

# EGYPT 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Egypt is a republic governed by a president and a unicameral legislature, according to a new constitution approved by a referendum on January 14-15. Domestic and international observers concluded the constitutional referendum and subsequent presidential election that took place May 26-28 were administered professionally and in line with Egyptian laws, while also expressing serious concerns that government limitations on association, assembly, and expression constrained broad political participation. The constitution grants the president, Abdel Fattah al-Sisi, who took office on June 8, legislative authority until the election of a new parliament; by year's end, parliamentary elections were not yet scheduled. Prior to the constitutional referendum and presidential election, interim President Adly Mansour led a temporary government, which derived its authority from a July 2013 constitutional declaration. The authorities maintained effective control over the security forces throughout the year.

The most significant human rights problems were excessive use of force by security forces, including unlawful killings and torture; the suppression of civil liberties, including societal and government restrictions on freedoms of expression and the press and the freedom of peaceful assembly and association; and limitations on due process in trials. Domestic and international human rights organizations reported security forces killed demonstrators and police tortured suspects at police stations, sometimes resulting in death. The government arrested thousands of citizens engaged in antigovernment protests, including secularist and Islamist activists who violated a restrictive law on demonstrations. Limitations on due process included the use of mass trials in which evidence was not presented on an individual basis, a new law that expanded the jurisdiction of military courts to try civilians, and the increased use of pretrial detention.

Other human rights problems included disappearances; harsh prison conditions; arbitrary arrests; a judiciary that in some cases appeared to arrive at outcomes not supported by publicly available evidence or that seemed to reflect political motivations; reports of political prisoners and detainees; restrictions on academic freedom; impunity for security forces; limits on religious freedom; official corruption; limits on civil society organizations; 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 against religious minorities;

discrimination and increased arrests based on sexual orientation; discrimination against HIV-positive persons; and worker abuse, including child labor.

On rare occasions, the government punished or prosecuted officials who committed abuses, whether in the security services or elsewhere in the government. In most cases, either the government did not comprehensively investigate human rights abuses, including most incidents of security force violence, or investigations resulted in acquittals, contributing to perpetuation of an environment of impunity.

Attacks by terrorist organizations caused arbitrary and unlawful deprivation of life. Terrorist groups conducted deadly attacks on government, civilian, and security targets throughout the country, including schools, places of worship, and public transportation.

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

### **a. Arbitrary or Unlawful Deprivation of Life**

There were numerous reports the government or its agents committed arbitrary or unlawful killings while dispersing demonstrators, holding persons in custody, and during military operations in the northern Sinai Peninsula. Impunity was a problem.

The government often used excessive force to disperse both peaceful and nonpeaceful demonstrations throughout the year. Nongovernmental organizations (NGO) and media sources reported security forces killed more than 60 persons while dispersing protests on January 25, the third anniversary of the 2011 revolution. In another example, at least 14 students died in protest-related violence at or near university campuses during the 2013-14 academic year, according to local media reports and local civil society organizations. Although there were claims demonstrators sometimes instigated violence, there were no reports of investigations of loss of life during these incidents.

According to local media reports on December 11, the Forensic Medicine Authority confirmed at least 90 individuals died in prisons and detention centers in Cairo and Giza through mid-November (see section 1.c.). A local civil society organization (CSO) estimated more than 100 had died in detention throughout the country during the year. Harsh conditions and overcrowding contributed to the number of deaths. There were also instances of persons tortured to death and killings, such as the April 11 shooting and killing of a lawyer in detention, arrested

on charges of rioting and demonstrating without a permit (see sections 1.c. and 1.d.).

During the summer international media reported the armed forces used indiscriminate force during military operations that targeted widespread terrorist activity in the northern Sinai Peninsula, resulting in some killings and destruction of property, particularly along the border with Gaza, where extensive smuggling of weapons and other equipment to terrorist groups in Gaza occurred.

On March 18, a court sentenced one police officer to 10 years in prison for manslaughter and three other officers to one-year suspended prison sentences in the August 2013 case in which police allegedly killed 37 Muslim Brotherhood (MB) detainees in the process of transferring them to Abu Zaabal Prison near Cairo. On June 7, an appeals court vacated the sentences and returned the case to the public prosecution for re-investigation. The trial was pending at year's end.

At year's end the government had not held accountable any individual or governmental body for state violence after June 30, 2013, including the deaths of hundreds of civilians during the August 2013 dispersals of the sit-ins at Rabaa al-Adawiya Square in Cairo and Nahda Square in Giza (see section 1.d.).

No further information was available at year's end about the status of the Prosecutor General's Office request for an independent judicial examination of the 2012 killing of journalist Al-Husseini Abu Deif or the prosecutorial investigations of the 2012 killings of Atef al-Mansi and Mohamed Abdel Mawgoud Mohamed.

Terrorist groups, including Ansar Bayt al-Maqdis (ABM), a terrorist organization that on November 3 swore allegiance to terrorist group the Islamic State in Iraq and the Levant (ISIL), and Ajnad Misr, conducted deadly attacks on government, civilian, and security targets throughout the country, including schools, places of worship, and public transportation. On January 24, a suspected suicide bomber detonated a truck bomb outside the headquarters of the security directorate in Cairo, killing four persons--including three police officers and wounding dozens of others. The ABM claimed to have carried out this attack and also an October 24 suicide attack on a checkpoint in northern Sinai that killed 30 Egyptian Armed Forces (EAF) personnel. Ajnad Misr claimed responsibility for attacks in downtown Cairo, including a September 21 bombing outside the Ministry of Foreign Affairs that killed two police officers.

There was no published official data on the number of victims of terrorist violence during the year. In the Sinai alone, estimates based on Ministry of Interior announcements and media reports indicated at least 189 security personnel were killed or injured and at least 117 civilians were killed or injured during the year.

### **b. Disappearance**

According to a May 22 Amnesty International (AI) report, more than 1,000 persons missing since the 2011 revolution remained unaccounted for, including dozens of new cases reported during the year. According to AI, security forces reportedly held between 30 and 400 civilians in secret at al-Azouly Prison inside al-Galaa Military Camp in Ismailia. Authorities did not charge the detainees with crimes or refer them to prosecutors or courts and prevented access to their lawyers and families. Local CSOs asserted the continual detention of civilians inside the al-Azouly Prison amounted to enforced disappearance. For example, NGOs cited the case of Mohamed Abdel Tawab, whom a security force member allegedly abducted from his workplace on April 5. His family reportedly received an anonymous call stating he was being held in al-Azouly Prison but was not able to confirm his whereabouts.

According to an August 4 UN Human Rights Council Report of the Working Group on Enforced or Involuntary Disappearances, as of May there were 52 outstanding disappearance cases under working group review. The government made no known effort to investigate these incidents. By year's end the working group still had not received a response to its 2011 request to undertake a visit to the country (see section 5).

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

The constitution states that no torture, intimidation, coercion, or physical or moral harm shall be inflicted upon a person whose movements are restricted or who has been detained or arrested. The penal code forbids torture to induce a confession from a detained or arrested suspect but fails to account for mental or psychological abuse against persons who have not been formally accused or for abuse occurring for reasons other than securing a confession. The penal code also forbids all public officials or civil servants from "employing cruelty" or "causing bodily harm" under any circumstances. Observers, however, 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. Reported techniques were beatings with fists, whips, rifle butts, and other objects; electric shocks; sexual assault; and forcing detainees to crawl on broken glass.

According to local and international NGOs, some of the estimated 450 to 1,000 persons reportedly arrested by authorities during protests on the third anniversary of the 2011 revolution reported torture that included beating and electric shocks.

Local and international NGO sources stated authorities tortured detainees at al Azouly military prison (see section 1.b.) to elicit confessions for crimes.

According to July 16 domestic media and local NGO reports, on May 8, police at the Matariya police station tortured to death a man they detained after a neighborhood quarrel. The final Forensic Medicine Authority autopsy reportedly indicated the victim suffered bruising in many parts of his body, in addition to a concussion, bleeding in his brain, bleeding in his chest cavity, and broken ribs, which cumulatively resulted in his death. The public prosecutor launched an investigation into the case, but there was no information on the results of this investigation by year's end.

### **Prison and Detention Center Conditions**

Conditions in the prisons and detention centers were harsh due to overcrowding, physical abuse, inadequate medical care, and poor ventilation.

Physical Conditions: According to domestic and international NGO observers, prison cells were overcrowded, and prisoners lacked adequate access to medical care, proper sanitation and ventilation, food, and potable water. Tuberculosis was widespread. Provisions for temperature control and lighting generally were inadequate. Authorities did not always separate juveniles from adults and sometimes held pretrial detainees with convicted prisoners. Reports that guards abused prisoners, particularly juveniles in adult facilities, were common. Prison conditions for women were marginally better than those for men, although there were reports of sexual abuse of female prisoners.

The large number of arrests during the year exacerbated harsh conditions and contributed to the prevalence of death in prisons and detention centers. According to security authorities' estimates in March, authorities arrested 16,000 persons between July 2013 and March. On December 18, the secretary-general of the fact-finding committee investigating violent incidents since June 30, 2013, stated

authorities arrested 12,800 persons since then and had convicted 1,697, acquitted 3,714, and continued to hold 7,389 in pretrial detention. Some NGO sources alleged authorities arrested as many as 40,000 persons during that period. The sharp increase in arrests led to significant overcrowding and harsh conditions, especially in police stations, where authorities held large numbers of persons arrested en masse, sometimes for extended periods. For example, local media reported four prisoners died in unclear circumstances during a two-month period from January to March in the Dar al-Salam police station in Cairo. A public prosecutor who visited the station reported cells designed to hold 16 persons contained up to 35 detainees, some of whom had been held for four months without charge. On November 12, local media reported a prisoner suffering from liver dysfunction died in Wadi al-Natrun Prison in Menoufia due to inadequate health care.

According to local media reports on December 11, the Forensic Medicine Authority confirmed at least 90 individuals had died in prisons and detention centers in Cairo and Giza through mid-November (see section 1.a.). The head of the Forensic Medicine Authority stated the number of deaths in prison was consistent with the previous year but noted the large number of detainees contributed to an increased death rate in places of temporary detention.

According to media reports, between 65 and 138 detainees, including well-known activists Ahmed Douma, Mohamed Adel, Sana Seif, and Mohamed Soltan, participated in hunger strikes. Contrary to official claims, however, rights groups stated prisoners on hunger strike did not receive adequate medical care. According to local activists and human rights groups, authorities frequently denied or did not process requests by hunger-striking prisoners to be transferred to prison hospitals or outside hospitals for medical care associated with conditions as a result of hunger striking.

There were reports authorities sometimes held prisoners accused of crimes related to political or security issues separately from common criminals, and subjected them to verbal or physical abuse and punitive solitary confinement.

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 inhuman 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. Recordkeeping on prisoners was adequate. There were no reports of authorities using alternatives to incarceration for nonviolent offenders in cases where the penal code provides for a prison sentence for the crime in question. The National Council for Human Rights (NCHR) considered itself an ombudsman serving on behalf of prisoners, but there was no official ombudsman.

Independent Monitoring: The government did not permit visits by nongovernmental observers, but it did permit some visits by the quasigovernmental NCHR to prisons and detention centers. Authorities did not grant permission to the International Committee of the Red Cross (ICRC) to conduct such visits.

#### **d. Arbitrary Arrest or Detention**

The constitution and the July 2013 constitutional declaration prohibit arbitrary arrest and detention, but the reported incidence of such practices remained high. There were numerous reports of police detaining or arresting bystanders in areas near protests. There were reports by international and local human rights groups that police, in seeking to execute an arrest warrant, sometimes detained or arrested family members or friends if the wanted person was not at home.

#### **Role of the Police and Security Apparatus**

The government maintained effective control over security forces. The Ministry of Interior's primary security forces are the Public Police and the Central Security Forces. The Public 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 National Security Sector, which investigates counterterrorism and internal security threats, also report to the minister of interior. The EAF report to the minister of defense, and are generally responsible for external defense, but they also played a role in internal security during the year. A presidential decree issued in October extended the mandate of the EAF in internal security by instructing the military to "assist" the police in protecting "vital public facilities," which the prime minister indicated included roads, bridges, railroads, power stations, and universities. Military personnel had arrest authority during "periods of significant turmoil." Single-mission law enforcement agencies, such as the Tourist and Antiquities Police and the Antinarcotics General Administration, also worked throughout the country.

Civilian police became more visible throughout the year. The government claimed law enforcement activities had reduced crime, but there was no published statistical evidence of this. Police investigative skills remained poor and, in particular, did not investigate sexual violence sufficiently, according to local and international human rights groups.

Impunity was a problem, particularly in cases involving alleged abuses by the Central Security Forces. The government investigated and prosecuted some, but not all, reports 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 these investigations rarely resulted in judicial punishment. For example, on February 21, the Alexandria Criminal Court acquitted six police officers accused of killing 83 protesters during the 2011 revolution. On August 17, in one of the few instances of police accountability, a Cairo criminal court sentenced a police officer to 15 years in prison for shooting and killing a lawyer on April 11 who was a suspect in detention, arrested on charges of rioting and demonstrating without a permit (see section 1.a.).

On November 29, a judge dismissed the charges against former president Hosni Mubarak, former minister of interior Habib al-Adly, and six others for issuing the order to kill protesters during the 2011 revolution, citing technical grounds. The prosecutor general stated he would appeal the ruling. By year's end no entity or individual was found responsible for the deaths of protesters during the 2011 revolution.

At the end of the year, the government had not held accountable any individual or governmental body for violence after June 30, 2013, including the death of civilians and security force members during the August 2013 dispersals of the sit-ins at Rabaa al-Adawiya and Nahda squares. A total of three reports on violent incidents after June 30, 2013, were published during the year, including a March report by the quasigovernmental NCHR, an August report by Human Rights Watch, and a November report by a government-appointed fact-finding committee. All three reports addressed the dispersal of the Rabaa Square sit-in on August 13, 2013, which was the single deadliest incident following the July 3, 2013, change in government. The three reports varied in their estimates of the number of protesters killed during the dispersal of the sit-in, ranging from the fact-finding committee's claim of 607 civilian deaths to the estimate of the international NGO Human Rights Watch (HRW) that possibly more than 1,000 civilians were killed. All three reports published the Forensic Medicine Authority's account that eight police



officers were killed at Rabaa. The three reports offered conflicting information on how events unfolded and to what degree government forces were responsible for civilian deaths.

In March the NCHR issued a report on the August 14, 2013, Rabaa al-Adawiya Square clearing operation. The report found that police “sometimes failed to maintain self-restraint and sometimes were not proportional,” resulting in the deaths of 632 individuals, of which 624 were civilians and eight were police. NCHR’s mandate is limited to collecting and recording data, and it has no judicial power. Some government authorities cooperated with the NCHR on the report, although the Ministry of Interior did not. At the end of the year, the government had not announced any specific action it would take based on the report’s recommendations.

An August 12 report by HRW on the government’s use of force stated that security forces killed at least 817 persons during the operation and estimated possibly more than 1,000 were killed. It also stated security forces killed in total more than 1,150 demonstrators during several incidents in July and August 2013 (including during the clearing of Rabaa). The government did not cooperate with HRW’s requests for information and subsequently rejected the report as “biased.”

In December 2013 interim President Mansour announced the formation of a fact-finding committee to examine violent incidents since June 30, 2013, including the Rabaa al-Adawiya Square and Nahda Square clearing operations. At a November 26 press conference, the committee head announced the completed report had been submitted to the president earlier that month. At the end of the year, an executive summary was posted online, but no information was available on whether the full report would be made publicly available. According to the executive summary, the committee determined 607 civilians and eight police officers were killed at the dispersal of the Rabaa Square sit-in. Furthermore, the executive summary stated the committee “holds the leaders of the gathering and those armed within it” responsible for a number of the deaths, claiming the first shot was fired by a protester and the first victim was a police officer. It did not hold any individual or agency within the government directly responsible for the deaths, saying police “had to respond” to violence emanating from the sit-in, but noted security forces “failed to accurately target sources of gunfire” within the crowds and that the state “could have avoided” the incident by preventing the build-up of the sit-in and the smuggling in of weapons. Government authorities, including the Ministry of Interior, cooperated with the fact-finding committee; the MB refused to cooperate.

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In September 2013 the NCHR announced it would prepare four fact-finding reports, as commissioned by the interim cabinet. A report on the Rabaa Square incident was completed and publicly available (see above). Three other reports were not completed by year's end: one on attacks on places of worship since June 30, 2013; one on the August 14, 2013, attack on a police station in Kerdasa; and one on the August 18, 2013, Abu Zaabal Prison transfer killings.

### **Arrest Procedures and Treatment of Detainees**

For persons other than those apprehended in the process of committing a crime, the government required a warrant under the penal code or the code of military justice, both of which were in effect simultaneously.

Ordinary criminal courts and misdemeanor courts heard cases brought by the prosecutor general. Criminal defendants have the right to counsel promptly after arrest and usually, but not always, were 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.

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 judges imposed unreasonably high bail amounts.

In cases involving crimes against a person, the prosecutor may order four days of provisional detention. After the initial four-day period, the prosecutor must submit the case 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), for up to five months. The case thereafter either must be referred to the felony court for trial or dropped. If the case is referred for trial, then the trial court may continue to extend the provisional detention in increments of 15 days (but no longer than 45 days at a time), for up to two years. In cases other than crimes involving the death penalty or life imprisonment, 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.

The code of criminal procedure allows indefinite detention 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 similar, except the prosecutor may start with a provisional detention period 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 could apply to cases related to demonstrations, such as blocking of roads or demonstrating outside government buildings; as a result, some appellants charged with nonviolent crimes may be held indefinitely, as the government viewed these crimes as security issues.

The constitution states: “Civilians cannot stand trial before military courts except for crimes that represent a direct assault against military facilities, military barracks, or whatever falls under their authority; stipulated military or border zones; military equipment, vehicles, weapons, ammunition, documents, military secrets, public funds or military factories; crimes related to conscription; or crimes that represent a direct assault against its officers or personnel because of the performance of their duties.”

On October 27, a major terrorist attack killed 33 security personnel in northern Sinai. President Sisi issued a decree directing the military for the next two years to assist police in securing “vital public facilities,” stating any crimes at such facilities would be prosecuted in military courts. Government and military officials clarified in later statements that, in accordance with the decree, military jurisdiction extended over any building or property that provides a “general service” or is state-owned, including, for example, roads, bridges, railroads, power stations, and university campuses. Human rights activists expressed concern the decree could lead to students who protested on university campuses being tried in military courts (see section 1.e.). On October 28, military personnel entered the campus at Mansoura University to assist police in dispersing a protest. According to HRW, citing local media sources, on November 16, a Cairo criminal court ruled it lacked jurisdiction in the case of five al-Azhar University students who were indicted on charges related to protests at the university. The students were charged with joining a terrorist organization, displaying force, threatening to use violence, possession of Molotov cocktails, and vandalism. According to local media, the prosecutor general had referred the students to the military court system on November 16. No trial date was set by year’s end.

Arbitrary Arrest: The constitution prohibits arrest, search, or detention without a judicial order, except for those caught in the act of a crime. There were frequent

reports of arbitrary arrest and detention. After an unauthorized peaceful demonstration on November 18, police arrested between 25 and 50 persons, including some who participated in the demonstration and others who were sitting in nearby cafes or walking in the area, according to media and local activists.

On June 17, the prosecutor general ordered the release of 13 persons, including al-Jazeera Arabic journalist Abdullah al-Shami, because of “health conditions.” Shami had been on a hunger strike for approximately three months. Authorities arrested Shami in August 2013 but did not formally charge him with a crime, stating he was still under investigation on “violence-related charges” after 10 months in jail.

Pretrial Detention: Rights groups and government authorities reported an increase in the use of pretrial detention. Authorities sometimes held pretrial detainees with convicted prisoners. Large backlogs in the criminal courts contributed to protracted periods of pretrial detention, as did the high number of arrests for protest activity. There were unreliable estimates of the number of pretrial detainees. Estimates provided by rights groups in the previous year indicated there were as many as 2,000 pretrial detainees. New information provided by the government indicated the number of pretrial detainees increased significantly. According to figures provided by the Prison Authority in a government report released in November, 7,389 individuals remained in pretrial detention as of July 21 on charges related to incidents after June 30, 2013. The government did not provide figures on the total number of pretrial detainees. The number of reported June 30-related detainees alone represented a 360 percent increase over the previous year’s estimate of the total number of pretrial detainees.

Detention of Rejected Asylum Seekers or Stateless Persons: Authorities detained persons who entered the country illegally without providing access to asylum procedures. There were no reports of abuse of detained migrants and refugees. Reports of victims of trafficking or smuggling through the Sinai being detained dropped dramatically during the reporting period.

#### **e. Denial of Fair Public Trial**

The constitution provides for the independence and immunity of judges; courts generally acted independently, although individual courts sometimes appeared to lack impartiality and to arrive at politically motivated outcomes. The government generally respected court orders.

Mass trials, particularly involving demonstrators sympathetic to former president Morsy and the MB, occurred. Further judicial and executive review is available to individuals sentenced to the death penalty. On March 24, a court in Minya issued a provisional sentence condemning 529 people to death on charges of killing a police officer and attempting to kill two other police officers. In cases where the death penalty is sought, the judge is required to seek the opinion of the Grand Mufti on whether the death sentence is compliant with sharia, although the mufti's opinion is nonbinding. On April 28, after reviewing the Grand Mufti's opinion, the judge upheld 37 of those death sentences; the remaining 492 were commuted to life imprisonment. In a second high-profile mass trial on April 28, the same court in Minya issued provisional death sentences to 683 defendants, including MB Supreme Guide Mohamed Badie, on charges of attacking a police station and killing two police officers. On June 21, after reviewing the Grand Mufti's opinion, the trial court confirmed 183 of the death sentences, sentenced four to life imprisonment, and acquitted the other 496. All death sentences automatically require a review by the Court of Cassation; hearings were not yet scheduled by the end of the year. On October 2, the judiciary, without explanation, transferred the judge who presided over these cases from his position on the criminal court to a civil court, following widespread criticism of the conduct of the trials.

Former president Morsy remained in detention as a defendant or suspect in five separate cases, four of which were in trial proceedings at year's end, on charges including incitement to murder, murder, fraud, insulting the judiciary, and espionage. Local and international rights groups questioned the impartiality of the proceedings. There were reports authorities periodically denied family visit requests for "security reasons."

Since July 2013 there were military trials of at least 140 civilians, according to estimates by rights groups. For example, on April 10, a military court sentenced journalist Islam el-Hommosy to one year in prison for "divulging military secrets" after he published a leaked video of then defense minister al-Sisi speaking to military officers.

According to a December 2 statement by the Office of the High Commissioner for Human Rights (OHCHR), at least 16 civilians had been tried under military courts since the issuance of the October decree ordering the military to "assist" police in securing "vital public facilities" (see section 1.d.).

According to press and NGO reports, on December 13 and 15, prosecutors referred more than 400 members of the MB, including several high-level members, to

military courts on various charges including arson, inciting violence, and illegally protesting.

### **Trial Procedures**

Defendants are presumed innocent and are usually informed promptly and in detail of charges against them. The legal system, based on the conventional European tradition, does not provide for juries. Individual members of the public are permitted to file charges with the Office of the Prosecutor General (PG), who is charged with deciding whether the evidence justifies referring the charges for a trial. In practice, however, observers reported that due to unclear evidentiary standards, the PG Office investigates and refers for trial the overwhelming majority of cases, regardless of the strength of the evidence. Defendants in civilian and military courts nominally enjoyed the same due process rights, but the military judiciary has wide discretion to curtail these rights in the name of public security. On December 2, the OHCHR issued a statement urging the government to halt military trials of civilians, asserting military tribunals fall short of key international due process standards. Civilian criminal and misdemeanor 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. According to rights groups, defendants in military trials are permitted visits from their attorneys every six months, in contrast with the civilian court system, where defendants in detention are allowed attorney visits every 15 days. 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, however, sometimes ruled so quickly that defendants were unable to exercise these rights.

In civilian courts defendants have the right of appeal up to the Court of Cassation. A February amendment to the Military Judiciary Law restructured the military court system, granting defendants in the military court system the right to appeal up to a newly created Supreme Military Court of Appeals. Sentences by military courts are subject to certification by the president. In civilian courts the judge must seek the nonbinding review of the Grand Mufti on all death sentences, and the president must confirm all such sentences. Defendants in military court trials often were tried in a matter of hours, frequently in groups, and sometimes without access

to an attorney, leading lawyers and NGOs to assert they did not meet basic standards of due process.

Article 155 of the constitution gives the president the power to grant a pardon or reduce a sentence, after consulting with the cabinet.

### **Political Prisoners and Detainees**

There were reports of political prisoners and detainees, although verifiable estimates of their number were not available. The government claimed there were no political prisoners and all persons in detention or prison had been, or were in the process of being, charged with a crime. Human rights groups and international observers maintained the government detained or imprisoned as many as several thousand persons solely or chiefly because of their political beliefs or opposition to the government. A local rights group considered any persons arrested under the 2013 demonstrations law to be political prisoners. In their view these persons were political prisoners or detainees because they were held based on laws that restricted the exercise of a human right; based on false or inflated charges where the underlying motivation was the individual's political opinion or membership in a particular group; or because some individuals faced unduly harsh and disproportionate treatment due to their political opinions or membership in particular groups.

### **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 courts dismissed cases or acquitted defendants for lack of evidence or conflicting witness testimonies.

### **Property Restitution**

Following the terrorist attack claimed by the ABM that killed 33 soldiers on October 24, the government announced it would raze at least 1,000 private residences in and around Rafah in North Sinai to establish a buffer zone to improve efforts to interdict weapons smuggling and incursions to and from the Gaza Strip. The government promised it would appropriately compensate all families whose homes it razed as part of a large-scale campaign against the ABM and other groups

that had been operating in northern Sinai. Some persons complained they did not receive sufficient or timely restitution.

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

The constitution provides for the privacy of the home, correspondence, telephone calls, and other means of communication. There were reports security agencies sometimes placed political activists, suspected subversives, journalists, foreigners, and writers under surveillance; monitored their private communications; screened their correspondence, including e-mail; examined their bank records; searched their persons and homes without judicial authorization; and confiscated personal property in an extrajudicial manner.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and of the press, but includes a clause stating “they may be subject to limited censorship in times of war or public mobilization.”

Freedom of Speech: Citizens expressed their views on a wide range of political and social topics. The government investigated and prosecuted critics for alleged incitement of violence, insults to religion, or insults to public figures and institutions, such as the judiciary. Individuals also faced societal and official harassment for speech viewed as sympathetic to the MB, such as using a hand gesture showing four fingers, a reference to the August 2013 security operation to disperse the sit-in at Rabaa al-Adawiya Square.

Local and international rights groups reported an increase in charges under the blasphemy law targeting atheists. On June 5, a court upheld a five-year sentence against Karam Saber for his collection of short stories *Where is God?* on a charge the book advocated atheism.

On June 24, the West Armant Misdemeanors Court sentenced Kerolos Shawky, a Christian, to three years in prison for defaming Islam and another three years for stirring sectarian strife. Shawky had “liked” a page criticizing Islam on Facebook, and a mob of villagers attacked his house on May 29, hurling stones and attempting to torch it. Police arrested Shawky and six of the assailants; the assailants were subsequently released. Hours before his first trial session on June



2, villagers threw Molotov cocktails at four Christian-owned shops close to Shawky's village. Shawky appealed the sentence, and on September 27, the Armant Misdemeanor Appellant Court upheld his sentence in absentia.

In July authorities arrested Bishoy Armia Boulous, also known as Mohamed Hegazy, on accusations of blasphemy, reportedly related to comments he made at a seminar in 2009. Police arrested Boulous immediately after his court-ordered release in a trial related to a separate conviction in June for "illegally filming" protests. Authorities subsequently held Boulous in pretrial detention for more than five months in the blasphemy case, pending investigations, and he alleged police tortured him and subjected him to other mistreatment while in custody. On December 28, an appeals judge reduced his sentence in the "illegal filming" case from five years to one. At the end of the year, no charges had been filed against Boulous on the blasphemy case.

On October 22, a court ordered lifting a travel ban against politician Amr Hamzawy. Hamzawy had been subjected to the ban for approximately nine months while authorities investigated him for "insulting the judiciary" after he tweeted criticism of a court verdict in June 2013. The charges remained pending at year's end.

Press Freedoms: The constitution, the penal code, and the press and publications law govern press issues. According to a December 7 report by the international NGO Committee to Protect Journalists (CPJ), at least 12 journalists remained in jail after being arrested on a variety of charges throughout 2013-14, many while covering clashes between protesters and police. Charges varied from participation in illegal protests, publishing false news, and spreading chaos to incitement of violence, murder, and possession of weapons. Of the imprisoned journalists, four had been convicted, and at least seven awaited trial at year's end.

In a trial human rights groups asserted violated fundamental due process, on June 23, the Cairo Criminal Court sentenced three al-Jazeera English journalists to seven years' imprisonment on charges including "spreading false news" and aiding or joining a terrorist organization; the court sentenced one of the journalists to an additional three years for possessing a bullet.

The more than 20 state-owned media outlets responded to government policy directives. Traditional private media also strongly and broadly supported the government and its policy initiatives. On October 26, a group of editors in chief of major news outlets issued a statement committing to "refrain from publishing items

that support terrorism and that call for undermining state institutions directly or indirectly,” in a move that was widely interpreted as a commitment by these outlets not to provide critical coverage of President Sisi or his government. In response, hundreds of journalists signed a petition opposing the statement by the editors in chief. On December 2, President Sisi reportedly told a group of journalists he supported freedom of expression and welcomed open and constructive criticism as part of free political life. After the closure in summer 2013 of several Islamist-affiliated television stations, no major local media outlet emerged to offer fundamental criticism of the government or military; however, some private media outlets, including television, and online sources, expressed a broader range of views on political and social issues, including criticism of government policies.

The government controlled the licensing, printing, and distribution of newspapers, including private papers and those of opposition political parties. The constitution does not impose restrictions on newspaper ownership.

Violence and Harassment: According to press reports and local and international human rights groups, state and nonstate actors arrested and imprisoned, killed, physically attacked, harassed, and intimidated journalists. Most such actions occurred in the context of antigovernment protests. According to the NGO Reporters Without Borders (RWB), authorities arrested 46 journalists, most of whom were detained for a brief period of time. On March 28, a journalist, Mayada Ashraf, was shot in the head and killed while covering clashes between protesters and police in the eastern Cairo district of Ain Shams, according to RWB. On April 1, police detained four men on suspicion of killing Ashraf; no information was available on the investigation at year’s end. On April 14, according to RWB, police officers injured two journalists with gunshots when police dispersed pro-Morsy protesters on the campus of Cairo University.

On January 22, authorities arrested and detained Hossam el-Meneai, a documentary filmmaker, at his apartment for unexplained reasons. Police released el-Meneai on February 9. El-Meneai and another person detained with him said in media reports police beat him, threatened him with a gun, and held him in an overcrowded cell without food or medical care.

Censorship or Content Restrictions: Official censorship occurred. On June 14, police stopped the printing of and confiscated 1,000 copies of *Wasla*, a periodical issued by the NGO Arab Network for Human Rights Information. The basis for the action was unclear, but lawyers for the NGO stated that the confiscation was a result of alleged “incitement to overthrow the regime” and “affiliation with the

Muslim Brotherhood.” On October 1, authorities confiscated all printed copies of privately owned daily newspaper *Al Masry Al Youm* in order to censor, on national security grounds, an article that included an interview with an Israeli intelligence officer. The newspaper reportedly failed to obtain permission from military intelligence authorities before publishing anything related to intelligence agencies, as required by law.

Some activists and many journalists reported privately they self-censored criticism of the government or comments that could be perceived as sympathetic to the MB, due to the extremely anti-MB and progovernment media environment. In a June 2 press conference, prominent satirist Bassem Youssef announced the end of his program *El Bernameg* on MBC Misr. According to Youssef, he feared for his own safety and that of his family, citing “pressure” and “the current atmosphere.” The CPJ labeled the move self-censorship, stating, “A series of governments have tried and failed to silence Youssef. The fact that he now chooses to censor himself is a resounding vote of no confidence.”

Nongovernmental Impact: Nongovernmental actors also attacked journalists and inhibited freedom of expression during the year.

According to an August 15 CPJ statement, supporters of the MB beat a reporter on the head and hands while he was covering clashes between police and pro-Morsy demonstrators in Matareya on the first anniversary of the August 2013 dispersal of the Rabaa al-Adawiya Square sit-in.

### **Internet Freedom**

The government did not generally restrict or disrupt access to the internet or censor online content, albeit with some exceptions. The constitution protects the right to privacy, including on the internet. The constitution guarantees the confidentiality and “inviolability” of postal, telegraphic, and electronic correspondence, telephone calls, and other means of communication. They may not be confiscated, revealed, or monitored except with a judicial order, only for a definite period, and only in cases defined by law. The constitution prohibits the government from “arbitrarily” interrupting, disconnecting, or depriving citizens seeking to use all forms of internet communications. Law enforcement agencies occasionally restricted or disrupted individuals’ access to the internet and monitored internet usage, relying on a law that only allows targeted interception of communications under judicial oversight and for a limited period of time and does not permit indiscriminate mass

surveillance. The public prosecutor occasionally prosecuted individuals accused of posting “insulting” material.

The government attempted to disrupt the communications of terrorist groups operating in northern Sinai by cutting telecommunication networks: mobile services, internet, and sometimes landlines. Cuts continued on an average from 6 a.m. to 6 p.m. Networks were again fully accessible at approximately 8 p.m. and sometimes later. This disrupted operations of government facilities and banks. The law obliges internet service providers and mobile operators to allow government access to customer databases, which can allow security forces to obtain information about activities of specific customers, which could lead to lack of online anonymity. There were no reports of widespread denial of service or blocking of social media sites during the elections and demonstrations that occurred during the year. Social media sites, such as Twitter and Facebook, were widely used during demonstrations and throughout the presidential election period and included widespread criticism of the government and security forces.

According to a 2013 World Bank study, 49.6 percent of the population used the internet and 3.3 percent of households subscribed to fixed broadband services.

On January 23, a court sentenced an accountant to a three-month suspended sentence and a fine of 10,000 Egyptian pounds (LE) (\$1,400) for “insulting the Interior Ministry,” “misusing the internet,” and harassment for tweeting a video critical of the Ministry of Interior in March 2013.

In October, two students who ran pro-MB pages on Facebook were arrested for allegedly inciting violence against the police and army.

### **Academic Freedom and Cultural Events**

There were reports of government restrictions on academic freedom. According to media and local rights groups, a degree of self-censorship, similar to that reported by nonacademic commentators, allegedly existed when academics publicly commented on sensitive political and socioeconomic issues.

A June 24 presidential decree grants the president the authority to appoint public university presidents and department heads on behalf of the government. Since 2011 university faculty had elected their own leadership.

There was censorship of cultural events. The Ministry of Culture must approve all scripts and final productions of plays and films. On April 17, Prime Minister Ibrahim Mehlab announced on the cabinet's Facebook page that the movie *Halawit Rouh* could not be shown in theaters due to sexual connotations in the film and "to preserve the morals of our children," despite an earlier decision by the Arts Censorship Authority the film could be shown. The head of the censorship authority resigned over the dispute, calling the prime minister's ban illegal; the film's producer took the case to court, and on November 25, the court overruled the prime minister's ban. The ministry censored foreign films to be shown in theaters but generally did not censor the same films sold as DVDs. The Arts Censorship Authority allowed the film *Noah* to be screened in cinemas, despite Al Azhar's call for a ban because of the movie's depiction of biblical figures.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The constitution provides for freedom of assembly "according to notification regulated by law." In November 2013 interim President Mansour issued a revised demonstrations law, which the government implemented widely. It included an expansive list of prohibited activities and gave the minister of interior the authority to prohibit or curtail planned demonstrations. Domestic and international human rights organizations asserted the law was not in keeping with international standards regarding freedom of assembly. There were thousands of protests that ranged widely in size, and some occurred without government interference. In other cases, the government rigorously enforced the law restricting demonstrations, even in cases of small groups of protesters who were demonstrating peacefully, and sometimes arrested journalists or activists present in the vicinity of the protest whether or not they were active participants.

In June a court convicted prominent activist Alaa Abdel Fattah of breaking the law on demonstrations. The court issued its decision while Abdel Fattah was standing outside the courtroom, so it was considered an in absentia conviction. As required by law in an in absentia ruling, the court issued the maximum sentence, in this case 15 years' imprisonment. An in absentia conviction automatically entitles the defendant to a retrial upon appearance; despite this provision, Abdel Fattah was held in prison for three months until the first hearing of the retrial, on September 15, when the judge recused himself from the case. On that date, authorities released him on bail pending a retrial with a new judge. Authorities arrested him

again on October 27 at the first hearing for the new retrial, which continued at year's end.

On October 26, a court sentenced 23 persons, including human rights activists Sanaa Seif and Yara Sallam, to three years in prison for demonstrating without permission. On June 21, police arrested the group at a demonstration, and repeatedly extended their detention for further investigation. On December 28, the appellate judge reduced the sentence to two years in prison. The defendants planned to lodge a new appeal with the Court of Cassation, the highest court of appeal for common crimes.

On April 7, an appeals court upheld the sentences of prominent activists Ahmed Douma, Mohammed Adel, and Ahmed Maher, who remained in prison after authorities prosecuted them in December 2013 for unlawfully inciting protests and sentenced them to three years in prison and substantial fines. The Court of Cassation was scheduled to review the trial court's decision on January 27, 2015.

Human rights groups alleged security forces arrested many persons between July 2013 and March because of their participation in or proximity to demonstrations (some of which were peaceful). Such individuals were held under charges of attending an unauthorized protest, incitement to violence, or "blocking roads," charges human rights groups claimed were inflated or used solely to target individuals suspected of being members of groups in opposition to the government or those who sought to exercise the rights to free assembly or association.

According to media reports, between 65 and 138 detainees, including activists Ahmed Douma, Mohamed Adel, Sana Seif, and Mohamed Soltan, participated in hunger strikes for various reasons including to protest their arrest and detention based on what they considered political grounds.

Demonstrations, predominantly by MB-affiliated antigovernment protesters, continued on university campuses throughout the country, resulting in hundreds of arrests, clashes, violence, and deaths of students and security officers (see section 1.a.). On February 18, interim President Mansour amended a law to allow university heads to expel protesting students for "endangering the educational process." The law previously stated a student would have a hearing before a disciplinary board. According to student groups, the government preemptively arrested 71 persons, some of them in raids on their homes, on October 11 as the academic year began. Security forces arrested another 44 students the following day after protests occurred on several university campuses. According to HRW,

between October 11 and 14 (the opening days of the 2014-15 academic year), authorities arrested at least 110 university students, reportedly for taking part in or helping to organize unauthorized protests. At several universities, particularly Al-Azhar University in Cairo, security forces forcibly dispersed antigovernment student protesters or intervened to stop clashes between supporters and opponents of Morsy. Demonstrations on university campuses require prior approval from the university president.

### **Freedom of Association**

The constitution and the July 2013 constitutional declaration provide for freedom of association. The law governing associations, Law 84 of 2002, significantly restricts this right. 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 on international and domestic organizations receiving international funding, resulting in lengthy delays in government approval for programs that domestic and international organizations sought to implement.

Due to longstanding concerns about unduly restrictive aspects of Law 84, the government professed a commitment to reforming the law to align it with the constitution and international standards, saying it would prepare a new draft to be passed by parliament after elections. On July 18, the Ministry of Social Solidarity issued an administrative order requiring all entities, including those registered as companies under the commercial law, engaged in “NGO-like” activities to register under Law 84 within 45 days; the deadline was later extended to November 10. After that deadline passed, the ministry announced it would communicate directly with organizations not registered under Law 84 on a case-by-case basis. Rights groups called on the government to freeze enforcement of the current law, which they considered unconstitutional and unnecessarily restrictive, and instead to engage in dialogue with a broad spectrum of civil society actors in drafting of the new law to be passed by parliament.

On September 21, the president issued Law 128 of 2014, amending Article 78 of the penal code, criminalizing the request for or acceptance of foreign funds, materiel, machines, weapons, ammunition, or “other things” from states or nongovernmental organizations “with the intent to harm the national interest.” Violators may be sentenced to life in prison, or the death penalty in the case of public officials and for crimes committed during times of war or with “terrorist

purpose.” The broad language raised concern among civil society the new article could be used to prosecute NGOs receiving or requesting international funding. Some civil society activists asserted the government issued these orders in an intentionally vague manner to grant the government discretion to pursue criminal prosecutions against human rights organizations and activists. Other observers commented it was a necessary counterterrorism measure.

Due to the lack of clarity regarding the government’s intentions for implementing Law 84 and the newly revised Article 78 of the penal code, in addition to reports of threats against human rights and civil society activists, some activists said they left the country and some organizations chose to close their offices or temporarily freeze their activities to protect themselves from potential legal action.

At year’s end the cases of NGO workers sentenced in June 2013 for operating unlicensed organizations and receiving foreign funding without government permission remained unresolved. The court had sentenced 27 mostly foreign defendants to five years in prison in absentia, sentenced two citizens and three foreigners to two years in prison, and sentenced 11 mostly local defendants to one-year suspended sentences. Appeals for some defendants were pending at year’s end; appeals had not been filed in the remainder of cases. The court had 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 in 2013 that were pending at year’s end.

The MB, the MB-affiliated Freedom and Justice Party (FJP), and its NGO remained illegal. The government designated the MB as a terrorist organization in December 2013, and the High Administrative Court dissolved the FJP on August 9. On October 30, the government also dissolved the National Alliance to Support Legitimacy, an informal political advocacy coalition led primarily by MB supporters.

On April 28, the Cairo Court for Urgent Matters ruled in favor of a private lawsuit that asked the authorities to freeze the activities of the April 6th Movement, a youth-based political advocacy group, on the grounds it had conspired against the country to serve “foreign parties,” staged unauthorized protests that had “insulted national security,” and damaged the economy.



In response to unrest on university campuses, the government implemented bans on political activity when the academic term resumed on October 11, in addition to earlier bans on Islamist-affiliated student groups.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **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 exceptions, including the handling of potential refugees and asylum seekers. The Civil Aviation Authority, in cooperation with the Ministries of Justice and Interior, maintained a “no-fly” list that prevented some defendants in court cases from fleeing the country. MB members and other wanted individuals appeared on the list after July 2013.

The government did not cooperate consistently with the UN High Commissioner for Refugees (UNHCR) and 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. The government sought to prevent private individuals, journalists, and civil society activists from entering the Sinai Peninsula, stating it was to protect their safety; however, some persons, avoiding government detection, did enter the Sinai.

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 Bahais and their children faced difficulties obtaining national identification cards because the government did not recognize Bahai marriages as legitimate. As a result some Bahai men of draft age were unable to establish 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 abroad, although this is not required by law.

Authorities required citizens between the ages of 18 and 40 to obtain permission to travel to Iraq, Jordan, and Syria. On December 6, authorities began requiring official permission for travel to Qatar and Turkey. The government stated these regulations were intended to make it more difficult for citizens to join terrorist groups in Iraq and Syria. These regulations also affected the ability of other individuals travelling outside the country.

Exile: There was no government-imposed exile, and Articles 62 and 63 of the constitution prohibit the government from expelling citizens or banning citizens from returning to the country. Some Mubarak- and Morsy-era politicians lived outside the country by choice and alleged they faced government threats of prosecution.

Citizenship: On October 29, the government revoked the citizenship of 800 individuals, mostly Palestinians, alleging they were affiliated with the Palestinian terrorist group Hamas and had been illegally granted citizenship by the Morsy government.

### **Protection of Refugees**

Access to Asylum: The constitution provides for the protection of political refugees, but the laws do not provide for granting asylum or refugee status, and the government has not established a comprehensive legal regime for providing protection to refugees.

The government provided the UNHCR with 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, as of October 15, there were approximately 194,640 refugees and asylum seekers in Egypt, coming mainly from Syria, Sudan, Iraq, and countries in the Horn of Africa. As of November 22, a total of 140,500 Syrian nationals had registered with the UNHCR. During the first 11 months of the year, the total number of newly registered refugees was 13,911--a drastic decrease from the same period last year. Only 1,215 Syrian nationals had entered the country and registered with the UNHCR; the others were from other African countries and Iraq. Observers attributed the decrease to the change of government policies since July 2013, including the introduction of the visa system for Syrians, and the security

and socioeconomic situation in the country, as well as increased difficulty transiting Egypt to neighboring countries.

In 2012 and 2013 under the Morsy administration, the government afforded Syrians visa-free entry. Since July 2013 the government has applied a system of visa and security clearance requirements for Syrian nationals and Palestinian refugees from Syria, thus ensuring no direct entries from Syria since Egypt lacked consular services there. There were cases reported by the UNHCR of prolonged separation of Syrian families in Egypt and family members in Syria, Libya, or the Gulf countries.

Since the new regulations took effect in July 2013, the UNHCR stated authorities detained and deported at least 47 Syrians who arrived in the country without a visa or with forged documents, usually to the transit countries from which they arrived, or to Turkey or Lebanon. Stricter visa restrictions imposed by Jordan and Turkey also resulted in the return of some Syrians to Egypt, where they remained in prolonged detention.

Reports of irregular movements of individuals, including asylum-seekers, and of detention of foreign nationals attempting to depart the country irregularly remained numerous, after a dramatic increase in 2013. Syrians represented the largest portion of this group, which also included Eritreans, Ethiopians, and other Africans. The UNHCR reported 15,000 asylum seekers who arrived in Lampedusa, Italy, had departed from Egyptian waters.

While authorities usually allowed UNHCR contact with detained registered refugees and asylum seekers, they continued to deny access to unregistered asylum seekers. The government subjected detained migrants, many of whom were Eritrean and Sudanese and may have had a basis for asylum claims, to prolonged 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.

Approximately 6,000 Palestinian refugees from Syria were also present in the country. Of these, the majority were reportedly living in Cairo while more than 1,000 were in Alexandria. The Palestinian Authority mission in Egypt provided limited assistance to this population, who were not able to access UNHCR assistance provided to Syrians due to governmental restrictions. Despite the UNHCR's mandate for Palestinians outside of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA's) fields of operations, the

government denied the UNHCR permission to provide services, reportedly in part due to a belief that allowing UNHCR registration would negate Palestinian refugees' right of return. Although detention and deportation of Palestinian refugees from Syria were significant issues in 2013, government dialogue with the UNRWA and other actors improved the treatment of detainees during the year. According to the UNRWA, most were promptly released from detention during the year and allowed to remain in the country.

Refoulement: According to human rights advocates, detained migrants were typically given two options: return to their country of origin or indefinite administrative detention. Because 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. The UNHCR reported nine cases of forced repatriation of Sudanese nationals registered with the UNHCR for whom the office unsuccessfully advocated with Egyptian authorities.

Since May the UNHCR observed the Syrian embassy started to implement a restrictive policy regarding the renewal of expired passports of Syrian nationals in detention, regardless of the grounds for arrest. In such cases the Syrian embassy issued a travel document valid only for return to Syria; therefore, the absence of a valid national passport for Syrian refugees in detention resulted in either prolonged detention or forced repatriation. According to UNHCR reports, the Syrian embassy renewed passports in the latter half of the year on an ad hoc basis in a few cases for detainees after they were released. As of October 15, the UNHCR was aware of one Palestinian from Syria and one Syrian national who were sent back to Syria due to the policy.

An increased number of Palestinian refugees from Syria entered the country in an illegal manner with the intention to travel to Europe. In a number of cases, in the absence of valid travel documents or inability to confirm their identities, they faced either detention or deportation. According to UNHCR reports, authorities returned 13 Palestinian refugees from Syria to Syria in August and another 22 to Gaza, also in August. In both cases the Palestinian refugees from Syria crossed into Egypt through the Rafah border crossing, traveled to Cairo with hopes of departing for third countries, and arrived at Cairo International Airport with no travel documents.

On October 13, authorities returned 68 Palestinians to Gaza after security forces discovered the group in Alexandria, from where they intended to depart for Italy. A court decided all 68 should be returned to Gaza after it found they had used

illegal tunnels to enter Egyptian territory. In early September authorities detained 43 Palestinians near Alexandria while they attempted to reach Europe. On September 10, traffickers forcibly sank a large ship off the coast of Malta that had departed Egypt on September 6 carrying approximately 500, mostly Palestinian migrants, killing the vast majority.

Refugee Abuse: Media, NGO, and UNCHR staff reported far fewer cases of attacks against Syrian refugees than occurred in 2013. The Egyptian navy continued to intercept some boats carrying refugees headed to Europe on grounds of suspicion of “illegal migration.” According to the latest data available to the UNHCR, authorities reportedly arrested 2,932 foreign nationals attempting to depart the country in an irregular manner by sea, including 1,400 Syrians, 438 Palestinians, 421 Sudanese, 35 Eritreans, 76 Somalis, and 24 Iraqis. More than half (1,482) were released and 551 departed to third countries by year’s end. Those who were released were able to regularize their residency permits in Egypt.

Reports of societal abuse and abuse by Sinai-based facilitators and captors of illegal migrants continued to decline significantly. The most obvious reason was the dissuasive effect of Israeli construction of a fence that prevented migrants from entering Israel. A few reports, however, suggested abuse did continue, albeit much less frequently, as human smugglers sought different routes.

Employment: Authorities did not grant most refugees legal authority to work. Those seeking unauthorized employment faced challenges due to lack of jobs and societal discrimination, particularly 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 Africa, continued to face limited access to housing, public education, public 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 (IOM) access to detention centers. The UNHCR provided refugees with modest support for education and health care, as well as small monthly financial assistance grants for 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 requires government hospitals to provide free emergency medical care to refugees, but many of the hospitals did not have adequate resources to do so. 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.

Since the onset of the Syrian crisis, approximately 6,000 Palestinian refugees from Syria were living in the country. The UNRWA assisted these Palestinian refugees from Syria and provided limited assistance in Egypt, where its presence is limited to a liaison office. The government helped facilitate a partnership between UNRWA and the Egyptian Red Crescent to provide Palestinians with UN World Food Program vouchers and health care at one hospital in Cairo.

### **Stateless Persons**

Citizenship is derived through a combination of birth within the country's territory and the nationality of one's parents. Of the 22 stateless persons known to the UNHCR, most were Armenians displaced for more than 50 years.

An unknown number of the approximately 50,000 to 100,000 Palestinian refugees were stateless.

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

The constitution provides citizens the ability to change their government through the right to vote in free and fair elections, and citizens exercised this right through elections based on universal suffrage. Mass protests led former president Hosni Mubarak to step down in 2011. Mohamed Morsy was the winner of presidential elections in June 2012. During 2012 and the first half of 2013, there were numerous demonstrations against and in support of the Morsy government, and Morsy and his government were ousted in July 2013 following large demonstrations. The July 2013 constitutional declaration formally dissolved the Shura Council and vested full legislative authority in an interim president. It also set forth a timeline for an appointed panel to draft a constitution to be approved by popular referendum, followed by parliamentary and presidential elections. The new constitution was approved by a popular referendum January 14-15 and went into effect January 18. On June 3, election officials declared Abdel Fattah al-Sisi the winner of the presidential elections, and he took office on June 8. The government had not set dates for parliamentary elections by year's end.

### **Elections and Political Participation**

Recent Elections: Abdel Fattah al-Sisi took 96.9 percent of the vote in the May 26-28 presidential election, according to the election commission. Voter turnout was announced to have been 47.4 percent. Domestic and international observers concluded the governmental Presidential Electoral Commission (PEC) administered the election professionally and in line with the law, but they expressed serious concerns regarding constraints on the freedoms of expression and association and limits on freedom of the press leading up to the election, which “prevented free political participation and severely compromised the broader electoral environment.” International observers noted the PEC’s decision to extend voting for a third day did not appear to be justified and, according to the EU Election Observer Mission, caused “unnecessary uncertainty in the electoral process.” International observers also noted that despite access to the media for candidate Hamdeen Sabahi, state and private media tilted strongly toward bolstering turnout in favor of candidate Sisi.

Parliamentary elections were not scheduled by year’s end. On October 16, the Carter Center announced the closure of its office in the country. Citing concerns “the current environment in Egypt is not conducive to genuine democratic elections and civic participation,” the center stated it would not deploy an observer mission to monitor the parliamentary elections. Other international organizations expressed readiness to observe the elections.

A constitutional referendum was held January 14-15 to approve an amended constitution that was drafted by a Constituent Assembly consisting of 50 representatives from various political and societal groups, which some observers criticized as not sufficiently inclusive. On January 18, the election commission announced 98.1 percent of the voters approved the draft constitution in a referendum in which turnout was 38.6 percent of eligible voters. International and domestic observers reported limits on the freedom of expression and assembly “impaired” the process, in the words of the Transparency International Observation Mission, and did not provide a real opportunity for dissent, but generally concluded these restrictions did not alter the results. The MB and other Islamic groups encouraged followers to boycott the vote, saying the vote represented the legitimization of the removal of former president Morsy.

Political Parties and Political Participation: According to the constitution and the July 2013 constitutional declaration, citizens were free to form, legally register, and operate political parties. The law requires new parties to have a minimum of 5,000 members from at least 10 provinces. The constitution also states “no political activity may be practiced and no political parties may be formed on the

basis of religion or discrimination based on gender, origin, or sectarian basis or geographic location. No activity that is hostile to democratic principles, secretive, or of military or quasimilitary nature may be practiced. Political parties may not be dissolved except by virtue of a court judgment.”

On February 25, a court sentenced three members of the Strong Egypt party in absentia to three years in prison after distributing flyers to voters during the constitutional referendum calling on voters to vote “no.”

On August 9, the court dissolved the FJP, the political wing of the MB. The government had banned the MB and designated it terrorist organization in December 2013. The government continued to hold dozens of leaders of the FJP and some other Islamist political parties in prison (see section 1.d.).

On September 1, the Political Parties Affairs Committee, an independent judiciary committee mandated to approve the registration of political parties, filed charges against the Building and Development Party, the political wing of the Islamic Group (al-Gamaa al-Islamiya), questioning the legality of its activities and demanding the party’s immediate dissolution. On November 26, an Alexandria court dismissed the charges in a separate lawsuit that demanded the disbanding of all political parties with a religious platform, citing lack of jurisdiction.

Participation of Women and Minorities: Religious and cultural barriers continued to limit women’s political participation and leadership in most political parties and some government institutions. The interim cabinet included three women and three Copts (one of the women was also a Copt), and the new cabinet formed in June included four women and three Copts (one of whom was a woman). Article 5 of the new House of Representatives Law outlines the criteria for the electoral lists which provide that the new House of Representatives will include at least 56 women and 24 Christians, a substantial increase over the 2012 parliament, which included 11 women and 13 Christians. These numbers could increase if any female or Coptic candidate wins one of the 420 seats reserved for independent candidates, or if the president opts to exercise his right under Article 1 of the same law to appoint House of Representatives members, not to surpass 5 percent of the total number of elected members. If the president were to appoint any members, half of his appointments must be women, according to the law.

Women were permitted only to serve in the medical corps of the armed forces and were excluded from compulsory military service, and non-Muslims generally were reportedly selected for retirement before reaching senior active-duty ranks. No



women or members of religious minorities were among the appointed governors of the 27 governorates. There were no women on the Supreme Constitutional Court. According to legal experts, there were approximately 50 women judges, most serving in family courts; that total is less than 1 percent of judges. There were several senior judges who were 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 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 reports to the president and the prime minister that were not available to the public. The auditing and accounting agency stationed monitors at state-owned companies to report corrupt practices. In April the head of the agency, Hesham Genana, publicly criticized several government institutions, including police, intelligence agencies, and judiciary, for refusing to investigate cases of corruption he said he had uncovered. In February, Genana asserted the prosecutor general had investigated only 7 percent of the more than 900 cases he had referred to the prosecutor's office, which included cases of illicit land deals and embezzlement. Observers did not judge the agency to be sufficiently resourced, and the agency did not actively collaborate with civil society.

On May 21, a court sentenced former president Mubarak to three years in prison and his sons Alaa Mubarak and Gamal Mubarak to four years each in prison in a corruption case in which they were charged with embezzling LE 125 million (\$17.5 million) for renovations to presidential palaces. They were also fined LE 125 million (\$17.5 million). The prosecutor general stated he would appeal the ruling, and the Court of Cassation was scheduled to review the case on January 13, 2015. On November 29, the court dismissed a different set of corruption charges against Mubarak and his sons and acquitted Mubarak on charges related to illegally exporting gas to Israel. In response to the verdict, the cabinet approved a draft law on December 2 to extend the statute of limitations for bribery. The law had not been issued by year's end.

Financial Disclosure: There are no financial disclosure laws for public officials. A November 2013 conflict-of-interest law 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 increasingly uncooperative and suspicious approach to international and local human rights organizations. Government officials publicly asserted they shared the NGOs' goals, but they were rarely cooperative with or responsive to the organizations' inquiries. Domestic NGOs criticized the government's consultations with civil society as superficial and insincere. Government actions to enforce the NGO law and the introduction of amendments to the penal code that would provide penalties of up to life imprisonment for requesting or accepting international funding reportedly had a chilling effect on NGO operations (see section 2.b.).

Extended delays in gaining government approvals and an unclear legal environment continued to limit the ability of domestic and international NGOs to operate. State-owned and independent media frequently depicted NGOs, particularly international NGOs and domestic NGOs that received funding from international sources, as undertaking subversive activities. As a result some NGOs reported receiving visits or calls, to staff both at work and at home, from security service officers and tax officials monitoring their activities, as well as societal harassment including death threats.

The HRW closed its office in Cairo in February due to "concerns about the deteriorating security and political environment in the country," according to a statement issued on August 11. On August 10, authorities denied entry to two senior HRW officials attempting to visit the country in order to release a report on the government's use of force during the August 2013 clearing of Rabaa al-Adawiya Square and other instances of alleged state violence in July and August 2013 (see section 1.a.). HRW had informed the government in writing in advance of their planned visit. According to a HRW statement, this was "the first time that Egyptian authorities have denied Human Rights Watch staff members entry to the

country.” On August 14, the Ministry of Interior issued a statement saying HRW was asked to postpone the visit and noting HRW officials would not be allowed to enter the country on a tourist visa when traveling for business purposes. Other organizations, such as Amnesty International, made periodic visits as part of their regional research programs and were able to work with domestic human rights groups.

Many well-established, independent domestic human rights NGOs operated throughout the country. Internet activists and bloggers continued to play a significant role in publicizing information about human rights abuses. Authorities generally allowed civil society organizations not registered as NGOs to operate, but such organizations sometimes reported harassment, along with threats of government interference or closure.

The United Nations or Other International Bodies: The government continued not to respond to the visit requests of eight UN special rapporteurs charged with investigation or monitoring of alleged human rights abuses, including the special rapporteurs for the independence of judges and lawyers; human rights defenders; freedom of religion; torture; arbitrary detention; extrajudicial, summary, or arbitrary execution; human rights and counterterrorism; and the freedom of association and assembly; as well as the UN Human Rights Council Working Group on Enforced or Involuntary Disappearances. The oldest request dated to 1996 and the most recent to March 27; all requests remained pending. As of December 2, the government had agreed to but not yet scheduled dates for the visits of four special rapporteurs, including those responsible for the sale of children, child prostitution, and child pornography; violence against women; promotion of truth, justice, reparation, and guarantees of nonrecurrence; and foreign debt. Authorities continued to deny the ICRC access to prisoners and detainees. The Ministry of Interior restricted some international organizations seeking to assist migrants and refugees, but it provided the IOM 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. A number of well-known human rights activists served on the organization’s board, although some observers alleged the board’s effectiveness was sometimes limited as it lacked sufficient resources and the government rarely acted on its findings. The council at times challenged and criticized government policies and practices, calling for steps to improve its human rights record. For example, the NCHR called for a repeal of the demonstrations law and for consultations with civil

society in order to amend the law on associations. On March 17, the council issued a report on the Rabaa al-Adawiya Square clearing operation that said police “sometimes failed to maintain self-restraint and sometimes were not proportional.” It also concluded the majority of the protesters were peaceful (see section 1.d.).

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

The constitution states that all citizens “are equal in rights, freedoms, and general duties without discrimination based on religion, belief, gender, origin, race, color, language, disability, social class, political or geographic affiliation, or any other reason.” It does not specifically mention sexual orientation or gender identity. Many aspects of the law discriminate against women and religious minorities, and the government did not effectively enforce prohibitions against such discrimination.

### **Women**

Rape and Domestic Violence: The law prohibits rape, although the legal definition of rape covers only forced penetration of the female sexual organ by the male sexual organ, prescribing criminal penalties of 15 to 25 years’ imprisonment or life imprisonment for cases of rape involving armed abduction. The government did not effectively enforce the law. Civil society organizations reported police pressure not to pursue charges 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. There was public sexual assault, including gang rape, with some rights groups reporting an increase, especially during political protests.

Rights organizations documented at least nine cases of “mob sexual assaults and gang rapes” during the June 8 Tahrir Square celebrations for the inauguration of President Sisi. On June 11, President Sisi visited a woman who was sexually assaulted in Tahrir Square during the inauguration celebrations. According to local media, he offered condolences to all women who experienced sexual assault and instructed the Ministry of Interior to take all necessary measures to combat sexual assault. On July 16, a court sentenced five defendants to life imprisonment and two men to 20-year sentences for attacks on women during the June 8 celebrations.

Domestic violence continued to be a significant problem. The law does not prohibit domestic violence or spousal abuse, but provisions relating to assault may be applied, with accompanying penalties. The law requires 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. A 2011 academic survey of a random sample of 1,503 households in Minya, Sohag, Cairo, and Alexandria found 81 percent of men believed they had the right to beat their wives and daughters.

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. The Ministry of Interior includes a unit responsible for combating sexual and gender-based violence. The National Council for Women is one of the institutions established by presidential decree in 2000 to empower women. On July 7, it held a conference launching a national strategy to combat violence against women and signed a protocol with the ministries of Interior; Social Solidarity; Youth; Education; Manpower and Migration; Justice; Endowments; and Health and Population according to press reports.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is illegal, but it remained a significant problem (see section 6, Children).

Other Harmful Traditional Practices: The law does not specifically address “honor” crimes, which are treated 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, particularly in rural areas. On September 8, domestic media reported authorities arrested a suspect in an “honor” crime in Minya Governorate. The suspect is the uncle of a man that was found killed for committing adultery with the wife of the suspect’s brother.

Sexual Harassment: Sexual harassment remained a serious problem. According to a study published in April 2013 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. NGOs reported the overall incidence of sexual harassment increased during times of large public demonstrations. On June 5, interim President Adly Mansour issued a decree amending the penal code to define sexual harassment as a crime under the law for the first time, according to UN, media, and NGO reports. Penalties under the new law include fines and sentences of six months to five years

in prison. Some NGOs welcomed the new law as a first step and lauded increased social awareness surrounding the issue, but cited the need for further revisions to bring the law into compliance with international standards. On July 16, a criminal court sentenced nine men to lengthy prison terms, including one man who received a sentence of life in prison when convicted of attempted rape and attempted murder for participating in a mob sexual assault. On August 7, a criminal court gave two defendants life sentences and a third defendant 20 years in prison for sexually assaulting two women in Tahrir Square during celebrations of President Sisi's inauguration in Tahrir Square. In both cases, the convictions were closely tied in the media to the issuance of the antiharassment law weeks prior, but activists noted the perpetrators were convicted under other laws for more severe crimes. There were no reported convictions under the new antiharassment law by year's end.

Reproductive Rights: The law recognizes the basic right of married couples to decide freely and responsibly the number, spacing, and timing of their children. 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 and coercion. Social, cultural, and religious barriers restricted individuals', especially women's, rights to make reproductive decisions and to attain the highest standard of reproductive health. The Ministry of Health and Population distributed contraceptive materials and provided personnel to attend births, postpartum care to mothers and children, and treatment for sexually transmitted diseases at no cost. NGOs reported government family planning information and services were not adequate to meet the needs of the entire population, particularly outside 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 that hindered their social and economic advancement.

The constitution provides for 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 cannot legally marry a non-Muslim man. If she were to do so unofficially, she would face significant societal harassment. Under the government's interpretation of Islamic religious

law, 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, whose members are appointed by the government, leads efforts to combat discrimination. Women’s rights NGOs criticized the council for failing to address effectively some 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.

The law makes 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 (see section 7.d.). Labor laws provide for equal rates of pay for equal work for men and women in the public but not the private sector. 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 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 do 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 Social Solidarity 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 both birth within the country's territory and the nationality of one's parents. The government attempted to register all births soon after birth but faced resistance from citizens in remote and tribal areas, such as the Sinai Peninsula. 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. Although the law provides this benefit to stateless persons and refugees, they were often excluded from public education.

Child Abuse: The constitution defines a child as anyone under the age of 18. It stipulates the government will protect children from all forms of violence, abuse, mistreatment, and commercial and sexual exploitation. 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, 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. For example, several rights groups alleged that on June 4, security forces abused 48 minors in their custody at a juvenile care facility in Alexandria and held them in pretrial detention with adult detainees.

Early and Forced Marriage: The legal age of marriage is 18. According to a panel hosted by the OHCHR in Geneva on June 23, 23 percent of girls were married before age 18; as many as 21 percent married before age 15. The media reported some child marriages were temporary marriages intended to mask prostitution. Families sometimes encouraged victims to marry wealthy foreign men in what were known locally as transactional or "summer" marriages for the purpose of



sexual exploitation, prostitution, or forced labor. The Anti-Trafficking Unit at the National Council for Childhood and Motherhood, a governmental body, is responsible for raising awareness of the issue.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is illegal, but it remained a serious problem. According to the UN Children’s Fund (UNICEF) in July 2013, 81 percent of 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 (\$700). Rights groups pointed to the “medical necessity” exception as a problematic loophole that allowed the practice to continue. The government did not effectively enforce this law and did not make adequate budget allocations to raise awareness, according to international and local observers. On November 21, a court acquitted the doctor and the father of 13-year-old Sohair el-Batea, who died in 2013 while undergoing an illegal FGM/C procedure at a private clinic in Daqahliya Governorate. They were the first individuals brought to trial since a 2008 law banned FGM/C. The doctor and the victim’s family reportedly reached a settlement compensating the family outside court. The prosecutor then filed an appeal, which began on December 15 and continued at year’s end.

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 (\$28,000) for commercial sexual exploitation of children and child pornography. The government did not adequately enforce the law. The minimum age for consensual sex is 18. NGOs and local media reported sex tourism and the number of street children in Cairo and other metropolitan areas where children were sometimes sexually exploited remained high due to economic hardship. According to a 2011 survey published by the IOM, 36 percent of the estimated two million street children experienced sexual abuse.

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 Social Solidarity 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 country-specific information see [travel.state.gov/content/childabduction/english/country/egypt.html](http://travel.state.gov/content/childabduction/english/country/egypt.html).

### **Anti-Semitism**

There were no reports of violence directed toward the country's once large but tiny and dwindling Jewish community. Criticism of Israel often reached the level of blatant anti-Semitism in public discourse. The state-owned and private media included anti-Semitic rhetoric, including by academics, cultural figures, and clerics, with cartoons demonizing Jews. There were multiple reports of imams using anti-Semitic rhetoric in their sermons. For the fourth consecutive year, authorities cancelled the Abu Hassira celebrations scheduled for January, preventing an annual Jewish pilgrimage, including many Israelis, to the shrine of 19th-century scholar Rabbi Yaakov Abu Hassira. The government cited security concerns in justifying its decision.

In its verdict on April 28, the Seventh Circuit of the Criminal Court of Minya described the 37 Islamists it sentenced to death and 492 others to life imprisonment as “demons” who followed Jewish scripture. The court also described the men as “enemies of the nation” who used mosques to promote the teachings of “their holy book, the Talmud.” The court had sentenced them for involvement in acts of violence, breaking into and torching a police station, burning police vehicles, theft of weapons, murder of one police officer, and the attempted murder of another in Minya in August 2013.

In October a coalition of left-wing parties in the European parliament withdrew its nomination of political activist and blogger Alaa Abdel Fattah for the annually awarded Sahkarov Prize because of his anti-Semitic statements that were brought to its attention including tweets in which Abdel Fattah called for the murder of “a critical number of Israelis” and stated “Dear Zionists, please don't ever talk to me, I'm a violent person who advocated the killing of all Zionists, including civilians.”

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The constitution states all citizens “are equal in rights, freedoms, and general duties without discrimination based on...disability” among other attributes, but does not explicitly “prohibit” discrimination.

The law provides for persons with disabilities to gain access to vocational training and employment but does not outlaw discrimination altogether (see section 7.d.). Government policy for employing persons with disabilities is based on a quota system (5 percent workers with disabilities) 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 them. Although the constitution states persons with disabilities are equal without discrimination before the law, at year's end, there were no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor were 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 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.

### **Acts of Violence, Discrimination, and Other Abuses 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,” and provides for prison sentences of up to 10 years. Reports of such arrests increased during the year and local rights groups reported at least 16 cases involving up to 100 people. Authorities did not effectively use antidiscrimination laws to protect LGBT individuals. Gay men and lesbians faced significant social stigma and discrimination, 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 reported incidents of violence against LGBT individuals, although intimidation and the risk of arrest greatly restricted open reporting and contributed to self-censorship.

On November 1, a court sentenced eight men to three years in prison on charges including “spreading indecent images,” “inciting debauchery,” and “acts endangering public morals” after a video depicting a marriage-like ceremony between two men on a riverboat appeared on YouTube. The sentence also included three years of police monitoring following completion of the prison terms. Lawyers for the defendants claimed authorities subjected the defendants to forced anal examinations during the investigation process, according to HRW.

On December 17, prosecutors referred 26 men to trial on charges of “practicing debauchery” and “indecent public acts” after police raided a traditional bathhouse known as a hammam in Cairo on December 7 and arrested the men. Authorities reportedly subjected 21 of the individuals to forced anal examinations. A private television channel reportedly informed police of the alleged “debauchery” in the hammam and filmed the men as police placed them under arrest. The trial was ongoing at year’s end.

### **HIV and AIDS Social Stigma**

HIV-positive individuals faced significant social stigma and discrimination in society and the workplace. According to UNICEF, an estimated 11,000 persons in the country 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.

### **Other Societal Violence or Discrimination**

There were occasional incidents of mob violence and vigilantism. On April 3, tribal clashes began in Aswan and continued for almost a week between the Daboudiya and Arab-El Halayel tribes, leaving at least 26 dead, according to local press. The prosecutor general brought charges including kidnapping, murder, possession and use of firearms, mutilation and burning of bodies, using force against the police and impeding the police from carrying out their duties against 163 defendants, 67 of whom were in detention and 96 of whom were fugitives, according to local media. The trial was continuing at year's end.

On February 26, a misdemeanor court sentenced a Shia man to five years in prison with labor on charges of blasphemy and defamation. According to local media and civil society organizations, the man was arrested as he entered the Hussein Mosque in Cairo during the Ashura holiday in November 2013. The days leading up to his arrest had seen sharp disputes on social media platforms and in the press, as several Shia citizens declared their intention to celebrate Ashura at al-Hussein Mosque, while a group calling itself the Coalition of Muslims in Defense of the Companions and Prophet's Family said its members would prevent Shia from organizing such a celebration.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides 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 constitution provides for freedom of association. In the absence of implementing legislation to reverse pre-2011 labor laws, 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. Subsequent ministers continued to recognize the 2011 declaration. Although the

Trade Union Act of 1976 remained on the books, 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 only trade union federation until the establishment of independent labor unions in 2009. Article 76 of the constitution confirmed the right to form trade unions and the independence of those unions.

Article 15 of the constitution provides 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 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 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 several categories 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 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. Data was not available on the number of individual and group complaints received and resolved during the year.

Labor actions spiked during the first quarter of the year, but the pace of strikes slowed as the year progressed. Among the large-scale strikes 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 Health and Population,

Electricity, Education, Manpower and Migration, Endowments, Interior, Transportation, Tourism, Agriculture, Commerce and Industry, and Supply also took part in protests, organizing a total of 587 protests in the first three quarters of the year, according to a labor rights NGO. Their demands focused on the receipt of delayed payments, including wages, incentives, bonuses, and signing formal contracts. The Ministry of Manpower and Migration reported it continued to monitor the pace and causes of labor protests and presented its good offices for mediation between employers and workers in cases brought to its attention. A worker rights NGO asserted 1,956 labor strikes and protests had taken place as of October 1.

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 a local labor rights NGO, as of December more than 3,000 new trade unions had registered since the 2011 Ministry of Manpower and Migration decree on freedom of association. There were no reports of unions applying for registration being wrongly rejected or unduly 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 still seen as subordinate to the state. On April 17, Prime Minister Mehlab issued a decree to extend the term of the ETUF board for one year, set to expire on May 27, 2015, or until a new law for trade unions was issued, whichever occurred sooner.

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 dues automatically from workers' salaries, reportedly including from workers who had resigned their memberships. 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. 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.

Workers continued to turn to extralegal means to press their demands. Authorities arrested or subjected to other legal sanctions several labor organizers, often following the dispersal or end of a labor strike. Workers frequently staged sit-ins on government and private property. Fourteen thousand workers in three factories belonging to a private manufacturing company staged a 10-day May sit-in after the company announced it would not distribute the workers' profit shares due to its loss in the 2013 fiscal year. On May 17, three workers involved in the sit-in were detained on accusations of "organizing strikes in violation of the protest law." They were released the next day.

Antiunion discrimination was common, and authorities sometimes charged workers with crimes for union activities. The 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.

Police, and the military to a lesser extent, were involved in the forceful dispersal of labor actions in isolated cases. On April 29, police and military forces dispersed a workers strike using teargas, injuring some workers and arresting at least one, at the port of Ain Sukhna.

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 unions. Since the 2011 decree was not codified into law, some employers claimed the Trade Union Act of 1976 (granting a monopoly to the ETUF) still applied, even though Article 76 of the constitution confirmed the right to form trade unions and the independence of those unions. This stance, which was supported by the ETUF, undermined independent unions' ability to represent members. 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.

## **b. Prohibition of Forced or Compulsory Labor**

Article 12 of the constitution states no work may be compulsorily imposed unless by virtue of a law. Male and female persons (including citizens) from South Asia,



Southeast Asia, and Africa have been subjected to forced labor in domestic service, construction, cleaning, begging, and other sectors. The government made increased efforts to prosecute human traffickers, although it did not successfully prosecute any cases in the past year. While these efforts were not adequate to deter forced labor, the government did work with NGOs to provide some assistance to victims of human trafficking.

See also the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **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 13 for seasonal employment. The constitution defines a child as anyone under the age of 18. A 2003 Ministry of Manpower and Migration 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 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. The Ministry of Manpower and Migration, 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 adequate specific training on child labor issues, but rather generic labor inspection training, although the Ministry of Manpower and Migration and the NCCM made initial steps to remedy this gap by offering some specialized training in 2013. 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 (\$70) and thus had questionable deterrent effect. The government did not enforce child labor laws in the informal sector.

Data was not available on Ministry of Manpower and Migration inspections for the use of child labor. Where child labor was found, the ministry 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.

Child labor occurred, although estimates on the number of child laborers varied. A local labor NGO claimed an estimated 1.8 million children age five to 17 were working. According to the NGO, 64 percent of those children worked in the agricultural sector and many often worked as many as 43 hours a week in dangerous or unhealthy conditions. In 2011 the government estimated 1.6 million children, or slightly fewer than 10 percent of the total child population, were engaged in labor. Other estimates ranged up to three million. In June 2013 the Central Agency for Public Mobilization and Statistics (the government's main statistical authority) stated 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 in the face of deteriorating economic conditions. 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/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment or Occupation**

The law and regulations prohibit discrimination regarding race, gender, disability, language, and social status. The law provides for persons with disabilities to gain access to vocational training and employment but does not outlaw discrimination altogether. The government did not effectively enforce prohibitions against such discrimination. Discrimination in employment and occupation occurred with

respect to women and persons with disabilities (see section 6). Discrimination against migrant workers occurred (see section 2.d.).

### **e. Acceptable Conditions of Work**

In January the interim government implemented a monthly minimum wage of LE 1,200 (\$168) for government employees and public sector workers. According to labor rights organizations, the minimum wage for public sector workers was implemented; it applies only to direct government employees and includes benefits and bonuses in calculating total salaries. Most government workers already earned income equal to or more than the announced minimum wage. There was no private sector minimum wage, although the government declared intentions to reach agreement on one with business representatives. The World Bank set the poverty line in the country at LE 420 (\$59) 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.

In January the interim government also implemented 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 \$5,880 per month).

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.

The Ministry of Manpower and Migration is responsible for enforcement of labor laws and working conditions standards. Due in part to insufficient 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. By law workers are allowed to remove themselves from situations that endangered their health or safety without jeopardy to their employment, although authorities did not reliably enforce this right.

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 employs up to 40 percent of workers, according to some estimates. 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.