

EGYPT

EXECUTIVE SUMMARY

Egypt is a republic governed at year's end by the Supreme Council of the Armed Forces (SCAF), a transitional authority of senior military officers that rules by decree. The appointed civilian Cabinet of Ministers carries out the SCAF's executive responsibilities. Legislative elections began on November 28 and were scheduled to end in February 2012. Nongovernmental (NGO) observers reported the first two rounds of elections that took place during the calendar year to be generally free from state interference. There were instances in which elements of the security forces acted independently of civilian control.

On February 11, then president Muhammad Hosni Mubarak transferred executive authority to the SCAF following antigovernment demonstrations that began on January 25. On February 13, the SCAF suspended the 1971 constitution and dissolved the popularly elected People's Assembly and the partially elected Shura (Consultative) Council. On March 19, voters approved a constitutional referendum that mandated new legislative elections and the drafting of a new constitution. The referendum balloting was considered free and fair. On March 30, the SCAF issued a provisional constitution. Presidential elections were scheduled to be held in May 2012.

The most significant human rights problems during the year were attacks on demonstrators, violence against religious minorities, the use of military courts in civilian cases, and arbitrary arrest, especially as permitted under the Emergency Law. Authorities harassed and pursued a broad-based investigation of nongovernmental organizations (NGOs) and their staff; state media and government figures branded many civil society activists "traitors" in a campaign against foreign funding of civil society groups. Security forces and civilian thugs attacked demonstrators during the year; these attacks, along with clashes among opposing groups of demonstrators, killed at least 930 persons. Beginning on January 28, authorities arrested and tried approximately 12,000 civilians in military courts that lacked fundamental due process procedures for offenses ranging from "thuggery" to "insulting the military." The SCAF expanded the Emergency Law, in place almost continuously since 1967, to include broad offenses such as "causing internal tensions." Under the Emergency Law, citizens were subject to arbitrary arrest and detention and unfair judicial procedures, although the transitional authorities primarily applied the code of military justice, rather than the Emergency Law, against demonstrators during the year.

Other human rights problems included physical abuse and torture by security forces, poor prison conditions, and governmental restrictions on freedom of expression, assembly, and association. Authorities detained journalists and bloggers for criticizing the military. The previous government severely restricted Internet freedom when it cut connections to telecommunication networks during the peak of antigovernment demonstrations. After the revolution security forces, including military police, used excessive force to disperse protesters and specifically harassed female protesters. Authorities continued to enforce onerous restrictions on non-Muslims establishing and repairing places of worship, and non-Muslims were targets of government and societal violence. The government continued to shoot African migrants attempting to cross the Sinai Desert en route to Israel. Domestic violence and societal discrimination against women was widespread.

Official impunity was a problem. In rare instances, such as the high-profile June 2010 killing of Khaled Saeed, the government took steps to prosecute security forces.

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

a. Arbitrary or Unlawful Deprivation of Life

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. The National Security Sector (NSS) and the national police were the units most often involved in alleged deaths in custody. The Ministry of Interior's Central Security Forces and military police were accused in casualties related to excessive use of force during demonstrations.

On January 4 or 5, NSS officers reportedly tortured Salafist preacher Sayed Bilal to death. Bilal's death came within 24 hours of his arrest on January 4 for alleged involvement in the January 1 bombing of the Two Saints Church in Alexandria. Security officials claimed that the 31-year-old died of a heart attack while being questioned, but photographs of his body reportedly showed signs of torture. Members of Bilal's family said authorities threatened that they would be arrested if they did not stop talking to the media and human rights organizations. On October 26, a judge in Alexandria ordered five NSS officers to stand trial for Bilal's death; however, at year's end, the trial had not started, and only one of the five accused officers was in custody.

According to Ministry of Health statistics, clashes between security forces, thugs, and demonstrators killed more than 930 protesters during major incidents in January, February, October, November, and December. Deaths occurred when security forces used disproportionate force to clear demonstrators from public squares, including the use of large amounts of tear gas, ammunition, and/or rubber-coated steel bullets. NGOs, activists, and doctors treating the wounded reported deaths by live ammunition, although the government consistently denied using live ammunition, instead blaming unknown “infiltrators.” In some cases demonstrators threw rocks or Molotov cocktails at security forces.

Video evidence from an October 9 protest by Coptic Christians clearly depicted armored personnel carriers running over unarmed civilians. In that case the military blamed “distraught” soldiers who feared for their lives due to the large, violent crowds and announced it had begun to try three soldiers for involuntary manslaughter related to their actions on October 9. On December 27, the military court handling the case temporarily adjourned the trial to allow time to gather more evidence and to question additional witnesses.

Trials beginning on August 1 continued at year’s end to determine the culpability of then president Mubarak, then minister of interior Habib Al Adly, and six Interior Ministry codefendants for deaths during the January and February demonstrations.

There were developments in one notable case from 2010. On December 26, the Public Prosecutor’s Office appealed an October 26 decision in which an Alexandria criminal court sentenced police officers Mahmoud Saleh and Awad Ismail to seven years in prison for killing Khaled Saeed in June 2010, on the grounds that the seven-year sentence was too lenient. A government autopsy concluded that Saeed died from choking on a bag of cannabis. However, on August 28, the Alexandria court ordered the government’s Forensics Investigations Committee to reexamine the official autopsy results after independent autopsy results submitted by Saeed’s family indicated he had been tortured and the bag of cannabis placed in his mouth after he died.

b. Disappearance

According to the 2011 UN Human Rights Council Report of the Working Group on Enforced or Involuntary Disappearances, there were 41 outstanding disappearance cases. The government made no efforts to prevent or investigate these incidents. Domestic and international human rights organizations claimed there were hundreds and perhaps thousands of unreported cases of citizens who

disappeared into military detention during and after the revolution. The government insisted that all those detained during the revolution were released. Some of those released said the military accused them of being foreign spies and tortured them.

On October 13, for example, persons belonging to “a security agency” allegedly kidnapped the physician Ahmed Atef, leader of a doctors’ syndicate strike, and interrogated him for three days in an unknown location before releasing him.

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

The 1971 constitution and the provisional constitution prohibit the infliction of “physical or moral harm” upon persons who have been arrested or detained; however, the law fails to account for mental or psychological abuse, abuse against persons who have not been formally accused, or abuse occurring for reasons other than securing a confession. Police, military and security personnel, and prison guards often tortured and abused prisoners and detainees.

Domestic and international human rights organizations reported that the NSS, police, and military used torture to extract information from detainees. In numerous trials defendants alleged that police tortured them during questioning. Before and after the revolution, police and NSS officers reportedly employed methods such as stripping and blindfolding victims; suspending them by the wrists and ankles in contorted positions or from a ceiling or door frame with feet just touching the floor; beating them with fists, whips, metal rods, or other objects; using electric shocks; dousing them with cold water; sleep deprivation; and sexual abuse, including sodomy. There were reports that security officials sexually assaulted some detainees or threatened to rape them or their family members. The absence of legally required written police records effectively stymied investigations.

On March 9, according to Amnesty International and other sources, military police reportedly detained 17 women protesting in Tahrir Square, beat and used electric shocks on them, then strip-searched and sexually assaulted seven of them through forced “virginity tests.” On March 11, a military court tried the women for disorderly conduct, destroying property, and obstructing traffic and issued suspended sentences to some. While the government denied the “virginity test” allegations, in May a senior Egyptian general confirmed them in an interview, stating they performed the tests to protect the military from rape allegations.

Samira Ibrahim, who pursued charges against the military for the alleged abuse, reported receiving telephone calls threatening rape or death. On December 27, the military stated that it was investigating an army doctor in connection with the tests.

On October 27, after they found him in possession of a mobile phone SIM card, security forces allegedly tortured to death Essam Ali Atta, who was serving a two-year sentence in Cairo's Tora prison for "illegally occupying an apartment." Atta's mother, who said in an interview with a local media outlet that she witnessed the torture while visiting her son, told police that prison guards turned a water hose on and inserted it alternately into Atta's mouth and anus. The police did not investigate the claim and stated that Atta died as a result of ingesting drugs.

One media report indicated an effort by the government to intentionally commit a sane person to an institution for the mentally ill. On October 23, media reports confirmed by family members alleged that a military court referred detained blogger Maikel Nabil Sanad to an institution for the mentally ill in Cairo. The facility reportedly refused to admit him and released a statement suggesting the referral was made for political purposes.

On June 21, the public prosecutor formed a committee of three judges to review and investigate torture complaints submitted after the revolution. At year's end it was unclear whether this committee was functioning.

Prison and Detention Center Conditions

Conditions in the country's prisons and detention centers remained harsh. According to international NGO observers, prison cells were overcrowded, with a lack of medical care, proper sanitation, food, clean water, and proper ventilation. Tuberculosis remained widespread. Provisions for temperature control and lighting generally were inadequate. Abuse was common, especially of juveniles in adult facilities, and guards brutalized prisoners. Ministry of Interior officials claimed that the ministry began renovating prisons after the revolution.

Prison unrest during the revolution resulted in the release or escape of approximately 23,000 inmates and the deaths of at least 189. According to NGO observers, guards killed more than 100 prisoners and injured hundreds of others between January 29 and February 20.

There were approximately 66,000 prisoners. Juveniles were not always separated from adults. Pretrial detainees sometimes were held with convicted prisoners.

Prison conditions for women were marginally better than those for men. There was no information as to whether the government had taken steps to improve recordkeeping or use alternatives for sentencing nonviolent offenders.

The penal code provides for reasonable access to visitors. However, according to NGO observers and relatives of inmates, the government sometimes prevented visitors' access to detainees. Prisoners were permitted religious observance. Authorities permitted prisoners to submit complaints to judicial authorities without censorship and to request investigation of alleged inhumane conditions. However, NGO observers claimed that prisoners sometimes were reluctant to do so out of fear of retribution from prison officials. In addition authorities rarely investigated such allegations.

The government permitted a small number of independent human rights observers to visit some prisons and detention centers during the year, but most remained completely closed to the public. As required by law, the public prosecutor continued to inspect regular prisons. NSS detention centers were excluded from inspections. On August 16, a delegation from the quasi-governmental National Council for Human Rights (NCHR) visited Cairo's Tora Prison, where authorities were holding former president Mubarak's sons and some of his associates. The delegation reported that the high-profile prisoners did not enjoy special privileges and that the hospital provided only basic services. They also noted that inmates requested longer recreation hours, permission to pray at the prison mosque, and more telephone calls. The NCHR considered itself an ombudsman serving on behalf of prisoners, but there was no official government ombudsman.

d. Arbitrary Arrest or Detention

The 1971 constitution and the provisional constitution prohibit arbitrary arrest and detention. However, police, NSS, and military forces engaged in such practices before, during, and after the January and February demonstrations, including large-scale detentions of hundreds of individuals without charge.

Role of the Police and Security Apparatus

The Ministry of Interior controls the national police, which operate in large cities and governorates; the NSS, established on March 15 after the government announced the dissolution of the State Security Investigative Services, which conducts investigations; and the Central Security Forces (CSF), which maintain public order. NSS and CSF officers are responsible for law enforcement at the

national level and for providing security for infrastructure and key domestic and foreign officials. Single-mission law enforcement agencies, such as the Tourist and Antiquities Police and the Antinarcotics General Administration, also work at the national level.

Before January 25, the security forces operated under a central chain of command. Working in concert with a large network of formal and informal informants, they were considered generally effective in combating crime and terrorism and maintaining public order. During the revolution the Ministry of Interior lost significant organizational capacity. The postrevolution police, NSS, and CSF were not generally considered effective at preventing and investigating crime or maintaining public order. The Egyptian Armed Forces, previously responsible only for external security, became primarily responsible for internal security in urban areas. During the year the national police slowly began to take back authority for basic tasks such as directing traffic, and the NSS regained some investigative capacity, but the incidence of petty and violent crimes increased. During demonstrations, which occurred frequently throughout the year, CSF and military police were generally responsible for maintaining order.

Impunity was a significant problem. Security forces were accused of using excessive force and intimidation in numerous incidents. For example, on October 9, military police and civilian thugs killed approximately 25 persons and wounded an estimated 330 during a demonstration in Cairo by Coptic Christians. Security forces also failed to effectively prevent or respond to incidents of societal violence, including the September 9 mob attacks on the Israeli embassy and other diplomatic facilities. There were no systematic or effective internal or external mechanisms to investigate security force abuses, although the government occasionally investigated and prosecuted instances of abuse. For example, on May 23, a Cairo criminal court sentenced police officer Mohammed Mahmoud Abdel Monem to death, in absentia, for killing 20 protesters on January 28. However, at year's end authorities had not apprehended Abdel Monem. Throughout the year the interior minister reassigned some personnel and accepted the resignations of others in an effort to respond to popular demands to reform the ministry.

Arrest Procedures and Treatment While in Detention

The government arrested and detained individuals under the Emergency Law, code of military justice, and penal code, each of which gives the government broad powers. All three legal regimes operated simultaneously. Before the revolution most cases were prosecuted under the penal code.

In September the SCAF announced that the Emergency Law would continue to be applied until June 2012 and amended the law to include new violations such as “attacks on freedom of work,” “blocking traffic or closing roads,” and “intentionally publishing or broadcasting false news and rumors.” The Emergency Law allows arrest without a warrant and detention of an individual without charge for as long as 30 days, after which a detainee may demand a court hearing to challenge the legality of the detention order. A detainee may resubmit a motion for a hearing at one-month intervals thereafter; however, there is no limit to the detention period if a judge continues to uphold the order or if the detainee fails to exercise the right to a hearing, and there is no possibility of bail. Although the Emergency Law stipulates access to an attorney and, if indigent, an attorney provided by the state, many detainees remained incommunicado in state security detention facilities without access to family members or to lawyers before their cases were transferred to trial, and some faced torture in detention.

Beginning January 28, the government enforced the code of military justice, initially in lieu of and subsequently in addition to the penal code. It allows the arrest of military personnel and civilians accused of ordinary crimes as well as offenses against the armed forces and those that “harm national security.” Military judges issue warrants, and detainees may be held for up to 60 days without charge pending investigations. There is no bail in the military justice system. The law provides for access to an attorney and, if indigent, an attorney provided by the state, but these regulations were not always observed in practice. Detainees frequently were not informed of the charges against them until their trials, which generally occurred within days of arrests.

Arrests under the penal code occurred openly and with warrants issued by a public prosecutor or judge. A prosecutor must bring charges within 48 hours of arrest or release the suspect. Detainees sometimes were not informed promptly of the charges against them. Authorities may hold a suspect for a maximum of six months while they investigate the case. There was a functioning system of bail for persons detained under the penal code. Criminal defendants have the right to counsel promptly after arrest and access to family members at the court’s discretion. The court is obliged to provide a lawyer to indigent defendants. In practice, however, defendants often faced administrative obstacles and were unable to secure regular access to lawyers or family visits.

Arbitrary Arrest: Arbitrary arrests occurred regularly during the year, frequently in the environs of large demonstrations. For example, on January 28, state security

personnel arrested Google Middle East executive and political activist Wael Ghoneim, who in the summer of 2010 set up a Facebook page that activists used to coordinate demonstrations. Security personnel handcuffed and blindfolded him and held him incommunicado for 12 days before releasing him without charges. Ghoneim became an emblem of the revolution when he spoke publicly about his experience.

During demonstrations throughout the year, authorities sometimes detained and questioned local and international journalists covering demonstrations. For example, on February 6, soldiers detained, handcuffed, and questioned Al Jazeera English reporter Ayman Mohyeldin for nine hours.

Pretrial Detention: Pretrial detention was a problem during the year. Pretrial detainees sometimes were held with convicted prisoners, and the Emergency Law and code of military justice allowed for extended periods of pretrial detention with no bail system and without systematic application of provisions requiring access to an attorney. Backlogs in the criminal courts were a problem before and after the revolution, also contributing to protracted periods of pretrial detention.

e. Denial of Fair Public Trial

The 1971 constitution and the provisional constitution provide for an independent judiciary, but in practice both before and after the revolution the judiciary was subject to executive influence and corruption. Both documents provide for the independence and immunity of judges and forbid interference by other authorities in the exercise of their judicial functions. The government generally respected court orders in nonpolitical cases.

After the revolution military courts at first superseded and then operated in conjunction with civilian criminal courts. On September 10, the SCAF expanded the Emergency Law, and the Supreme State Security Court supplanted the military courts in cases not involving violations of the military code of justice. It operated in conjunction with the civilian criminal courts and was used to try ordinary crimes and security-related offenses.

Trial Procedures

In all three court systems defendants legally are presumed innocent, although in practice military court procedures called this presumption of innocence into question. There are no juries. Civilian criminal trials usually are public, although

observers must obtain government permission to attend. Military and state security courts are not open to the public. Defendants have the right to consult an attorney in civilian courts, and the government provides counsel if the defendant cannot afford a lawyer. Defendants in military courts have the right to consult an attorney but frequently were denied timely access to counsel and sometimes were denied access to counsel altogether. Defendants in the Supreme State Security Court also have the right to consult an attorney. In all three 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.

In civilian and military courts, defendants have the right of appeal up to the Court of Cassation. Sentences by military courts are subject to certification by the president. All death sentences must be confirmed by the president and the Grand Mufti. Supreme State Security Court decisions are not subject to appeal; however, the president may alter or annul such decisions. The SCAF did not certify verdicts after the president resigned, but it annulled verdicts and issued pardons.

Lawyers and NGOs argued that military court trials did not meet basic standards of due process, as defendants were often tried in a matter of hours, often in groups, and sometimes without access to an attorney. On September 5, the SCAF announced that between January 28 and August 29, military courts tried 11,879 civilians, convicting 8,071, with 1,225 convictions awaiting ratification. On November 3, the SCAF pardoned 334 of those convicted. In one case, on March 2, a military court sentenced demonstrator Amr al-Beheiry to five years in prison following a trial that lasted less than five minutes, with no defense lawyer present, according to NGO reports. He remained in prison at year's end.

Political Prisoners and Detainees

The Human Rights Association for the Assistance of Prisoners estimated that before the revolution, the government held as many as 4,000 persons in administrative detention without charge or trial under the Emergency Law. Most of those detained were allegedly members of Islamic extremist groups arrested in the 1990s. The government did not permit regular access to the detainees by international humanitarian organizations. After the revolution the government claimed it released thousands of political detainees by year's end, including individuals arrested prior to and during the revolution (see section 1.d.). NGOs argued that hundreds of political prisoners remained incarcerated.

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. However, the courts were not entirely independent and displayed bias in some politically high-profile cases.

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

The 1971 constitution and the provisional constitution provide for the privacy of the home, correspondence, telephone calls, and other means of communication. However, the Emergency Law, which remained in place after the revolution, suspends the constitutional provisions regarding the right to privacy, and the government used it to limit these rights. Under the Emergency Law, the government is permitted to disregard constitutional protections of privacy of communications and personal residences. The Emergency Law empowers the government to place wiretaps, intercept mail, and search persons or places without warrants. Before and after the revolution, security agencies placed political activists, suspected subversives, journalists, foreigners, and writers under surveillance, screened their correspondence, examined their bank records, searched their persons and their homes, and confiscated personal property. Security services also employed extensive informer systems.

On the evening of February 14, according to a human rights lawyer representing families of individuals killed during the revolution, security services personnel broke into his office. He was sleeping there and heard the building's doorman reveal the location of his office. When security forces attempted to enter, the lawyer confronted the men, who fled afterward saying they were looking for a different office.

On September 26, another human rights lawyer claimed that security services personnel broke into his office that day and searched his computer and paper files for incriminating tax information.

Before and after the revolution, there were reports of government agents threatening family members of activists, including threatening sexual assault of female relatives. On September 20, Mark Nabil, the brother of imprisoned blogger Maikel Nabil Sanad, alleged that police threatened him that day with imprisonment as a result of his public activism on behalf of his brother.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The 1971 constitution and the provisional constitution provide for freedom of speech and press. However, the government partially restricted these rights through harassment, censorship, and arrests and detentions, sometimes under the Emergency Law and in other instances under provisions of the penal code that prohibit incitement or discrimination.

Freedom of Speech: Citizens generally expressed their views openly on a wide range of political and social topics, including the revolution and the resulting political transition. After the revolution citizens primarily faced harassment if they directly criticized the SCAF or military, and many reported self-censorship on this issue. Before and after the revolution, citizens vigorously criticized senior government officials and policies in the independent press, on satellite television, and on social media. On May 30, a military prosecutor summoned blogger and activist Hossam Hamalawy and television show host Reem Maged for questioning regarding critical statements that Hamalawy made on Maged's show on the subject of military police torturing detained activists. The prosecutor did not file formal charges against Hamalawy or Maged. On May 10, Cairo University referred 13 students for prosecution on charges of defamation after they organized sit-ins demanding the removal of the university president. A court suspended and subsequently dismissed these charges late in the year.

Freedom of Press: The independent print and broadcast media were active and expressed a wide range of views on political and social issues, with the exception of direct criticism of the SCAF or the military. The penal code and the press and publications law govern press issues. After the revolution the government licensed many new independent television stations and newspapers. Most of the same state-owned media outlets continued to operate.

The government controlled the licensing, printing, and distribution of newspapers, including independent papers and those of opposition political parties. The constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties.

The government took some formal steps to censor satellite television stations. On September 7, the Ministry of Information directed the General Investment

Authority (GIA), which issues satellite television broadcast licenses, to stop issuing licenses and announced that it would close unlicensed satellite television channels and take legal action against those that threatened national security. On October 4, the GIA advised domestic satellite television stations in writing that they must not criticize the SCAF.

On September 11, following coverage of the mob attack on the Israeli embassy, authorities forced Al Jazeera Live--which had broadcast in the country since February--off the air and detained one of the station's staff members for refusing to hand over documents. The authorities said that the company providing Al Jazeera Live's satellite uplink capability was not licensed. The head of the channel claimed the channel had requested authorization on March 20 and that the Ministry of Information assured that it could continue to operate until the ministry issued the license. On September 29, plainclothes police again raided Al Jazeera Live, confiscating a camera, a laptop computer, and other equipment. The station continued to broadcast at year's end.

Violence and Harassment: The Committee to Protect Journalists reported two journalists killed while covering demonstrations during the year. During demonstrations throughout the year, security forces and civilian thugs physically attacked, harassed, detained, and intimidated international and local journalists. During major demonstrations celebrating the resignation of former president Mubarak on February 11, a group of men beat and sexually assaulted a female CBS News correspondent. On November 23, security forces allegedly detained an Egyptian-American journalist for 12 hours, blindfolded her, and sexually assaulted her. On December 17, according to Human Rights Watch, military forces beat Hassan Shahin, an editor with the independent *Al Badil* newspaper, after he came to the aid of a woman stripped, beaten, and stomped on by uniformed men. Shahin reported that the uniformed men then attacked him with clubs, fists, and boots, causing bruises and abrasions to the body and face. There were no investigations into these incidents.

Journalists also reported harassment outside of demonstrations. For example, on December 11, the media reported that television host Amr al-Leithi filed a complaint with the public prosecutor after he received death threats following reports on his show covering radicalism in the country.

Censorship or Content Restrictions: The Emergency Law authorizes censorship for reasons of public safety and national security. In September the SCAF expanded the Emergency Law to include "intentionally spreading false

information.” The Ministry of Information monitored and censored the media during the year. At various times during the year the SCAF or the military banned reporting on specific topics. For example, on March 17, the military released a statement calling on all media not to publish “opinions, suggestions, or analysis” during the constitutional referendum. Domestic media also practiced self-censorship on issues such as the military and the intelligence service due to fear of government reprisal.

On September 24, the Ministry of Information halted the printing of independent daily newspaper *Sawt Al Umma*, reportedly due to either an article on alleged corruption within the General Intelligence Service or an article that violated a gag order imposed by the judge in the trial of former president Mubarak.

On September 27, the editor in chief of state-owned daily newspaper *Rose El Yousef* reported that “a sovereign body” (a reference to the General Intelligence Service) objected to an article in that day’s issue. The entire edition was withdrawn from distribution.

Libel Laws/National Security: Under the law an editor in chief can be considered criminally responsible for libel contained in any portion of a newspaper. According to Human Rights Watch (HRW), as of late November military prosecutors had summoned at least nine activists and journalists on charges of criminal defamation after they criticized, or discussed alleged abuses by, the military or SCAF. For example, on August 13, activist Asmaa Mahfouz received a summons to appear before the military prosecutor for questioning. The military prosecutor questioned her for more than three hours about her comments on Twitter and media interviews during protests on July 23 in which she criticized the military for failing to intervene to protect protesters. On August 16, the state news agency reported that the prosecutor decided to refer Mahfouz’s case to court on charges of insulting the military. The SCAF pardoned Mahfouz on August 18.

Nongovernmental Impact: Civilian thugs also attacked journalists and inhibited freedom of expression during the year. For example, on December 17, unidentified men entered the offices of independent outlets CBC and CBC+2, which were broadcasting images of demonstrations and violence by security forces against demonstrators. According to witness accounts obtained by HRW, the men destroyed equipment and threatened the staff.

Internet Freedom

Outside of a six-day period during late January, Internet communications were largely open and unrestricted, but the government monitored them. When protesters entered the NSS building after the revolution, many reportedly found copies of their own electronic communications and documents. Local service providers blocked access to Web sites if they contained material, such as child pornography, that is illegal under the law. The government blocked access to Twitter and Facebook beginning on January 25. On January 27, the government ordered local service providers to suspend Internet and cellular telephone services. The government restored all services and access to social networking sites on February 2. During the year the government prosecuted some bloggers and other individuals for the expression of their views online.

On October 22, a Cairo criminal court sentenced Ayman Yousef Mansour to three years in prison for insulting Islam and the Prophet Muhammed on a Facebook page he created. Responding to alleged citizen complaints, the Ministry of Interior's Department for Combating Electronic Crimes identified Mansour as the creator of the page. He remained in prison at year's end.

On December 14, a military court sentenced blogger Maikel Nabil Sanad to two years in prison after an appeal of his original three-year conviction for "insulting the military institution and distributing false news that disturbs public security," based on his documentation of human rights abuses and in part on his writing against forced conscription. He remained in prison at year's end.

Academic Freedom and Cultural Events

Academic freedom increased after the revolution, with increased levels of discourse on subjects such as the role of religion in society, but self-censorship remained on the role of the military. Professors reported a decrease in self-censorship and published frank assessments of the country's political and socioeconomic issues. When the SCAF did not ratify a cabinet decision to remove all incumbent university heads appointed under Mubarak and to hold elections to replace them, faculty at universities across the country organized strikes beginning October 1, the first day of the academic year.

On May 18, Cairo University suspended nine students who called for the removal of the dean of the Faculty of Mass Communications.

The Ministry of Culture must approve all scripts and final productions of plays and films. It censored foreign films to be shown in theaters but generally did not

cancel the same films sold as DVDs. During the year domestic plays and films addressed political and socioeconomic issues in a critical manner and were shown without interference.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The 1971 constitution and the provisional constitution provide for freedom of assembly, but the government restricted this right. During major demonstrations between January 25 and February 11, security forces, plainclothes police, and civilian thugs killed approximately 850 persons, predominantly demonstrators. In several cases during this period, security forces failed to prevent attacks on peaceful demonstrators and clashes precipitated by “progovernment” civilians. The government attempted to thwart demonstrations by interfering with Internet and cellular communications from January 25 to February 2.

Throughout the remainder of the year, security forces allowed many large demonstrations to proceed without interference, although periodically military police and CSF forces forcibly ended demonstrations and sit-ins, often precipitating clashes with demonstrators. In most such events, security forces first used large amounts of tear gas to attempt to disperse demonstrators, accompanied by rubber-coated steel bullets and firing blank rounds into the air. Security forces also frequently punched and kicked demonstrators, threw stones, and beat them with batons. Some female demonstrators reported being sexually assaulted or raped. On some occasions protesters responded by throwing stones and Molotov cocktails. Doctors, human rights groups, and autopsy reports indicated that many fatalities among demonstrators in these instances were caused by gunshots fired by security forces, although the government blamed “outside elements” and insisted that security forces were not equipped with live ammunition. On March 23, the government approved a SCAF decree criminalizing strikes, protests, demonstrations, and sit-ins that disrupt private or state-owned businesses or impede the economy; however, the government rarely invoked this law when explaining its actions to disperse demonstrations or sit-ins.

On October 9, military police and thugs in plain clothes killed approximately 25 persons and wounded an estimated 330 during a demonstration by Coptic Christians in Cairo (see section 1.a.).

Following a large demonstration on November 18, security forces attempted to forcibly disperse a small number of demonstrators camping overnight in Tahrir Square. According to Ministry of Health statistics, security forces and thugs killed approximately 45 persons and wounded more than 2,000 in clashes that took place over the ensuing several days.

On December 16, security forces forcibly dispersed a sit-in at the cabinet building, leading to multiday clashes in which security forces and thugs killed 17 persons and injured more than 900.

Freedom of Association

The 1971 constitution and the provisional constitution provide for freedom of association, but the government restricted this right. The government enforced a law passed by the Mubarak government requiring NGOs to register with the Ministry of Social Solidarity (MOSS) in order to receive foreign funding but refused to register some organizations and delayed registering others. The law provides the minister of social solidarity the authority to dissolve NGOs by decree.

On August 4, the Central Bank ordered banks operating in the country to inform it and the MOSS of any foreign transactions made by NGOs and charity groups and to ensure that the NGOs possessed valid MOSS licenses allowing them to receive funds from abroad.

On August 8, the Ministry of Justice began an investigation into NGOs accused of violating the law, and on September 27, Minister of Justice Mohamed Abdel Aziz Al Guindy ordered the formation of a committee to investigate bringing criminal charges against 39 unregistered NGOs for receiving foreign funding without a MOSS license.

In December investigating judges summoned and questioned domestic and international NGO representatives and presented at least two with charges of working for an unregistered or illegal organization and accepting foreign funding without government approval.

On December 29, officials representing the public prosecutor, accompanied by armed CSF personnel, raided the offices of at least seven local and international NGOs, temporarily detaining local and international staff; confiscating files, equipment, and cash; and sealing access to most of the offices. Upon arrival

officials did not provide warrants, explain the reason for the search, or provide an inventory of the confiscated items (see section 5).

c. Freedom of Religion

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

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

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice, albeit with some notable exceptions, including the handling of refugees and asylum seekers. The government provided protection for some recognized refugees but did not cooperate fully with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to asylum seekers and other persons of concern.

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

Foreign Travel: Men who have not completed compulsory military service may not travel abroad or emigrate. Completion of military service is indicated on national identification cards. Married Baha'i and their children faced difficulties obtaining national identification cards because the government does not recognize Baha'i marriages as legitimate. As a result some Baha'i men of draft age were unable to establish that they had fulfilled or were exempt from military service and therefore were unable to obtain passports. Police officials reportedly forced unmarried women younger than 21 to present their father's written permission to obtain a passport and to travel, although this is not required by law.

Exile: The 1971 constitution and the provisional constitution prohibit forced exile, and the government did not use it during the year. A number of citizens living outside the country in self-imposed exile returned after the resignation of former president Mubarak.

Protection of Refugees

Access to Asylum: The 1971 constitution and the provisional constitution provide for the protection of political refugees, but the country's laws do not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The UNHCR has the authority to make refugee status determinations based on a 1954 memorandum of understanding with the government. However, the government frequently denied UNHCR representatives access to detention facilities. Detained refugees, asylum seekers, and migrants were subject to criminal penalties and administrative detention for unauthorized entry or residence. They were often held in jails, military camps, and regular prisons with convicted criminals (see section 1.c.).

Nonrefoulement: In October authorities forcibly returned at least 10 Eritreans to Eritrea; 62 others returned voluntarily, although human rights advocates reported that many voluntary returns of Eritreans were in fact coerced since detained Eritreans were given only two options: volunteer to return to Eritrea or remain indefinitely in detention. The government provided few with access to the UNHCR and the option of seeking refugee status. The circumstances surrounding another return in October of approximately 115-120 Eritreans were not known, because they were denied access to appeal mechanisms and to the UNHCR for asylum protection.

Refugee Abuse: Police shot and killed at least 13 migrants during the year to prevent them from entering Israel through the Sinai Peninsula. NGOs alleged that authorities held as many as 500 Africans in detention centers in Sinai at year's end. NGOs and victims reaching Israel alleged that Bedouin smugglers subjected migrants to extortion, long-term detention, rape, and torture, sometimes resulting in death. Smugglers demanded ransoms of up to LE 239,000 (\$40,000) per person. Prison guards subjected African detainees to race-related beatings, and African refugees faced societal discrimination based on race.

Employment: Most refugees were not granted legal authority to work in the country. Those seeking unauthorized employment faced challenges due to both lack of jobs and discrimination against sub-Saharan Africans. Refugees that found work generally took low-paying jobs, and employers often exploited them.

Access to Basic Services: Refugees, in particular those from sub-Saharan African countries, continued to face limited access to education, health services, and housing. Refugees did not have a legal right to education, health, or other social services. The UNHCR provided the most vulnerable refugees with modest support for refugee education and health care through NGOs. Some schools enrolled

children of refugees, but most did not, citing overcrowding and lack of resources. Government hospitals were required by law to provide free medical care to refugees, but many of the hospitals refused to provide care on the grounds that they did not have adequate resources.

Stateless Persons

Citizenship is derived through a combination of the principles of birth within the country's territory and from one's parents. Stateless persons, who account for less than 1 percent of all registered refugees and asylum seekers (approximately 44,570 persons), frequently did not qualify for protection under the local refugee apparatus. Many stateless persons faced indefinite detention. There were approximately 70,000 Palestinians living in the country, an unknown number of whom were stateless, detained in prison, and not registered with the UNHCR.

Following an announcement in May by then interior minister Eissawy, the government began to grant citizenship to children born of citizen mothers and Palestinian fathers. At year's end more than 500 persons had been issued passports that enabled them to legally live and work in the country without being detained or deported.

Other stateless persons included the children of Eritrean fathers and Ethiopian mothers who lacked refugee status and were not considered citizens by either of their parents' countries. They received no monetary assistance, lacked the ability to work, and were isolated from other members of refugee communities.

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

There continued to be limitations on citizens' rights to change their government peacefully during the year. Major demonstrations between January 25 and February 11 forced a change of government on February 11. On February 13, the SCAF dissolved the parliament, suspended the 1971 constitution, and ruled as an executive authority not subject to electoral approval for the remainder of the year. On March 30, following a March 19 referendum on amendments to eight articles of the 1971 constitution, the SCAF issued a provisional constitution. The provisional constitution provides for citizens to elect the 508-seat People's Assembly every five years, with 10 of the seats filled by presidential appointment. The provisional constitution also provides for two-thirds of the 180-member Shura Council--the upper house of parliament--to be elected and one-third to be

appointed by the president, every six years. Under the provisional constitution, citizens directly elect the president, who is limited to two four-year terms.

Elections and Political Participation

Recent Elections: On March 19, voters participated in a constitutional referendum to approve or reject eight amendments to the 1971 constitution. The process generally was considered fair, but there were scattered reports of voter intimidation.

Parliamentary elections began on November 28 and were expected to conclude in February 2012. On October 1, the SCAF announced that it would permit local and international NGOs to “witness” the elections under guidelines determined by the Higher Elections Commission. The SCAF’s previous position as articulated on July 20 was that it would not allow international organizations to observe the elections, terming it an affront to national sovereignty. The segment of the electoral process completed by year’s end generally was considered free from state interference, but local and international NGOs monitoring the elections noted administrative issues including delays in opening polling stations and inadequate supplies of indelible ink, ballot boxes, and ballots. There were also reports that some parties violated electoral regulations stipulating that no campaigning could occur within 48 hours of the elections or in close proximity to polling stations. In addition, during the electoral period (although not targeting election participants or locations), security forces used excessive force to disperse demonstrations, the government censored and harassed media outlets, and Ministry of Justice investigators raided the offices of NGOs involved in electoral monitoring and administration activities.

Political Parties: The freedom to form, legally register, and operate political parties improved significantly during the year. Before the revolution the law stipulated that party “principles, targets, programs, policies, or means of practicing activities” had to conform to national security and other requirements (as interpreted by the government). On March 28, the SCAF passed a new law that eased most restrictions on the legal establishment of new political parties. However, the law prohibits parties formed on the basis of religion, class, sect, profession, geography, language, or gender, and new parties are required to have a minimum of 5,000 members from at least 10 provinces. Previously, new parties were required to have 1,000 members.

Authorities rejected one party application during the year, from the reportedly Shia-oriented Tahrir Party, on the grounds that the party was based on religious principles. The committee asked several parties to provide further documentation to ensure they were in compliance with the law. Some parties, such as Al-Wasat, had unsuccessfully sought to register for more than a decade under the previous government. Approximately 40 new parties successfully registered after the revolution.

On April 16, an administrative court dissolved the former ruling National Democratic Party and transferred its assets to the state.

Participation of Women and Minorities: Religious and cultural barriers strongly inhibited women's political participation and leadership. The SCAF and political parties, among other groups, excluded women from the political process during the year. On July 21, the SCAF announced that it abolished the quota established in 2009 that reserved 64 People's Assembly seats for women. In late September the SCAF amended the election law to require at least one female candidate on each party list competing in the legislative elections.

Media and NGO observer groups reported high voter turnout among women and Coptic Christians for the first two rounds of parliamentary elections that took place in November and December. Since the elections continued at year's end, it was unclear how many women or minorities would serve in parliament. At year's end the cabinet included one woman and two Coptic Christians. There were no women or members of religious minorities serving on the SCAF; women were excluded from military service, and non-Muslims were generally selected for retirement before reaching senior active-duty ranks. No women or members of religious minorities were among the appointed governors of the country's 27 governorates.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, but the government did not consistently and effectively implement the law, and impunity was a problem. The Central Agency for Auditing and Accounting is the government's anticorruption body and submits biennial reports to the People's Assembly that are not available to the public. The auditing and accounting agency stations monitors at state-owned companies to report corrupt practices. Observers did not judge the agency to be effective.

On September 26, the Administrative Audit Apparatus announced that 65,855 cases of official corruption from the last several years were pending. Investigations had begun in 39,545 cases.

Authorities brought many corruption cases against former senior government and National Democratic Party officials during the year. The Supreme Court trial of former president Mubarak and his sons, Alaa and Gamal Mubarak, began on August 1. The three were charged with corruption involving a land deal and the illegal sale of underpriced natural gas to Israel. The trial continued at year's end.

On September 18, a court sentenced former minister of tourism Zoheir Garana to three years in prison for violating government decrees and granting illegal licenses to tourism companies.

There are no financial disclosure laws for public officials, nor is there a legal framework stipulating how citizens could access government information. In practice the government was not generally 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

Government restrictions on local and international NGO activities, including raiding of some NGO offices, confiscating supplies equipment and money, and interference with domestic organizations' ability to accept foreign funding, continued to limit the ability of NGOs to carry out their work (see section 2.b.).

There were many well-established, independent, domestic human rights NGOs operating in the country, including the Egyptian Organization for Human Rights, Human Rights Association for the Assistance of Prisoners, Arab Penal Reform Organization, Association for Human Rights and Legal Aid, Cairo Institute for Human Rights Studies, Egyptian Initiative for Personal Rights, Ibn Khaldun Center, Arab Center for the Independence of the Judiciary and the Legal Profession, Arab Network for Human Rights Information, Nadim Center for the Rehabilitation of Victims of Torture and Violence, Association for Freedom of Thought and Expression, and Egyptian Center for Women's Rights. Internet activists and bloggers continued to play a significant role in publicizing information about human rights abuses. Unregistered organizations generally were

allowed to operate, but they did so in violation of the law and faced harassment along with the prospect of government interference or closure.

The government exhibited an inconsistent approach to cooperating with human rights NGOs that generally hardened over the course of the year. Security services periodically harassed them but until near the end of the year generally did not interfere with their activities. Government officials, including members of the SCAF, were selectively cooperative and responsive to some NGOs' views. Immediately after the revolution, the government consulted with human rights organizations and attorneys, but NGOs reported that this cooperation became less frequent and more perfunctory as the year progressed. At year's end there were reports that the government was investigating hundreds of NGOs for conducting programs and receiving foreign funding without government approval. NGOs asserted that the government's process for approving programs they sought to implement was intentionally protracted and often resulted in arbitrary refusals to allow organizations to conduct some programs, often on subjects the government deemed "political," such as the performance of security forces.

Until raids on the offices of five international NGOs on December 29, the government generally allowed international human rights NGOs to operate. Human Rights Watch maintained an office in Cairo. Other organizations, such as Amnesty International, made periodic visits as part of their regional research program and were able to work with domestic human rights groups. The Higher Elections Commission worked closely with the International Foundation for Electoral Systems to prepare for the elections. The government continued to categorize the registration of the National Democratic Institute and the International Republican Institute as "pending" but allowed them to provide technical assistance in support of political and civil rights. The government also granted them permission and badges to monitor parliamentary elections.

UN and Other International Bodies: The government cooperated with the UN Development Program (UNDP) and permitted visits by representatives examining ways to help youth in poverty. The government was less open to UNDP election assistance, limiting its role to providing technical support and training monitors. The Ministry of Interior cooperated with the UN Office on Drugs and Crime (UNODC) in identifying 10 greater Cairo communities for a pilot community policing program. It received but did not respond to UNODC proposals on prison reform, modernization of the criminal justice system, and enhancement of police oversight and accountability.

Government Human Rights Bodies: The NCHR monitored government abuses of human rights and submitted citizen complaints to the government. It gained credibility after the revolution by operating independently of the suspended Shura Council, to which it formally is attached, and replacing its government-appointed board of directors with prominent human rights activists and attorneys. However, it struggled with logistical challenges throughout the year. Its offices were damaged twice by demonstrations targeting other nearby facilities. The NCHR issued a fact-finding report detailing the government's failure to prevent and respond adequately to the September 9 attack on the Israeli embassy, and it also issued a fact-finding report on the events of October 9, when security forces violently dispersed a demonstration in Cairo by primarily Coptic Christians.

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

The provisional constitution prohibits discrimination against citizens on the basis of race, origin, language, religion, creed, disability, or social status. Equality of the sexes was included in the 1971 constitution but not in the provisional constitution. Many aspects of the law discriminate against women and religious minorities, and the government did not effectively enforce prohibitions against such discrimination. On October 16, the SCAF issued a decree making it a crime under the penal code to discriminate on the basis of gender, origin, religion, language, religion, or creed.

Women

Rape and Domestic Violence: The law prohibits rape, prescribing penalties of 15 to 25 years' imprisonment or life imprisonment for cases involving armed abduction. The government did not effectively enforce the law. Police and fear of societal reprisal actively discouraged women from coming 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.

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

eyewitnesses, a difficult condition for domestic abuse victims, making prosecutions extremely rare.

Several NGOs offered counseling, legal aid, and other services to women who were victims of domestic violence.

Harmful Traditional Practices: The law does not specifically address honor crimes. There were no reliable statistics regarding the incidence of honor crimes, but observers said such killings occurred during the year, particularly in rural areas. According to a report by the Women News Network on September 27, some women felt forced to terminate their pregnancy to avoid becoming an honor-crime victim.

Sexual Harassment: Sexual harassment remained a serious problem. There is no specific law criminalizing sexual harassment, but the government occasionally prosecuted sexual harassment under existing law. NGOs stated that sexual harassment was used as a tool of political repression by government and civilian actors and that women often felt unsafe peacefully protesting without male protection (see section 2.b.). Harassmap.org, a domestic nonprofit initiative launched in 2010, enabled women to report where and how they had been harassed so that other women could avoid those areas.

Sex Tourism: Sex tourism existed in Cairo, Alexandria, Luxor, and at resort areas such as Sharm El-Sheikh and Hurghada. Most sex tourists came from the Persian Gulf region.

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

Discrimination: NGOs reported an increasingly challenging environment for women during the year. The National Council for Women was inactive, and the Suzanne Mubarak Center disbanded following the revolution. On September 11, a representative of the Association of Egyptian Female Lawyers said, “There is no women’s agenda now,” adding, “Women take no part in decisions of national importance.”

Aspects of the law and traditional practices continued to discriminate against women. Laws affecting marriage and personal status generally corresponded to an individual’s religion. For example, a female Muslim citizen may not marry a non-Muslim man without risking arrest and conviction for apostasy; under the government’s interpretation of Sharia, any children from such a marriage could be placed in the custody of a male Muslim guardian. “Khula” divorce allows a Muslim woman to obtain a divorce without her husband’s consent, provided she is willing to forego all her financial rights, including alimony, dowry, and other benefits. 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 made it difficult for women to access formal credit. While women were allowed to own property, social and religious barriers strongly discouraged women’s ownership of land.

Women faced extensive discrimination in the labor force. Labor laws provided for equal rates of pay for equal work for men and women in the public sector, although pay was not always equal in practice. NGOs reported that working women earned approximately 77 percent less than men. Educated women had employment opportunities, but social pressure against women pursuing a career was strong.

Women's rights advocates claimed that Islamist influence and other traditional and cultural attitudes and practices inhibited further gains. Women were excluded from high-level positions in large sectors of the economy controlled by the military, since women did not serve in the military and thus were not given access to these jobs. The government reported in May that 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 are unmarried or do not reside with their husband or family.

Children

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

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

Child Abuse: An academic survey conducted on a random sample of 1,503 households in Minya, Sohag, Cairo, and Alexandria found that 50 percent of women reported having been physically abused at a young age, with 93 percent of them suffering abuse from their parents. The survey also found that 81 percent of men believed they have the right to beat their daughters. After the revolution there were no effective government institutions dedicated to addressing these subjects.

Female Genital Mutilation (FGM): FGM is illegal, but it remained a problem. The law criminalizes FGM, except in cases of medical necessity, with penalties of three months to two years in prison or a fine of approximately LE 5,000 (\$829). Enforcement generally declined during the year because some organizations working on the issue were no longer active after the revolution. On September 28, two girls in Fayoum were hospitalized after experiencing massive blood loss following FGM procedures performed on them by a traditional birth attendant (daya). According to the most recent government statistics, the government

received approximately 5,000 reports of FGM cases from citizens between 2005 and 2009. In 2008 the minister of population and families stated publicly that FGM rates in Upper Egypt were 65 percent but did not exceed 9 percent in northern governorates.

Child Marriage: The legal age of marriage is 18. According to UNICEF, 17 percent of children were or had been married. As a result of postrevolution economic hardships, the incidence of child marriage increased slightly. Enforcement declined slightly due to a general decline in law enforcement capacity after the revolution. The media reported that some child marriages were temporary marriages intended to mask prostitution. Victims sometimes were encouraged by their families to marry wealthy men from the Persian Gulf region in what are known locally as transactional or “summer” marriages.

Sexual Exploitation of Children: The law provides specific penalties for commercial sexual exploitation of children and child pornography. The minimum age of consensual sex is 18. According to NGO and media reports, the number of street children in Cairo increased after the January revolution, and these children were at risk of being sexually exploited.

Displaced Children: According to the National Center for Social and Criminological Studies, there were three million street children across the country. 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 like the Nour al-Hayat Child Welfare Association provided services for street children, including meals, clothing, and literacy classes. The Ministry of Health offered mobile health clinics staffed by nurses and social workers.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State’s report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html as well as country-specific information at http://travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

Anti-Israel sentiment was widespread. In the state-owned and private media, it sometimes included anti-Semitic rhetoric and Holocaust denial or glorification.

Editorial cartoons and articles depicting demonic images of Jews and Israeli leaders, stereotypical images of Jews along with Jewish symbols, and comparisons of Israeli leaders with Hitler and the Nazis were published throughout the year, particularly after the August 18 deaths of five Egyptian soldiers in Sinai during an Israeli operation against terrorist attackers. The SCAF advised journalists and cartoonists to avoid anti-Semitism but claimed that some inflammatory statements in the media were a “legitimate” reaction to alleged Israeli efforts to destabilize Egypt as well as to Israeli government actions against Palestinians. There were reports of imams using anti-Semitic rhetoric in their sermons. There were no reports of anti-Semitic violence directed toward Jews living in Egypt.

The Israeli embassy was the scene of several demonstrations featuring anti-Semitic slogans. A wall erected around it by the government in early September was quickly covered in anti-Semitic graffiti, including swastikas.

In September squatters occupied part of Cairo’s 800-year-old Bassatine Jewish cemetery and destroyed some headstones and monuments. The government evicted them after complaints.

Trafficking in Persons

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

Persons with Disabilities

The law provides that all businesses must designate 5 percent of their positions for persons with physical or mental disabilities, but activist groups reported that this provision was not enforced. There are no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor are there laws mandating access to buildings or transportation. Widespread societal discrimination continued against persons with disabilities, particularly mental disabilities, resulting in a lack of acceptance into mainstream society. Government-operated treatment centers for persons with disabilities, especially children, were poor.

On March 3, approximately 200 persons with disabilities protested in Cairo, calling for better protection of their rights. On October 31, 12 persons with disabilities threatened to set themselves on fire near the cabinet building in order to draw attention to the lack of employment opportunities available to them.

The Ministries of Education and Social Solidarity shared responsibility for protecting the rights of persons with disabilities. There was a Supreme Council for Disabilities within the Ministry of Social Solidarity, but activists reported it was inactive. Persons with disabilities rode government-owned mass transit buses free of charge and 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. The government also worked closely with UN agencies and other international aid donors to design job-training programs for persons with disabilities.

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

The law does not explicitly criminalize consensual same-sex sexual activity, but it allows police to arrest lesbian, gay, bisexual, and transgender (LGBT) persons on charges of “debauchery.” Gay men and lesbians faced significant social stigma in society and in the workplace, impeding their ability to organize or publicly advocate on behalf of the LGBT community.

Other Societal Violence or Discrimination

HIV-positive individuals faced significant social stigma in society and the workplace. The National AIDS Program in the Ministry of Health conducted public awareness campaigns to educate people on HIV prevention and transmission.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution provides for the right to freedom of association, although the legal status of independent labor remained unsettled. The Mubarak-era Trade Union Act of 1976 remains on the books but is neither legally recognized nor actively applied by the government. The Ministry of Manpower and Migration issued a decree on March 12 recognizing complete freedom of association and stating that the Trade Union Act is illegal because it conflicts with the country’s International Labor Organization (ILO) commitments.

Some employers claimed the Trade Union Act still applied despite the ministerial decree. It placed significant restrictions on the right to organize (including a requirement that all unions affiliate with the government-dominated Egyptian Trade Union Federation--ETUF), legal strikes, and collective bargaining.

The Unified Labor Law of 2003 (the labor code) permits peaceful strikes but imposes significant restrictions, including prior approval by a general trade union affiliated with the ETUF. The labor code also does not extend protections to domestic servants or some agricultural laborers. In addition, on March 23, the SCAF approved a cabinet decree criminalizing strikes, protests, demonstrations, and sit-ins that disrupt private or state-owned businesses or impede the economy.

The law provides for collective bargaining but imposes significant restrictions. The scope of collective bargaining is substantially limited by the fact that the government sets wages and benefits for all public sector and government employees. The Ministry of Manpower and Migration also legally oversees and monitors collective negotiations and agreements in the private sector.

Although the Trade Union Act remains formally in place, on March 12, the Minister of Manpower and Migration issued a declaration recognizing complete freedom of association. The minister held that the country's ratification of ILO and UN Human Rights Council conventions superseded existing domestic laws that limited freedom of association. According to the decree, unions were no longer required to join one of the 23 officially recognized industrial federations that were part of ETUF.

In practice workers' ability to exercise freedom of association and the right to collective bargaining improved over previous years. Following the March 12 declaration, the Ministry of Manpower and Migration removed most administrative and practical restrictions placed on worker organizations under the former regime.

As of October 23, according to the ministry, 211 new trade unions had registered without interference. NGOs reported that hundreds more worker organizations formed but had not sought to register by year's end. On January 30, the Egyptian Federation of Independent Trade Unions (EFITU) declared itself the country's first independent labor federation. A second independent federation, the Egyptian Democratic Labor Congress, was launched in October. The two independent federations each represented hundreds of thousands of workers by year's end.

While new worker organizations were generally independent of government and political parties, ETUF, previously the country's only trade union federation, was not. The government halted direct financial support for ETUF by midyear but continued to permit ETUF to automatically deduct dues from workers' salaries. However, it remained difficult or impossible for workers to disassociate themselves from the formerly state-affiliated ETUF unions, which continued to control worker certifications and retirement and social security funds for as many as five million workers.

On August 4, the cabinet approved a recommendation by the Manpower Ministry to dissolve the board of ETUF. The minister designated a provisional board to serve until general elections, initially scheduled for late 2011 but then delayed by the government until summer 2012. However, in December the old ETUF board and the heads of ETUF's subsidiary unions unilaterally decided to extend their own mandates and governance of ETUF, effectively sidelining the caretaker board.

Beginning in late January and continuing throughout the year, the country witnessed the highest number of worker strikes and other worker actions in its modern history. Thousands of worker actions (strikes, protests, sit-ins) took place, the majority in the government and public sectors. The government invoked the March 23 antistrike decree to end strikes and arrest labor organizers in the petroleum, maritime, postal service, and other sectors. NGOs claimed that hired thugs and security forces dispersed some strikes.

There were NGO and media reports that employers practiced antiunion discrimination, particularly against organizers of new independent unions, and that enforcement efforts were ineffective. Government enforcement of violations was minimal in part because of a confusing legal environment: the March 12 declaration recognized freedom of association and stated that the Trade Union Act is illegal; however, the previous law remained on the books, and ETUF and some employers still treated it as applicable. Some employers asserted they were not legally obligated to recognize new unions as the March decree on freedom of association was not codified into law.

Labor organizers remained subject to harassment, arrest, and arbitrary dismissal. A number of striking workers were tried in military courts, following a broad pattern that applied to other "crimes" following the revolution, where they received prison sentences and fines. Unidentified armed men kidnapped a leading organizer of doctors' strikes and held him for three days in October during doctors' syndicate elections for which he was a candidate. The kidnappers questioned him

extensively about efforts to organize strikes and protests before releasing him unharmed. The EFITU and labor NGOs reported cases of worker organizers being fired from their jobs for starting new unions. Reinstatements for workers fired for union activity were uncommon.

In practice the requirement for tripartite negotiations seldom was followed, and workers negotiated directly with employers. When the government did become involved, it most often was for dispute resolution rather than for genuine collective bargaining. The Manpower Ministry reported receiving 4,460 individual and group complaints from workers during the year, and it claimed it assisted in resolving 94 group disputes through collective negotiations between workers and management.

b. Prohibition of Forced or Compulsory Labor

The 1971 constitution, the provisional constitution, and the law prohibit forced or compulsory labor. Reports of forced labor were relatively rare and tended to involve migrant workers and children. There were reports of cases of foreign female workers in domestic service held in conditions of forced labor.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The Child Law sets the minimum age for regular employment at 15, and at age 12 for seasonal employment. The labor code bars children under age 18 from 44 specific hazardous occupations, while the Child Law prohibits employment of children (all 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 or older, provided that duties are not hazardous and do not interfere with schooling. The labor code and Child Law limit working children's hours and mandate breaks. However, the labor code explicitly excludes domestic work, work in family businesses, and children working in agriculture from minimum age and other restrictions.

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. The government did not inspect for child labor in noncommercial farms, and there were no monitoring or enforcement mechanisms for children in domestic service. The government did not effectively enforce child labor laws in the informal sector, and child labor in the informal sector remained prevalent. As a result of limited and inconsistent funding for training and enforcement, labor inspectors generally operated without specific training on child labor issues and performed these inspections as part of their other duties. Training programs varied in quality by governorate. When offenders were prosecuted, the fines imposed were often as low as LE 500 (\$83) and thus had questionable deterrent effect.

During the year the Manpower Ministry institutionalized a child labor monitoring system database at the national level, and provided training for both the technology support staff and the child labor unit staff. In July the government estimated that 1.6 million children, just under 10 percent of the total population of children, were engaged in labor. The majority of child labor occurred in agriculture and domestic work, although 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 after the revolution; such children were at greater risk of sexual exploitation or forced begging. In some cases employers abused, overworked, and generally endangered working children.

The government continued to implement a number of social, educational, and poverty reduction programs to reduce children's vulnerability to exploitive labor. The NCCM sought to provide working children with social security safeguards and to reduce school dropout rates by providing families with alternative sources of income.

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

d. Acceptable Conditions of Work

The National Council of Wages established an LE 700 (\$120) monthly minimum wage for public sector workers. At least initially, the minimum wage applied only to direct government employees and used existing benefits and bonuses to calculate the total salary. Most government workers, therefore, already earned a total above the minimum wage. The government initiated a 15 percent wage hike designed to lift those below the threshold above the LE 700 level.

According to Central Agency for Public Mobilization and Statistics figures, from July 2010 to June 2011, the poverty line was LE 256 (\$41) per person, per month. The agency defined “extreme poverty” as less than LE 171.50 (\$28) per month.

Although the wage council determined working hours for government and public sector employees, there were no standards for the private sector. The law stipulates that the maximum workweek is 48 hours. The law provides for premium pay for overtime and work on rest days and national holidays. Most private sector employees worked five days per week, usually Sunday through Thursday.

The law prohibits excessive compulsory overtime, but the government enforced these prohibitions only in the public sector, and it did so selectively.

The Ministry of Manpower and Migration sets and enforces worker health and safety standards; however, enforcement and inspections were uneven. The law prohibits employers from maintaining hazardous working conditions, and workers have the right to remove themselves from hazardous conditions without risking loss of employment. Agricultural and fisheries workers were not covered by working conditions standards, and there was no attempt to apply these standards to the informal sector.

Many private and informal sector workers throughout the country, including in special economic zones, faced poor working conditions. Domestic workers were not covered by labor laws, making them vulnerable to abuse and forced labor. There were reports of employer abuse of citizen and undocumented foreign workers, especially domestic workers.