with the Ministries of Education and Social Solidarity, sought to provide working children with social security safeguards and to reduce school dropout rates by providing families with alternative sources of income. Also, MOMM cooperated with the NCCM to deliver three training programs for the ministry's child labor inspectors between February and May.

Child labor occurred. In 2011 the government estimated that 1.6 million children, just under 10 percent of the total child population, were engaged in labor. Other estimates ranged up to three million. In June the Central Agency for Public Mobilization and Statistics (the government's main statistical authority) stated that 9.3 percent of children between the ages of five and 17 were working, of whom 61.9 percent worked for their families with no financial return. Eighty-two percent of working children were exposed to poor working conditions, and 9.8 percent operated heavy or hazardous machinery. The majority of child labor occurred in agriculture and domestic work. Children also worked in light industry, on construction sites, and in service businesses such as auto repair shops. According to government, NGO, and media reports, the number of street children in Cairo increased with deteriorating economic conditions following the 2011 revolution. Such children were at greater risk of sexual exploitation or forced begging. In some cases, employers abused, overworked, and generally endangered working children.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

On September 18, the interim government announced it would implement a LE 1,200 ($174) monthly minimum wage for government employees and public sector workers beginning January 2014. The minimum wage would apply only to direct government employees and include benefits and bonuses in calculating total salaries. Most government workers, by this calculation, already earned equal or more than the announced minimum wage. The government initiated a 10 percent wage increase designed to lift those below the threshold above the current LE 700 per month ($101) minimum wage level and began to implement the increase as of July. There was no private sector minimum wage, although the government declared intentions to reach agreement on one with business representatives. The World Bank set poverty line in the country at LE 420 ($61) per person per month, and "extreme poverty" as less than LE 210 ($30) per month. The law does not require equal pay for equal work.

On November 14, the interim government approved a maximum wage limit for government employees and public business sector workers, set at 35 times the minimum wage limit (LE 42,000 per month, equal to $6,100 per month), stating the enforcement of the wage limit would start on January 2014. The government subsequently issued contradictory statements concerning whether some

government sectors would be excluded from the maximum wage-limit enforcement, such as the military and the judiciary.

The law stipulates a maximum 48-hour workweek for the public and private sectors and provides for premium pay for overtime and work on rest days and national holidays. The labor law prohibits excessive compulsory overtime. The government sets worker health and safety standards, for example prohibiting employers from maintaining hazardous working conditions.

The law excludes agricultural and fisheries workers, as well as domestic workers, from regulations concerning wages, hours, and working conditions.

MOMM is responsible for enforcement of labor laws and working conditions standards. Due in part to inadequate resources, labor law enforcement and inspections were inadequate. The ministry did not attempt to apply labor standards to the informal sector. Penalties, especially as they were often unenforced, did not appear sufficient to deter violations.

Proponents of union independence initially heralded as an important social development the appointment of Kamal Abu-Eita as minister of manpower (the first minister outside the traditional structure of the ETUF in the ministry's history) in the interim government. Abu-Eita had championed many social demands, including the minimum and maximum wage agenda. Some independent labor movement leaders later criticized Abu-Eita, however, for upholding the interim government's policy of inaction on crackdowns of worker sit-ins, as well as delaying the promulgation of prounion legislation such as a freedom of association law.

The government provided services, such as free health care, to all citizens, including those in the informal sector, but the quality of services was often poor. Other services, such as social insurance, were available only to employees in the formal sector.

Many persons throughout the country faced poor working conditions, especially in the informal economy, which employed up to 40 percent of workers. Domestic workers, agricultural workers, workers in rock quarries, and other parts of the informal sector were most likely to be subject to hazardous or exploitive conditions. There were reports of employer abuse of citizen and undocumented foreign workers, especially domestic workers. Little information was available on workplace fatalities and accidents.