

EGYPT

HOSTAGE-TAKING AND INTIMIDATION BY SECURITY FORCES

CONTENTS

SUMMARY	2
RECOMMENDATIONS	5
1. HOSTAGE-TAKING ON A WIDE SCALE: 1992	8
2. THE PRACTICE CONTINUES: 1993-1994	14
3. INTIMIDATION OF FAMILIES: 1994	21
Complaints of Lawyers Ignored, Families Pressured	22
SSI Officer Intimidates Family of Victim of Security Forces Raid	25
Civilians Killed by Security Forces, Eyewitness and Family of One Victim Intimidated by Police	26
Pressure on the Family of Abdel Harith Madani	27
4. INTERNATIONAL STANDARDS	31
5. THE EGYPTIAN GOVERNMENT'S RESPONSE	33

APPENDIX:

Death Certificate of Abdel Harith Madani

Human Rights Watch Letter to the Egyptian Government (January 3, 1995) and the Egyptian Government's Reply (January 16, 1995).

SUMMARY

Since 1992, Egypt has faced continuing political violence and a corresponding rise in human rights abuses committed by both government security forces and armed Islamist militants. Shootings and bombings by the military wings of Islamist opposition groups have resulted in the deaths and injury of members of security forces, Egyptian civilians and government officials, and foreigners. The clandestine Islamic Group, an organization that advocates the creation of an Islamic state in Egypt, has claimed responsibility for many of these attacks. The deliberate targeting of civilians violates one of the basic principles of international humanitarian law, and Human Rights Watch condemns in the strongest terms such actions by the Islamic Group.

But human rights abuses by one party in a situation of internal strife never justify violations by another party. Acts of murder and attempted murder committed by armed opposition groups do not give the state a license to abandon the human rights standards that it has pledged to uphold under Egyptian and international law. In disregard of these standards, Egyptian security forces, particularly State Security Investigation (SSI), the internal-security apparatus attached to the Ministry of Interior, have been permitted to operate in a lawless manner. Human rights abuses by these forces include arbitrary arrest, incommunicado detention, and torture of suspects during interrogation. In 1994, the death in detention of a thirty-year-old Islamist defense lawyer, Abdel Harith Madani, focused international attention on the problem of torture in Egypt.

This report examines one particularly reprehensible security force practice: the detention and intimidation of innocent family members -- including women, children and the elderly -- in order to pressure fugitive relatives to surrender to authorities, frighten families into silence about human rights abuses, and discourage them from pursuing complaints or speaking to journalists and human rights investigators. These actions are part of the arsenal of techniques used by security forces to safeguard their impunity.

The victims of "hostage-taking," the term used by victims and Egyptian lawyers to describe the arrest of family members for the purpose of forcing fugitive relatives to give themselves up, have since 1992 primarily been the relatives of known or suspected Islamist militants who are wanted by authorities on suspicion of carrying out violent crimes against the state. Family members of both sexes and all ages have been targeted and detained:

- In May 1992, security forces detained the relatives of a security suspect who was wanted in connection with the killing of a police officer in Isna, a town in Upper Egypt. The hostages included the suspect's elderly parents and three of his sisters, aged thirty-five, forty-seven and fifty years old.
- Two boys, nine and twelve years old, were taken hostage in December 1992 when security forces did not find their older brother during a search of the family's apartment in Imbaba in metropolitan Cairo.
- In January 1993, a thirty-one-year-old lecturer at Cairo University was taken hostage at gunpoint in the middle of the night, brought to SSI headquarters, and held there incommunicado for four days. Security forces wanted his younger brother.
- In July 1993, a seventy-year-old woman, ill with diabetes, was taken hostage twice to force the surrender of her fugitive son, who was wanted in connection with the attempted assassination of a security forces operative in Upper Egypt. She was abusively treated and, during the second detention, threatened with rape. Two brothers of the suspect and their wives were also taken hostage. The wives were bound, beaten and threatened with rape.

- In February 1994, the mother, two sisters, brother, and a cousin of a wanted Islamist militant were held incommunicado in Upper Egypt in an attempt to force the suspect to surrender to authorities.

Family members were held with no legal basis. Local authorities typically denied that these individuals were in custody. Since many of the victims were blindfolded and detained incommunicado, it was often difficult if not impossible to ascertain the actual place of detention. One middle-aged hostage from Upper Egypt was set free after fifteen days of incommunicado detention that began in July 1993. He told Human Rights Watch that he had been blindfolded, placed in a vehicle, and then "released" on a road near his town at midnight.

The detention and ill-treatment of female family members is a powerful tool for intimidating communities and coercing the surrender of men to security forces. The threat of rape and the sexually degrading treatment of women are perceived to be profound offenses against a woman's individual honor as well as the honor of her family and male relatives. In societies around the world, including Egypt, men define their honor in part by their ability to protect and control women's reputation for sexual purity. Preying on men's sense of responsibility for their female family members, security forces use mistreatment, particularly sexual mistreatment, of women to pressure fugitives to surrender.

Hostage-taking cannot be dismissed as isolated actions carried out by lawless local officers. The arbitrary and punitive detention of family members in locations as diverse as metropolitan Cairo and towns and villages in Upper Egypt indicates that the practice has become systematic and therefore undoubtedly is sanctioned, if not ordered, at a high level within Egypt's security apparatus.

The replacement in April 1993 of Interior Minister Gen. Abdel Halim Musa with Gen. Hassan el-Alfi did not produce a change in the behavior of security forces, despite public assurances by the new minister in the months following his appointment that hostage-taking and other punitive actions against family members would cease. Since Gen. el-Alfi assumed the helm of the Interior Ministry, innocent family members -- ranging from teenagers to old men and women -- have continued to fall victim to arbitrary arrest, incommunicado detention, humiliating and abusive treatment, and sometimes torture. Despite this grim reality, the interior minister has held fast to the claim that arbitrary arrests do not occur. "We arrest no one unless he is an activist, a member of an organization," Gen. el-Alfi said in August 1994. "Every detainee was involved in some activity."

THREATS AND INTIMIDATION

This report also includes information about the use of threats and other forms of intimidation by the security apparatus to pressure family members into silence and discourage them from speaking out about cases of disappearance, suspicious deaths in detention, possible extrajudicial executions, and excessive use of lethal force. During a fact-finding mission to Egypt in June and July 1994, we found that the intended effect of these tactics had often been achieved. Local lawyers reported, and Human Rights Watch representatives observed, the overwhelming sense of fear -- and in some cases, terror -- that has gripped some family members, ensuring their silence or refusal to speak on the record.

- In a March 1994 case -- involving the killing in Upper Egypt of three suspects whom local lawyers claimed were in security forces custody -- the sudden appearance of an SSI officer forced the family of one of the victims into silence during a meeting with an investigator from the Egyptian Organization for Human Rights (EOHR). A local prosecutor also apparently was so afraid of this officer that he too declined to speak with the EOHR representative when the officer arrived at a meeting between the prosecutor and the human rights investigator.

- There was a possible cover-up by authorities of the use of excessive force by security

forces in March 1994, claiming the lives of four civilians in Upper Egypt. At least one eyewitness was threatened in order to force him to refrain from discussing the incident, and the home of the family of one of the victims was surrounded by security forces when EOHR representatives arrived for an interview. The presence of the local police chief inside the family's home made it impossible for relatives to speak openly with the EOHR delegation.

- There was a clear pattern of harassment and intimidation of the family of thirty-year-old Islamist lawyer Abdel Harith Madani, who died in custody in Cairo in April 1994, one day after his arrest by SSI officers. Madani's relatives in Cairo were detained, in a successful effort to pressure the family into quickly accepting the body for immediate burial, despite strong suspicions by lawyers and others that the outspoken attorney's death was due to torture under interrogation. After the burial in Madani's home village, the family there was placed under surveillance and harassed by security forces, in an attempt to force their silence about the case.

A CLIMATE OF FEAR

In the climate of fear and ubiquitous surveillance that prevails in particular in Upper Egypt, over a three-year period Human Rights Watch found that documentation of hostage-taking was difficult. Some families were simply too afraid and could not be approached to provide testimony. One attorney in Assyut in Upper Egypt who was familiar with individual cases told Human Rights Watch in 1993 that family members would not come forward to provide testimony: "People are afraid, especially if their relatives are members of the Islamic Group." A lawyer from a town south of Assyut expressed a similar view in 1994. He had described to Human Rights Watch representatives how five members of one family were held incommunicado to put pressure on a fugitive relative, a university graduate who was a member of the Islamic Group, to turn himself in. The lawyer indicated that it was not possible to arrange interviews with the relatives. "They'll be scared. There is pressure on them. They are afraid of SSI. They were tortured," he explained.

Victims whom we did meet, also afraid, were reluctant to provide details and consent to publication of their names and testimony, for fear of additional harassment from security forces. Throughout this report, we have withheld names, places of residence and other details in order to protect the identities of vulnerable individuals and their families.

In addition, extensive surveillance of the movements of Human Rights Watch investigators by plainclothes security agents in Upper Egypt in June 1994 hampered the delegation's ability to visit and interview families and collect testimonial information about alleged abuses that occurred in 1994.¹ Human Rights Watch was forced to curtail contact with families so as not to place these vulnerable individuals at risk of further harassment or punitive action by local security forces.

A BREAKDOWN IN THE RULE OF LAW

Hostage-taking is only one manifestation of the pervasive and ongoing problem of arbitrary arrest and incommunicado detention in Egypt. Lawyers interviewed by Human Rights Watch registered uniform frustration at the inaction of local prosecutors in the face of such abuses, arguing that there is no effective oversight of police and security forces conduct. "Prosecutors just ignore us. The prosecutor's office here has become part of the police," said one lawyer from Upper Egypt who has complained to authorities about the illegal, unrecorded detention of family members in his area. "Today, no citizen is safe in his own house."

¹Human Rights Watch sent a letter to President Hosni Mubarak on June 23, 1994, protesting this surveillance.

A human rights lawyer in Cairo emphasized that families too are well aware of this problem: "It is the duty of the prosecutor to protect the families from harassment, intimidation, threats. Families are afraid because the prosecutor provides no protection against SSI. I have encountered this problem of fear when I meet with families." Another Cairo-based lawyer agreed: "If the prosecutors were independent and carried out real investigations, this would not happen. The attitudes of the police and the prosecutors are identical." Other lawyers interviewed by Human Rights Watch expressed similar views. They concurred that Egypt's prosecutorial system lacks independence and is thoroughly compromised and functions, in effect, as an arm of police and security forces.

Many lawyers believe that this breakdown in the rule of law has its origins at the top. These attorneys exhibited a profound lack of confidence in Prosecutor General Ragaa el-Araby, and bitterly complained that he has not properly discharged one of the key duties of his office -- independent investigation of abuses and prosecution of abusers. This lack of will to hold accountable state agents, lawyers say, permeates the entire system, influences the behavior of prosecutors at the local level, and allows security forces to operate with impunity, in defiance of the law and the Egyptian government's obligations under international human rights treaties. "The entire institution is not independent, and el-Araby is the symbol," is the way one Cairo-based human rights lawyer put it.

RECOMMENDATIONS

The taking of family members hostage is an egregious human rights abuse. The suffering that this practice has caused to children and other innocent relatives, especially the elderly, is unconscionable. The severity of the abuse is compounded when family members are held in incommunicado detention, tortured, subjected to other forms of physical mistreatment, threatened with physical violence, and humiliated.

Human Rights Watch calls upon the Egyptian government to take immediate action to put a stop to these practices. Investigations must be undertaken to hold accountable those members of the security forces who have targeted, detained, and sometimes tortured the relatives of security suspects. The government must take steps to demonstrate the will of local law enforcement authorities to investigate thoroughly and prosecute all offenders so that lawyers and family members have full confidence to report incidents of future abuse -- without the fear of retaliation from local security forces.

It is also essential that the Egyptian government take immediate steps to end incommunicado detention, and to institute effective oversight of security forces practices. It is particularly important that thorough and impartial investigations be carried out in all cases of suspicious deaths, including deaths in custody and shooting deaths, and that all forms of intimidation of families and witnesses by security forces cease. We therefore strongly urge the Egyptian government to adhere to the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, adopted by the United Nations Economic and Social Council on May 24, 1989. These principles include the following:

-- "Governments shall ensure that persons deprived of their liberty are held in officially recognized places of custody, and that accurate information on their custody and whereabouts, including transfers, is made promptly available to their relatives and lawyer or other persons of confidence." (Principle 6)

-- "There shall be a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances." (Principle 9)

-- "In cases in which the established investigative procedures are inadequate because of lack of expertise or impartiality, because of the importance of the matter or because of the apparent existence of a pattern of abuses, and in cases where there are complaints from the family of the victim about these inadequacies or other

substantial reasons, Governments shall pursue investigations through an independent commission of inquiry or similar procedure. Members of such a commission shall be chosen for their recognized impartiality, competence and independence as individuals. In particular, they shall be independent of any institution, agency or person that may be the subject of the inquiry. The commission shall have the authority to obtain all information necessary to the inquiry and shall conduct the inquiry as provided under these Principles." (Principle 11)

-- "The body of the deceased person shall not be disposed of until an adequate autopsy is conducted by a physician, who shall, if possible, be an expert in forensic pathology. Those conducting the autopsy shall have the right of access to all investigative data, to the place where the body was discovered, and to the place where the death is thought to have occurred. If the body has been buried and it later appears that an investigation is required, the body shall be promptly and competently exhumed for an autopsy." (Principle 12)

-- "The body of the deceased shall be available to those conducting the autopsy for a sufficient amount of time to enable a thorough investigation to be carried out. The autopsy shall, at minimum, attempt to establish the identity of the deceased and the cause and manner of death. The time and place of death shall also be determined to the extent possible. Detailed color photographs of the deceased shall be included in the autopsy report in order to document and support the findings of the investigation. The autopsy report must describe any and all injuries to the deceased including any evidence of torture." (Principle 13)

-- "In order to ensure objective results, those conducting the autopsy must be able to function impartially and independently of any potentially implicated persons or organizations or entities." (Principle 14)

-- "Complainants, witnesses, those conducting the investigation and their families shall be protected from violence, threats of violence or any other form of intimidation. Those potentially implicated in extra-legal, arbitrary or summary executions shall be removed from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, as well as over those conducting investigations." (Principle 15)

-- "Families of the deceased and their legal representatives shall be informed of, and have access to, any hearing as well as to all information relevant to the investigation, and shall be entitled to present other evidence. The family of the deceased shall have the right to insist that a medical or other qualified representative be present at the autopsy. When the identity of a deceased person has been determined, a notification of death shall be posted, and the family or relatives of the deceased immediately informed. The body of the deceased shall be returned to them upon completion of the investigation." (Principle 16)

-- "A written report shall be made within a reasonable period of time on the methods and findings of such investigations. The report shall be made public immediately and shall include the scope of the inquiry, procedures and methods used to evaluate evidence as well as conclusions and recommendations based on findings of fact and on applicable law. The report shall also describe in detail specific events that were found to have occurred, and the evidence upon which such findings were based, and list the names of witnesses who testified, with the exception of those whose identities have been withheld for their own protection. The Government shall, within a reasonable period of time, either reply to the report of the investigation, or indicate the steps to be taken in response to it." (Principle 17)

Human Rights Watch also calls upon the governments of the United States, the European Union, Japan and other concerned states to initiate effective and vigorous diplomatic action, including public statements, to denounce the practice of hostage-taking, and to urge the Egyptian authorities to bring it to an end immediately.

*** * ***

1. HOSTAGE-TAKING ON A WIDE SCALE: 1992

"If they cannot find a suspect, they take his family. This is the policy of the regime."

– Egyptian lawyer, Fayoum, July 1994.

"Many people left the village. There was total fear."

– Lawyer describing the atmosphere in Mat`ana in Upper Egypt following arrests of family members and a siege by security forces beginning in April 1992.

Human Rights Watch/Middle East has collected information about cases of detention of innocent family members by security forces that date back to 1990.² These incidents have occurred in major cities, including Cairo, and in towns and villages throughout the country.

In 1990, for example, a fifty-three year-old mother of seven was detained for six days at the local police station in Minya, a city south of Cairo. She was held because her sons were suspected of involvement with militant Islamist groups. "I was a hostage," she told us. "They did this to me because they wanted my son Hamdi, who was not yet sixteen years old. My son Sayyid came to visit me on the fourth day of my detention. They took him to SSI and beat him and then detained him for six months....It was all done to threaten us. They told me that my sons should not have contact with Islamic groups."³

In October 1991 in a small village near Tanta, a city northeast of Cairo, two brothers of a mathematics teacher wanted by SSI for questioning were arrested until he turned himself in. "They threatend my fiance," the teacher said in an interview with Human Rights Watch, adding that security forces "stayed for four days at the entrances of the village, terrorizing people."⁴

Two months later, in Domyat, on the northeast Mediterranean coast, relatives of suspects were detained following an attack that wounded security officer Maj. Mutawwi Abu al-Naja. According to the written report of a local lawyer, security forces in December 1991 "went on a rampage" in the village of al-Wasil after the attack, raiding houses and rounding up many youths. "If they entered a house and did not find anyone they wanted," the lawyer wrote, "then they would...arrest whomever they found -- a wife, a mother, a sister, a daughter, and would hold them as hostages until [the suspect] surrendered himself."⁵

² See Middle East Watch, *Behind Closed Doors: Torture and Detention in Egypt* (Human Rights Watch: 1992), pp. 39-42.

³ Human Rights Watch interview, Minya, February 1992.

⁴ Human Rights Watch interview, Mansoura, February 1992.

⁵ This report was obtained in February 1992, when Human Rights Watch representatives visited Domyat.

Hostage-taking and other forms of pressure on families increased in 1992, when authorities began an all-out crackdown on militant Islamists. As political violence mounted in Upper Egypt that year -- with police and security forces, Christians and tourists attacked by armed Islamists -- families of those suspected of involvement in this violence were increasingly targeted.

"It is now policy to take family members hostage," one Cairo defense lawyer told Human Rights Watch. According to the lawyer, many family members, including women, were detained in Upper Egypt beginning in April 1992: "In two months, we submitted seventy letters of complaint about detentions, from Qena governorate alone, to the Prosecutor General." He said that of these seventy complaints, about forty were cases of family members who had been taken to put pressure on their wanted relatives to turn themselves in. The hostages were detained at various police and security forces facilities throughout the governorate. "This is only one example. It has happened in many other places," the lawyer said.⁶ Incidents reported by the Cairo-based Egyptian Organization for Human Rights (EOHR) and lawyers interviewed by Human Rights Watch are described below.

Wives Stripped Naked

Hostage-taking in the oasis city of Fayoum, southwest of Cairo, followed the killing of an SSI officer there on March 3, 1992. According to EOHR, el-`Azab prison and the paramilitary Central Security Forces camp located fifteen kilometers from Fayoum were used "to detain the relatives of [wanted] suspects for periods that ranged between twenty-four hours and ten days, during which they were exposed to extensive doses of torture to give information about the hiding places of the fugitives....Methods of torture used in the camp have included stripping the wives of fugitives naked and placing them in a closed room with naked male detainees."⁷

Children and Elderly Relatives Detained

On April 28, 1992, forty-year-old police officer Mukhtar Ahmad Dawud was shot dead in an ambush in Isna, in Upper Egypt, as he was riding home on his motorcycle. After the officer's killing, security forces laid siege to Mat`ana, a village just north of Isna, and took hostages, "starting with the heads of every big family, old men, sixty and seventy years old," according to a lawyer from the area. "Then they came back and took the women, about fifteen of them, old and young." He said that the women were insulted and cursed, kicked in the legs, and spat upon if they asked to use a bathroom. The lawyer said that the leader of the Islamic Group in nearby Qena intervened with local police officials and the women were released. "When senior police heard about this, they were furious," he said, "and they started collecting the children." About twenty boys, aged fifteen and sixteen, were detained and held at Isna police station for six weeks as the search for suspects continued. "They were held with no legal basis whatsoever," the lawyer emphasized.⁸

One of the suspects in the killing of the officer was Salah Madani of Mat`ana, who eventually was arrested in Alexandria in May 1992.⁹ Prior to his arrest, his elderly, frail father and two of his brothers, Abdel Hadi, now thirty-

⁶Human Rights Watch interview, Cairo, February 1993.

⁷EOHR, "Torture in Egypt/Central Security Forces Camps," December 10, 1992, p. 11.

⁸Human Rights Watch interview, Cairo, February 1993.

⁹ Salah Madani's family maintains that he was not in Upper Egypt at the time of the officer's killing. As of June 1994, he was being held in Abu Za`bal Sinai prison, northeast of Cairo, and visits from his family were restricted. (Human Rights Watch interviews, Cairo, February 1993, and Mat`ana, June 1994.)

Salah Madani is the brother of lawyer Abdel Harith Madani, who died in custody in April 1994, one day after his arrest by security forces (see "Intimidation of Families: 1994," below, for information about this case). According to lawyers who were

three years old, and Bakri, forty, were detained for one month. Fifteen women family members were also detained, and held for one day. These included Madani's mother, who is in her seventies; his three sisters, fifty-year-old Fawzia, forty-seven-year-old Farhana, and thirty-five-year-old Na`mat, and Adiyah, a sixty-year-old niece. Ten other male relatives were detained, ranging in age from an eighteen-year-old nephew to a fifty-year-old cousin.

At the time of the hostage-taking, the village was filled with troops and officers from the paramilitary Central Security Forces and SSI. "They were headquartered in Luxor or Qena, and they stayed for two months. Officers occupied the houses and demanded food. The women started preparing group meals," the lawyer from the area told Human Rights Watch. "They prevented people from working the fields because they were afraid they would bring food to those in hiding. Many people left the village. There was total fear."¹⁰

Beating and Torture of Hostages

According to local lawyers interviewed by Human Rights Watch, scores of relatives of suspects were arrested in and around Dayrut, a town north of Assiut in Upper Egypt, following a massive crackdown that began on June 20, 1992, after members of the Islamic Group killed at least two policemen and two Christians there.¹¹ Reuter reported on June 24 that "armored vehicles backed by some 5,000 policemen" had been dispatched to the areas around Dayrut, and that security sources said that "Islamic anti-terrorist units stormed houses suspected of housing militants."

One lawyer told Human Rights Watch that family members were taken hostage in the raids, and brought to Central Security Forces camps or the police station in Dayrut: "Some of them were tortured. In some cases, the heads of families were gathered in the center of a village and beaten with sticks and whips." He said that relatives were told to look for the wanted suspects, and to keep the police informed of their efforts.

The lawyer added that collective punishment was meted out by security forces. As part of the operation around Dayrut and its surrounding villages, on June 23, 1992, the village of Masarah was surrounded and troops searched for suspected members of the Islamic Group:

They removed the belongings from four houses and piled them in the street, then poured gasoline on the piles and burned everything. These were the houses of the families of Abdallah Amin Meghawi, Jamail Abdul Hamid Abdul Nasr, Ahmad Zaki Ahmad and Ali Abdul Rahim Hassan

eyewitnesses to the arrest, the case file on the killing of officer Dawud was among the legal documents seized by SSI officers from Madani's law office on the night that he was arrested. (Human Rights Watch interviews, Cairo, June 1994.)

¹⁰Human Rights Watch interview, Cairo, February 1993.

¹¹Reuter, citing state prosecution sources, reported on June 21, 1992 that "Moslem extremists armed with machineguns shot dead at least four people and wounded five others in separate attacks on Christians and police in Upper Egypt." Agence France-Presse (AFP), in a report the same day, said that five people had been killed, including a policeman, "after police shot dead two Muslim activists, Arafah Mahmud Darwish, 35, and Hani Abd-al-Rahman Quth, 22. They had opened fire to disperse around 200 fundamentalists in Sanabu village, near the southern town of Assiut, after the crowd tried to attack houses and shops belonging to Coptic Christians. On June 20, another group of fundamentalists entered the village and shot dead two Copts, a doctor and a merchant. Three others were seriously wounded at a train station." (AFP, June 21, 1992, as reported in FBIS, June 24, 1992, p. 9.)

The June 20 attack was not the first time that Copts had been targeted and killed in Upper Egypt. On May 4, 1992, twelve Christians were killed by members of the Islamic Group, ten farmers in their field, a teacher in his classroom, and a doctor in his home. A Christian child injured in the gunfire died the next day, and a Muslim bystander was killed by a stray bullet. For additional information, see *Human Rights Watch World Report 1993: Events of 1992* (Human Rights Watch: 1992), pp. 297-298.

Isuspected members of the Islamic Group).¹²

Women and Old Men Detained and Threatened

Also beginning in June 1992 there was a large security forces presence in Qena city and its village of Homeidat, in an apparent all-out effort to apprehend eight Islamic Group leaders and other members of the organization. "They entered Homeidat houses late at night, even though they knew that the wanted people were not there. This is a family village, and they deliberately created tension and nervousness among the people," a local lawyer told Human Rights Watch. He continued:

For each wanted person, they took ten or more family members, including women and old men. They were brought to the Qena police station, the [paramilitary] Central Security Forces camp near Qena, and to secret places. Most were released after two days, but some were held for as long as a week. They were threatened, and told that they would be left alone if they surrendered their relatives. Not less than 250 hostages were taken in June.¹³

The tactics used by security forces, including collective punishment, left local residents terrified. "In and around Homeidat and Hujayrat [another nearby village], they would go into the fields thought to be hiding places and shoot over large areas, up to [100 acres]," the lawyer said. He added that small mud houses of residents were destroyed, including houses in Hujayrat that were home to the families of wanted suspects. "These houses were huts -- the weakest of kicks would destroy them, making the ceilings fall in. They would also destroy property inside the houses," he added. Another lawyer from Qena pointed out the impact that these raids had on local residents:

You have to realize that life here is very difficult and the standard of living is low. The people, who have witnessed a large number of detentions since 1992, are very afraid. Even educated people are afraid.

Citing the local council elections that were held in November 1992, the lawyer said: "Residents literally were too afraid to go to the police station to get their voter cards. They have fear because of what they have seen and what they have heard."¹⁴

Brothers and Fathers Detained

A lawyer from Upper Egypt told Human Rights Watch that he was one of the hostages taken by SSI during a mass arrest in his town in 1992. He said that security forces arrived at his house at two or three in the morning. He was brought to a paramilitary camp in Qena, and held there for seven days. "There were about fifty other people

¹²Human Rights Watch interview, Assyut, February 1993.

Ahmad Zaki al-Sharif was killed on March 17, 1993, along with four other militants who reportedly had engaged the police in a half-day gun battle from a building in Assyut. (Samia Nakhoul, "12 Killed in Egyptian Shootout," *The Washington Post*, March 18, 1993.) The official Egyptian news agency described Zaki as "one of the most dangerous extremist figures in the area" and the leader of the military wing of al-Jihad Organization." (MENA, March 17, 1992, as reported in FBIS, March 18, 1992, p. 15.) Before Zaki was killed, the deputy interior minister for central Upper Egypt, Gen. Mansur al-'Isawi, had identified him as the head of the Islamic Group in the village of Masarah, north of Dayrut. (AFP, March 5, 1993, as reported in FBIS, March 8, 1993, p. 18.)

¹³Human Rights Watch interview, Qena, February 1993.

¹⁴Human Rights Watch interview, Qena, February 1993.

with me. About ten or fifteen of us were hostages," he said.

He said that he and seven or eight others were brothers of known or suspected members of the Islamic Group, and three or four were fathers as old as sixty. He said that all of the detainees were blindfolded for two days. "Most were beaten but I was not," he added. He said that his twenty-three-year-old younger brother, who was taken with him, was tortured. The lawyer noted that this brother, and another younger brother who was detained two months later, continue to be held without charge -- one in Tora Istiqbal prison and the other in Abu Za`bal Sinai prison -- despite repeated court orders to release them.¹⁵

Cairo: Women and Children Taken Hostage

In December 1992, family members were taken hostage when a massive number of security forces¹⁶ moved in on Imbaba, the densely populated Cairo slum where Islamist militants maintained a strong and visible presence. EOHR, in a report describing the human rights abuses that accompanied the operation that began on December 8, 1992, noted that at first "the citizens welcomed the interference, hoping to be rid of the...oppression practiced on them by the Islamic Group in Imbaba. But after two months...the slogan most popular was: 'The hell of the Muslim groups is better than the police's heaven.'"¹⁷ EOHR cited hostage-taking as one of the abuses carried out by security forces, in addition to mass arbitrary arrests, temporary disappearances, widespread torture, and the death in detention from torture of twenty-three-year-old Ahmad Hamido al-Sawi.¹⁸

EOHR reported that wives, mothers and sisters of wanted suspects were detained and, in some cases, tortured.¹⁹ Among the hostages were young children. Two boys, nine and twelve years old, were taken from their

¹⁵HRW interview, Cairo, June 1994. Name of town withheld to protect the identity of the lawyer.

HRW met briefly with this lawyer in Upper Egypt in 1993. When we saw the lawyer again the following year, he reported to us that he was summoned by SSI immediately after the delegation left his town. He was questioned about how arrangements had been made to meet with him. "I told them that you were in [another lawyer's] office and that he had sent for me. I told them that we had no prior acquaintance. I said that we did not try to distort the image of the security forces. They wanted to know if I was going to see you again, and if you spent the night [in the town]. They wanted to know your names."

¹⁶Press reports, citing Egyptian security sources, put the number of officers and troops involved in the operation as high as 10,000 or more. Al-Ahram Press Agency, for example, said the force numbered 14,000. (December 8, 1992, as reported in FBIS, December 9, 1992, p. 17.) Several weeks after the raids began, the minister of interior said that the estimates of the number of security forces involved were greatly exaggerated. "Certain newspapers said we entered the quarter with 12,000 men. When I read this I laughed. Were we invading the area? The force that took part in the operation consisted of 1,318 men, including 350 officers, mostly intelligence personnel in plainclothes." (Al-Ahram Press Agency, December 23, 1992, as reported in FBIS, December 28, 1992, p. 24.)

¹⁷Egyptian Organization for Human Rights, "Imbaba: An Intense Image of the Deterioration of the State of Human Rights and Respect of the Law in Egypt," March 20, 1993 (hereinafter "EOHR Imbaba Report").

¹⁸According to EOHR, al-Sawi was arrested on December 9, 1992. Family members and EOHR were unable to ascertain where he was being held in custody. On December 19, the family was informed by police officers "that their son had died and asked his brother to sign a testimony that said that Hamido committed suicide. They took him to the morgue of the police hospital to identify the corpse. Information received by the Egyptian Organization for Human Rights points toward severe torture received in the security police camps on the desert road to Alexandria which led to his death. The organization sent a report to the attorney general in December with the serial number 2419 for 1992, but has not received response up to this moment." EOHR Imbaba Report, p.15.

¹⁹"Some of the women held were subject to severe torture by the police officer of Imbaba police station for the whole duration of their detention which included beatings with [sic] rod and the handling of genitals and forcing them out of their clothes." EOHR Imbaba Report, p. 6.

apartment on December 28 by security forces searching for their older brother. The twelve-year-old testified about his treatment at the local police station:

[T]he soldiers held the soles of my feet upwards in a contraption they call the *falaga* and beat me on the soles. Then they asked me to jog around the place so that my soles would not swell. When they were through, they put me in a room and closed the door, despite my screaming for I did not know where they had taken my younger brother, and I slept on the tiles in the cold.²⁰

After their older brother was apprehended, the two boys were forced to watch him being tortured. The nine-year-old told EOHR: "I saw my brother bleeding from the mouth and he couldn't stand on his feet, an officer was beating him with a piece of wood."²¹

²⁰EOHR Imbaba Report, p. 10.

²¹*Ibid.*

2. THE PRACTICE CONTINUES: 1993-1994

"The mother was tied with her hands behind her back. They threatened to rape her if her [wanted] son did not show up in two days."

– A case of hostage-taking in a town in Upper Egypt in 1993, described by a local lawyer.

"We arrest no one unless he is an activist, a member of an organization. Every detainee was involved in some activity."

–Interior Minister Hassan el-Alfi, August 1994.

Hostage-taking continued in 1993 and 1994. Parents, brothers, sisters and other relatives of wanted security suspects were detained. Armed security forces stormed homes in the middle of the night to carry out arrests. Victims were typically blindfolded, transported to unknown locations and held incommunicado, with no official record of the place of detention or the custodial chain of command. Complaints by lawyers to local prosecutors and security authorities about these arrests had no effect.

Although government ministries and local authorities publicly denied that hostage-taking was a practice of security forces, there have been unofficial admissions that hostages were in fact in custody. In one case, SSI conceded to a Cairo defense lawyer that the condition for the release of two of his clients was their brother's surrender to authorities. In another case, local elected officials in a town in Upper Egypt served as intermediaries between SSI and one beleaguered family to negotiate the surrender of a fugitive whose mother and two brothers were being held hostage.

Cases of hostage-taking from 1993-1994 are presented below in chronological order.

Cairo University Instructor Held Incommunicado for Four Days

In January 1993, a thirty-one-year-old academic, Muhammed Salaheddin Hassan Hanafi, was detained by security forces who were looking for his twenty-seven-year-old brother. Hanafi was held incommunicado for four days in SSI custody and abusively treated. His family's house in the M'aadi section of Cairo was raided at approximately 4:00 a.m. on January 22, 1993. Hanafi, an assistant lecturer in the department of sociology at Cairo University, described his ordeal to Human Rights Watch:

I woke up with a pistol at my head. There were ten soldiers and officers in my room. They asked about my brother and I told them that he was not home. An officer smacked me in the face and started to insult me. The soldiers started to tear apart my bookshelves, the mattress of my bed. They stole money from my drawers. They took my papers, notes from my thesis, and about 225 books, all of them concerning the Islamic groups in Egypt.²² I told them that I was a member of the

²²The subject of Hanafi's master's thesis, which he completed in 1991, was a sociological analysis of Egypt's politico-religious

university and what they were doing was wrong.

Hanafi said that while he was being cursed, one soldier had a gun pointed at his mother. He was asked who lived upstairs, and he told them that his cousin occupied the apartment. "They went up, broke down the door, and beat my cousin, who has a short beard, and threatened his wife. They took their four-year-old son, who had chicken pox, with them as they moved from room to room. They took books on religion that my cousin had brought back from Saudi Arabia."

Hanafi and his cousin were detained; his cousin was blindfolded but Hanafi was not. He said that there were hundreds of soldiers on the street and six large vehicles filled with detainees. He noticed that the SSI officers left in a civilian car. Hanafi was held in a vehicle with about thirty soldiers.

One of them tried to blindfold me, and I refused. Later, an officer reprimanded the soldier for not blindfolding me. I was ordered to take off my clothes and I was blindfolded. I was punched in the stomach when I said that I was a university professor. Someone said: "I'll show you how we deal with university professors when we go inside." I was hit on the back of my head, they would call me "professor," and then hit me again.

Hanafi was brought to SSI's Cairo headquarters, and sat on the floor in a hallway, with a group of about forty other detainees, from 7:00 in the morning until 1:00 in the afternoon. He was taken for interrogation blindfolded. His interrogators told him that SSI had information that he was a member of the Jihad Organization²³ and that incriminating materials had been removed from his house. He was threatened with fifteen days of detention. He was asked why he had selected his thesis topic and from whom he had obtained his information. Hanafi also was asked why suspects interrogated by SSI had mentioned his brother's name.

He was held for thirty-five hours "with no water, no food, no blankets. When they would leave the room, they would turn the air conditioner on high." Detainees were taken to the bathroom in groups of fifteen, "all of us in the bathroom at the same time, for a total of ten minutes." He said that during the four days he was held, he was verbally abused and had no sleep. For five-hour periods each day, "I would be picked up from my seat violently, and forced to stand for a half-hour while the air conditioner was on. This was repeated over and over."

On January 25, Hanafi was brought to an officer's room and his blindfold was removed. "The officer, Lt. Omar Sa`dani, showed me a photograph and asked if the person had given me information for my thesis. I said that I didn't know him. Then he showed me a series of photographs, and I recognized one person." Hanafi was blindfolded again, removed from the office, but brought back again at midnight. "The officer apologized to me and said that they were following procedures. He told me not to tell my university. He said that there were two conditions for my release. Either I should leave and return with my brother, or I should call a telephone number, which he gave me, if my brother showed up," he said.²⁴ Hanafi was released just after midnight. He reported the incident to Cairo University, which already had issued a press release on his behalf while he was held incommunicado.²⁵

groups in the 1970's.

²³**One of the outlawed militant Islamist organizations in Egypt that has carried out acts of political violence.**

²⁴**Human Rights Watch interview, Cairo, January 1993.**

²⁵**Based on information provided by Hanafi's family after he was detained, the Faculty Club of Cairo University issued a press release, signed by Professor Badr ad-Din Ghazi 'Atiyah, the president of the club's board of directors. The press release stated that it had been impossible for the university to ascertain where Hanafi was being held "despite the intense communications**

Other Cases of Hostage-Taking in Cairo

Egyptian lawyers told Human Rights Watch about other cases of arrest and incommunicado detention of the brothers of wanted suspects that occurred in Cairo in early 1993. According to defense attorney Montasser al-Zayyat,²⁶ thirty-year-old Abdullah Muhammed Salem and twenty-two-year-old Eissam Muhammed Salem were arrested on January 25 and January 23, 1993, respectively, and detained at the SSI office in Giza -- in the southwest of metropolitan Cairo -- because security forces wanted their brother Magdi. Al-Zayyat said that SSI admitted to him that if Magdi surrendered to the authorities, his two brothers would be released. Al-Zayyat told Human Rights Watch that he had presented written complaints about both detentions to the prosecutor general.²⁷

Another Cairo defense lawyer reported to Human Rights Watch that on April 20, 1993, at approximately 3:00 A.M., security forces raided the apartment of Muhammed Azab Abdul Khader in the Shobra district of Cairo. Abdul Khader was wanted for affiliation with the Islamic Group. He was not at home at the time of the raid, and his twenty-four-year-old brother Hussein was taken. "As of April 28, no prison in Egypt reported receiving Hussein," the lawyer said, indicating that his client most likely was being held incommunicado in SSI custody.²⁸

April 1993: Interior Minister Replaced, But Abuses Continue

On April 18, 1993, Interior Minister Gen. Muhammed Abdel Halim Moussa was sacked by President Mubarak, and replaced by Maj. Gen. Hassan el-Alfi, then-governor of Assiut province in Upper Egypt. The new interior minister's guidelines reportedly stated that security forces may not take hostage the relatives of suspects wanted by the authorities.²⁹ He affirmed this publicly in an interview in May 1993. When asked by chief editor Makram Muhammed Ahmad if the wives of all the detainees had been released, the interior minister replied:

My instructions are that inhumane and illegal actions should never take place. When we have to take action against someone because he erred we should not penalize his wife or any

made on his behalf by the Faculty Club in collaboration with the university administration." The letter argued that "these ugly and unlawful procedures...will create an atmosphere of hostility between the citizens and the authorities responsible for enforcing the laws...We sincerely believe that the fight against terrorism -- terrorism is a phenomenon which we all deplore -- does not in any way warrant actions such as these." (Human Rights Watch translation of the original Arabic.)

²⁶Al-Zayyat was arrested in May 1994, along with eight other attorneys for allegedly organizing a demonstration of Cairo lawyers following the death in custody of fellow colleague Abdel Harith Madani (*see* "Intimidation of Families: 1994," below, for information about the Madani case). While the other lawyers were released in July 1994, al-Zayyat remained in detention until December 1994, under investigation for "involvement in a clandestine organization designed to disrupt the constitution, spread false information and contact terrorist elements," according to EOHR (*see* EOHR Press Release, August 25, 1994).

²⁷Human Rights Watch interview, Cairo, February 1993. Human Rights Watch has on file copies of both complaints presented by al-Zayyat, which are numbered 93/681 and 93/684.

²⁸Human Rights Watch interview, Cairo, April 1993.

²⁹Peter Waldman, "Egypt, in Shift, to Restrain Force Against Suspected Islamic Radicals," *The Wall Street Journal*, April 28, 1993.

other member of his family.³⁰

The Ministry of Foreign Affairs cited the interior minister's commitments in a June 1993 document that it sent to Human Rights Watch. It noted that "Hassan el-Alfi, immediately upon his appointment on April 18, 1993, stated that the security forces have not and will not arrest the relatives of any suspects in cases of terrorism as a means of applying pressure on them to turn themselves over to justice."³¹ Despite these public assertions, the practice of hostage-taking and harassment of families by security forces has continued under Gen. el-Alfi's tenure.

"Everyone is scared. This is a police state," said a secular lawyer who lives in a town of 20,000 in Upper Egypt where hostage-taking occurred in 1993 -- after Gen. el-Alfi assumed the post of interior minister -- and again in 1994. He added that when family members are released from detention, they are "destroyed, exhausted, and humiliated."³²

Brothers Taken Hostage, Wives Threatened with Rape

A middle-aged professional from a town in Upper Egypt was detained in July 1993 -- along with other family members -- to pressure his fugitive younger brother, who was wanted in connection with the attempted assassination of a member of the security forces, to turn himself in. The man was too afraid to consent to the use of his name or his testimony. He also was so visibly traumatized by his experience, and that of women family members taken hostage, including his wife and mother, that he was unable to recount the full details of what had happened. "I do not want any more pain," he said quietly.³³

A local lawyer familiar with the family's case provided information about the tactics used by SSI to force the surrender of the man's brother Sami.³⁴ According to the lawyer, the first hostage taken was Sami's seventy-year-old mother, who suffered from diabetes and high blood pressure. She was bound at the wrists and continuously blindfolded. "They kept her for fifteen days and no one knew where she was," the lawyer said. He described the woman as a physical and emotional "wreck" from her ordeal.

"After she was released, they started putting pressure on the family to bring in [Sami]," the lawyer said, "but the family did not know where he was hiding." Sami's three older brothers were then taken hostage and held incommunicado for fifteen days. One of them described how security forces came to his home in the middle of the night:

At 2:30 in the morning, I was surprised by a force storming my house. Three trucks surrounded the building, and there were many soldiers in black uniforms, armed with machine guns. I opened the door. Two of them grabbed me, put me in a vehicle, and took me to the local police station. Then they blindfolded me and took me somewhere. No one spoke to me. I was extremely annoyed because I had no change of clothes and no shoes. We entered a building and they left me in a small room with two small windows.

³⁰ *Al-Musawwar*, May 7, 1993, as reported in FBIS, May 12, 1993, p. 18.

³¹ Ministry of Foreign Affairs, "Egypt's Remarks on the [Middle East Watch] Report," June 9, 1993. Human Rights Watch translation of the original Arabic.

³² Human Rights Watch interview, Upper Egypt (name of town withheld), July 1994.

³³ Human Rights Watch interview, Upper Egypt (name of town withheld), July 1994.

³⁴ Sami is a pseudonym, used to protect the identity of the family.

He was held in this room for fifteen days with another resident of his town and the man's son; they too had been taken hostage to force the surrender of a fugitive relative. "We had to pay a soldier to bring us food. We had to knock for permission to go to the bathroom. They never asked us any questions," he said. At the end of the two-week period, two officers -- whom he assumed were from SSI -- entered the room and told the men that they were being released because local politicians had intervened. They were brought blindfolded to a car and deposited at midnight on a road near their town.

The lawyer told Human Rights Watch that two of the brothers were detained again a week later, along with their wives. He said that the women were blindfolded, bound, slapped, beaten with a heavy leather whip,³⁵ and threatened with rape. The wives were held for one day and then released. But the pressure on the brothers continued because their mother was again taken hostage as well as the eldest son of one of them, a high school student, who was tortured.³⁶

According to the lawyer, the mother was tied with her hands behind her back and her clothes were torn off in front of her sons. "They threatened that she would be raped if ISamil did not show up in forty-eight hours," the lawyer said.³⁷ "During this period, there were negotiations between SSI and members of the city council, who played an intermediary role between SSI and the family. The negotiations took five days, not forty-eight hours," he added. The hostages were released when Sami surrendered to authorities.

The lawyer noted that security authorities had earlier successfully employed hostage-taking to effect the surrender of another suspect in the same case. The suspect's father had been detained for one month and released, and then held for ten days and again released. When the man was taken hostage for a third time, his son turned himself in a week later and the father was set free.

Father Detained and Beaten; Women Relatives Threatened with Rape

In August 1993, fourteen family members of wanted security suspect Ahmed Farouq Ahmed Ali were taken hostage in Cairo. Before Farouq's surrender to authorities, the relatives were subjected to brutal treatment by security forces seeking information about his whereabouts and trying to force his surrender. Farouq's father was beaten after security forces broke down the doors of his home in Giza on August 20. According to EOHR:

He was then taken to SSI headquarters in Giza, where he was subjected to severe beating on all parts of his body while being tied feet and hands, and also the officers threatened to sexually assault him, his wife, sisters and daughter-in-law. The father further stated that the officers beat his wife in front of him and hit her head on the wall. The representatives of EOHR noted several wounds and bruises on the scalp of the wife.³⁸

³⁵The whip was described as a "Sudani," the type used on camels.

³⁶The teenager was bound and given electric shocks. At one point during the torture, an electric wire was forced approximately five centimeters into the boy's ankle. According to lawyers, his leg still bears a scar from this wound.

³⁷Human Rights Watch interview, Upper Egypt (name of town withheld), July 1994.

³⁸EOHR, "Serious suspicions concerning death due to torture," Press release, September 23, 1993.

Farouq was arrested on September 3, 1993, and died in custody one day later.³⁹ Human Rights Watch wrote to President Mubarak about this case, and requested that an investigation be conducted not only into the circumstances of Farouq's death but also into the detention and mistreatment of his relatives. The letter, dated September 30, 1993, was never answered.

Farouq's father was released the day his son died. EOHR reported that the father was told by an officer that Farouq had died of a heart attack during investigation, and "was ordered to commit to silence and to endorse a statement that his son died naturally."⁴⁰ The family was forced to bury the body secretly, according to EOHR, and funeral ceremonies were not allowed.⁴¹

Mass Arrests and Torture in a Village

EOHR also reported that in December 1993 forty men, women and children from the village of el-Zaidiya, Oseem, in Giza governorate, were detained illegally in order to obtain information about the whereabouts of individuals wanted by authorities on charges of murder. These citizens, ranging in age from three to sixty years old, were held in the police station from December 5 to December 13, 1993, and tortured:

They were beaten with sticks and rubber hoses, kicked all over their bodies, scorched with fire, had live cigarettes stubbed out on their bodies, electrocuted, dragged over the ground with their hands bound, doused in cold water and suspended from doors.

The detainees were never presented to the prosecutor for questioning and the police station maintained no record of their presence during the time of detention.⁴²

Mother, Sisters, and Older Brother Taken Hostage

In February 1994, family members in a town in Upper Egypt were detained to pressure Tareq, a member of the Islamic Group who was wanted in connection with the attempted assassination of a local security

³⁹This death in detention is significant because there is compelling medical evidence to suggest that Farouq was tortured to death while under interrogation at the Cairo security directorate. Egyptian authorities have ignored this evidence, and maintain that Farouq died from pre-existing medical conditions.

In a July 1994 explanation of Farouq's death provided to EOHR, Justice Adil Fahmi, director of the technical office of the prosecutor general, wrote that Farouq -- a suspect in the attempted assassination of Interior Minister el-Alfi in August 1993 and other bombing incidents -- was questioned after his arrest, confessed, fainted, and died. Fahmi stated that the forensic medical report, based on the autopsy, revealed that Farouq had several chronic diseases, and that the cause of death was "circulatory failure" resulting from these illnesses.

EOHR criticized this explanation of the circumstances of Farouq's death, charging that Justice Fahmi omitted mention of critical information included in the forensic medical report. EOHR noted that the forensic report showed that Farouq "had injuries to various parts of his body," including abrasions on the face, wrists, shoulders, lower back, left buttock, and right ankle. EOHR concluded: "The injuries described in the forensic report show that [Farouq] was beaten before he died, and that he received a blow to the sixth vertebra...In this case the injuries were not slight but are clearly multiple injuries. It has also been established [by the forensic report] that he was subjected to intense physical exhaustion, as is clear from the fatigue and hunger he suffered." See EOHR, *The Condition of Human Rights in Egypt: 1993 Annual Report*, pp. 93-94 and pp. 110-114.

⁴⁰EOHR, Press Release, September 23, 1993.

⁴¹EOHR, 1993 Annual Report, p. 75.

⁴²EOHR, 1993 Annual Report, pp. 44-45.

operative in 1993, to surrender to authorities.⁴³ According to a local lawyer, the relatives were taken hostage after security forces came close to apprehending Tareq. When he evaded capture, his mother, forty-five-year-old brother, two sisters and a cousin were taken hostage. "They were blindfolded, and did not know where they were being held," the lawyer said. He emphasized that these detentions were illegal. "They were never presented to the prosecutor," he stressed, adding that local security authorities claimed that the family members were not in custody.

Ten days after the five relatives were detained, Tareq was killed in a shoot-out with security forces near his family's village. Asked if he could arrange an interview for Human Rights Watch with the relatives, the lawyer replied: "They'll be scared. There is pressure on them. They are afraid of SSI. They were tortured."⁴⁴

⁴³Tareq is a pseudonym, used to protect the identity of the family.

⁴⁴Human Rights Watch interview, Upper Egypt (name of town withheld), July 1994.

3. INTIMIDATION OF FAMILIES: 1994

"They do not want us to take information from these families. They are trying to scare them."

– Egyptian human rights lawyer, July 1994.

"If I talk to you, can you protect me from the security forces?"

– Peasant in Upper Egypt whose son was killed after he had been taken into custody, July 1994.

Egyptian security forces have not hesitated to protect their own impunity by using threats and other forms of intimidation and harassment against families of victims of human rights abuse. The tactics have been used to force family members into silence about cases of disappearance, death in detention, possible extrajudicial executions, and the use of excessive force.

Local SSI operatives in Alexandria, Egypt's second-largest city, used threats and blatant surveillance in an attempt to pressure the parents of Amgad Shinawi, a sixteen-year-old student who "disappeared" in December 1988, less than a month after he had been held incommunicado for four days and tortured in SSI custody. The family was unable to obtain information about Amgad's whereabouts, and persistent questioning of local authorities yielded only threats from SSI. Amgad's mother told Human Rights Watch that SSI officers began to telephone the house, threatening to send the family "behind the sun" if they continued to publicize the case. "They would insult me on the phone....Every time we made a complaint, there would be a summons from SSI and they would ask why we were making problems," she said. The family's home was under surveillance by plainclothes security agents for one year.⁴⁵

Security forces continue to exert these and more severe forms of pressure on families of victims. In 1994, the pattern of intimidation of families made it difficult for Egyptian and international human rights monitors to investigate abuses. "They do not want us to take information from these families -- they are trying to scare them," EOHR staff lawyer Hafez Abu Sa'da told Human Rights Watch. "I think that they always go to the families and put pressure on them not to speak. This is the system of the police. The police already know when EOHR is heading into a region and get to the families first, prior to our arrival."⁴⁶

A lawyer in a town in Upper Egypt discussed the problems that he and his colleagues experienced in convincing families to come forward and provide information about relatives who were taken into custody in 1994 and then later were killed by security forces. "We tried to contact the families and have them give

⁴⁵Human Rights Watch interview, Alexandria, February 1992.

⁴⁶Human Rights Watch interview, Cairo, July 1994.

information to EOHR, but they were afraid -- they had been threatened," the lawyer told us. He noted too that it was understandable that these families would be terrified when they were summoned to identify their sons' bodies and saw the corpses "full of [bullet] holes and mutilated."⁴⁷

Journalists too have expressed frustration at the reluctance of family members to come forward after relatives have been killed by security forces. "I've tried to work on this topic [extrajudicial executions], but I am confronted with problems," one Egyptian journalist told Human Rights Watch in 1994. "There are no eyewitnesses, and even the families will not testify. The official investigations [by local prosecutors] have nothing in them that can incriminate the police."

Close surveillance of Human Rights Watch's movements in Upper Egypt by plainclothes security forces in June and July 1994 made it extremely difficult to approach and interview families whose relatives had died or were killed in 1994 at the hand of security forces. In remote villages in the south, obviously worried family members asked if Human Rights Watch could guarantee them immunity from security forces harassment if they provided testimony and other information. For example, we met briefly with a man whose oldest son, who was in his twenties, had been shot dead in February 1994 after he was in the custody of security forces. The man welcomed us into his home in a small village, but his fear and reticence were undisguised. He explained that after the killing of his son, a younger son had been arrested and was still being held in a local prison. The man made it clear that his overriding concern was to avoid exposing his detained son and the remaining children in the large family to punitive action by state agents. "If I talk to you, can you protect me from the security forces?" he asked.⁴⁸

In another village, the older brother of a 1994 victim was forced into silence. "He is under pressure from the police," a neighbor reported. "He is a wreck and refuses to talk to anyone. He is scared, very scared." One of the points of leverage used against the man was another brother, who was in detention. "They threatened him. They said that if he cooperated with them, [the brother] might be released, but he did not cooperate he may never see his brother again," the neighbor reported.⁴⁹

Four cases of intimidation of families and eyewitnesses in Upper Egypt are described below. Two of them involve suspected extrajudicial executions by security forces. Another case is related to a suspicious death in custody in Cairo, and the fourth involves the possible use of excessive force by security forces in an incident in which four citizens were killed.

February 1994: Complaints of Lawyers Ignored, Families Pressured

Beginning in February 1994, a series of operations by security forces generated charges that the Ministry of Interior had embarked upon a policy of "shoot-to-kill" in response to its own heavy losses in the ongoing battle with armed militants.⁵⁰ In February alone, two separate raids by security forces in Cairo left ten suspected Islamist "terrorists" dead. Some of the victims were summarily executed, according to

⁴⁷Human Rights Watch interview, Upper Egypt (name of town withheld), July 1994.

⁴⁸Human Rights Watch interview, Upper Egypt (name of village withheld), July 1994.

⁴⁹Human Rights Watch interview, Upper Egypt (name of village withheld), July 1994.

⁵⁰The government news agency MENA has typically utilized a standard text in reporting such operations. A joint force -- comprised of personnel and units from SSI, Criminal Investigation, and Public Security, with back-up by the paramilitary Central Security Forces soldiers -- storms a "terrorist hideout." The armed and dangerous terrorists open fire first, and then are killed "in an exchange of gunfire." In many if not most of these encounters, security forces have suffered no casualties.

eyewitnesses.⁵¹ Less than two weeks after the raids in Cairo, security forces once again were accused of carrying out summary executions in Upper Egypt, in a village seven kilometers north of the town of Idfu.

On the night of February 27, eight suspected Islamic militants were killed in the context of a confrontation with police in the village. Local lawyers and another credible source who requested anonymity told Human Rights Watch that three of them were in custody at the time, brought to the scene, and summarily executed.

The government news agency MENA reported that "According to security sources, the dead men were dangerous terrorists wanted by the police in connection with several crimes." According to this report, the eight attacked a sentry at a license office in Idfu on the night of February 27, and escaped with his rifle. It continued: "The security forces immediately chased them and managed to kill three of them. The remaining terrorists hid in a sugar cane plantation. A police force led by Maj. Gen. Sami Abd-al-Jawad, assistant to the interior minister and director of the Security Department in Aswan, surrounded them and exchanged fire. As day broke on February 28, the police force raided the sugar cane plantation and found the bodies of the five other terrorists, the sentry's stolen rifle, and some weapons and ammunition. During the manhunt and raid, two policemen were martyred and another was injured and taken to the central hospital in Idfu."⁵²

Lawyers told Human Rights Watch that to their knowledge five of the eight were shot to death by police in a battle that ensued after a carload of militants opened fire on a police officer at a security checkpoint. One source, who asked that he not be identified, maintained that the remaining three victims had been arrested earlier and were in police custody at the time of their death. "[These three individuals] were in the hands of the police...They were brought on location and killed," the source told Human Rights Watch. This source's account was reinforced by another local source's claim to lawyers that he had witnessed the three individuals in question being led out of jail by local police. The first source testified that one of the victims had been arrested seventeen days earlier and had been continuously in police custody since that time. The two others had been detained for approximately one week. The names of two of the victims were provided to Human Rights Watch as Ahmed Abdel-Al Abu Zeid from al-Hajr village and Mamdouh Abu Zeid Hassan Abu Zeid from Idfu.

According to the source, Mamdouh was taken from his house by security forces and his family was told that he would be returned in a few hours. When he was not released, his father informed a local lawyer the next day. The lawyer was rebuffed in his efforts to determine where Mamdouh was detained. "I went to the commander of the police station in Idfu, who talked to me as if I was a fool," the lawyer said. The officer told him that Mamdouh had escaped when he was given food in his cell. Lawyers made several subsequent

⁵¹On February 1, 1994, seven men said by authorities to have committed acts of political violence were killed in a raid in the Zawiya Hamra section of Cairo. On February 14, another three suspects were killed in the Zeinhom section of the city during what MENA described as "a good preemptive strike" by security agencies "working within a framework of complete coordination and cooperation to confront these terrorists and place them under constant attack."

After investigation of the circumstances of these killings, however, EOHR found that various discrepancies between the officially reported version of the incidents and eyewitness testimony suggested "the possibility of the involvement of the security apparatus in the practice of extrajudicial killings." (EOHR, "Extra-Judicial killings: The Organization Demands an Investigation [of] the Death of 10 Civilians by Police Bullets," February 20, 1994.)

In a letter to Egyptian authorities dated March 10, 1994, Human Rights Watch joined EOHR in calling for independent investigations of these cases, and the public release of the findings of the investigations in the most expeditious manner possible.

⁵²MENA, February 28, 1994, as reported in FBIS, March 1, 1994, p. 18.

attempts to determine Mamdouh's whereabouts and got nowhere. Their complaint to the local prosecutor "was dumped in the garbage can," one said. According to the lawyers, Mamdouh had no involvement in violent political activity, although he did attend seminars at a local Islamic Group mosque. He had served for three years in the army, and at the time of his arrest was working at his father's cafe.

It was after the killings on the night of February 27 that lawyers learned that Mamdouh was one of the eight victims. The next day, families were summoned by police to identify the bodies, which first were brought in an ambulance to the town square. One lawyer saw Mamdouh's body at the morgue during the autopsy. "He was dressed in a blue training suit. Dr. Kamal, a forensic doctor from the Ministry of Justice in Qena, was examining the body," the lawyer said. "There were bullet wounds in the arm and shoulder. The head was big. His parents could not recognize him. The doctor opened the stomach, looked, and then sewed up the body. I asked the doctor if he could have died from the bullet wounds in the arm and shoulder, and he said: 'We'll see, we'll see.'" According to the lawyer, a maternal uncle was able to identify the body by a scar on one of the legs.⁵³

Lawyers then met at the Idfu police station with local political leaders and police officials, the assistant director of the Aswan security directorate, and the director of SSI in nearby Komombo, and informed them that Mamdouh had been arrested seventeen days earlier. The director of security and the deputy head of the police station said they were positive that Mamdouh had escaped from detention. The assistant director of security told the group that people in Idfu were happy that terrorists had been wiped out.

The lawyers felt helpless. "Even if I had made a complaint, I would have been ignored," one told Human Rights Watch. "The prosecutor's office here has become part of the police." He explained that families were too afraid to pursue cases of this nature. "All it comes down to is that these are terrorists, and that's it," the lawyer said. He added that Mamdouh's family did not hold traditional mourning ceremonies following the death because of pressure from local security forces.⁵⁴

According to lawyers, the families in this case had been threatened into silence by security forces, and were too afraid to provide information to the Aswan branch of the Egyptian Organization for Human Rights. A lawyer in Aswan confirmed to Human Rights Watch that the families of the three victims who had been in custody at the time of the killings refused to travel to Aswan to meet with EOHR representatives there and make a complaint.⁵⁵

March 1994: SSI Officer Intimidates Family of Victim of Security Forces Raid

On March 21, 1994, six suspected Islamist militants -- three of them teenagers -- were killed in a dawn raid in a cemetery in Balayza, a village west of Abu Tig in Upper Egypt. A policeman was also killed in this operation. Local lawyers told Human Rights Watch that three of the victims had been in custody and were executed by security forces in the cemetery. Following the incident, an SSI officer -- believed by local residents to have been involved in the killings -- prevented an EOHR investigator from discussing the case

⁵³Another source close to the case, who asked that he not be named, told Human Rights Watch that some of the families of the eight victims were not permitted to receive their sons' bodies. "The bodies were not returned to the families," he told Human Rights Watch. "The police buried the group whose families did not receive them." The families of the three individuals who were believed to have been taken from custody were "ordered to take the bodies and bury them immediately."

⁵⁴Human Rights Watch interviews, Idfu, July 1994.

⁵⁵Human Rights Watch interview, Aswan, June 1994.

with family members and the local public prosecutor.

The killings occurred four hours after five policemen, including two high-ranking officers, were killed in an ambush staged by the Islamic Group on their vehicle in Sidfa, south of Abu Tig. The semi-official government daily *al-Ahram* described the killings as an immediate act of revenge for the deaths of the five policemen: "Before the blood of the martyrs, the innocent victims of blind terrorism, had turned cold, swift retribution was delivered on the vampires of darkness."⁵⁶

The official version of events, cited by Reuter, was that the militants opened fire from a hiding place in the cemetery after a sizeable police force -- fifteen detachments of 100 to 150 men each -- had moved into Balayza and arrested six people. A report in *al-Ahram Weekly* by journalists who visited the scene noted that a peasant "claimed that police arrested the militants at their homes and then brought them to the cemetery where they were killed."⁵⁷

The peasant's allegation was reinforced by the testimony of the father of Muhammed Ra`fit Tawfiq al-Naqrashi, one of the victims. He claimed that his son was in custody at the Abu Tig police station prior to his death, and that he had visited him there.⁵⁸ The father told this to the local prosecutor, who, according to EOHR, did not include this information in his report about the killings.

The police told EOHR, by way of explanation, that Muhammed Ra`fit and two other detainees, also victims, had revealed that armed members of the Islamic Group were in the area and security forces brought the three detainees to the hiding place. A gunbattle erupted, according to police, and the three detainees and three other suspected militants were killed. According to Reuter, witnesses said that the bodies of the six dead suspects "were riddled with five or six bullets each." It remains to be explained by the authorities how three detainees in the custody of a heavily armed police force that approached the hideout could have been so poorly protected and thus killed in the ensuing gunbattle.

Later the same month, during an EOHR fact-finding mission to Assyut to examine violence by security forces and militants, an SSI officer interfered with an EOHR lawyer's investigation of the Balayza killings. The lawyer told Human Rights Watch that during his interview with the family of one of the victims, a man entered the room and identified himself as Ahmed from SSI. "All the people stopped talking to me. They said that they knew nothing," the lawyer said, adding that local residents believe that this officer was involved in the killings on March 21. "They do not want us to take information from these families. They are trying to scare them."

The same SSI officer also intimidated a public prosecutor by his mere presence. When the EOHR lawyer met with the prosecutor in Assyut to discuss the Balayza case, the officer again interfered: "Ahmed came in and and sat down. The prosecutor would not speak to me; he said: 'I don't know anything. Mr. Ahmed can speak to you.'"⁵⁹

March 1994: Civilians Killed by Security Forces, Eyewitness and Family of One Victim Intimidated by Police

⁵⁶Cited in *al-Ahram Weekly*, March 24-30, 1994.

⁵⁷*Ibid.*

⁵⁸EOHR, "Mechanisms of Violence in Egypt/Assyut: A Case Study," May 11, 1994, p. 10 [hereinafter "EOHR Assyut Report"].

⁵⁹Human Rights Watch interview, Cairo, July 1994.

In another case, security forces and a local police chief took actions to intimidate the family of one of four victims killed in an alleged armed confrontation, and reportedly threatened one of the eyewitnesses to this suspicious incident. On the night of March 27, 1994, the official Egyptian news agency MENA reported that three "terrorists" were killed and two wounded in an ambush in the town of al-Ghana'im, south of Abu Tig. The MENA account stated that "[t]he incident happened when a security force ambush asked a Peugeot taxi to stop. When it did, the taxi's passengers suddenly opened fire with automatic weapons on the police," slightly wounding three officers. The report continued: "The other members of the police force succeeded in chasing the taxi and fired at its tires to stop it. Three terrorists were killed and two others were injured as a result."⁶⁰

But an investigation by EOHR revealed that the official account was wildly inaccurate, and constituted a cover-up of the deaths of innocent civilians caused by panicky -- if not trigger-happy -- policemen. In addition, Human Rights Watch learned that police threatened one of the witnesses to the killings, who was travelling in the taxi that came under fire, to prevent him from providing testimony about what he saw.

Another version of the incident emerged following EOHR's investigation. At approximately 9:30 P.M., a Peugeot taxi travelling south from Assyut was stopped by two police cars at the traffic station at the entrance to a village near Ghana'im. An officer pointed a gun at the driver and asked for his license. According to one eyewitness interviewed by EOHR, the driver moved his hand and the officer's gun fired. Some policemen ducked for cover, but others opened fire on the car from all sides, according to eyewitnesses and family members interviewed by EOHR. Villagers also disputed the police's contention that passengers in the taxi fired weapons first and that these firearms were removed from the vehicle. One of the passengers shot dead was Muhammed al-Sayed Numeiri, a university student who, ironically, was wearing a T-shirt with a photograph of President Hosni Mubarak. Two other victims were Zaghloul Sidqi Hanna and Safa' Muhammed Abdallah; the identity of the fourth person was not known. Human Rights Watch also learned that one of the witnesses to the killings, Abdel Nasr, a passenger in the taxi who was unharmed, was threatened by police. He was told that, if he testified about the incident, he would be identified as one of the terrorists that allegedly had opened fire. Abdel Nasr's whereabouts are not known, and there is speculation that he fled the area in fear.⁶¹

The chief of investigation for Abu Tig affirmed the official version of the incident to EOHR investigators, stating that the taxi carried "two terrorists who opened fire on the police first."⁶² It should be noted that the MENA account, cited above, claimed that there were five "terrorists" in the vehicle. The killing of the innocent civilians sparked anger among local residents.

EOHR also noted intimidation tactics by security forces during attempted investigations by delegates who visited the Numeiri family in February 1994. "As soon as they [EOHR delegates] arrived, they found security circling the house," one EOHR researcher told Human Rights Watch. "[S]ecurity let them go inside to meet the family, but the chief of police was present."⁶³ Family members, for obvious reasons, were reluctant to speak.

⁶⁰MENA, March 27, 1994, as reported in FBIS, March 28, 1994, p. 35.

⁶¹Human Rights Watch interview, Cairo, June 1994.

⁶²EOHR Assyut report, p. 12.

⁶³Human Rights Watch interview, Cairo, July 1994.

May - July 1994: Pressure on the Family of Abdel Harith Madani

Immediately following Egyptian authorities' disclosure in May 1994 that thirty-year-old Islamist defense lawyer Abdel Harith Madani had died in custody, at least three family members in Cairo were detained in order to coerce the family into burying Madani's body quickly. These actions only reinforce the continuing suspicions that the healthy young lawyer was tortured to death while under interrogation, and that authorities sought to cover up the circumstances of his death. Madani was held incommunicado following his arrest at his law office in Giza by SSI officers on the night of April 26, 1994. Egyptian authorities have claimed that he died in custody one day later of an asthma attack, although it was not until eleven days later that the family was told that he was dead. The reasons for this long delay in notification of the death has not been explained.⁶⁴

During the time that Madani's relatives were detained and being pressured to accept the body, lawyers from the powerful Cairo Bar Association were attempting to negotiate with Prosecutor General Raga el-Araby for a second autopsy by independent pathologists. The efforts of the lawyers were ultimately unsuccessful, and the Madani family decided to accept the body, which it received from authorities in a sealed coffin. Following the burial in Mata`na, Madani's home village in Upper Egypt, additional pressure was placed on the family there. Human Rights Watch representatives visited Mata`na three times in June and July 1994 to speak with family members, but local security forces took action to intimidate the family and another local resident with whom Human Rights Watch had contact.

The whereabouts of Abdel Harith Madani were unknown until the early morning hours of May 7, 1994, eleven days after his arrest on the night of April 26 by SSI officers at his Cairo law office. It is yet to be explained why notification of the family of the death was withheld for this length of time. Madani's cousin Sabri, who lives in Cairo, was one of the first to learn that the lawyer was dead, and several hours later Sabri was arrested. According to a Cairo lawyer:

Sabri called me at three in the morning, and said that he received written notification⁶⁵ from al-

⁶⁴Until now, there are troubling unanswered questions about Madani's death in detention. First, the official death certificate -- which lists the date of death as April 27, 1994 -- has a line drawn through the part where "cause of death" should be written. "This is unusual," a lawyer close to the case told Human Rights Watch. "This section must be filled out, even in cases of execution." (Human Rights Watch interview, Cairo, June 1994.) In addition, the time of death is not provided. The Egyptian government explained the lack of information about the cause of death in a letter to Human Rights Watch dated January 16, 1995: "The Prosecution has proceeded to question again all the persons involved in the arrest of Mr. Madani, in response to the queries and the demand for clarifications needed by the Coroner's Office to allow it to file its final report on the cause of death. The procedures regarding issuing death certificates is as follows: (a) In case of natural death, this would be mentioned in the certificate. (b) In cases where suspicions of foul play or homicide exist, and in deference to human considerations and in order not to delay the burial and other necessary measures until cause of death is ascertained, the cause of death is not specified. This is the case with Mr. Madani's death certificate." The Arabic original of Madani's death certificate, and the English translation, is included in the Appendix of this report.

Second, the official government news agency MENA, and Interior Minister el-Alfi himself, reported that Madani died from an asthma attack. The interior minister stated that Madani died from natural causes: "The man died of an asthma attack, and it has nothing to do with torture." (Al-Ahram Weekly, May 12-18, 1994, as reported in FBIS, May 18, 1994, p. 15). In interviews with Human Rights Watch in June 1994, Madani's colleagues, friends and relatives disputed this assertion vigorously; they all said that Madani was in excellent health and had no medical ailments.

Last, it was disclosed in June 1994 that Egyptian Bar Association President Ahmad al-Khawajah learned from authorities that the official post-mortem on Madani revealed "seventeen injury marks" on various parts of the body (AFP, June 28, 1994, as reported in FBIS, June 29, 1994, p.11.) The forensic report itself has not yet been made public.

⁶⁵Madani's twenty-one-year-old wife had received a similar notification from authorities. She telephoned the same lawyer at 8:00 A.M. on May 7, and asked him to verify the death.

Waraq police station (in Cairo), at the request of the SSI office in Giza, to go to Saidia Zeinab police station to get Abdel Harith's body. He asked me what to do, and I told him to wait until I found out what the legal procedures were. Sabri, another cousin named Dia, and Abdel Harith's uncle, Muhammed Ahmed, were all arrested a few hours after Sabri telephoned me.⁶⁶

Madani's two cousins and his uncle were held at the Waraq police station until 1:00 P.M. They were released, then redetained the same day, in the evening. They were pressured to take the body, and released again, within hours. The pressure exerted by SSI on these family members was intense and unrelenting, according to lawyers. "They were told that if they would not accept the body, it would be buried in an unknown place," one lawyer in close contact with family members told Human Rights Watch.

On May 8, Sabri was arrested again and held for six hours. He was subjected to what one lawyer described as "severe pressure." Sabri then visited lawyers at the Cairo Bar Association headquarters and explained that the family had decided to take the body. "He would not say what the pressures were," the lawyer said, "and he asked us to understand [his position]."⁶⁷

A lawyer close to the family believes that security forces also attempted to detain Madani's twenty-one-year-old wife. The lawyer's suspicion appeared well-founded based on the woman's experience following her husband's arrest. She told Human Rights Watch that the day after her husband was arrested, security forces arrived at their apartment: "I was out running an errand and a neighbor came looking for me. The neighbor said that [the security forces] started uttering obscenities, cursing, when they didn't find me." The neighbor advised the young woman not to return home. One hour later, the area was surrounded by security forces and placed under surveillance. Madani's wife was not detained, which could be explained by the fact that after this incident she moved from apartment to apartment, and "never stayed in the same place."⁶⁸

Madani's wife also confirmed that relatives had been threatened by security forces in Cairo. Although she had given her consent for a second autopsy, she said that the relatives told her that they felt compelled to accept the body and bury it. She also said that the family was pressured to remain silent about her husband's death in custody. One week after the burial, Madani's wife travelled to Mata`na. She said that SSI had notified the family in the village that she was on her way, and warned them that "if anything happens, the ceiling will fall on your heads." She added:

There were about twenty soldiers at the house when I arrived. The family said that this was because of me. I was scared that they might take me, and I hid once I got inside. There was heavy security. We were not allowed to go to the grave. Abdel Harith's brothers had been turned away several times. I stayed for one week and then I left. Until now, I have not seen the grave.⁶⁹

The Madani family remained under the scrutiny and pressure of security forces. Human Rights Watch representatives first visited Mata`na on June 23, 1994. After the delegation departed, security forces

⁶⁶Human Rights Watch interview, Cairo, June 1994.

⁶⁷Human Rights Watch interview, Cairo, June 1994.

⁶⁸Human Rights Watch interview, Cairo, June 1994.

⁶⁹Human Rights Watch interview, Cairo, June 1994.

arrived in the small village, creating an atmosphere of intimidation. First, three SSI officers -- one of them reportedly a general -- arrived in a white car. They were followed by a detachment of fifteen to twenty policemen. The next day, "there were seven or eight of them, four in plainclothes wearing sunglasses, in addition to ten *mukhbireen*⁷⁰ not from our village," one resident later reported to Human Rights Watch. (The use of non-local mukhbireen only added to the tense atmosphere.)

Human Rights Watch also learned that mukhbireen visited Abdel Harith Madani's forty-year-old brother Bakri. They cautioned Bakri Madani that -- for his own interest and in the interest of the village -- he should refrain from speaking to Human Rights Watch representatives, and also revealed that security forces were monitoring the delegation's movements in Upper Egypt. "It was intended as a piece of friendly advice, and to prove to Bakri that they know everything about you," a resident told Human Rights Watch representatives on a return visit to the village. He added that Bakri Madani was placed under surveillance. "After you left, mukhbireen started following Bakri," he said. Madani reportedly felt pressured not only from security forces but also from his own neighbors, who were justifiably frightened by the presence of security forces in the small village.

Security forces also placed pressure on a villager who spoke with Human Rights Watch during its visit. He was summoned by SSI in nearby Isna the night that the delegation left the village, and then was summoned again the next night:

They told me that I should not give you any information because you are Mosad [Israeli] or American intelligence, and you would be arrested in a month or two. They showed me a letter that said you were free to move [around] in Egypt. Then they asked for my help as a patriot.

He was questioned about how he had assisted the delegation. He also described how he was subjected to other forms of intimidating pressure: "People in the village are saying that I will be arrested. They see SSI cars, mukhbireen. The day you visited, mukhbireen visited my office and asked about me. The pressure is so intense. The mukhbireen are telling people in the village that I will be arrested," he said.⁷¹

⁷⁰Low-level security operatives in plainclothes responsible for monitoring and surveillance of the local population. These individuals, employed by the Ministry of Interior, are part of the fabric of Egyptian life. They are generally known to and recognized by local residents.

⁷¹Human Rights Watch interview, Mat`ana, July 1994.

4. INTERNATIONAL STANDARDS

Hostage-taking by agents of a state is a particularly egregious form of arbitrary arrest, in that individuals are not detained for their own actions, but for the actions or omissions of others. In these detentions, there is no probable cause to believe that the person arrested is implicated in the commission of a punishable offense. Arbitrary arrest and detention of innocent family members violates the guarantees set forth in the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a State Party. Article 9(1) of the Covenant states:

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

The taking of children as hostages, which has been documented in several of the cases in this report, also violates the Convention on the Rights of the Child, which Egypt ratified in 1990. Article 37(b) of the Convention stipulates:

The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.

The quasi-permanent state of emergency in Egypt cannot be used to justify arbitrary arrests of this nature.⁷² Under international law, a state of emergency is provisional and exceptional, and the exercise of emergency powers is subject to clearly defined limitations. Article 4 of the ICCPR allows derogations of obligations under the Covenant "to the extent strictly required by the exigencies of the situation." But even under emergency law there can be no reasonable justification for the arrest of any persons based solely on his or her family connection to a suspect wanted by authorities for a punishable offense.

With respect to individual cases of preventive detention, Human Rights Watch takes the view that governments must justify each individual case of detention by administrative and security authorities, and that detentions under emergency laws must be subject to review by a judicial authority empowered to rule on the legality of the detention and to order releases. These safeguards have been absent in the cases described in this report, which typically have been extralegal. As in other cases of incommunicado detention in Egypt, the actual dates of arrest are not recorded in any public record, and the security apparatus does not formally acknowledge that it has individuals in custody. Family members are not presented with written detention orders that can be reviewed and scrutinized by an independent judicial body.

The practice of incommunicado detention, too, violates international standards. United Nations Economic and Social Council Resolution 1989/65, on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions specifies that individuals may not be held in secret places of detention, and that authorities must make available in a prompt manner information about the location where those in custody are being held:

Governments shall ensure that persons deprived of their liberty are held in officially

⁷²The state of emergency has been continuously in force since the assassination of President Anwar Sadat in 1981. On April 11, 1994, the People's Assembly – Egypt's elected parliament overwhelmingly dominated by President Mubarak's ruling National Democratic Party – gave its assent to Presidential Decree No. 116 (1994), which extended emergency law for three more years, until May 31, 1997.

recognized places of custody, and that accurate information on their custody and whereabouts, including transfers, is made promptly available to their relatives and lawyer or other persons of confidence.⁷³

The arrest or intimidation of mothers, fathers, sisters, brothers and other relatives by security forces is also a form of arbitrary interference with the family, prohibited by Article 17(1) of the ICCPR:

No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

Further, subjecting innocent relatives to abusive or intimidating treatment by security forces runs counter to the duty of the Egyptian government to protect families, as required by Article 23(1) of the ICCPR, which states: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State."

Torture and other forms of physical mistreatment of family members held in detention are gross violations of international law. Article 7 of the ICCPR explicitly proscribes torture and other forms of cruel, inhuman or degrading treatment or punishment. Article 37(a) of the Convention on the Rights of the Child also prohibits such abuse. Threats of physical abuse -- including threats to rape women held as hostages - violate Article 10(1) of ICCPR, which states: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."

The response of Egyptian authorities to deaths in custody and killings by security forces in disputed circumstances runs counter to international standards. As some of the cases in this report demonstrate, security forces have threatened and intimidated families whose relatives have died in detention or who have been killed in disputed circumstances by state agents. International standards concerning the prevention and investigation of extra-legal, arbitrary and summary executions place an obligation on governments to ensure that intimidation, threats and violence are not used against those in a position to bring to justice those involved in such gross human rights violations:

Complainants, witnesses, those conducting the investigation and their families shall be protected from violence, threats of violence or any other form of intimidation. Those potentially implicated in extra-legal, arbitrary or summary executions shall be removed from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, as well as over those conducting investigations.⁷⁴

5. THE EGYPTIAN GOVERNMENT'S RESPONSE

Despite repeated complaints by Egyptian lawyers and documentation by local and international human rights organizations, the government continues to deny that security forces take hostages and

⁷³Resolution 1989/65, adopted by the U.N. Economic and Social Council on May 24, 1989. Principle 6, Annex, Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions.

⁷⁴ *Ibid.*, Principle 15.

harass families. In a June 1993 document prepared for Human Rights Watch, the Ministry of Foreign Affairs maintained that Egypt "does not waver in its dedication to the respect of human rights and basic freedoms." The Foreign Ministry stated that the Interior Ministry fully complies with Egyptian and international law in carrying out its activities:

The directives issued by the Interior Minister confirm the compliance of the Ministry and all of its agencies [which includes SSI] and departments with the legal course of action in law enforcement and the protection of human rights and liberties, according to domestic legislation and international covenants.

The Foreign Ministry denied that family members were detained as hostages. It asserted that "security agencies, when carrying out arrest orders, do not target any person other than those designated for arrest by the orders. Only in cases where opposition, aggression or resistance are exhibited toward the commissioned force by a family member or a neighbor would someone other than the intended be presented before the [prosecutor] in a legal context."⁷⁵

In 1994, senior government officials continued to deny that security forces engaged in this practice of arbitrary arrest. President Hosni Mubarak claimed in a July 1994 interview that "[a]ll those who are in prison have committed crimes. We have never imprisoned anyone because of their opinions or for political reasons."⁷⁶ In an interview published in August 1994, Interior Minister el-Alfi stated: "We arrest no one unless he is an activist, a member of an organization. Every detainee was involved in some activity."⁷⁷

The Ministry of Foreign Affairs refused to provide a Human Rights Watch/Middle East delegation visiting Cairo in July 1994 with access to Interior Ministry officials to discuss these and other human rights abuses, despite repeated requests by Human Rights Watch in writing and by telephone since May 1994.

In a letter dated January 3, 1995, Human Rights Watch presented the Egyptian government with the findings of this report and invited its comments. A copy of this letter, and the Egyptian government's reply, is included in the appendix of the report.

This report was written by Virginia N. Sherry, associate director of Human Rights Watch/Middle East, and Joel Campagna, a consultant to Human Rights Watch/Middle East.

Human Rights Watch/Middle East (formerly Middle East Watch)

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. It is supported by contributions from private individuals

⁷⁵"The stirring up of allegations about the detention of women as hostages and their exposure to disgrace, torture and the violation of their virtue in some regions of Upper Egypt comes as part of a broad plan on the part of terrorist groups to arouse popular sentiment against security operations, whereby they take advantage of the special role that the woman plays in eastern society," the Foreign Ministry wrote.

⁷⁶Interview with *Le Figaro*(Paris), July 11, 1994, as reported in FBIS, July 12, 1994, p.14.

⁷⁷*Rose al-Yusuf*, August 8, 1994, as reported in FBIS, August 11, 1994, p. 18.

and foundations worldwide. It accepts no government funds, directly or indirectly. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; Susan Osnos is the communications director; and Derrick Wong is the finance and administration director. Robert L. Bernstein is the chair of the board and Adrian W. DeWind is vice chair. Its Middle East division was established in 1989 to monitor and promote the observance of internationally recognized human rights in the Middle East and North Africa. Christopher George is the executive director; Eric Goldstein is the research director; Aziz Abu Hamad and Virginia N. Sherry are associate directors; Brian Owsley is the Leonard Sandler Fellow. Gary Sick is the chair of the advisory committee and Lisa Anderson and Bruce Rabb are vice chairs.