

EGYPT

# Anatomy of a State Security Case

The “Victorious Sect” Arrests

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W A T C H



## **Anatomy of a State Security Case The “Victorious Sect” Arrests**

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## Summary

On April 19, 2006, Egyptian and international media reported that authorities had just arrested members of an extremist armed group in Cairo that was alleged to have been plotting terrorist attacks. Among the headlines were “Egypt foils terror bombing attempt” and “Egypt says terror group broken up.”<sup>1</sup> The Egyptian Interior Ministry had announced that day that State Security Investigations (SSI),<sup>2</sup> Egypt’s domestic intelligence agency, had arrested 22 suspects who they alleged had been plotting to bomb civilian targets in and around Cairo, including gas pipelines and tourist sites, and to kill Muslim and Christian religious figures. The Interior Ministry said the group was called al-Taifa al-Mansura, “The Victorious Sect.”

Five days later, on April 24, a string of bombings in Dahab, in the Sinai Peninsula, killed 18 people—the first bombing attack in Egypt since 2005 and the only such attack in 2006. (At this writing, there had been no major bombing attacks in Egypt since the Dahab attack.) Unsurprisingly, some journalists connected the April 19 announcement with the subsequent Dahab bombings, suggesting that the group arrested might be connected to the bombings.<sup>3</sup> Some observers also offered deeper analyses of the Victorious Sect arrests based on information provided in the interior ministry statement, suggesting that new strains of “Salafi Jihadism” were on the rise in Egypt and that the threat of terrorism in Egypt was growing.<sup>4</sup>

The facts about the arrests, however, tell another story.

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<sup>1</sup> See Middle East News Agency (Egypt), “Egypt Foreign Ministry reports foiling of terror plot,” April 19, 2006; “Egypt foils terror bombing attempt,” Xinhua, April 19, 2006; Challiss McDonough, “Egypt Says Terror Group Broken Up,” *Voice of America*, April 19, 2006; Jonathan Wright, “Egypt says arrests group planning bombings,” Reuters, April 19, 2006; Associated Press, “Egypt arrests 22 on suspicion of plotting terrorist attacks,” April 19, 2006; National Public Radio (US), “Militant Bombing Plot Foiled, Egyptians Say,” broadcast April 19, 2006; Heba Saleh, “Egypt seizes group accused of plot to bomb tourist sites,” *Financial Times* (UK), April 20, 2006.

<sup>2</sup> State Security Investigations (SSI), or Mabahith Amn al-Dawla, is often referred to by Egyptians as “SSI,” or simply as “State Security.”

<sup>3</sup> See, for instance, Bryan Bender, “Attacks Signal Stepped-Up Qaeda Effort,” *Boston Globe*, April 28, 2006.

<sup>4</sup> Murad Al-shishani, “Egypt Breaks-up al-Ta'efa al-Mansoura Jihadist Group,” *Jamestown Foundation Terrorism Focus*, Volume 3, Issue 16, April 25, 2006, available at <http://jamestown.org/terrorism/news/article.php?articleid=2369971> (accessed October 15, 2007); Ely Karmon, “Egypt as a New Front of al-Qaeda,” *International Institute for Counter-terrorism*, May 5, 2006, available at <http://www.ict.org.il/apage/5179.php> (accessed July 15, 2007). The term “Salafi Jihadism” should not be confused with the term “Salafism” which refers to a particular conservative Islamist ideology. See footnote 7.

In June and July 2007, Human Rights Watch investigated the cases of the 22 men referred to as the Victorious Sect. We investigated these cases because of their high profile, caused by the Interior Ministry's public announcement of the arrests, and because many Egyptian attorneys and civil society leaders suggested that the Interior Ministry's allegations against the men were untrue.

Human Rights Watch was unable to interview in depth any of the 22 alleged members of the Victorious Sect. The majority of the men were still in custody at the time of our investigation, and most of the 12 who are known to have been released since 2006 are either unavailable for interviewing or have declined to speak to us for fear of endangering themselves or their co-defendants. However, Human Rights Watch did interview other former prisoners who had been held for considerable periods with the 22 detainees, and obtained an account of the detainees' experience from one of the released detainees. We also interviewed the attorneys for the 22 men, who saw them during legal proceedings, and several family members who visited the men, as well as neighbors, activists, and observers familiar with their cases, and numerous other attorneys who represent SSI detainees. (Notably, several of the men's family members declined to talk to us because they feared that doing so would make it less likely the men would be released.) Lastly, we attempted without success to meet with officials from the Interior Ministry and Foreign Ministry to discuss the cases; letters requesting information from the Interior Ministry received no reply (see appendix).

Our investigation gives reason to be deeply skeptical about the allegations made against the 22 men. Beyond coerced confessions, there appears to be no compelling evidence to support the government's dramatic claims. Indeed, it appears that SSI may have fabricated the allegations made against at least some and possibly all of them. The very name given to the group—"Victorious Sect"—may have been invented by SSI officers. Moreover, whether or not the original arrests were justified, it is clear that there are currently no legal grounds for the continued detention of the 10 men of the 22 who are believed to remain in custody. The State Security prosecution office has declined to refer any of the cases to court and in 2006 issued orders that all of the men should be released.

The underlying facts of these cases are also disturbing. To begin with, the 22 men were not arrested in late April 2006, when their detention was announced. Rather, they were detained weeks earlier, in February and March 2006, and held incommunicado in various SSI facilities around Cairo, including Lazoghli, SSI headquarters; the Gaber Ibn Hayan SSI facility in Giza; and the Nasr City SSI facility—none of which are legally authorized places of detention. Some of the men had been detained for over two months before the April announcement.

Attorneys and families believe that the 22 men may have been targeted for arrest because they were more devout Muslims than other mainstream Egyptian youth, and because authorities thought they could take signs of their religiousness—for instance, that some of them had organized theological discussion groups—and transform these signs into proof of more suspicious activity.

Former detainees held with the 22 men, as well as their attorneys and family members, have provided information indicating that most or possibly all of the 22 men were tortured by SSI officials during the weeks they were held in custody before the April 19 announcement. A former detainee who heard a number of the men being interrogated at a SSI facility in Giza described the scene:

What I heard was not just torture; it was beyond imagination. What I heard, it was so unbelievable, even I came to believe that maybe they were involved in something. I started wondering: for them to be tortured like that they must have been involved in some plot. You cannot imagine how harsh it was to hear that, the screaming, how harshly they were tortured . . . I heard some of them screaming when they were being electrocuted. I could hear the electricity too, the “zizzzt, zizzzt.”

Another former detainee, held with the group in prison, said that “they told us a lot about the torture they suffered” in the Giza facility. In particular:

First, they said they were stripped naked, of course, and for a while they were held out in the hallway, completely naked. Second,

electricity, of course, that's a must, it almost goes without saying. But not just electricity: they said that the officers targeted their most sensitive areas, the genitals. Third, they said they were handcuffed, behind, and then hung up on the top of an open door . . . Some of those guys told me later that they could smell their own skin burning [during the electroshock torture]; they said it was disgusting.

In addition, in November 2007 Human Rights Watch received information from one of the Victorious Sect detainees who was released in 2007. The detainee claimed that he and other detainees among the 22 were tortured and mistreated at the Lazoughli facility in early 2006, after the men were arrested in February and March:

[SSI] transferred us to Lazoghli for a taste of systematic torture. . . we were beaten up with fists and sticks, and kicked around. [SSI] used electricity on different parts of the body, including sensitive areas.

Attorneys, former detainees, and other sources also indicated that many of the 22 men, while at the Giza facility and at Lazoghli (SSI headquarters), were handcuffed and blindfolded at almost all times during their detention, and described various ill effects on detainees' mental health, arising both from physical torture and from constant blindfolding.

Former detainees asserted that the apparent purpose of the torture was to coerce the men to confess to the plots that were later described in the April 19 announcement. As one of the former detainees who was held with the group said:

The guys would say they'd be tortured so bad, they'd be screaming,  
"Tell me what you want me to say! Tell us what to say and we'll say it!"  
They'd agree to confirm anything State Security wanted.

The released Victorious Sect detainee quoted above said that several detainees in March and April 2006 "confessed" to criminal acts they had not committed. The detainee said that one detainee held with him falsely admitted "that he was a terrorist," just after he was shocked with electricity to his penis.

Despite obtaining “confessions,” Egyptian authorities abandoned their prosecution of the men several months after the April 2006 announcement. In August and September 2006, the State Security prosecution office declined to refer any the cases to court, as noted above, and issued orders that all of the men should be released. But most of the men were not released at that point. The Interior Ministry made no public announcement about the mid-2007 release orders, and SSI officers appear to have obtained new detention orders for most of the men (a legal maneuver based on the Emergency Law, not uncommon in Egypt) and transferred them back to prison. Although several were later released in mid and late 2007, at least ten remained in custody as of late 2007.

The purpose of this report is not just to describe the experience of this particular group of men at the hands of the SSI. Rather, it is a case study offered to illustrate how SSI operates across Egypt more generally. Based on our research into SSI operations over the last five years and our extensive interviews with attorneys for other detainees, there is a strong basis to conclude that abuses similar to those suffered by this group of 22 men have occurred in other cases.

Moreover, there is every reason to believe that similar abuses will occur in the future. Numerous observers told Human Rights Watch that SSI in recent years has focused increasingly on young men, and apparent Salafists (devout Muslims) in particular, often arresting and interrogating them without legitimate legal grounds.

Ahmad Saif al-Islam, an attorney who regularly represents families of individuals in SSI custody, explained that SSI routinely arrests or summons Salafists for interrogation. He said: “The police round up random people, then refer people to State Security. . . . [or] sometimes they [SSI] target the Salafists.” According to Saif al-Islam as well as other attorneys, SSI officers typically press suspects to name other men for them to arrest:

They arrest any person they think might take part in some plot, no matter how vague. Also, any time they try to arrest a person and they can’t find them, they arrest someone else. For instance, let’s say they

want to arrest a guy named Zain, and they don't find him. Then they arrest his brother, his father, even a wife.

Observers also said that SSI routinely coerces detainees into becoming informants.

SSI officers who engage in abuse are rarely held to account. A top Egyptian Interior Ministry official, in meetings with Human Rights Watch in February 2004 and February 2005, stated that the government has undertaken no criminal investigations or disciplinary measures in response to allegations of torture and ill-treatment by SSI officers since 1986.<sup>5</sup>

Egyptian attorneys and human rights activists tell Human Rights Watch that SSI officers continue to operate with impunity across Egypt and are only rarely held accountable for their abusive practices.

This report is meant to draw attention to that impunity. A set of recommendations to the Egyptian government is provided at the end of this report.

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<sup>5</sup> The meetings were with Gen Ahmad `Umar Abu al-Sa`ud, a member of the cabinet of Minister of Interior Habib al-`Adli, on February 28, 2004, and February 22, 2005, in Cairo.

## Methodology

This report is based on over two dozen interviews with former SSI detainees, detainees' relatives, detainees' attorneys, journalists who investigated the detainees' arrests, and other attorneys who regularly handle cases of persons held in SSI detention. Interviews were conducted by Human Rights Watch in Cairo in June and July 2007, and were supplemented by follow-up research in August and September 2007. All interviews were conducted in private, primarily in Arabic.

Most of the released detainees in the so-called "Victorious Sect" were unwilling to speak in depth with Human Rights Watch about their experiences, indicating a fear of re-arrest or other harassment from Egyptian authorities should they speak openly. However, as noted above, Human Rights Watch interviewed other former prisoners who were held for considerable periods with the 22 detainees; we also interviewed the attorneys for the 22 men, who saw them during legal proceedings, and several family members who visited the men. In addition, in late 2007 one released detainee from the alleged group provided an account to Human Rights Watch of his and other detainees' arrests and detention.

Several persons interviewed for this report, including former detainees, human rights workers, and attorneys, asked Human Rights Watch not to reveal their names out of fear that the Egyptian authorities would target them for arrest or interrogation. In such cases, Human Rights Watch has substituted interviewees' names with initials (for instance, "J.K.") that do not correspond to the interviewees' real names.

## Background

### Political opposition and violence in Egypt

Numerous radical Islamist armed groups opposed to the Egyptian government have arisen in Egypt in recent decades, including still-active groups such as Al-Gama'a Islamiyya and Islamic Jihad. In the 1980s and 1990s, some of these groups engaged in attacks against government officials and civilians, including Western tourists.

The most infamous attack on civilians by an armed opposition group was an attack in 1997 in Luxor, in which six men with automatic weapons attacked European tourists who were visiting a famed archeology site, killing 58 foreigners and four Egyptians and wounding over a dozen more. The armed men were members of Al-Gama'a Islamiyya.

A longstanding opposition group in Egypt, Al-Gama'a Islamiyya is not known to have been involved in armed violence in the last ten years, and even before the Luxor attack, much of the leadership of al-Gama'a Islamiyya renounced violence and claimed to favor working for political change solely through non-violent means. Islamic Jihad, for its part, has not renounced violence, though there is little evidence its members have been involved in any recent violent attacks in Egypt.

However, some smaller radical armed groups have organized in Egypt over the last ten years. The groups appear to have formed independently of older opposition groups, and appear to embrace radical trans-national Islamist aims. These groups operate clandestinely—few details about their leadership and membership are publicly known.

Some of these groups are involved in violent activities in Egypt, especially in the Sinai Peninsula, and are responsible for several serious attacks on civilians there in the last few years. On October 2004, simultaneous bombings in and around the resort city of Taba killed 34 and injured over a hundred more; on July 23, 2005, a set of simultaneous bombings at sites in Sharm el-Sheikh killed 88 people and injured over 200 more; and on April 24, 2006 (after the arrests documented in this report) a

triple bombing attack in the town of Dahab killed at least 18 people and injured dozens more.<sup>6</sup> There was one serious incident in Cairo in recent years: a bombing in April 2005 that killed three foreign tourists, followed by a set of armed attacks a few weeks later—involving suspects in the earlier blast—in which several foreign tourists were wounded.

## Egypt's State Security Investigations

Egypt's primarily domestic intelligence agency, State Security Investigations (SSI), is the Egyptian government's main instrument for monitoring and controlling armed opposition groups suspected of engaging in attacks on civilians. SSI is also responsible for monitoring and controlling peaceful and legitimate opposition parties, as well as civil society and human rights groups.

SSI has a long record of abusive conduct. In the 1980s and 1990s SSI routinely ill-treated persons arrested for alleged opposition to the government, including tens of thousands of men suspected of involvement in non-violent opposition groups like the Muslim Brotherhood, as well as thousands of members of Al-Gama'a Islamiyya and Islamic Jihad. Widespread torture of these detainees was extensively documented by human rights groups, attorneys, and journalists.

SSI has also responded to threats from groups involved in more recent attacks on civilians, such as those that have occurred in the Sinai. As part of this effort, SSI has been monitoring and detaining young Egyptian men who are considered religiously devout; men commonly known as "Salafists," who attend mosque regularly, dress in conservative Islamic clothes, have lengthy beards, and pray five times a day.<sup>7</sup>

Numerous attorneys, civil society leaders, human rights activists, and journalists familiar with SSI operations have described to Human Rights Watch the special

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<sup>6</sup> Initial reports indicated that 23 were killed in the blasts, but authorities soon lowered the number to 18. See Daniel Williams, "Egyptians Face Grim Task of Bomb Cleanup," *Washington Post*, April 26, 2006.

<sup>7</sup> Many Egyptians refer to religiously conservative persons as "Salafists." The words Salafist is derived from the Arabic words "al-Salaf al-Salih," which essentially mean "the pious ancestors." Salafism generally refers to current Islamic movements that stress a return to what adherents believe to be the original faith and practices of the Prophet Muhammad and his contemporaries, in rough terms: following the words of the Qur'an alone, literally interpreted; avoiding most innovation in religion and technology; and largely disregarding modern scholastic Islamic theology and jurisprudence.

attention that is paid by SSI to Salafists and other religious young men, in many cases men not associated with established opposition groups, but simply independent actors who observe Salafist practices. Some Egyptian human rights attorneys argue that, with respect to this set of men, SSI essentially uses a policy of preventive investigation and detention, whereby they aggressively surveil independent mosques, maintain extensive lists of persons who regularly attend them, and record their activities and associations with each other.

Observers told Human Rights Watch that, as part of this aggressive approach, SSI officers regularly arrest young men who are on their lists, or summon them to report to SSI facilities and question them about their activities and acquaintances. Other men are interrogated after they are detained in random detention sweeps, usually near mosques or in neighborhoods considered to be militant. Moreover, some men are occasionally transferred to SSI by regular police, who also routinely carry out random sweeps as part of their own efforts to net criminal suspects.

## **The Emergency Law**

State Security Investigation's aggressive policies and strategies toward Salafists (as well as toward political opponents and government critics generally) are made possible by special powers conveyed to the Interior Ministry and SSI under Egypt's Emergency Law of 1958 and pursuant to a state of emergency that has been in effect continuously since 1981, as well as Egypt's Law to Combat Terrorism of 1992, which amended Egypt's penal and criminal procedure codes.<sup>8</sup> These laws allow the Interior Ministry to detain and interrogate persons without arrest warrants and issue detention orders that allow detainees to be held for up to six months without a hearing or arraignment.

Detainees are entitled to some procedural rights under these restrictive laws: SSI officers must by law immediately inform detainees of the reason for their arrest, allow them to contact family and legal counsel, and provide for the right to appeal their detention after 30 days. Egypt's constitution and penal code prohibit torture

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<sup>8</sup> Egypt's Emergency Law 162 of 1958 and Anti-Terror Law 97 of 1992. The Egyptian parliament has routinely approved renewals of the emergency law; most recently in late April 2006, weeks after the arrests documented in this report.

under any circumstances.<sup>9</sup> The constitution deems null and void any statement that is proved to have been made under torture.<sup>10</sup>

In addition, human rights treaties to which Egypt is a party, most notably the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ensure basic human rights protections for all persons, including the right not to be deprived of liberty without due process of law, and the right not to be tortured or otherwise mistreated.<sup>11</sup>

During a declared state of emergency, states may derogate from some due process rights. There are, however, important legal limitations on this practice. According to the Human Rights Committee, the expert body that monitors state compliance with the ICCPR, “[m]easures derogating from the provisions of the Covenant must be of an exceptional and temporary nature.” Furthermore, such measures must be “limited to the extent strictly required by the exigencies of the situation.”<sup>12</sup>

Even during states of emergency, detainees cannot be held indefinitely without any legal review, and they must be treated humanely and not subjected to torture; trials must meet international fair trial standards.<sup>13</sup> On the issue of torture in particular, international law is unambiguous: security threats, however grave, can never be used as a justification for torture. Any use of torture by Egyptian authorities is a clear violation of international human rights law<sup>14</sup> and Egyptian domestic law.<sup>15</sup>

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<sup>9</sup> Egypt Constitution, art. 42.

<sup>10</sup> Egypt Constitution, art. 42.

<sup>11</sup> See International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), adopted December 10, 1984, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987. Egypt ratified the ICCPR in 1982 and the Convention against Torture in 1987.

<sup>12</sup> Human Rights Committee, General Comment 29, States of Emergency (article 4), U.N. Doc. CCPR/C/21/Rev.1/Add.11 (2001), para. 2.

<sup>13</sup> Human Rights Committee, General Comment No. 29, paras. 14, 16.

<sup>14</sup> ICCPR, article 4(2).

<sup>15</sup> Article 42 of Egypt’s Constitution provides that any person in detention “shall be treated in a manner concomitant with the preservation of his dignity” and that “no physical or moral (*m`anawi*) harm is to be inflicted upon him.” Any statement that is proved to have been made under torture is deemed null and void. *Ibid.* Egypt’s Penal Code recognizes torture as a criminal offense, but the definition of the crime of torture falls short of the definition in article 1 of the Convention against Torture.

The UN Committee against Torture, in its 2002 response to Egypt's periodic report on compliance with the Convention against Torture, stated: "The Committee is aware of the difficulties that the State party faces in its prolonged fight against terrorism, but recalls that no exceptional circumstances whatsoever can be invoked as a justification for torture, and expresses concern at the possible restrictions of human rights which may result from measures taken for that purpose."<sup>16</sup>

The Egyptian government conceded this in its 2003 response to the Committee against Torture: "There is nothing in the [Emergencies] Act that could serve to nullify the provisions of the Penal Code relating to the offences of torture, wrongful imprisonment or the use of cruelty.... Hence, the crime of torture and other crimes continue to obtain, even when a public emergency has been declared in the country."<sup>17</sup>

The emergency law allow for trials of civilians before military tribunals and special state security courts, which lack basic due process protections.<sup>18</sup> The Human Rights Committee, the expert body that monitors compliance with the ICCPR, in 2002 found it alarming that Egypt's "military courts and State security courts have jurisdiction to try civilians accused of terrorism although there are no guarantees of those courts' independence and their decisions are not subject to appeal before a higher court," as required by the ICCPR.<sup>19</sup>

### *SSI Abuses*

Egyptian authorities have a longstanding and well-documented record of engaging in arbitrary arrests, incommunicado detention, and torture and other ill-treatment of detainees.<sup>20</sup> As documented by Human Rights Watch and other human rights groups,

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<sup>16</sup> Committee against Torture, "Conclusions and Recommendations, Egypt," U.N. Doc. CAT/C/CR/29/4 (2002), para. 4.

<sup>17</sup> Government of Egypt, "Concluding Observations of the Human Rights Committee, Egypt," U.N. Doc. CCPR/CO/76/EGY/Add.1 (2003), para. 32.

<sup>18</sup> See, e.g., Human Rights Watch, *Margins of Repression*, vol. 17, no. 8(e), 2005, pp. 8-9.

<sup>19</sup> Human Rights Committee, "Concluding Observations, Egypt," U.N. Doc. CCPR/CO/76/EGY (2002), para. 16(b). See ICCPR, art. 14.

<sup>20</sup> Numerous and comprehensive reports about Egypt's poor detention record have been published by Human Rights Watch and other human rights groups. See Human Rights Watch, *Egypt – Mass Arrests and Torture in Sinai*, vol. 17, no. 3(E), February 2005, <http://hrw.org/reports/2005/egypt0205/index.htm>; *Egypt's Torture Epidemic*, February 2004, <http://hrw.org/english/docs/2004/02/25/egypt7658.htm>; *In a Time of Torture: The Assault on Justice in Egypt's Crackdown*

SSI in particular repeatedly has violated the fundamental rights of persons in its custody. Such detainees are rarely able to communicate with their families or counsel, or effectively challenge their detention in the courts. They are routinely detained for months and even years without any proper legal process, and are in many cases subjected to torture.

The UN Committee against Torture expressed “particular concern at the widespread evidence of torture and ill-treatment in administrative premises under the control of the State Security Investigation Department [SSI], the infliction of which is reported to be facilitated by the lack of any mandatory inspection by an independent body of such premises.”<sup>21</sup>

Attorneys who represent and advocate on behalf of SSI detainees say that detainees are routinely tortured during interrogation and detention.

Mohamed Zare'i, an attorney and for many years director of the Cairo-based Human Rights Association for the Assistance to Prisoners (HRAAP), a human rights organization that engages in prison visits and reports on prison conditions and detention practices, explained the basic range of typical abuses in SSI facilities:

Typical case, in the beginning, there's a severe dose of beating. You might be suspended on a pole, put behind your knees and lifted up [hanging from the knees]. Or they might handcuff you from behind, and then lift up your arms behind you and hang you that way—that's very bad, since it dislocated your shoulders, many people suffer permanent damage from that.

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*on Homosexual Conduct* (New York: Human Rights Watch, 2004), <http://hrw.org/reports/2004/egypt0304/index.htm>; *Egypt – Security Forces Abuse of Anti-War Demonstrators*, vol. 15, no.10(E), November 2003, [www.hrw.org/reports/2003/egypt1103/egypt1103.pdf](http://www.hrw.org/reports/2003/egypt1103/egypt1103.pdf); and *Behind Closed Doors: Torture and Detention in Egypt* (New York: Human Rights Watch, 1992). See also Amnesty International, “Egypt – Systematic abuses in the name of security,” AI Index: MDE 12/001/2007, April 11, 2007, [http://amnesty.org/resources/Egypt/pdf/2007\\_04\\_amnesty\\_international\\_egypt\\_report.pdf](http://amnesty.org/resources/Egypt/pdf/2007_04_amnesty_international_egypt_report.pdf) (accessed November 27, 2007); and Amnesty International, “Egypt – No protection - systematic torture continues,” AI Index: MDE 12/031/2002, November 12, 2002, <http://www.amnestyusa.org/document.php?lang=e&id=2BC6CBC65379DFF180256C64003ACDDB> (accessed September 6, 2007).

<sup>21</sup> Committee against Torture, “Conclusions and Recommendations, Egypt,” U.N. Doc. CAT/C/CR/29/4 (2002), para. 5(c).

And then there are the electrical shocks: on your tongue, your nipples, your genitals. Or sometimes State Security will pinch your nipples really hard—we had one client, his nipple was actually torn off. The pinching of the nipples is very bad, since it bruises and cuts, and their nipples become so sensitive, you can't even wear a shirt.

Anything and everything is allowed. . . . Anywhere State Security exists, there is torture like this.<sup>22</sup>

### **Proposed New Counterterrorism Law**

The Mubarak government is reportedly considering submitting a new counterterrorism law to the Egyptian parliament in late 2007 or early 2008. If the law passes, the government would not request the renewal of the State of Emergency in early 2008, and the Emergency Law will lapse.

Human Rights Watch is concerned that the new law may contain provisions allowing the abusive practices that are currently made possible under Egypt's Emergency Law, including the use of renewable detention decrees and indefinite detention without trial. As the UN Human Rights Committee stated in 2002, Egypt must ensure that steps taken in the campaign against terrorism are fully in accordance with the ICCPR.<sup>23</sup> At this writing, a draft of the planned counterterrorism legislation had yet to be made publicly available; though the Mubarak government presumably aims to have it adopted by April 2008.

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<sup>22</sup> Human Rights Watch interview with Mohamed Zare'i, Cairo, June 12, 2007. Zare'i added, ironically: "We probably have over 70 different forms of torture here in Egypt, including some that have been exported. In job skills, it's the only area in which we have a comparative advantage over other countries."

<sup>23</sup> Human Rights Committee, "Concluding Observations, Egypt," U.N. Doc. CCPR/CO/76/EGY (2002), para. 16(c).

## The Case of the “Victorious Sect”

### The Announcement of the “Victorious Sect” Arrests

In a statement issued on April 19, 2006, the Interior Ministry announced that State Security Investigations had detained 22 members of a militant group suspected of planning violent attacks on civilian targets around Cairo. The Interior Ministry said the arrests were part of SSI efforts to contain terrorism—in the ministry’s words, “to abort any move to form terror organizations, proven over the past period to be posing lethal threats, stemming from their spontaneity and randomness—based on deviant extremist ideas which have nothing to do with the true Islam, and in response to the fallout from international and regional events.”

#### **Egyptian Interior Ministry Statement, April 19, 2006 (translated by Human Rights Watch):**

*After months of monitoring and surveillance, the security services detained a group that included 22 elements from el-Zawya el-Hamra, Tora, Helwan, and Ma'adi, that called itself the “Victorious Sect.” It was headed by the accused Ahmad Mohamed Ali Gabr (a.k.a. Abu Mussa'ab), with the assistance of the accused Ahmad Mohamed Bassiouni (a.k.a. Abu Bakr el-Masry), adopting a jihadi discourse stemming from salafi takfiri ideas. The information, documents, and interviews with the above-mentioned confirmed their intention to carry out terrorist operations against tourist targets, and natural gas pipes surrounding Greater Cairo, as well as striking at sensitive locations, by booby trapping. [The group was also planning to] target Muslim and Christian religious figures and what they described as irreligious youth in tourist centers. It has also been confirmed that the leaders of the group were gathering details about making explosive materials from elementary substances. The leaders of this group were trying to buy a piece of land in El-Saff neighborhood in Giza, to use it as a center for training and preparation to carry out their operations. . . . [G]roup leaders contacted foreign elements to help them send [the group's] elements to “jihad locations abroad.” . . . The [police] operations found several computers, CDs, research material, and information on how to manufacture explosive and poisonous substances, in addition to literature by extremist and terror leaders, and phone numbers of foreign elements who were in contact with the accused Ahmad Bassiouni. . . . The Prosecutor is to investigate the case. [List of arrested suspects follows.]*

The announcement included a list of 22 men, and photographs of most of the men were released to the Egyptian media.

### **The Alleged “Victorious Sect”**

1. **Ahmad Ali Gabr**, 28, detained February 16, 2006
2. **Ahmad Mohamed Mohamed Bassiouni**, 27, detained February 24, 2006
3. **Yehya Suleiman Ahmad Mohamed**, 25, detained February 16, 2006
4. **Abdel Aziz Fouad Ali Abdel Maqsood**, 25, detained February 26, 2006
5. **Tamer Abdel Nabi Zaki Mohamed el-Haddad**, 32, detained on unknown date in February-March 2006
6. **Omar Mohamed Abdel Fattah Ahmad**, 26, detained on unknown date in March 2006
7. **Mohamed Ahmad Mohamed Sa'id**, 27, detained March 1, 2006
8. **Rami Abdel Qader Mubarak**, 20, detained on unknown date in March 2006
9. **Ahmad Mustafa Saber Ahmed**, also called Ahmad Shobeir, 22, detained on unknown date in February-March 2006
10. **Mohamed Hamdi Abdel Gawad Ibrahim**, 23, detained March 1, 2006
11. **Mohamed Abdallah Bakri Mabrouk Hassanein**, 23, detained March 21, 2006
12. **Hani Mahmoud Mohamed Abdallah**, 29, detained on unknown date in February-March 2006
13. **Goma'a Mohamed Abdel Wahab Mustafa**, a.k.a. Waleed, 25, detained on unknown date in February-March 2006
14. **Ayman Samir el-Sayyed Hassanein**, a.k.a. Ayman el-Abd, 32, detained on unknown date in March 2006
15. **Hani Ahmad Mansour Mohamed**, 30, detained February 24, 2006
16. **Mohamed Nasr Ibrahim Awad**, 26, detained March 2, 2006
17. **Mahmoud Salah Ibrahim Imam**, 23, detained March 2, 2006
18. **Taha Hussein Sa'ad Mohamed Ali**, 29, detained March 2, 2006
19. **Mohamed Salah Ibrahim Imam**, 24, detained March 3, 2006
20. **Nabil Mohamed Mohamed Ali Mustafa**, 21, detained March 2, 2006, but taken into custody on March 8, 2006.
21. **Mahmoud Abdel Aziz Youssef Mohamed**, 26, detained on unknown date in February-March 2006
22. **Mahmoud Sa'adi Ahmad Mohamed**, 29, detained on unknown date in February-March 2006

The Interior Ministry said the group was called al-Taifa al-Mansura, “The Victorious Sect.” (This name incidentally is similar to that of an Iraqi insurgent group, Jaish al-Taifa al-Mansura, “Army of the Victorious Sect.”)

On April 24, five days after the Interior Ministry announcement, the triple bombing attack occurred in the town of Dahab, on the Red Sea in the Sinai Peninsula, killing at least 18 people.<sup>24</sup> The attacks were the first bombings targeting civilians to occur in Egypt since July 2005, when a bombing occurred in Sharm el-Sheikh. (As noted above, a bombing also occurred in the Red Sea city of Taba, a nearby resort, in October 2004.)

In the following weeks, the Victorious Sect arrests and the Dahab bombings were discussed and analyzed in articles by some organizations focused on terrorism issues, including the US-based Jamestown Foundation and the Israel-based International Institute for Counter-Terrorism.<sup>25</sup> Commentators analyzed the allegations made in the Interior Ministry statement and drew various broad conclusions about the implications of the arrests. For instance, the Jamestown Foundation discussed the significance of the arrests and the characteristics of the suspects in its April 25 *Terrorism Focus* newsletter, stating that:

This new group marks the rise of what is known as the third generation of the Salafi-Jihadist movement in Egypt. . . .

[The information in the Interior Ministry’s statement points] to the group’s intention to recruit young men to fight “abroad.” This shows that the rise of this group is connected with the transformation of the Salafi-Jihadist movement. . . . Al-Ta’efa al-Mansoura signifies the birth of a new generation closer to the global Salafi-Jihadist way, and a more ideological movement, which is apparent from the social backgrounds

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<sup>24</sup> Initial reports indicated that 23 were killed in the blasts, but authorities soon lowered the number to 18. See Daniel Williams, Egyptians Face Grim Task of Bomb Cleanup, *Washington Post*, April 26, 2006.

<sup>25</sup> Murad Al-shishani, “Egypt Breaks-up al-Ta’efa al-Mansoura Jihadist Group,” Jamestown Foundation Terrorism Focus, Volume 3, Issue 16, April 25, 2006, available at <http://jamestown.org/terrorism/news/article.php?articleid=2369971> (accessed July 15, 2007); Ely Karmon, “Egypt as a New Front of al-Qaeda,” International Institute for Counter-terrorism, May 5, 2006, available at <http://www.ict.org.il/apage/5179.php> (accessed July 15, 2007).

of its members if compared with the members of [Egyptian] jihadist movements in the early 1980s.<sup>26</sup>

## The Actual Arrests

The Egyptian Interior Ministry announced the arrests of the 22 men—the alleged Victorious Sect—on April 19, 2006. The phrasing of the announcement, and statements made to journalists in Cairo that day, suggested the arrests had just occurred, possibly earlier that day or week.

Human Rights Watch found that the men were actually arrested weeks earlier, at various dates in February and early March 2006 and held incommunicado. Human Rights Watch spoke with several detainees' family members about these arrests, and obtained written and video statements that family members made in April and May 2006, in which they described the arrests and their subsequent efforts to find out what happened to the detainees—all of which took place well before the April 19 announcements.

### *Ahmed Ali Gabr*

Among the first of the 22 men to be arrested was Ahmed Ali Gabr, 27, a student at Banha University who was picked up by SSI on February 16, 2006. (In the April 2006 announcement, Gabr was referred to as the leader of the group.) Hussein Metwalli, a journalist who investigated the arrests in February and March 2006, learned that Gabr was arrested during a general sweep of young men that occurred in February in various neighborhoods in Cairo, including Kozzika, Lebanon Square, Dar El-Salam, Helwan, and El-Zawya El-Hamra.<sup>27</sup>

Human Rights Watch spoke with two prisoners, “L.S.” and “H.B.F.,” who were detained in the same prison as Gabr, along with several other of the 22 men, in late 2006. (L.S. and H.B.F. were released from custody in 2007 and spoke with Human

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<sup>26</sup> See Murad Al-shishani, “Egypt Breaks-up al-Ta'efa al-Mansoura Jihadist Group.”

<sup>27</sup> Human Rights Watch interview with Hussein Metwalli, journalist who interviewed families and released detainees, Cairo, June 13, 2007. Metwalli spoke with family members of Gabr's and relatives of other detainees, and heard about the arrests from neighbors and other witnesses. He told Human Rights Watch that he believed Gabr was picked up because someone else gave his name to State Security, for unknown reasons.

Rights Watch in June 2007.) Both said that they spoke to Gabr in detail about his arrest and detention. L.S. told Human Rights Watch that when Gabr was arrested, he had no idea why:

He's such a poor guy—he had no idea what he'd done, to end up in this situation. Imagine a guy, who's minding his own business, and he's married, working in a store, and suddenly he's arrested and he's facing charges that would end in the death penalty. He had no idea of what he had done.<sup>28</sup>

L.S. and H.B.F. said that Gabr, and others among the 22 men, told them that they later guessed that Gabr was picked up after someone else—the name was unknown—gave his name to SSI in early February.<sup>29</sup> Another detainee, Yehya Suleiman Ahmad Mohamed, a student at Al-Azhar University, was also arrested the same night.

According to L.S. and H.B.F., Gabr said that at the time of his arrest he was working in a shop with another man named Mohamad Farag. “[T]hey knew each other and would spend time together,” said L.S. The two men had apparently become friends when Gabr started working in the shop, and they spent some of their free time together. At some point in the year before the arrests, Farag introduced Gabr to another young man named Mohamed Hamdi. (His full name was Mohamed Hamdi Abdel Gawad Ibrahim, and was later among the 22 listed as belonging to the Victorious Sect. Mohamed Hamdi, unlike the other detainees, was from a more affluent part of Cairo—the Lebanon Square neighborhood.) Gabr told the other prisoners that the three of them were all religiously devout, spent time together socially, and met on a few occasions in a larger theology discussion group.<sup>30</sup>

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<sup>28</sup> Human Rights Watch interview with L.S., former State Security detainee, Cairo July 11, 2007.

<sup>29</sup> *Ibid.* This is consistent with the conclusion reached by the journalist Hussein Metwalli, who spoke with numerous witnesses from the neighborhood in which the arrests took place.

<sup>30</sup> Human Rights Watch interview with L.S., former SSI detainee, Cairo July 11, 2007; and Human Rights Watch interview with H.B.F., former SSI detainee, Cairo, July 13, 2007.

Gabr told L.S. and H.B.F. that when he was arrested, SSI officers took his phone and papers from his house. Gabr told the two men that SSI officers consulted his mobile phone directory and found Mohamad Hamdi's name, and that they questioned him about Hamdi. (Mohamed Hamdi was arrested over a week later, on March 1.)

Mohamad Farag was arrested soon after Gabr. The detainees speculated that Farag's arrest then led to further arrests, as SSI found contact information for other youth in Farag's possession. Later discussing the events leading to their detention, both L.S. and H.B.F. said they believed that SSI had found a list of names in Farag's house, and that the list contained the names of many of the other 22 men who were ultimately accused of involvement in the Victorious Sect, as well as other people arrested around the same time.<sup>31</sup> The prisoners posited that SSI consulted this list in deciding whom to arrest, and that the discovery of the list led to the arrests of several other suspects in the El-Zawya el-Hamra neighborhood on the nights of March 1-3, 2006, including Mohamed Nasr Ibrahim Awad, 26; Taha Hussein Sa'ad Mohamed Ali, 29; and two brothers: Mahmoud Salah Ibrahim Imam, 23, and Mohamed Salah Ibrahim Imam, 24.<sup>32</sup> Human Rights Watch also determined that another detainee, Mohamed Ahmad Mohamed Sa'id, 27, was arrested on March 1, 2006, in the Kozzika neighborhood. (Strangely, Mohamed Farag himself was not included in the list of the 22 men called the Victorious Sect.) As of this writing, however, he was still in SSI custody.

### *Mahmoud and Mohamed Salah Ibrahim Imam*

Mahmoud and Mohamed, mentioned above, were arrested on March 2. Mahmoud and Mohamed's father, Salah Ibrahim, described the two men's arrests in an interview in April 2006, stating that SSI officers arrived at 2 a.m. on March 2:

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<sup>31</sup> According to the two released prisoners, it was a list for a competition or quiz game that was hosted at Farag's house, in which the men on the list were asked factual questions about Islamic verses and theology. The prisoners said this event took place during a birthday party for Farag that had taken place a few weeks before. Human Rights Watch interview with L.S., former State Security detainee, Cairo July 11, 2007; and Human Rights Watch interview with H.B.F., former State Security detainee, Cairo, July 13, 2007.

<sup>32</sup> Details about the arrests of these four detainees is taken from a Human Rights Watch interview with the family of Mohamed Nasr Ibrahim Awad, Cairo, June 20, 2007; transcript of an attorney interview of the family of Mohamed Nasr, Cairo, April 21, 2006 (on file with Human Rights Watch); Human Rights Watch telephone interview with Taha Hussein Sa'ad Mohamed Ali, June 2007; transcript of an attorney interview with the family of Taha Hussein Sa'ad Mohamed Ali, late April 2006; transcript of an attorney interview with the parents of Mahmoud Salah Ibrahim Imam and Mohamed Salah Ibrahim Imam, Cairo, late April 2006.

[T]here was loud knocking on the door. My wife asked: “Who’s there?”

“The government,” they replied. . . . They asked if this was the house of Salah Ibrahim. “Yes,” I answered. SSI forces rushed into the apartment, asking about our boys. I pointed to their room. . . . When they went in, they found only Mahmoud sleeping. [Mohamed was at work that night.] They told me: “And you don’t know where your boys are?!” I replied: “The other boy is at his work, at a dairy products shop.”<sup>33</sup>

SSI forces searched Mahmoud and Mohammad’s room, taking their identification papers. Salah Ibrahim said that the officers then took Mahmoud to the shop where Mohamed worked. Mohamed, however, was not at the shop when they arrived, and they soon returned to their house. Salah Ibrahim explained:

[T]hey didn’t find him there. But they found Mohamed Nasr,<sup>34</sup> the son of the shop owner, so they took him, and went back to us, with Mahmoud. . . . [T]hey stormed the flat searching [again] for Mohamed, yet they couldn’t find him.

The officers searched the apartment again and waited inside and outside until past 4 a.m., when they finally left.

Mohamed returned home the next morning, unaware of what was going on. The family then decided that Mohamed would go to the SSI office in Hadayeq el-Qobba to turn himself in. But oddly, when they took Mohamed there, the officers—apparently confused—told them Mohamed was “not wanted.”

Mohamed and his uncle returned home, but the family decided they should return to the SSI office again, for fear that SSI would raid the house again. When they returned

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<sup>33</sup> This and the following accounts of Mahmoud and Mohamed’s arrests are contained in a transcript of an attorney interview with the parents of Mahmoud Salah Ibrahim Imam and Mohamed Salah Ibrahim Imam Mohamed, Cairo, late April 2006.

<sup>34</sup> Referring to Mohamed Nasr Ibrahim Awad, one of the 22 men on the list provided by State Security on April 19, 2006.

to the Hadayeq el-Qobba facility, Mohamed was taken into custody. His father described what happened next:

On the following day, we went to ask about Mohamed and Mahmoud, but we were told neither of them was there, that they were transferred to Lazoghli [SSI headquarters in Cairo]. He [the uncle] went to Lazoghli, but was told no one was there. This pattern kept on being repeated without any purpose, and no one knew where they were, until we found their photos in the media [after the April 19 announcement].

### *Mohamed Nasr Ibrahim Awad*

As noted above, Mohamed Nasr Ibrahim Awad, who worked in the same shop as Mohamed Salah, was also arrested the early morning of March 2. His father Ibrahim Awad described how SSI officers arrived after 2 a.m.:

They came to the shop, to ask him about Mohamed Salah. Mohamed Nasr, my son, runs our grocery and dairy products shop [small shops in Cairo are often open throughout the night]. They asked him about Mohamed [Salah]. He answered back saying he didn't know where Mohamed Salah was. . . . [Then] they came into the apartment. . . They said to me they were State Security.

I said "Welcome, sons," and I received them politely, and I even asked them if they wanted Pepsi or anything to drink. . . . They searched the flat, but they did not find anything. . . . They asked him [Mohamed Nasr] if he had a library. He said "No, I don't have a library." . . . And they did not find a library, just some prayer booklets. . . little booklets of prayers which are sold by beggars on the microbuses for quarter of a pound. We still have some left inside.<sup>35</sup>

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<sup>35</sup> Transcript of an attorney interview of the Ibrahim Awad, father of Mohamed Nasr, Cairo, April 21, 2006 (on file with Human Rights Watch).

Mohamed's brother Tarek confirmed this account: "They only found some booklets of *azkar* [prayers or religious devotions]." <sup>36</sup> Both Tarek and his father Ibrahim Awad said the SSI officer appeared disappointed, as the books were merely typical booklets with simple prayers. <sup>37</sup> Tarek also confirmed that when SSI arrived, they were primarily looking for Mohamed Salah, not Mohamed Nasr, and appeared to be fishing for general information without clearly knowing what they were after:

We were expecting trouble. State Security had been rounding up people day and night in the neighborhood before Mohamed's arrest. . . . They asked Mohamed about his friends' houses [where they were]. They did not seem to know who they were after. <sup>38</sup>

Mohamed Nasr's family said that SSI officers left with Mohamed, and that he then essentially disappeared; the family heard nothing from authorities for almost two months, when the April 19 announcement of the arrests was made. Tarek and other family members went to the Hadayeq el-Qobba SSI bureau multiple times to ask about his fate, but SSI officials told them that Mohamed Nasr and other detainees were not there, but in the Lazoghli SSI headquarters. "But when we went to Lazoghli," Mohamed's father said, "They said they were in Hadayeq el-Qobba, and so on." <sup>39</sup> The family also said that a friend of Mohamed Nasr's was also arrested the same night as he was: Mahmoud Sa'adi Ahmad Mohamed.

Zakariya Noshi Nosran, a Coptic Christian neighbor of Mohamed and his family, was surprised by the arrests. He told attorneys that he did not think it was possible that Mohamed or the others could be involved in any plot:

I trade with him as a Christian, and there were never problems. I knew him as an honest, good merchant. Always smiling. He was never bad, he never did anything wrong. When I heard about this [the arrest], I

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<sup>36</sup> Human Rights Watch interview with Tarek Nasr, Mohamed Nasr's brother, Cairo, June 20, 2007.

<sup>37</sup> Human Rights Watch interview with Tarek Nasr, June 20, 2007. Tarek said that the officer said, "What is this Mohamed? These are kindergarten books." Mohamed told him, "These are the only things we have here."

<sup>38</sup> Human Rights Watch interview with Tarek Nasr, June 20, 2007.

<sup>39</sup> Transcript of an attorney interview with Ibrahim Awad, April 21, 2006.

was so surprised. Muslims and Christians live here without problems. No one [from SSI] came to ask me any questions about Mohamed. There were no investigations.

Mohamed was very friendly. He was not an extremist. I know what an extremist is. I wouldn't have dealt with him if he was an extremist.

Emad Ezzat Labib, another Coptic Christian neighbor, who owns a bag-making workshop near Mohamed Nasr's home and is a friend of Mohamed Nasr's father, told attorneys and journalists in April 2006 that he thought the allegations against Mohamed were fabricated. Labib said he was surprised that Mohamed was among those arrested.

I looked at the accusations that they were planning to kill Christian figures. These cannot be true. I know these people. They are not extremists. . . .

I don't understand much about politics. But I know there's something wrong here. They can't be extremists. . . . If I tried to remember one sectarian thing they might have done, I couldn't find one.<sup>40</sup>

The Interior Ministry's statement about the Victorious Sect said the arrests took place after "months of monitoring and surveillance." However, the manner in which many of the men were arrested suggested that SSI had little knowledge of who the men were before their arrests. For instance, when officers came to arrest the detainee Mohamed Salah Ibrahim Imam at his home (see above), he wasn't there; officers were unaware of where he worked and only visited the store where he was employed after his family told them where it was. Mohamed Nasr Ibrahim Awad, another man who also worked at the store, appears to have been arrested solely because he was at the store when SSI arrived. Also, more notably, when Mohamed Salah, the day after Mohamed Nasr's arrest, tried to turn himself in at a SSI facility, officers turned him away, and only detained him later, when he returned to the facility a second time.

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<sup>40</sup> Transcript of a video interview with Emad Ezzat Labib, Cairo, April 2006 (on file with Human Rights Watch).

In June 2006, Mohamed Nasr and his friend Mahmoud Sa'adi were released from SSI detention. Human Rights Watch approached them in June 2007, but they did not wish to speak to us about their experiences.

### *Taha Hussein Sa'ad*

Taha Hussein Sa'ad was arrested on March 2 at his father's house in El-Zawya el-Hamra.<sup>41</sup> Taha's father said SSI showed up at 5 a.m.:

They knocked on our neighbor's door downstairs and asked her where Taha's apartment was. She said upstairs, so they came here. This means they did not even know where Taha lived. [The announcement in April said that State Security had been monitoring the group for months.] They knocked on the door. We were asleep. They came in and asked Taha: "Are you Taha?" He said yes, so they took him.

Taha's mother said that when Taha's uncle, who lived in another apartment in the same building, opened his door to see what was going on, SSI officers "warned him to get inside again, telling him 'we'll take you with us.'"

Taha's father said:

From that moment, we did not know anything about him, until we were surprised by his photo [in late April 2006] —when in fact they had been detained for around 52 days before the date announced in the newspapers and TV.

Asked by attorneys why the family didn't take any public action after the arrest, Taha's father said:

We were tricked. They kept on telling us they'll be released after a couple of days, after another couple of days, so we did not want to

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<sup>41</sup> The accounts provided here about the arrest of Taha Hussein Sa'ad are based on the transcripts of two attorney interviews with Taha's parents, Cairo, late April 2006.

make a fuss. . . . We went to State Security after his arrest and we took clothes and food. They accepted them. This means he was inside. The same clothes we gave him were the ones he appeared in, was wearing, in the photo [i.e., the photo released when the group's arrest was announced in April 2006].

Taha was later released, in mid-2006, but after his release, neither he nor his family would discuss his arrest or detention in any detail. Taha told Human Rights Watch:

There is no use for us to talk about this subject. It's over. We want to turn the page. . . .

We understand State Security has to take some actions sometime to protect the country. It's the country's national security. This is no joke. A State Security officer sat down and explained the whole issue to me while I was in custody. They [SSI] have to take care of 70 million Egyptians. It's not an easy job. They must do some things, sometimes, which are beyond our comprehension.<sup>42</sup>

### *Ahmad Mohamed Bassiouni and other detainees*

Just before SSI detained Ahmad Ali Gabr, Mohamed Farag, Mohamed Hamdi, and the other detainees noted above, another set of arrests occurred in the Cairo neighborhoods of Kozzika, El-Zawya El-Hamra, and Tora el-Balad, during the last week of February.

Around February 24 to 26, SSI officers arrested Ahmad Mohamed Bassiouni, a young imam from El-Zawya el-Hamra, later accused of being the second-in-command of the Victorious Sect; as well as Hani Ahmad Mansour Mohamed, a young salesman; and Abdel Aziz Fouad Ali Abdel Maqsoud, an engineering student; among other detainees.

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<sup>42</sup> Human Rights Watch telephone interview with Taha Hussein Sa'ad, June 6, 2007.

Bassiouni was arrested on February 24. “I.K.B.,” a family member, told attorneys that SSI went to Bassiouni’s mother’s house first (his father passed away years ago):

They verbally abused her . . . they pushed her with their hands. They searched the flat. They asked her where Ahmad lived and took a neighbor’s son to guide them to Ahmad’s house—which contradicts what they claimed later about monitoring him for three months; they should have known his house by then!

[When they arrived,] State Security men took [Ahmad] from his home, in front of his helpless wife, to whom he was married for six months. She was pregnant. They took his papers and belongings.<sup>43</sup>

Hussein Metwalli, the journalist who investigated the arrests in April 2006, spoke with Bassiouni’s wife after the April 2006 announcements. According to Metwalli, she confirmed I.K.B.’s account of the arrest and said she had received no word of her husband for several weeks after the arrest, and that she was very anxious: “She used to call me a lot after the arrests to find out if I’d heard anything.”<sup>44</sup>

As noted above, Hani Ahmad Mansour Mohamed was arrested the same day as Bassiouni. Hani’s family said that Hani was arrested at 4 a.m. on February 24, and that SSI agents took him out of their house “in his underwear”:

In the street, they beat him up severely, to the extent that some residents tried to intervene, only to be verbally abused [by SSI agents]. . . . They took some booklets, a [computer] hard disc which

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<sup>43</sup> Transcript of attorney interview with I.K.B., family member of Ahmad Mohamed Bassiouni, Cairo, late April 2006 (on file with Human Rights Watch).

<sup>44</sup> Human Rights Watch interview with Hussein Metwalli, Egyptian journalist who investigated the arrests, Cairo, June 13, 2007. Metwalli told Human Rights Watch that he believed the allegations against Ahmad Bassiouni and the other detainees were not credible, and that SSI appeared to have fabricated the details. According to Metwalli, Mrs. Bassiouni also denied that her husband could possibly be involved with the supposed plots announced on April 19; and another family member said the same: “[He] is a very straight man and is not related to any of the alleged things.” Transcript of attorney interview with I.K.B., family member of Ahmad Mohamed Bassiouni, Cairo, late April 2006 (on file with Human Rights Watch).

had some scientific lessons, and cartoon movies and soap operas [DVDs].<sup>45</sup>

Hani's parents had no idea where their son was taken and didn't hear anything about his fate for almost two months:

We tried to find him, but we could not, until we were surprised by his photo among this alleged group [i.e., a photo among those released by the Interior Ministry on April 19, 2006, over a month and a half later].

Hani was among the few detainees released in the summer of 2006. When Human Rights Watch approached Hani in June 2007, he—like Taha, the former detainee mentioned above—was unwilling to discuss his experience in any detail:

I'm out, thank God, and I do not want to talk about this issue again. I do not want to get the ones who are still inside in trouble. If we speak to the media that could harm them. These are our friends from the neighborhood.<sup>46</sup>

Hussein Metwalli, the journalist who investigated the arrests in 2006, spoke with Hani when he was released in mid-2006. Metwalli said that Hani was afraid to talk openly and reluctant to discuss the details of his detention; however, he did provide details about his mistreatment in detention (see next section for more detail).

### *The Remaining Detainees*

Other young men were arrested around the same time in the Cairo neighborhoods of Kozzika, El-Zawya El-Hamra, and Tora el-Balad. Besides the 12 men whose arrests are described above, Human Rights Watch was told by families and attorneys that several dozen other men were arrested in these neighborhoods. These include ten who were among the 22 men whose arrest was later announced on April 19, 2006,

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<sup>45</sup> The accounts provided here about the arrest of Hani Ahmad Mansour Mohamed are based on the transcripts of attorney interviews with Hani's parents, Cairo, late April 2006 (on file with Human Rights Watch).

<sup>46</sup> Human Rights Watch telephone interview with Hani Ahmad Mansour Mohamed, June 6, 2007.

and numerous others whose names were not on the list. Human Rights Watch was unable to determine the exact date of arrest of most of the ten other men on the list of 22. The family of one these men, Mohamed Abdallah Bakri Mabrouk Hassanein, 23, said he was detained on March 21, 2006. The family of another, Nabil Mohamed Mohamed Ali Mustafa, 21, said he was taken into custody on March 2, 2006. However, for the eight others, family attorneys were only able to provide approximate arrest dates. The eight other men were:

- Tamer Abdel Nabi Zaki Mohamed el-Haddad, 32
- Omar Mohamed Abdel Fattah Ahmad, 26
- Rami Abdel Qader Mubarak, 20
- Ahmad Mustafa Saber Ahmed, also called “Ahmad Shobeir,” 22
- Hani Mahmoud Mohamed Abdallah, 29
- Goma'a Mohamed Abdel Wahab Mustafa, also called “Waleed,” 25
- Ayman Samir el-Sayyed Hassanein, also called “Ayman el-Abd,” 32
- Mahmoud Abdel Aziz Youssef Mohamed, 26

### **Speaking with Detainees and Families: A Culture of Fear**

Human Rights Watch made extensive efforts to speak with families of the 22 detainees in June and July 2007, to learn about the arrests and the families’ communications with the detainees.

The majority of parents we reached were unwilling to speak in detail with Human Rights Watch out of fear that it could lead to retaliation against their children or harm their chances of release. Several family members flatly refused to speak, while others said they wanted to complain about their children’s detention and alleged mistreatment, but not while their children were still in custody. For instance, S.B., the mother of one of the detainees, told Human Rights Watch:

My son is currently in [name withheld] prison. . . there are seven boys who are currently now in Lazoghli. They received release orders from the prosecutor, and we are hoping they get released this time. We

don't want to speak now or make a move, so as not to jeopardize them.<sup>47</sup>

Said Shehata, an attorney for several detainees, explained why families were unwilling to speak with Human Rights Watch:

They are too scared to talk. They are scared for their kids. They think that if they speak, their kids are not going to be released. They're just too scared. They visit the detainees, and State Security tells them that their children will be released, but that if they file a complaint, they won't be. So, for instance, a family will initially want to file another complaint, asking for release, but then State Security tells them not to, and so they don't.

But then the kids don't get released. The families don't realize that the State Security officers are manipulating them.<sup>48</sup>

Ayman Okail, another attorney who represented several of the 22 detainees in 2006, told Human Rights Watch that detainees' families told him about threats and intimidation from SSI officers:

Some of the parents told me that State Security took them separately and told them: "If you approach human rights organizations, you will never see your sons again."

We tried to convince them that this was a mistake, and that they will not see their sons anyway, "So please," we told them, "Please give us a chance to advocate on their behalf."<sup>49</sup>

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<sup>47</sup> Human Rights Watch telephone interview with S.B., mother of a detainee, Cairo, June 6, 2007.

<sup>48</sup> Human Rights Watch interview with Said Shehata, attorney for multiple detainees, Cairo, June 11, 2007.

<sup>49</sup> Human Rights Watch interview with Ayman Okail, attorney and director of Ma'at, an NGO that represented several of the 22 detainees in 2006, Cairo, June 12, 2007.

Okail said that parents would often stop talking to attorneys after SSI talked to them: “One day the parents would want our help,” he explained. “The next day they would yell at us, telling us we’re making trouble.”

For example, the mother of one of the detainees, [name withheld], told me that a State Security officer threatened and intimidated her not to talk to attorneys.

First she had wanted my help. She talked to me. But then she told me that a State Security officer promised her that [her son] would be released, if she kept quiet. And of course she believed him.

So she told me she didn’t want to talk to me anymore. “I don’t want to cause any problems,” she said.<sup>50</sup>

Adel Mekki, another attorney familiar with SSI practices and with extensive experience representing SSI detainees, said that when Egyptians are arrested by SSI, their families generally are afraid to seek help or publicize their concerns:

The families exist in this culture of fear of State Security. They believe that by remaining silent, they help their children. So we have this problem. Sometimes they just won’t give us the power of attorney, or agree to allow us to file a complaint. But we try to reason with them, and provide examples of how we’ve helped others in the past. But still, sometimes they just won’t talk.<sup>51</sup>

A.K.M., a human rights lawyer who works with families who have had relatives detained by SSI, agreed: “People are very scared, all the time. Fear has become normal.”<sup>52</sup>

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<sup>50</sup> Ibid.

<sup>51</sup> Human Rights Watch interview with Adel Mekki, an attorney familiar with State Security practices, Cairo, June 13, 2007.

<sup>52</sup> Human Rights Watch interview with A.K.M., human rights researcher, Cairo, June 11, 2007.

Mohamed Hashim, an attorney familiar with SSI practices, added:

Of course they're scared. They're in State Security detention. The officers don't just pat them on the shoulder when they're in there and tell them everything's going to be all right.<sup>53</sup>

## **Detention, Torture, and Confessions**

Former detainees held with the 22, attorneys for the detainees, and detainees' family members have alleged that the men were severely tortured during the first weeks of their detention.

Human Rights Watch faced several obstacles in assessing what happened to the 22 men after their arrests. Besides the reticence of families, who feared that talking publicly would cause problems for their children, the detainees who were released, with one exception, did not want to speak about their experiences, apparently from continuing fear of SSI. In addition, the Egyptian government did not respond to our written requests for information or to meet to discuss the arrests or the events surrounding the purported confessions of the 22 men. (The Egyptian government has never permitted Human Rights Watch to visit Egyptian prisons to speak with detainees or convicted prisoners; repeated requests in recent years to visit Egyptian prisons have received no response.)

Attorneys for the 22 men likewise faced obstacles to speaking with the detainees. None of the men could be visited while in SSI detention in February through May 2006, during the period of their interrogation: it is impossible as a general matter for outside observers or attorneys to visit SSI interrogation facilities. The only opportunity attorneys had to speak with detainees was when the detainees were brought to the State Security prosecution office for hearings at various times in June through September 2006. Even after the detainees were transferred to prisons, several Egyptian attorneys' requests were denied or ignored.

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<sup>53</sup> Human Rights Watch interview with Mohamed Hashim, political opposition leader familiar with State Security detention practices, Cairo, June 12, 2007.

Human Rights Watch interviewed or obtained accounts from several men who were detained with the men in late 2006, including “L.S.” and “H.B.F.,” the two detainees mentioned earlier who were held with most of the 22 detainees in an Interior Ministry prison and who were released in 2007. These sources spoke credibly, with consistency, and in great detail about what they had seen and heard.

Human Rights Watch also interviewed the attorneys for the 22 men, who spoke to the detainees and saw physical evidence of their mistreatment. We also obtained accounts from some family members who were able to speak with their relatives in prison.

### *Torture*

Several sources allege that the detainees were tortured during SSI interrogation.

Said Shehata, an attorney for several detainees, saw approximately ten of them when they were brought to the SSI prosecutor’s office in July through September 2006, and he spoke with six during the proceedings. He told Human Rights Watch what learned about their treatment:

I talked to many of them in the prosecutor’s office. All of them were mistreated, at Lazoghli. They were *all* mistreated at Lazoghli. The ones I talked to, they told me that State Security had handcuffed them behind their back, and lifted up the handcuffed arms behind. Some said they had cigarettes put out on their skin, in sensitive areas. Some were also subjected to electric shocks. For instance, some told us they were handcuffed to a metal bed, like a hospital bed, but without a mattress, and they’d prop them up [perpendicularly], and they’d run electrical current through the bed, shocking them.

Said Shehata described the case of Mohamed Nasr Ibrahim Awad :

[W]ithout me asking him questions, he starts telling me what happened: that they came to his house, he was arrested, blindfolded. They took him to State Security and he was brought for interrogation.

He was stripped naked. He was handcuffed all the time. And he was on that bed [without a mattress], and he was shocked [with electricity]. He showed me the bruises on his arms, and the burns on his back. The burns were on his upper back. I saw marks: small circles, black or dark marks. . . .

He still had burns on his back, and he tried to show the prosecutor but the prosecutor wouldn't let him. He wanted to take off his shirt and show the prosecutor the burn marks on his skin, but the prosecutor refused. He asked two times, but the prosecutor refused.

Said Shehata said that Mohamed Nasr and the other detainees were blindfolded for almost all of the time they were held in SSI detention facilities.

Shehata talked to five other detainees separately at the prosecution office, including the alleged leader of the group, Ahmed Ali Gabr. The detainees indicated that they had been tortured, and some of them showed Shehata marks on their wrists and burns from cigarettes:

Ahmed Ali Gabr and all the others I talked to were tortured in the same way [as described above]. Ahmed Ali Gabr [the first time he appeared at the prosecution office], he looked like he was going to piss his pants. He was in a white prison uniform. His beard was all grown out.

He had black marks around his wrists. . . . He said he was stripped naked, bound, sometimes hung up. There were electricity shocks and putting out cigarettes in sensitive places.<sup>54</sup>

Shehata said he was able to observe marks on some of the detainees:

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<sup>54</sup> Human Rights Watch interviews with Said Shehata, attorney for multiple detainees, Cairo, July 9 and 11, 2007. Shehata told Human Rights Watch that in his experience representing SSI detainees, it was rare for detainees to be taken before a prosecutor while they were still suffering injuries or effects of mistreatment; most were brought to the prosecution office later: "State Security usually waits until wounds are healed before bringing detainees before the prosecutor. And anyway, even if there are marks, the forensic experts will usually write down that they are 'marks of an old wound.'"

I saw marks on their arms and burns, but not fresh. The problem is, usually when they're brought to court, it is long enough after they're mistreated that the torture marks are gone.

Of the detainees, Shehata said that only Mohamed Nasr wanted to tell the prosecutor about abuse:

Mohamed Nasr, in particular, still had some marks and he asked to be inspected by medical staff, and he wanted to show his injuries to the prosecutor—he asked two times—but the prosecutor refused. . . .

Other detainees told me about the abuse, but didn't want to say anything in front of the prosecutor—the first time. Later, when they became used to the prosecutor's office, some of them told the prosecutor about the torture. . . .

Most of the guys were really scared and didn't want to ask for the examination [in court], but he [Mohamed Nasr] asked. He was really relieved that I was in touch with his family, and so he wanted to talk about the abuse and tell the prosecutor. . . .

But a lot of the kids cannot pursue these cases, or don't want to. They're scared. State Security tells them, "Listen, after you're taken to the prosecutor's office, you're coming back here, so don't say anything, don't do anything stupid." So they keep quiet.<sup>55</sup>

A.S., one of the attorneys for two other detainees, said that his clients told him about abuse when he spoke with them during hearings at the State Security prosecution office in June and July 2006:

They told us they were mistreated and tortured. . . . They told us that they were subjected to sleep deprivation, sometimes up to 48 hours of

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<sup>55</sup> Human Rights Watch interview with Said Shehata, attorney for multiple detainees, Cairo, July 9, 2007.

keeping them awake. And they told us that they were beaten up. [Name withheld] told us he was deprived of sleep for 48 hours.<sup>56</sup>

A.S. suspected that the two were subjected to other physical torture, but said “I think they were embarrassed to talk about it.” In any case, A.S. said that he expected that SSI officers waited until detainees’ injuries had healed:

When detainees are tortured, it’s in the first few months. . . when I saw them, it had been six months since their arrests, and there were no marks or scars. As you know, they [SSI] wait; they wait to bring them, until there are no more scars.

Tarek Nasr, the brother of the detainee Mohamed Nasr Ibrahim Awad, told Human Rights Watch that during prison visits he heard allegations of torture from his brother. Tarek said that Mohamed told him about his own torture as well as other detainees’ mistreatment, which he said took place mostly at Lazoghli, during the first weeks of their captivity:

The first time I saw him was in the State Security prosecution office in Heliopolis on the 20th of May. It was a small room, packed with families, police soldiers, and officers. We did not speak about the torture or anything. We couldn’t. I asked him if he was all right and whether he needs anything, and he was asking about our family. That’s all.

But in later visits [to prison], he started telling me bits about the torture. He said that he spent 22 days interrogated and tortured. He was electrocuted in the legs and the sensitive areas, for hours. . . . I saw marks on my brother’s legs from electricity.<sup>57</sup>

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<sup>56</sup> Human Rights Watch interview with A.S., attorney for two detainees, Cairo, July 13, 2007.

<sup>57</sup> Human Rights Watch interview with Tarek Nasr, Mohamed Nasr’s brother, Cairo, June 20, 2007.

Tarek said his brother told him that the other detainees were mistreated as well: “They were all tortured. What do you expect? No one goes into State Security without at least a slap.” Tarek listed some of the allegations his brother told him:

They were all blindfolded inside Lazoghli. . . . They were all beaten up inside, and electrocuted. They were stripped naked, without any clothes. One detainee spent the whole day getting slapped on the face. The whole day he was being slapped, left and right.<sup>58</sup>

L.S., the former detainee who was held at various facilities with most of the 22 men, confirmed these claims, telling Human Rights Watch about various abuses he heard about from the detainees, as well as about abuse he witnessed while he was held at the Gaber Ibn Hayan SSI facility in Giza, where some of the detainees were taken in March 2006. L.S.’s descriptions of SSI detention were consistent with other detainees’ and attorneys’ accounts and Human Rights Watch considers his information to be credible and balanced. L.S. said that 25 detainees arrived a few days after he did, and that he later learned, from talking to some of those detainees, that most of the 25 were later named as members of the Victorious Sect.<sup>59</sup> L.S. explained:

I was arrested March 4 [2006]. I was taken to the facility in Giza. . . . I was not tortured . . . but by “not tortured” I mean I was not given electric shocks or hanging [by the arms]. But it was inhumane. It’s a very bad place. We were handcuffed to the wall at times, and I was blindfolded much of the time. I stayed for four days.

Then they brought about 25 other people. I didn’t see them, they were kept separately. I was separate from them. I was in one cell, with a few people. . . .

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<sup>58</sup> Ibid.

<sup>59</sup> The descriptions from L.S. provide here are based on a Human Rights Watch interview with L.S., former detainee of State Security, Cairo July 11, 2007.

All of them were in another cell. I know the room they were held in; I saw it. It is about three by five meters, with no window, no fan, no air, one bathroom. The ceiling is low: you stand up and the ceiling is exactly where your head is. The 25 of them were all stacked together in that one room, very crowded, hot, no air, and of course they would each have to use the toilet in front of the others. Can you imagine, with 25 people? By the time the 25th person is finished with the toilet, the first person has to use it again.

L.S. said that SSI officers were more interested in the 25 detainees than they were in him or other detainees. Since his cell was close to the room in which interrogations occurred, L.S. could hear many of the 25 being interrogated and heard them screaming:

I couldn't see them most of the time, but I heard them being interrogated. What I heard was not just torture; it was beyond imagination. What I heard, it was so unbelievable, even I came to believe that maybe they were involved in something. I started wondering: for them to be tortured like that they must have been involved in some plot.

You cannot imagine how harsh it was: to hear that, the screaming, how harshly they were tortured. . . .

I heard some of them [the detainees] screaming when they were being electrocuted. I could hear the electricity too, the "zizzzt, zizzzt". . . .

I heard one interrogator threatening to rape a detainee, and I heard him threatening to rape the wife of the detainee.

L.S. said he was unaware of the identity of the detainees: "I didn't know who the guys were, at that point," but that he met many of them in late 2006, when the remaining Victorious Sect detainees were brought to Damanhour prison, where L.S. himself was earlier transferred in mid-2006. When they arrived, they described not

only their torture at Giza, which L.S. heard, but also mistreatment at Lazoghli and Nasr City:

I only learned who they were later, when I talked to them in prison, months later. They told me more about the torture. They told me all about it. . . . Every day we'd talk with these guys, from the group. I was held for four months with them and we talked all the time. They told us a lot about the torture they suffered. . . .

First, they said they were stripped naked, of course, and for a while they were held out in the hallway, completely naked. Second, electricity, of course, that's a must, it almost goes without saying. But not just electricity: they said that the officers targeted their most sensitive areas, the genitals. Third, they said they were handcuffed, behind, and then hung up on the top of an open door. [L.S. demonstrates by pretending to be handcuffed with hands behind his back, and motioning the act of being lifted up and placed over the top of a door, arms on one side of the door and the rest of body hanging on the other side.] . . .

Those 25 guys were very badly tortured. Some of those guys told me later that they could smell their own skin burning [during the electroshock]; they said it was disgusting. And they said the State Security officers would pull on their beards very hard, and used matches and set their beards on fire.

L.S. said he heard earlier about abuses that were taking place in the Lazoghli facility during his initial detention in March 2006. While detained in another facility for a brief period before he was sent to Damanhour, L.S. said he saw and spoke with Mohamed Farag, one of the detainees arrested with some of the other 22 men, who was detained at the Lazoghli facility. (As noted in the proceeding section, Mohamed Farag worked in a store with Ahmed Ali Gabr, and although he was not among the 22 Victorious Sect detainees whose detention was announced in April 2006, he was arrested around the same time as Gabr and other detainees.)

According to L.S., when Farag arrived, he said he had just been at the Lazoghli facility with other detainees, and he showed signs of having been badly tortured:

He was in a really bad condition [when he arrived]. His hair was really long, and facial hair, he was very dirty; he was wearing the same clothes he had when he was arrested. When he arrived, he didn't know where he was, he was in a terrible state. He was really scared—really scared. When he arrived, we heard him asking the guards, in a worried way, “Is there electricity here?”

He said that between interrogations, they had been held in the corridors in Lazoghli, handcuffed, sitting along the wall. He said that the corporals [lower level guards] would walk down the corridor and shock them with something, a stick or something [possibly a handheld device such as a taser, which delivers a low voltage shock].

We helped him clean himself up, get some water, bathe. The guy didn't know anything about the name of the group, he never said anything about “Victorious Sect,” we only heard that [name] later.<sup>60</sup>

H.B.F., another SSI detainee held at Damanhour in late 2006 and quoted earlier in this report, told Human Rights Watch that he, like L.S., was held in Damanhour in late 2006. There he saw most of the Victorious Sect detainees and spoke with many of them. He spoke in depth to four in particular: Ahmed Ali Gabr, Abdel Aziz Fouad Ali Abdel Maqsoud, Omar Mohamed Abdel Fattah Ahmad, and Mohamed Hamdi Abdel Gawad Ibrahim.<sup>61</sup> H.B.F.'s accounts were consistent with those of L.S. and other general accounts of SSI detention, and appeared to be balanced and credible.

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<sup>60</sup> L.S. also told Human Rights Watch that another prisoner held with him in Damanhour, who remained in prison as of August 2007, was transferred to Lazoghli and back again during March 2006 (presumably for interrogation), and saw many of the same prisoners before they were sent to Damanhour: “He heard them being tortured, and saw them and their wounds, including one guy who near him, who was so badly tortured, with electricity and beatings, he was helping him clean his wounds with some water. Later, the guys showed up in the prison and this guy was there too, and they were reunited.”

<sup>61</sup> Human Rights Watch interview with H.B.F., former State Security detainee, Cairo, July 13, 2007. H.B.F. said that some detainees said little about their torture: “Some people don't really get into details about their torture, for no reason other than it's so common. Nobody is going to tell you ‘I got electrocuted!’ because I myself got electrocuted too and I don't want to hear others telling me about their electrocution. And why talk about the blindfold? Everybody gets blindfolded.” In any case, H.B.F. did talk in detail to the four detainees noted above about their mistreatment, and they did provide details.

H.B.F. said that all four detainees told him about mistreatment they suffered while in SSI detention.

“They tried to look steadfast and they tried to look solid,” said H.B.F., “Because in prison you can’t afford to break down like that, because you’re going to depress everyone around you.” But according to H.B.F., the four detainees said that they’d been severely affected by their experiences and had suffered mental health difficulties, such as sleeplessness, extreme anxiety, and loss of concentration.

H.B.F. said that Ahmed Ali Gabr and Abdel Aziz told him of being stripped, handcuffed, hung up by their arms, and beaten and electrocuted; Omar Mohamed and Mohamed Hamdi said the same. Ahmed Ali Gabr, Omar, and Abdel Aziz told H.B.F. the torture started at the SSI office in Maadi, in southern Cairo, where many of the detainees were taken initially after their arrests.

H.B.F. said that Ahmed Ali Gabr told him about being beaten:

He was blindfolded. He was beaten up. I asked him if he was handcuffed or shackled all the time. He said no, the shackles came later at Lazoghli and Nasr City. But at the Tora State Security office he was blindfolded, he received electric shocks, he was beaten up, and of course insulted verbally.<sup>62</sup>

Later, Ahmed Ali Gabr told H.B.F. he was taken to the Lazoghli SSI facility and then to the facility at Nasr City. H.B.F. explained:

In Lazoghli they stayed in the corridor . . . . Ahmed Ali Gabr said he stayed in the corridor [i.e., he was held in one of corridors of the facility] for 20 to 30 days, just sitting. [Gabr said he was also blindfolded during this time.]

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<sup>62</sup> Ibid.

He said they were not allowed to stretch their legs because if they stretched their legs, they were blocking the corridor and the [SSI personnel] would kick their legs back. They were also handcuffed to the wall, there would be iron rings coming out of the door, like you would use for animals like donkeys, and they would be handcuffed to the wall.

In State Security Nasr City headquarters, it is a different story; everyone has his own cell. . . . Ahmed told me that while he was in Nasr City State Security headquarters, he was blindfolded and handcuffed inside his cell and when it was interrogation time, they used to take him and strip him of his clothes. . . .

He said he was also suspended from the ceiling, but since he was blindfolded, he didn't know exactly the kind of device from which he was suspended. When he was suspended from a door, he'd know that, but there were other times he was suspended from other things, he didn't know and he couldn't see; he was blindfolded. In Nasr City, that's procedure, that's what happens to everybody. He said if they ask you a question and you say I can't remember, they suspend you until you remember.

H.B.F. said that Ahmed Ali Gabr and the others described to him severe electroshock torture they endured at the Nasr City facility.

Generally, Ahmed Ali Gabr told him, there were two types of shock, a less severe form of shock for when a detainee was suspended in the air, and a more severe type of shock for when a detainee was pinned to the ground. Ahmed Ali Gabr told H.B.F. that being shocked while pinned on the ground was far worse:

He told me that he received electric shocks in every part of his body, with special concentration on the genitals. . . . One technique is that actually they make you lie on the floor on your back and they spread your legs and they spread your arms and then they put a chair between

your legs, this way, you are forced to keep your legs open and another chair, here, to make sure your arms are like that. And then they electrocute you.<sup>63</sup>

L.S., the first detainee quoted earlier, also spoke with Ahmed Ali Gabr. “I talked to Ahmed Ali Gabr a lot,” L.S. said. “We shared a cell together for a while.” L.S. told Human Rights Watch that Gabr and the other detainees provided him with details about their abuse in Lazoghli and Nasr City, and the account he gave us was similar to that given by H.B.F. above.

Hussein Metwalli, the journalist who spoke with Hani Ahmad Mansour Mohamed, one of the released detainees, and with many of the relatives who visited the detainees in prison, said Hani Mansour confirmed to him, just after his release in 2006, that he was tortured while in SSI custody, but said he was unwilling to talk about it in any detail.<sup>64</sup>

Metwalli also spoke with another “Victorious Sect” detainee who was released from custody around October 2007. (The detainee’s name is deleted here at his request, to protect his security.)

The detainee, who was held with most of the 22 others after their arrests in February and March 2006, said that after his arrest he was gathered with other detainees and that SSI “transferred us to Lazoghli for a taste of systematic torture.”<sup>65</sup>

The detainee told Metwalli that “we were beaten up with fists and sticks, and kicked around.” The detainee said that SSI “used electricity on different parts of the body, including sensitive areas. . . . These sessions of torture were held mainly prior to the announcement of the organization on TV.” The detainee added that another Victorious Sect detainee held with him falsely admitted “that he was a terrorist”

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<sup>63</sup> Ibid.

<sup>64</sup> Human Rights Watch interview with Hussein Metwalli, journalist who interviewed families and released detainees, Cairo, June 13, 2007. The last phrase is a translation of an Egyptian Arabic idiom that literally means: “I must not only walk along the wall, but inside the wall.”

<sup>65</sup> The accounts provided here are based on an interview conducted by Hussein Metwalli with a released SSI detainee, Cairo, November 2007.

immediately after he was shocked with electricity to his penis. The detainee stated that neither he nor the other detainees had any involvement with illegal activities; but said that torture and ill treatment had impacted their appearance and made them look suspicious in pictures that were released to the media:

We were tortured daily until a photographer came and took pictures of us that were broadcast on Egyptian television on April 19, 2006. Of course, our beards were long and our hair looked like Mongols'—we truly looked like terrorists. . . .

Then they took us down to solitary cells, its hallways illuminated 24 hours a day. We could not sleep because of it, and if the lights burned out, we are left in the dark, underground, among the insects. . . .

The detainee's allegations are consistent with other information gathered about the arrests and detention of the 22 detainees.

### *Confessions*

Former detainees and attorneys told Human Rights Watch that several Victorious Sect detainees "confessed" while under torture. L.S., one of the detainees later held with the detainees at Damanhour, said:

They told us about how they confessed to everything. There were two types of confession they made under torture: First, just making things up, anything, to answer the questions. . . . They would be asking and asking, and the guys would say they'd say anything, make things up.

Second, they would ask the officers what to say. The guys would say they'd be tortured so bad, they'd be screaming, "Tell me what you want me to say! Tell us what to say and we'll say it!" They'd agree to confirm anything State Security wanted. It was devastating to hear

them talk about this. To tell you the truth, I did not really enjoy listening to them talk about this stuff.<sup>66</sup>

The detainees told L.S. that SSI officers planted the allegations themselves: “They were fabricating it all, telling them, ‘You have land for training,’ and ‘You have a plot to blow up the pipelines outside Cairo,’ and so on.”

H.B.F., who spoke with the detainees at length, explained in more detail:

State Security, when they torture you under interrogation, they hint at what your answer should be like. They will throw a headline for a subject to the detainee and then torture him to get the details. Like for example. . . [an SSI officer,] he would ask the detainee, the State Security officer would ask: “So what’s the story of the bombings that you were planning to do in this country?” And of course, under torture, the detainee wants this torture to stop, so he wants to say anything that would make this torture stop. And as for the other person, the interrogator, he keeps on pressuring the detainee until the detainee says the story that the interrogator wants to hear.

But then the problem is that when the interrogator finds that the detainee has given him some information about something, he will increase the torture so that he would tell him more details, and elaborate more on the subject.<sup>67</sup>

H.B.F. said that detainees would sometimes admit to acts that even the SSI officers would find absurd or unlikely. For instance, H.B.F. said, Abdel Aziz—who was short,

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<sup>66</sup> Human Rights Watch interview with L.S., former State Security detainee, Cairo July 11, 2007.

<sup>67</sup> Human Rights Watch interview with H.B.F., former State Security detainee, Cairo, July 13, 2007. H.B.F., who suffered his own mistreatment while in custody, during unrelated interrogation, also told Human Rights Watch: “I just want to say something quickly about the psychology itself of the interrogation process. When you are being tortured, you reach a state that you’ve said all the facts, basically, but the torture doesn’t stop so you reach the conclusion that he [the State Security officer] wants you to say what the interrogator wants to hear, so you start saying what the interrogator wants to hear. So you fall actually into that trap. And sometimes you even elaborate even more than the guy wants to hear. So this extra information that you gave him, this means that he will torture you more to get even more extra information and will torture the others in order to complete the new plot now.”

skinny, and not very muscular—said that he told H.B.F. that he admitted to being the group’s head of physical training, and that SSI officers laughed among themselves after they coerced him to admit this.

H.B.F. said that Ahmed Ali Gabr recounted a similar story, saying that he could not properly fill in the details about his supposed plot:

One of the allegations was about the pipelines that they were going to blow up, and they brought Ahmed Ali Gabr [into interrogation], and they asked him: “So how are you going to blow up the gas pipes?”

Ahmed didn’t know what to say, so he told them we were planning to get a rock and keep on knocking on the pipe until we make a hole and then we were going to get a match and throw it inside the pipe.

And the officer, of course, when he heard this, he cracked up laughing, and said “What are you saying?” [H.B.F. starts laughing.] And then he let Ahmed go [back to his cell].<sup>68</sup>

The detainees also told H.B.F about how SSI pressed them to confess to the plots that ultimately comprised the allegations made in the April 2006 Interior Ministry statement:

There were also cases where they would bring a detainee and tell him that “By the way, all of the others confessed, all of the others have confessed to what your group was going to do to the Egyptian museum, so you better confess.” And then they would start torturing them. . . .

There was also another story about the land that supposedly they were going to do some training on. This was another thing that Ahmed said he was being asked a lot about. Like “How did you buy this land? Where did you get it? Where did you get the money from?”

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<sup>68</sup> Ibid.

But Ahmed never bought a piece of land. They were telling him: You were planning to start the camp, didn't you? You were planning to bring recruits and train them on that ground, didn't you? Another allegation was that they were planning to assassinate Coptic figures. . . .

He told me about how they made him into the leader of the group. They tortured him and mistreated him and made him say that he was the leader, and made him name all his friends and say they were in the group and that they were plotting all those things.<sup>69</sup>

L.S. said that Ahmed Ali Gabr told him that SSI actually invented the name “Victorious Sect”:

Ahmed Ali Gabr also told me about how the name “Victorious Sect” was chosen. At some point, he said, after all the torture, when the officers were finishing up with him, he was sitting with them, and one of the officers said to him, “So, Ahmed Ali, what would you like to call your group? What name do you prefer—Taifa Mansura [the Victorious Sect], or al-Morabitun [the Sentinels]?” And Ahmed Ali Gabr said he didn't know what to say, so he said “Victorious Sect.” And so that was the name they gave the group.<sup>70</sup>

H.B.F. told Human Rights Watch that Ahmed Ali Gabr described the same incident to him, adding that when he first balked at choosing the name, “SSI officers said to him, in an ironically polite manner like: No, no, no—you choose from these names; that will be the name we will give your case. . . . So, in order to just to finish up or whatever, he chose the Victorious Sect name.”<sup>71</sup>

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<sup>69</sup> Ibid.

<sup>70</sup> Human Rights Watch interview with L.S., former State Security detainee, Cairo July 11, 2007.

<sup>71</sup> Human Rights Watch interview with H.B.F., former State Security detainee, Cairo, July 13, 2007.

### *The Effects of Torture: Ahmed Ali Gabr's Breakdown*

L.S. and H.B.F. both said that, having spoken with many of the detainees, they believed that Ahmed Ali Gabr was tortured more than the other detainees. The two surmised that SSI officers either tortured him extensively hoping to make him admit to being the leader of the group, or they tortured him for longer periods because, under torture, he was more prodigious in admitting to the plots that the officers suggested.

Both L.S. and H.B.F. say they spoke in detail with Ahmed Ali Gabr about how the torture affected his psychological well-being. L.S. and H.B.F. said that Gabr had a nervous breakdown when he was brought to the State Security prosecution office, after months of torture. H.B.F. described what Ahmed Ali Gabr told him:

The State Security prosecutor read out a list of accusations to him; it was long. Then he [Ahmed Ali Gabr] told him that he couldn't answer back, and he broke down in tears. After he calmed down, he said he asked the prosecutor, "These accusations, if I get indicted under them, what's going to be the punishment?" And the judge told him, that it's going to be execution. And when he was taken back to Nasr City, they took him to "the hotel." [A reference to the nicer detention cells in the top floors of the Nasr City facility, which have beds and air conditioners.] And that's when Ahmed fell apart, he said that if they take me to "the hotel," it means that he is basically spending his final days but that "all I care about is I want to tell my family that I'm a good person and I didn't do anything wrong."

He told me that his psychological state had gone down the drain; he had been already blindfolded for three months. [Other prisoners told Human Rights Watch that constant blindfolding negatively affected their mental health, causing extreme dizziness and anxiety].

Ahmed Ali Gabr told both H.B.F. and L.S. that he was so upset that he started talking to the pigeons outside his window. As L.S. explained:

He told me that, at this point, he was devastated. The prosecutor had told him he might be facing the death penalty. And he was really messed up from the torture, and didn't know why all of this was happening. And he'd had no communication with his family, for months. Psychologically, he was devastated. . . . So, he told us, he started to talk to the birds on the window sill outside his room, and ask them to transfer messages to his family. When they brought him food, he would take a little food and put it on the windowsill, for the birds, to make them come.

One day, the food was late, but there were some birds on the sill, and they were making some noise, being noisy. So Ahmed Ali Gabr was apologizing to them, telling them that he was sorry there was no food.

A guard heard him, talking, and opened the door and came into the room, wondering who he was talking to. When he saw that there was no one in the room, and that Ahmed Ali was apparently talking to no one, he went downstairs and told an officer. The officer panicked, and thought the guy had gone insane, this guy is nuts, and so on. And he rushed up to the room and started talking to him, and trying to calm him down.<sup>72</sup>

H.B.F. heard the same account from Ahmed Ali Gabr. As he told Human Rights Watch:

The officer summoned Ahmed Gabr to his office. And he was barefoot. The officer was speaking to him and he had a cup of tea brought to him. . . . The State Security officer tried to calm him down, and he was telling him: "Don't worry, son, nothing is going to happen to you. Did you do anything wrong? No, you didn't. So nothing is going to happen to you. Don't worry, don't worry, just calm down."

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<sup>72</sup> Human Rights Watch interview with L.S., former State Security detainee, Cairo July 11, 2007.

Ahmed told H.B.F. he couldn't listen to everything the officer was saying:

Ahmed said that at that time, he was in "a weird state." The officer brought him a cup of tea and talked to him, but he couldn't focus at all on what he was saying and what he was doing then. He said he was just looking at his feet, and pouring the tea on his toes and just playing with his toes, and he didn't know why he was doing this.

This was his mental state at the end.<sup>73</sup>

According to HBF, Ahmed learned soon thereafter that SSI was not interested in prosecuting him, and from then on he was not tortured. His mental health improved significantly, he said, and he was able to communicate more normally by late 2006.

## **Prosecution Dropped**

Human Rights Watch was unable to determine why, starting in July 2006, the Egyptian Interior Ministry apparently decided not to prosecute the 22 detainees. During hearing after hearing for the detainees at the State Security prosecutors' office, from July to September 2006, prosecutors ordered the detainees to be released. By September, all of the 22 detainees had been cleared for release.

Nonetheless, as of December 2007, for reasons that remain unclear, only 12 detainees had been released, and 10 remained in detention.

According to attorneys, after the release orders in 2006, the first two detainees to be released were Mohamed Nasr and his friend Mahmoud Sa'adi. After that, they say, SSI—utilizing provisions in the Emergency Law—issued new detention decrees in August and September 2006 for the 20 remaining detainees. Since mid-2006, 10 more detainees have been released, but the SSI has kept another 10 men in prison without presenting them again to prosecutors. As of December 2007, the 10 remaining detainees have been in custody without charge for almost two years.

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<sup>73</sup> Human Rights Watch interview with H.B.F., former State Security detainee, Cairo, July 13, 2007.

Several attorneys and observers told Human Rights Watch that they believed that the release orders issued in 2006 attested to the detainees' innocence, and that the men remain in detention only because SSI fears the embarrassment that would accompany their release.

Mohamed Zare'i, a human rights lawyer familiar with the case, said:

Definitely, this case is fictional. The prosecutor could easily have referred the case for prosecution. If they had the smallest suspicion—1/1000th of a suspicion—that these guys were actually guilty of anything, or dangerous, they would have referred the case to court or to a military tribunal. Just by the fact that they did not take legal action against these detainees, this shows that the case is fabricated. . . . It's not a surprise: obviously State Security didn't see the guys as dangerous.<sup>74</sup>

Zare'i did not consider it unusual that persons held under the Emergency Law would be detained indefinitely:

Listen, there are people who have been in custody since 1989 under the Emergency Law, who have been ordered released many times. People stay in prison for years, and some are even forgotten. They [SSI officers] are terrified about their careers. If a State Security officer released someone, and then the guy turns out to do something, something political, something the government doesn't like, the officer will be in trouble. Even they, in a way, are afraid.<sup>75</sup>

Adel Mekki, a human rights researcher familiar with the case, said the same: "A release order is only ink and paper. We've had detainees [as clients] with more than

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<sup>74</sup> Human Rights Watch interview with Mohamed Zare'i, human rights attorney, Cairo, June 12, 2007.

<sup>75</sup> Ibid. Daaa Rashwan, a terrorism expert for al-Ahram Center for Political and Strategic Studies who followed the Victorious Sect case, agreed with Zare'i, telling Human Rights Watch that he considered the release orders to be a good indication that the case was fabricated. Human Rights Watch interview with Daaa Rashwan, commentator on terrorism issues for al-Ahram, Cairo June 10, 2007. Zare'i and Rashwan were not surprised that most of the detainees still remain in custody: both told Human Rights Watch that SSI regularly issues arrest decrees even after prosecutors order detainees to be released.

30 release orders, and it doesn't make any difference." Mekki agreed with Mohamed Zare'i and said that SSI officers might be embarrassed because a case was not proceeding and wait a lengthy period of time before allowing the detainees to be released. The UN Committee against Torture has noted that in Egypt "many court decisions to release detainees are not enforced in practice."<sup>76</sup>

It is not clear why the Interior Ministry gave up on their allegations. Attorneys for the detainees suggested to Human Rights Watch that the Interior Ministry may have fabricated the case for publicity and later decided that the detainees' prosecution was not necessary, or that, whatever the motives, the case ultimately was simply too contrived even for a court applying Egypt's draconian emergency law.

The attorneys noted that no evidence was presented against the detainees beyond their own confessions, which, as shown in the preceding section, were likely the result of torture. Said Shehata, for instance, an attorney for several detainees, argued that the allegations made against the detainees were without detail or substantiation:

The case is fiction, and by God, I don't know where they got this name Victorious Sect and these aliases. It is clear now that it is fictional. . . .

Plotting to blow up gas pipes? They didn't even know where the pipes were, that they were supposedly going to blow up. The Interior Ministry statement doesn't say where these pipes are either. I have never been given any document or any legal document stating where these supposed gas pipes are. We never saw one shred of evidence against them. We didn't even hear a description of any evidence, or reference to any sort of evidence backing up the allegations. . . . It's ridiculous. Take, for instance, Bassiouni: they said he was second in charge [of the group]. Ridiculous. He was an imam, in a mosque, which means he was approved and vetted by State Security. It is impossible he could

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<sup>76</sup> Committee against Torture, "Conclusions and Recommendations, Egypt," U.N. Doc. CAT/C/CR/29/4 (2002), para. 5(h).

be engaged in anything illegal, in that position. And the allegation that they wanted to buy land, to use for training—ridiculous.

Most of the kids were very poor, had no money at all, how could they possibly afford to buy land? This is a typical allegation; they said the same thing about the Wa’ad group [an earlier State Security case, similar to the Victorious Sect case, in which dozens of young men from Cairo were arrested by State Security and later confessed to plotting attacks around Cairo].<sup>77</sup>

Yet the fact that prosecutors ordered the detainees’ release came as a surprise to some of the attorneys for the detainees. Said Shehata, though he concluded that the case was fabricated, said he was surprised that the Interior Ministry ordered the detainees released:

Initially, when we first started work on this case, we thought that with these allegations, these kids were going to be massacred: we thought they’d be brought before a military court, and be executed in the public square. We thought for sure they’d be put in front of a military court. The government made all these serious allegations, and announced it all to the media.

We were shocked when the State Security prosecutor ordered them to be released, and for most of them it was on their second or third appearances. I myself am confused about this, why they ordered them to be released, and why they haven’t been released. They invented this big case, and they can do whatever they want; why did they end up ordering their release? I don’t know.

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<sup>77</sup> Human Rights Watch interview with Said Shehata, attorney for multiple detainees, Cairo, July 11, 2007. The Wa’ad were a group of almost 100 men, mostly from the greater Cairo area, who were arrested by SSI in 2001 and accused of plotting various crimes; authorities alleged the group was plotting to “assassinate security officials, public figures, and bomb the state’s economic institutions,” and that the group was “receiving military training, sending members abroad for fighting experience . . . using the internet as a means of coordination between the organizational cells and distributing literature.” See Amnesty International, “Egypt – Systematic abuses in the name of security,” AI Index: MDE 12/001/2007, April 11, 2007, p. 27, [http://amnesty.org/resources/Egypt/pdf/2007\\_04\\_amnesty\\_international\\_egypt\\_report.pdf](http://amnesty.org/resources/Egypt/pdf/2007_04_amnesty_international_egypt_report.pdf).

Adel Mekki agreed that the release orders were a strange turn of events: the seriousness of the charges led him to expect the men would be prosecuted, even if the allegations were fabricated:

If you read the police report [the Interior Ministry document presented in April 2006], you're shocked. You might think to yourself: "These guys are going to be executed, for sure." These sound like serious charges: assassination of Muslim and Coptic figures, destabilizing society, and fomenting extremist ideas. But in reality these sorts of charges have become a cliché with State Security reports. It doesn't mean anything when they make these allegations.<sup>78</sup>

Adel Mekki and other attorneys said that there were limits to how far fabricated charges based on confessions could be pursued:

Admissions or confessions are meaningless. They all confess; in virtually all cases, police and State Security, there is a confession. They don't send cases to the prosecution office without a confession. A confession doesn't mean anything to a prosecutor, so, in cases where there is nothing but a confession, it's conceivable the prosecutor might order a release. . . .

Despite all the talk that State Security prosecutors are not independent . . . that they're part of the system, and so on . . . I've found a few cases where a prosecutor has played a positive role in a case. It's rare, but sometimes it happens. . . . When cases are referred to the prosecution office, he listens to the detainees, and if their stories don't match the allegations—and all the sensationalist information given to the media—he might refuse to refer the case, in

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<sup>78</sup> Human Rights Watch interview with Adel Mekki, human rights attorney, Cairo, June 12, 2007. Mekki also said: "It's not the first time that a group of suspects gets rounded up, only to be granted release orders later. Take, for instance, the case of the 'Soldiers of Allah,' in 2002 [a group of 43 men arrested in 2002 and charged with planning bombing attacks around Cairo]. They were referred to a military court, but the military court ordered the release of the suspects: they looked at the case and decided there was no evidence. Yet despite that, the Interior Ministry did not release them. And we're talking here about an exceptional, powerful court—the most exceptional court in the country. Some were released, but to this day, many are still in detention. This is something normal for State Security, and it applies also to the Victorious Sect case."

order to save face. . . . In this case, the prosecutors can only have ordered the release if the government did not care about the case anymore. . . . If the prosecutor released them, it was because it was allowed [by the government].

Whatever the situation, one thing is for sure: If the prosecutor decided to release the prisoners, it means there wasn't a case in the first place. The State Security prosecutor did not refer this case to court; instead, they released the prisoners. This is a catastrophe for the case. It means there isn't even a shred of factual evidence to support the Interior Ministry's allegations. If there were any evidence, they would have referred the case for prosecution.<sup>79</sup>

Ahmad Saif al-Islam, a prominent attorney who deals with SSI detainees, told Human Rights Watch why he thought State Security prosecutors had ordered the detainees released:

It's not entirely clear, but I think it's about image. When the police reports are so bad, so messed up, that even they see that the allegations are totally groundless and without any truth, then they might order a release.

It's not because of their conscience. It's about their image. If the files are totally bogus, if something is totally wrong with the files, then they might order a release. . . . So, no, it's not conscience, it's all cold calculation, it's all about image.<sup>80</sup>

Mohamed Zare'i made a similar point:

It's not that the prosecutors are independent. They're not. Rather, it means that they [the detainees] served their purpose. Everything is for

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<sup>79</sup> Human Rights Watch interview with Adel Mekki, human rights attorney, Cairo, June 12, 2007.

<sup>80</sup> Human Rights Watch interview with Ahmad Saif al-Islam, attorney, Cairo, June 9, 2007.

a reason; it's always for a reason. Whatever State Security wants, they do. If they want to keep them, they will, it doesn't matter what the prosecutor does. And if they wanted them referred to court, they would be. If they were released, it was only because they didn't want them to be referred to court; the case would probably have been an embarrassment. So instead: they order release but send them back to prison, let them be released, but first, let some time pass.<sup>81</sup>

Ayman Okail, an attorney for some of the men, agreed:

State Security prosecutors aren't independent, they are part of the regime and are ruled by the regime, and so on. . . . However, despite all that, there is a limit to fabricating a case. You can't go too far. If this case had gone forward, with all the fabricated evidence, the prosecutors might have been unwilling to make themselves look ridiculous, using evidence that was so fabricated.<sup>82</sup>

### **The Timing: A Connection to Egypt's Emergency Law?**

Certain observers who spoke with Human Rights Watch—including attorneys, human rights researchers, and political activists—said that they believed the announcement of the Victorious Sect arrests was connected to the renewal of Egypt's Emergency Law in late April 2006.

This claim is difficult to assess, and the Egyptian government has not responded to requests for information from Human Rights Watch about the case. But the claim does provide one possible explanation for the timing of the arrests.

The announcement of the arrests came 11 days before President Hosni Mubarak renewed Egypt's repressive Emergency Law (Law No. 162 of 1958), which has been in effect without interruption since October 1981. Several critics of the government

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<sup>81</sup> Human Rights Watch interview with Mohamed Zare'i, human rights attorney, Cairo, June 12, 2007.

<sup>82</sup> Human Rights Watch interview with Ayman Okail, attorney and director of Ma'at, an NGO that represented several of the 22 detainees in 2006, Cairo, June 12, 2007.

suggested that the government's renewal of the Emergency Law (in September 2005, Mubarak had promised that he would allow it to expire) was facilitated in part by the heightened sense of insecurity brought on by the April 19 announcement of the Victorious Sect arrests and the April 24 bombings.

Specifically, observers suggested that SSI may have fabricated the Victorious Sect case just before the existing law was set to expire, to make it easier for the government to justify the law's renewal. When actual bombing attacks took place in Dahab on April 24, 2006, these observers argued, the fabricated case was no longer needed and the prosecution office was then allowed by the Interior Ministry to order the men's release. Attorneys suggest that authorities then arranged to have new detention decrees issued for the men, so they would remain in custody until media and other observers forgot about the original allegations. (Under Egypt's Emergency Law, SSI can issue unlimited detention decrees to hold detainees in prison, and release orders are routinely ignored.)

Said Shehata, one of the detainees' attorneys, told Human Rights Watch:

At the time they were arrested, this country was in a tense situation. As you know, they announced the arrests . . . after they actually occurred, just before the Emergency Law was renewed.<sup>83</sup>

Several other detainees' attorneys made the same argument to Human Rights Watch. Mohamed Zare'i, the human rights attorney, agreed with the detainees' attorneys, and said that the authorities used the youth who were arrested because they were involved in conservative religious study, which would make it easier to portray them as extremists:

Maybe some of them talked about some religious issues. Maybe one of them downloaded something from the internet, some article. And all this coincided with the fact that they [the government] needed something because the Emergency Law was set to expire, and they

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<sup>83</sup> Human Rights Watch interview with Said Shehata, attorney for multiple detainees, Cairo, June 13, 2007.

needed to point to danger. These guys [the detainees] were just religious, and they were meeting with each other, and State Security made something out of that. . . . Whenever the Emergency Law has to be renewed, the government always comes up with something to justify it. Over the years, they have brought up terrorism, drugs, the black market, thugs, the Iraq war, and other issues.<sup>84</sup>

Mohamed Hashim, an attorney familiar with SSI detention practices, agreed with these arguments and also suggested that SSI manufactured the allegations because the young men were more religiously devout than most Cairo youth:

Listen: I don't like State Security. We've had some serious problems [referring to Gamaa Islamiya members arrested in the 1990s]. They really tortured people. But I have to say, they don't ever completely fabricate something, out of nothing. Rather, they take a little something, and then exaggerate it. They take something not serious, and make it serious. They take something small, and make it big.

Hashim argued that the “something” in this case was the young men’s conservatism, and also suggested that the arrests were connected to the Emergency Law renewal. He explained:

State Security needs to show that it's working, that it's useful, and cases like these are useful politically, around the renewal of the Emergency Law. When State Security cracks down, the government can then say, “The country is going through unstable times,” and it looks like it might be true.<sup>85</sup>

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<sup>84</sup> Human Rights Watch interview with Mohamed Zare'i, human rights attorney, Cairo, June 12, 2007. Zare'i's argument appears accurate, with respect to the renewal of the Emergency Law in 2003: in April 2003, Prime Minister Atef Ebeid addressed the Egyptian parliamentary assembly about the need for the 2003 renewal, citing numerous ongoing “threats” to Egypt, including not only terrorism, but the stalled Israeli-Palestinian peace process, worsening political instability in Sudan, “smuggling of huge quantities of narcotics,” and US military operations in Iraq. “Aren't these enough reasons to ask for an extension of the state of emergency for three more years?” Ebeid asked. Ebeid also vowed that the renewal would not be a barrier to democratization, political participation, or freedom of expression. See Gamal Essam El-Din, “Three More Years,” *Al-Ahram*, March 5, 2003, <http://weekly.ahram.org.eg/2003/627/eg4.htm> (accessed September 6, 2007).

<sup>85</sup> Human Rights Watch interview with Mohamed Hashim, Gamaa Islamiya official familiar with State Security detention practices, Cairo, June 12, 2007.

Not all the observers whom Human Rights Watch spoke with agreed that the arrests were motivated solely by the renewal of the Emergency Law. Adel Mekki suggested the arrests were simply part of an effort by SSI to make itself look useful and important:

The Egyptian government does not need a reason [justification] to renew the Emergency Law. They do what they want to do. If they want to renew it, they will. . . .

So in my opinion, this case was manufactured by State Security on their own. They do this sometimes, to make themselves look useful.<sup>86</sup>

Diaa Rashwan, a commentator on terrorism issues for al-Ahram Center for Political and Strategic Studies who followed the case, suggested a more basic motivation for the arrests:

State Security wants to maintain its *raison d'être*. Like all things in the world, it seeks money and power and privileges, and the freedom to do whatever it wants. This is why they exaggerate the threats from terrorism, so that they remain necessary and important.<sup>87</sup>

The arrests, Rashwan said, also revealed a central flaw in Egypt's domestic counter-terrorism strategy:

And yet, if you analyze what they do, there is nothing. All we have is arrests, not prosecutions. A lot of the so-called plots they disrupt are simply made up. All the time, they are trying to discover plots, they are searching, trying to find conspiracies—though they rarely find anything. It's their methodology: they make arrests. They are inclined toward arresting people, as opposed to gathering intelligence and information. They could, instead of making random arrests, put a

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<sup>86</sup> Human Rights Watch interview with Adel Mekki, attorney familiar with State Security activities, Cairo, June 13, 2007.

<sup>87</sup> Human Rights Watch interview with Diaa Rashwan, commentator on terrorism issues for al-Ahram, Cairo, June 10, 2007.

priority on facilitating better intelligence-gathering, but they don't. They have a culture and a habit of heavy-handedness.<sup>88</sup>

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<sup>88</sup> *Ibid.*

## A Larger Pattern of Abuse

The Victorious Sect arrests appear to be part of a larger pattern of SSI abuse, often involving the arbitrary detention of Salafists and other young religious men. Indeed, human rights activists, attorneys, and other observers told Human Rights Watch that SSI routinely summons Salafists and other religiously devout young men for questioning, and sometime arrests, interrogates, and tortures them based on little or no real evidence. On occasion, as in this case, SSI detains such people indefinitely under Emergency Law decrees.<sup>89</sup>

Hossam Bahgat, a human rights activist and the director of the Egyptian Initiative for Personal Rights, told Human Rights Watch that he often deals with cases in which Salafists are rounded up:

There are many people who are regularly detained by State Security; or, they were detained [in the past] and now have to report in regularly, or they are summoned regularly.

For instance, one detainee we've dealt with, in Alexandria, he gets regularly arrested by State Security. He is picked up, questioned, released. It's their methodology [SSI's]. A person gets stopped by police, maybe they get angry and arrest him, or they arrest him for no reason. And then, in the police station, they check his name, for political charges and criminal charges. If he's been arrested before by State Security, he will be transferred to State Security and taken to a State Security facility for questioning.<sup>90</sup>

Gamal Eid, an attorney who represents numerous SSI detainees, described the circumstances in which arrests take place:

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<sup>89</sup> For an explanation of the definition of Salafism, see footnote 7 above. Daa Rashwan, commentator on terrorism issues for al-Ahram further explained: "Salafists are basically just conservative people, fundamentalists. They're against new schools of thought. But they're not political. Just very religious." Human Rights Watch interview with Daa Rashwan, commentator on terrorism issues for al-Ahram, Cairo June 10, 2007.

<sup>90</sup> Human Rights Watch interview with Hossam Bahgat, human rights activist, Cairo, June 11, 2007.

First, State Security regularly conducts arrests of youth randomly; religious or not. I've seen this myself: you're in a square or on a street and you'll see the police, with State Security, randomly arresting young men. Not Islamists precisely, but general sweeps of men. Or you see the police carry out the arrests, and then they transfer some people to State Security: they take them all to the police station and conduct ID checks on them. Some are kept in the police station. Others, their record shows they've been detained by State Security, they are transferred to State Security . . . if it turns out one or two of them has a record of being arrested by State Security, or if he has a long beard and looks religious, they will transfer them to State Security. These criminal sweeps occur regularly, all the time.

Second, [SSI conducts] sweeps targeting people who are perceived to be religious, for instance, outside a mosque or a place where religious kids hang out. . . .

Families come to us because their relatives have disappeared. They don't know what happens; just one day their son or husband has disappeared and they don't know where he is, or what happened to him. In some cases, the guy turns up a few days later; he's been interrogated, because some other guy he knows was arrested and named him—it's very common.<sup>91</sup>

The attorney Ahmad Saif al-Islam, quoted earlier, elaborated on these types of arrest:

They arrest any person they think might take part in some plot, no matter how vague. Also, anytime they try to arrest a person and they can't find them, they arrest someone else. For instance, let's say they want to arrest a guy named Zain and they don't find him. Then they arrest his brother, his father, even a wife. Here in Cairo, the arrests

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<sup>91</sup> Interview with Gamal Eid, attorney who has represented numerous SSI detainees, Cairo, June 11, 2007.

lately have focused on the Muslim Brotherhood, but also the Salafists, and there are also many other arrests.

There are a lot of reasons why they pick people up. Sometimes, it's because they just want to arrest people, because they're angry and want to round people up. Or, it's because they get into an argument with someone. Or, sometimes, you just have no idea why they've arrested some people. With the Salafists, sometimes I just have no idea why they've arrested them.<sup>92</sup>

Saif al-Islam, like Gamal Eid and other lawyers, said that some detainees were transferred into SSI custody from police custody, while in other cases the arrests would be conducted by SSI officers, appearing to target specific men:

A lot of the round-ups are with criminals: the police round up some random people, then refer people to State Security. On the other hand, sometimes they [SSI] target the Salafists. . . . One case I worked on, a guy was stopped and questioned on the street, because he was conservative, he had a beard. The police were asking him to be an informer, I found out later. . . . Another case, there was a guy who was suspected of being involved in sending people to Iraq. He gets arrested and he starts naming people, anyone and everybody he knows, and so they go out and arrest those people, and then they interrogate and torture those people, and they name anyone and everyone they know, and then those people are arrested, and so on and so on.<sup>93</sup>

S.G.E., a human rights researcher who works with Gamal Eid, said that arrests were so typical that he regularly saw arrests himself:

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<sup>92</sup> Human Rights Watch interview with Ahmad Saif al-Islam, Cairo, June 9, 2007.

<sup>93</sup> Ibid.

It's an ordinary thing. I saw people getting rounded up *just yesterday*: the police, with State Security among them, were arresting many young men. I remember, there was an old man there, very religious, and he was standing in the street trying to bring down God's wrath on the police.

Also, my friend was picked up by State Security recently—he was leaving mosque—he says it happens all the time. State Security regularly calls in men with beards, but not just bearded guys, but others perceived to be religious.<sup>94</sup>

L.M.E., another human rights worker, agreed with the descriptions above but added:

But sometimes it is just arbitrary, or personal. You get into a fight with some State Security official, they'll put you on a list of Islamists, get you detained. In this country, you're always at the mercy of the conscript, the corporal, the officer; these men take out all their psychological problems on you, the citizen. If they're angry about something, they arrest you.<sup>95</sup>

A.K.M., another human rights researcher, told Human Rights Watch that part of the purpose of the arrests was to recruit Salafists as informers and keep tabs on them:

Actually I think that in part State Security managed to co-opt these bearded guys and made a lot of them into informants. A lot of people, Salafists, religious groups, have informers among them, and if State Security wants to get information, these guys are used. . . . State Security is on full alert with this crowd. Roughly, we could say that if four of these conservative guys are in a room together, one is an informant for State Security.<sup>96</sup>

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<sup>94</sup> Human Rights Watch interview with S.G.E., human rights researcher, Cairo, June 11, 2007.

<sup>95</sup> Human Rights Watch interview with L.M.E., human rights researcher, Cairo, June 11, 2007.

<sup>96</sup> Human Rights Watch interview with A.K.M., human rights researcher, Cairo, June 11, 2007.

The attorney Mohamed Zare'i, quoted earlier in this report, said that in numerous cases, detainees would not even be arrested, but simply be summoned for questioning and then interrogated. He described the process as quite frightening:

This is not just questioning; it's very intimidating. In many cases, they tell you to come at night, to be there at 8 p.m. You show up, you wait until 11 p.m. It's a very intimidating situation, to be questioned at a State Security facility at midnight.

You have to understand, at a State Security facility it is torture or the threat of torture—this is clear, this is the context. Some are not tortured, but there is a threat of torture, and everyone knows that you could be tortured. Some people are just ill-treated, but not tortured physically. It is very late at night. You have to stand the entire time. It is a psychological game. They threaten you. They make threats about your family. . . .

If you're sent to a facility, that's more serious. If you're sent to Lazoghli, for instance, it means something serious is happening: you're in trouble. It doesn't mean, necessarily, that you will be tortured in every case. But it means you can *expect* to be tortured. Maybe not every single person is tortured, but many are, so you can expect it. You're in a place that is outside the law.<sup>97</sup>

Gamal Eid, the other attorney quoted above, explained to Human Rights Watch that it was often difficult to challenge the SSI detentions, because legal processes were so rarely offered:

How can we challenge these arrests? Many of the arrests don't even occur with a detention decree. And if there's no decree, there is no way I can get a detainee released. I may not even know where he is detained.

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<sup>97</sup> Human Rights Watch interview with Mohamed Zare'i, Cairo, June 12, 2007.

If I do know where he is detained, a particular State Security facility, I can ask around, unofficially, and see what I find out. Or maybe a prisoner will pass a note or bribe a guard to make a telephone call and we can find out what's going on. And maybe I can do something, through unofficial channels. If he's in a police jail, I might be able to walk in, in my suit and tie, as a lawyer, and possibly I might get some information or even get someone released.

But with a State Security facility—forget it. You'd never make it past the gates. The only way into a State Security facility—well, is to get detained.<sup>98</sup>

## Past Allegations of Fabricated Cases

Human Rights Watch has received numerous other credible allegations in recent years about SSI fabricating charges against detainees—cases in which Interior Ministry officials announced “confessions” by detainees and evidence later showed that the detainees had been tortured and their confessions either did not occur or were not voluntary and truthful.

For instance, in 2004, Human Rights Watch documented how SSI officers used torture to coerce false confessions from dozens of detainees in the “Queen Boat cases” in Cairo in 2003.<sup>99</sup> Another example is the “Satanist-Heavy Metal Rock” cases in 1997, in which dozens of teenagers in Cairo and Alexandria were arrested, many taken from their homes by SSI officers, and later accused of worshipping Satan in dance clubs and other venues playing heavy-metal music.<sup>100</sup> More recently, Human

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<sup>98</sup> Human Rights Watch interview with Gamal Eid, attorney represented numerous SSI detainees, Cairo, June 11, 2007.

<sup>99</sup> Human Rights Watch, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct* (New York: Human Rights Watch, 2004).

<sup>100</sup> See James J. Napoli, “Cairo Communique: A Satanic Khamsin Blows Through Egypt,” *Washington Report on Middle East Affairs*, April/May 1997; “Search for a Scapegoat in the Satanism Affair,” *Cairo Times*, March 6, 1997; “Two weeks in the life of . . . an alleged devil-worshipper,” *Cairo Times*, April 17, 1997; Sophia al-Maria and Ethan Heitner, “Out of hiding,” *Cairo Magazine* (2005).

Rights Watch expressed concern that false confessions were obtained by torture from detainees on trial for the 2005 bombings in Taba.<sup>101</sup>

In addition to these cases, there are also indications that confessions were obtained under torture in a recent 2006 case in which several foreign and Egyptian students were arrested for “allegedly plotting terrorist attacks in Middle Eastern countries including Iraq,” according to an Interior Ministry statement.<sup>102</sup> Many of the arrested detainees were later deported to Europe and released, strongly suggesting they were not guilty of the crimes to which the Interior Ministry said they had confessed.

### **Estimates of the Scale of SSI Detention**

It is difficult to estimate how many detainees are in SSI detention at any given time. The Egyptian government does not divulge the numbers of people whom SSI calls in for questioning, nor the numbers of people arrested by SSI and held in prison for long periods of time.

In June and July 2007, Human Rights Watch asked numerous observers, journalists, and attorneys we interviewed to estimate how many people were detained by SSI over various periods of time and at any given time. The responses varied. Nationally, observers estimated that SSI held “hundreds,” “several hundred,” or “thousands” of detainees at any given time. Observers said it was difficult to provide a more exact number because of the lack of transparency about the process.

Diaa Rashwan, the commentator at Al-Ahram Center for Political and Strategic Studies, said: “I suspect that there are hundreds of people in custody at any given time, plus others who are summoned in for questioning for a short time.” Rashwan said he expected that, over the course of a year, thousands of Salafists were interrogated by SSI around the country.<sup>103</sup>

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<sup>101</sup> “Egypt: Terrorism Trial Shows Serious Flaws: Torture Allegedly Used to Coerce Confessions,” Human Rights Watch news release, December 12, 2006, <http://hrw.org/english/docs/2006/12/13/egypt14829.htm>.

<sup>102</sup> See Nadia Abou El-Magd, “Egyptian police arrest foreigners for allegedly plotting attacks,” Associated Press, December 5, 2006.

<sup>103</sup> Human Rights Watch interview with Diaa Rashwan, commentator on terrorism issues for al-Ahram, Cairo June 10, 2007.

The attorney Gamal Eid made the same assessment:

On any given day, there are hundreds of people in State Security custody, even just in Cairo. There are dozens of people held in Maadi on any given night, and in Cairo generally, including police stations with State Security offices, there are hundreds. There are thousands of people in State Security custody across Egypt at any given time.<sup>104</sup>

The attorney Ahmad Saif al-Islam gave a slightly higher estimate:

Roughly, we can estimate that at any given time, there might be up to 50 people in Lazoghli facility, in the cells and including in the corridors, plus a few dozen in Gaber Ibn Hayan [Giza]; and the Nasr City facility in Nasr city. Or on some nights it might be less.

And in addition to these places, there are State Security offices within numerous police stations around Cairo. For instance, in Shoubra, in north Cairo, the police station has a State Security office in which they might hold a few prisoners. Across Cairo, on any given night, there might be a dozen or a few dozen detainees in State Security custody, or more sometimes—it fluctuates. . . .

I'm only talking about State Security, not police stations, and I'm not including political arrests of Muslim Brotherhood members, who for the most part are taken to police stations and then to prisons.<sup>105</sup>

Attorney Mohamed Zare'i said that estimates were somewhat difficult because it was difficult to differentiate between cases of short-term interrogations and longer-term detention:

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<sup>104</sup> Human Rights Watch interview with Gamal Eid, attorney who has represented numerous SSI detainees, Cairo, June 11, 2007.

<sup>105</sup> Human Rights Watch interview with Ahmad Saif al-Islam, Cairo, June 9, 2007.

I'd say thousands of people are likely summoned into State Security facilities, every month, for at least a few hours. . . . They question you and let you go at about 3 a.m. Or they don't. They might hold you for a few days.

Across the country, per month, I'd estimate that 1,000 to 2,000 people are held for longer periods, more than a day. Dozens per month, and sometimes hundreds, will be detained longer and given detention decrees, which means they'll be held for a month or more.<sup>106</sup>

### **Abuse So Routine, It No Longer Shocks**

Gamal Eid, the lawyer and human rights activist quoted above, said he was disgusted that SSI abuses did not cause more of a political scandal in Egypt:

People get picked up randomly, interrogated, tortured: I'm an activist, I should be shocked about this sort of thing.

Yet sometimes I don't even notice anymore. . . . It's just become so normal. We see the police stopping the taxi micro-buses and taking the kids with beards out, arresting them, just because of the beards. And we know they got threatened, and then if they're detained they are tortured. We aren't even shocked anymore. Everyone is scared, they live in terror, but it's become so normal.<sup>107</sup>

A.K.M., another human rights activist, agreed:

It's true. We're not shocked about this stuff, though we should be. Even the word "torture" isn't used anymore in a lot of cases. People only say they were tortured if they were shocked with electricity. So a

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<sup>106</sup> Human Rights Watch interview with Mohamed Zare'i, Cairo, June 12, 2007. Adel Mekki, an attorney who works with Zare'i, agreed with him and added: "Over the years, thousands and thousands of people have been arrested and interrogated by State Security. Hundreds have been arrested in 2007, not counting the hundreds of Muslim Brotherhood who have also been arrested." Human Rights Watch interview with Adel Mekki, Cairo, June 13, 2007.

<sup>107</sup> Interview with Gamal Eid, attorney who has represented numerous SSI detainees, Cairo, June 11, 2007.

lot of people get tortured, but then they come out and say, “I wasn’t tortured.” What they mean is that they weren’t given electrical shocks. Maybe they were beaten, hit, threatened, blindfolded, but since they weren’t shocked with electricity, they say “I wasn’t tortured.” All of this abuse is so normal that people discuss it without getting excited.<sup>108</sup>

## **The Weaknesses of Egypt’s Approach to Fighting Terrorism**

Many Egyptian commentators and observers interviewed for this report suggested to Human Rights Watch that the Egyptian government’s approach to counterterrorism, with SSI arbitrarily detaining young men, abusively interrogating them, and in some cases fabricating charges against them, was not only illegal, but likely counterproductive. Rather than reducing the threat of violence, observers suggested, it could radicalize detainees and give them a reason to engage in violence.

Reflecting on Egypt’s history, Daa Rashwan said:

In the 1990s, many individuals without any affiliation with any groups [for instance Gamaa Islamiyah or Muslim Brotherhood] were arrested, and pushed into detention, along with others. And many were detained, tortured, and they became more extremist than they were. A vendetta culture is bred by this abuse, and some people with jihadist tendencies, angry about the political situation, might get further radicalized.<sup>109</sup>

The attorney A.K.M. made a similar point:

Random sweeps will not resolve terrorist threats. We’ve had random crackdowns for longer than I can remember, yet we still have some attacks; the situation isn’t any better.

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<sup>108</sup> Human Rights Watch interview with A.K.M., human rights researcher, Cairo, June 11, 2007.

<sup>109</sup> Human Rights Watch interview with Daa Rashwan, commentator on terrorism issues for al-Ahram, Cairo June 10, 2007.

The crackdowns just create a new generation of angry youth, who want to take revenge for what happened to them—we have a vendetta culture in this respect. These random sweeps and interrogations only create a new generation of angry people who think that their life is worthless and that they are not appreciated, and so they might get involved in some operation or planning, in order to do something and get revenge.<sup>110</sup>

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<sup>110</sup> Human Rights Watch interview with A.K.M., human rights researcher, Cairo, June 11, 2007.

## Recommendations

Human Rights Watch recognizes the Egyptian government's obligation to address serious threats to the security of its citizens and residents, including the threat of bombing attacks by militant armed groups. We believe, however, that terrorist violence can be fought more effectively using methods that are consistent with international human rights standards.

In particular, we believe that the Egyptian government should stop relying on its Emergency Law, which allows indefinite detention without adequate legal process, as the basis of its counterterrorism effort.

Human Rights Watch urges the Egyptian government to adopt the 2002 recommendations of the UN Committee against Torture.<sup>111</sup>

Additionally Human Rights Watch offers the following specific recommendations for counterterrorism reform:

### To President Hosni Mubarak

#### *Regarding SSI detention practices:*

- Lift the state of emergency, repeal Egypt's Emergency Law, and order the interior ministry to investigate and prosecute all terrorism related crimes under the existing Egyptian penal code.
- Order the Interior Ministry to initiate a thorough, impartial, and speedy investigation of the allegations of torture of the detainees and to prosecute or discipline government officials responsible for abuses committed against the detainees.
- State publicly that the government will not tolerate torture and ill-treatment, and that abuses by law enforcement personnel, including SSI agents, will be investigated, prosecuted, and punished.

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<sup>111</sup> Committee against Torture, "Conclusions and Recommendations, Egypt," U.N. Doc. CAT/C/CR/29/4 (2002), para. 6.

*Regarding proposals for a new counterterrorism law:*

- Facilitate a more transparent and deliberative process for drafting and debating any proposed counterterrorism legislation. Draft legislation should be available for public discussion for a reasonable period of time before it is submitted to a vote.
- Add safeguards to any planned counterterrorism legislation to prevent indefinite or arbitrary detention.
- Reject abusive provisions, such as those contained in the Emergency Law, including articles allowing SSI or other authorities to hold detainees for more than 24 hours without charge or legal process; articles which allows the interior ministry to issue six month detention decrees; and articles which allow civilians to be prosecuted in special State Security courts and military tribunals.

**To the Interior Ministry**

*Regarding the Victorious Sect detentions:*

- Immediately implement the release orders made by the SSI prosecutors office in mid 2006 applicable to the ten remaining detainees alleged to have belonged to the Victorious Sect.
- Order the Office of the Prosecutor General to initiate a thorough, impartial, and speedy investigation of the allegations of torture of the detainees.
- Prosecute or discipline as appropriate government officials, regardless of rank, responsible for abuses committed against the detainees.
- Issue a public explanation of the basis for the Victorious Sect arrests and of any official misconduct that occurred during the arrests and subsequent detentions.

*Regarding SSI detention practices:*

- Promptly release all detainees in prisons, SSI facilities, or other detention places, unless they can be and have been charged with a criminal offense.
- Ensure that any detainees who are charged with crimes are provided fair trials and all related due process guarantees as required by Egyptian and international law.

- Ensure that family members and legal counsel have prompt access to persons shortly after arrest and thereafter.
- Establish a public registry of persons detained in connection with terrorism-related investigations. The registry should include the place and date of arrest and, if different, the date of entry into custody, present place of detention, and the legal basis for detention. Make this information available to the families of detained persons.
- Conduct thorough and impartial inquiries into allegations of arbitrary arrest, torture, and other mistreatment.
- Prosecute and discipline as appropriate officials implicated in violations of the law.
- Ensure that persons arrested arbitrarily or subjected to torture or other ill-treatment have access to prompt and fair compensation.
- Ensure that all detainees are held in legally sanctioned detention facilities, and that detainees are not held or interrogated by any other branches or parts of the Interior Ministry outside of those legally permitted to hold detainees.
- Issue and publicize widely directives stating that acts of torture and other ill-treatment by law enforcement officials will not be tolerated, that reports of torture and ill-treatment will be promptly and thoroughly investigated, and that those found responsible will be held accountable.
- Direct the Office of the Prosecutor General to fulfill its responsibility under Egyptian law to investigate, in a thorough, impartial, and timely manner, all torture allegations against law enforcement officials, regardless of rank.
- Ensure prompt and independent forensic medical examinations of detainees who allege that they have been subject to torture and other abuse.
- Allow access for Egyptian and international human rights monitors to places of detention, including SSI facilities, and the opportunity to conduct confidential discussions with detainees of their choosing.

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## Appendix: Letters to Egyptian Government Offices

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25 يوليو/تموز 2007

معالي اللواء حبيب إبراهيم حبيب العادلي  
وزير الداخلية  
جمهورية مصر العربية  
شارع الشيخ ربحان  
القاهرة، مصر 11641

معالي الوزير حبيب العادلي،

أكتب إليكم بخصوص اعتقالات أجراها جهاز أمن الدولة في شهري فبراير/شباط  
ومارس/آذار من العام 2006، وعلى وجه التحديد بخصوص اعتقال مجموعة  
مكونة من 22 رجلاً من عدّة أحياء بالقاهرة. وأعلنت وزارة الداخلية اعتقالهم في  
19 أبريل/نيسان 2006 زاعمة أن الرجال كانوا يخططون لاستهداف القاهرة وما  
حولها بالقنابل، ومن أهدافهم أنابيب لنقل البترول ومواقع سياحية ورجال دين  
مسلمين ومسيحيين. وقيل إن المجموعة تُدعى "الطائفة المنصورة".

وقد أجرت هيومن رايتس ووتش بحثاً بشأن اعتقال الرجال الـ 22 والمزاعم  
الصادرة بحقهم. وقررنا التحقيق في القضية؛ لأن عدّة محامين وعدد من قيادات  
المجتمع المدني أبدوا لنا الرأي بأن المزاعم ضد الرجال قد تكون غير حقيقية، وأن  
الرجال تعرضوا لسوء معاملة بالغة وهم رهن الاحتجاز.

وبناء على مقابلاتنا وأبحاثنا، تساورنا المخاوف من أن الأدلة الداعمة للمزاعم  
بحق الرجال الـ 22 هي أدلة قليلة، وأن معظمهم، إن لم يكن جميعهم، تعرضوا  
للتعذيب لكي يعترفوا بارتكاب جرائم لم يرتكبوها، وأنه لا يوجد أساس قانوني

لاستمرار احتجاز 20 رجلاً، هم من ظلوا رهن الاحتجاز (تم إطلاق سراح اثنين أواخر عام 2006).

ويعزز من هذه المخاوف أن مكتب نيابة أمن الدولة، في أواخر عام 2006، أمر بإطلاق سراح الرجال الـ 22 جميعاً، وهذا على ما يبدو بسبب نقص أدلة الإدانة ضدهم.

ولهذا نكتب إليكم مطالبين بأن تمدونا بالمعلومات التي تفسر استمرار احتجاز الرجال. ونود على الأخص أن نعرف بالأساس الذي تستند إليه وزارة الداخلية في احتجاز الرجال العشرين (أسمائهم مدرجة في الملحق أ الملحق بهذه الرسالة)، في ظل أمر مكتب نيابة أمن الدولة بإطلاق سراحهم منذ عام.

كما نود أن نعرف إن كانت وزارة الداخلية قد أجرت أية تحقيقات في مزاعم تعذيب هؤلاء الرجال وهم رهن الاحتجاز والمزاعم القائلة بأن الرجال قد أدلوا باعترافات غير صحيحة بسبب سوء معاملتهم. كما نود المطالبة بمعلومات عن نتائج أية تحقيقات جرت، وأية معلومات إضافية لدى وزارة الداخلية عن هؤلاء الرجال وسوء المعاملة المزعومة بحقهم واستمرارهم في البقاء رهن الاحتجاز.

ونقدر لكم كثيراً ردكم السريع.

مع وافر الاحترام،



سارة ليا ويتسن

المديرة التنفيذية

قسم الشرق الأوسط وشمال أفريقيا

ملحق (أ): قائمة بأسماء المحتجزين الـ 22:

1. أحمد علي جابر، 28، محتجز في 16 فبراير/شباط 2006.
2. أحمد محمد محمد بسيوني، 27، محتجز في 24 فبراير/شباط 2006.
3. يحيى سليمان أحمد محمد، 25، محتجز في 16 فبراير/شباط 2006.
4. عبد العزيز فؤاد علي عبد المقصود، 25، محتجز في 26 فبراير/شباط 2006.
5. تامر عبد النبي زكي محمد الحداد، 32، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
6. عمر محمد عبد الفتاح أحمد، 26، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
7. محمد أحمد محمد سعيد، 27، محتجز في 1 مارس/آذار 2006.
8. رامي عبد القادر مبارك، 20، محتجز في تاريخ غير معروف في مارس/آذار 2006.
9. أحمد مصطفى صابر أحمد، معروف أيضاً باسم أحمد شوبير، 22، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
10. محمد حمدي عبد الجواد إبراهيم، 23، محتجز في 1 مارس/آذار 2006.
11. محمد عبد الله بكري مبروك حسنين، 23، محتجز في 21 مارس/آذار 2006.
12. هاني محمود محمد عبد الله، 29، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
13. جمعة محمد عبد الوهاب مصطفى، معروف أيضاً باسم وليد، 25، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
14. أيمن سمير السيد حسنين، معروف أيضاً باسم أيمن العبد، 32، محتجز في تاريخ غير معروف في مارس/آذار 2006.
15. هاني أحمد منصور محمد، 30، محتجز في 24 فبراير/شباط 2006.
16. محمد نصر إبراهيم عواض، 26، محتجز في 2 مارس/آذار 2006.
17. محمود صلاح إبراهيم إمام، 23، محتجز في 2 مارس/آذار 2006.
18. طه حسين سعد محمد علي، 29، محتجز في 2 مارس/آذار 2006.
19. محمد صلاح إبراهيم إمام محمد، 24، محتجز في 3 مارس/آذار 2006.
20. نبيل محمد محمد علي مصطفى، 21، قبض عليه في 2 مارس/آذار 2006، لكن وضع قيد الاحتجاز في 8 مارس/آذار 2006.
21. محمود عبد العزيز يوسف محمد، 26، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
22. محمود سعدي أحمد محمد، 29، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.

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July 25, 2007

Gen. Habib Ibrahim Habib al-`Adli  
Interior Minister  
Arab Republic of Egypt  
Al-Shaikh Rihan Street  
Cairo, Egypt 11641

Dear General al-`Adli:

I am writing in reference to a set of arrests by State Security authorities that occurred in February and March 2006: specifically, the arrests of a group of 22 men from various neighborhoods in Cairo. The interior ministry announced their arrests on April 19, 2006, alleging that the men had plotted to bomb targets in and around Cairo, including gas pipelines, tourist sites, and Muslim and Christian religious figures. The group was said to be called *al-Taifa al-Mansura*, "The Victorious Sect."

Human Rights Watch has carried out research into the arrests of the 22 men and the allegations against them. We decided to investigate the case because several attorneys and civil society leaders suggested to us that the allegations against the men might be untrue, and that the men were severely mistreated while in custody.

Based on our recent interviews and research, we are concerned that there is little evidence to support the allegations against the 22 men; that most if not all of the men were tortured into confessing to crimes that they did not commit; and that there are no legal grounds for the continued detention of the 20 men who remain in custody (two were released in mid-2006).

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These concerns were reinforced by the fact that the State Security prosecutor's office, in mid-2006, ordered all 22 of the men released, presumably because of the lack of evidence against them.

We are therefore writing to request that you provide us with information that explains the men's continued detention. In particular, we would like to know on what grounds the interior ministry is continuing to hold 20 of the men (their names are listed in Appendix A to this letter), given that the State Security prosecutor's office ordered them to be released a year ago.

We would also like to know whether the interior ministry has conducted any investigation into the alleged torture of these men while in custody and the claims that the men made false confessions on account of their mistreatment. We would also like to request information about the results of any investigations that have taken place, and any other information the interior ministry may have about the men and their alleged mistreatment and continued detention.

We would appreciate your prompt reply.

Sincerely,



Sarah Leah Whitson  
Executive Director

**[List of detainees attached]**

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15 أكتوبر/تشرين الأول 2007

معالي اللواء حبيب إبراهيم حبيب العادلي  
وزير الداخلية  
جمهورية مصر العربية  
شارع الشيخ ربحان  
القاهرة، مصر 11641

معالي الوزير حبيب العادلي،

أكتب إليكم لمتابعة موضوع رسالتي إليكم في أواخر شهر يوليو/تموز.

وكانت الرسالة الأولى بخصوص اعتقالات أجراها جهاز أمن الدولة في شهري فبراير/شباط ومارس/آذار من العام 2006، وعلى وجه التحديد بخصوص اعتقال مجموعة مكونة من 22 رجلاً من عدّة أحياء بالقاهرة. وأعلنت وزارة الداخلية اعتقالهم في 19 أبريل/نيسان 2006 زاعمة أن الرجال كانوا يخططون لاستهداف القاهرة وما حولها بالقنابل، ومن أهدافهم أنابيب لنقل البترول ومواقع سياحية ورجال دين مسلمين ومسيحيين. وقيل إن المجموعة تُدعى "الطائفة المنصورة".

وفي رسالة يوليو/تموز، أشرت إلى أن هيومن رايتس ووتش أجرت بحثاً بشأن اعتقال الرجال الـ 22 والمزاعم الصادرة بحقهم؛ خشية أن المزاعم ضد الرجال قد تكون غير حقيقية، وأن الرجال تعرضوا لسوء معاملة بالغة وهم رهن الاحتجاز. وكما سبقت الإشارة في الرسالة السابقة، تساورنا المخاوف من أن الأدلة الداعمة للمزاعم بحق الرجال الـ 22 هي أدلة قليلة، وأن معظمهم، إن لم يكن جميعهم، تعرضوا للتعذيب لكي يعترفوا بارتكاب جرائم لم يرتكبونها.

وفي رسالتنا السابقة، تمت الإشارة إلى خشية أنه لا يوجد أساس قانوني لاستمرار احتجاز الرجال الـ 17 تقريباً الذين ظلوا رهن الاحتجاز (تم إطلاق سراح خمسة في العام الماضي). ويعزز من هذه المخاوف أن مكتب نيابة أمن الدولة، في أواسط عام 2006، أمر بإطلاق سراح الرجال الـ 22 جميعاً، وهذا على ما يبدو بسبب نقص أدلة الإدانة ضدهم.

ولهذا نكتب إليكم ثانية مطالبين بأن تمدونا بالمعلومات التي تفسر استمرار احتجاز الرجال الـ 17. ونود على الأخص أن نعرف بالأساس الذي تستند إليه وزارة الداخلية في احتجاز الرجال (أسماء الرجال الـ 22 الذين احتجزوا في بادئ الأمر مدرجة في الملحق أ لهذه الرسالة)، في ظل أمر مكتب نيابة أمن الدولة بإطلاق سراحهم منذ عام.

كما نود أن نعرف إن كانت وزارة الداخلية قد أجرت أية تحقيقات في مزاعم تعذيب هؤلاء الرجال وهم رهن الاحتجاز والمزاعم القائلة بأن الرجال قد أدلوا باعترافات غير صحيحة بسبب سوء معاملتهم. كما نود المطالبة بمعلومات عن نتائج أية تحقيقات جرت، وأية معلومات إضافية لدى وزارة الداخلية عن هؤلاء الرجال وسوء المعاملة المزعومة بحقهم واستمرارهم في البقاء رهن الاحتجاز.

ونقدر لكم كثيراً ردكم السريع.

مع وافر الاحترام،



سارة ليا ويتسن

المديرة التنفيذية

قسم الشرق الأوسط وشمال أفريقيا

هيومن رايتس ووتش

ملحق (أ): قائمة بأسماء المحتجزين الـ 22:

1. أحمد علي جابر، 28، محتجز في 16 فبراير/شباط 2006.
2. أحمد محمد محمد بسيوني، 27، محتجز في 24 فبراير/شباط 2006.
3. يحيى سليمان أحمد محمد، 25، محتجز في 16 فبراير/شباط 2006.
4. عبد العزيز فؤاد علي عبد المقصود، 25، محتجز في 26 فبراير/شباط 2006.
5. تامر عبد النبي زكي محمد الحداد، 32، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
6. عمر محمد عبد الفتاح أحمد، 26، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
7. محمد أحمد محمد سعيد، 27، محتجز في 1 مارس/آذار 2006.
8. رامي عبد القادر مبارك، 20، محتجز في تاريخ غير معروف في مارس/آذار 2006.
9. أحمد مصطفى صابر أحمد، معروف أيضاً باسم أحمد شوبير، 22، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
10. محمد حمدي عبد الجواد إبراهيم، 23، محتجز في 1 مارس/آذار 2006.
11. محمد عبد الله بكري مبروك حسنين، 23، محتجز في 21 مارس/آذار 2006.
12. هاني محمود محمد عبد الله، 29، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
13. جمعة محمد عبد الوهاب مصطفى، معروف أيضاً باسم وليد، 25، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
14. أيمن سمير السيد حسنين، معروف أيضاً باسم أيمن العبد، 32، محتجز في تاريخ غير معروف في مارس/آذار 2006.
15. هاني أحمد منصور محمد، 30، محتجز في 24 فبراير/شباط 2006.
16. محمد نصر إبراهيم عواض، 26، محتجز في 2 مارس/آذار 2006.
17. محمود صلاح إبراهيم إمام، 23، محتجز في 2 مارس/آذار 2006.
18. طه حسين سعد محمد علي، 29، محتجز في 2 مارس/آذار 2006.
19. محمد صلاح إبراهيم إمام محمد، 24، محتجز في 3 مارس/آذار 2006.
20. نبيل محمد محمد علي مصطفى، 21، قبض عليه في 2 مارس/آذار 2006، لكن وضع قيد الاحتجاز في 8 مارس/آذار 2006.
21. محمود عبد العزيز يوسف محمد، 26، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.
22. محمود سعدي أحمد محمد، 29، محتجز في تاريخ غير معروف في فبراير/شباط أو مارس/آذار 2006.

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October 15, 2007

Gen. Habib Ibrahim Habib al-`Adli  
Interior Minister  
Arab Republic of Egypt  
Al-Shaikh Rihan Street  
Cairo, Egypt 11641

Dear General al-`Adli:

I am writing to follow up on a letter I sent to you in late July.

The letter was in reference to a set of arrests by State Security authorities that occurred in February and March 2006: specifically, the arrests of a group of 22 men from various neighborhoods in Cairo. The interior ministry announced their arrests on April 19, 2006, and alleged that the men had plotted to bomb targets in and around Cairo, including gas pipelines, tourist sites, and Muslim and Christian religious figures. The group was said to be called *al-Taifa al-Mansura*, "The Victorious Sect."

In our July letter, I noted that Human Rights Watch carried out research into the arrests of the 22 men and the allegations against them, out of concern that the allegations against the men might be untrue, and that the men were severely mistreated while in custody. As we noted in the earlier letter, we are concerned that there is little evidence to support the allegations against the 22 men; and that most if not all of the men were tortured into confessing to crimes that they did not commit.

In the earlier letter, we also communicated our concern that appear to be no legal grounds for the continued detention of the approximately 17 men who remain in custody (five have been released in the last year). Our concerns are reinforced by the fact that

the State Security prosecutor's office, in mid-2006, ordered all 22 of the men released, presumably because of the lack of evidence against them.

We are now writing to you again, to request that you provide us with information explaining the continued detention of the 17 men who remain in custody. In particular, we would like to know on what grounds the interior ministry is continuing to hold the men (their names of all 22 original detainees are listed in Appendix A to this letter), given that the State Security prosecutor's office ordered them to be released a year ago.

We would also like to know whether the interior ministry has conducted any investigation into the alleged torture of these men while in custody and the claims that the men made false confessions on account of their mistreatment. We would like to request information about the results of any investigations that have taken place, and any other information the interior ministry may have about the men and their alleged mistreatment and continued detention.

We would appreciate your prompt reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Leah Whitson', with a long horizontal stroke extending to the right.

Sarah Leah Whitson  
Executive Director

**[List of detainees attached]**

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October 15, 2007

H.E. Nabil Fahmy  
Ambassador to the United States of America  
Embassy of the Arab Republic of Egypt  
3521 International Ct., NW  
Washington, DC 20008

Dear Ambassador Fahmy:

Please see enclosed letters to the Minister of Interior, concerning a set of arrests by State Security authorities that occurred in February and March 2006: specifically, the arrests of a group of 22 men from various neighborhoods in Cairo. The interior ministry announced their arrests on April 19, 2006, alleging that the men had plotted to bomb targets in and around Cairo, including gas pipelines, tourist sites, and Muslim and Christian religious figures. The group was said to be called *al-Taifa al-Mansura*, "The Victorious Sect."

We have received no reply to our July 2007 letter inquiring about these arrests. I would appreciate any assistance you might be able to provide in facilitating a response.

Sincerely,



Sarah Leah Whitson  
Executive Director

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## Acknowledgements

This report is based on research conducted by John Sifton, senior researcher on terrorism and counterterrorism at Human Rights Watch, and Hossam el-Hamalawy, a consultant for Human Rights Watch. Gasser Abdel Razek and Elijah Zarwan, of Human Rights Watch's Cairo office, assisted with the research.

John Sifton wrote the report. Joanne Mariner, director of the terrorism and counterterrorism program, Joe Stork, deputy director of the Middle East and North Africa division, and Joseph Saunders, Deputy Program Director, edited it. James Ross, legal and policy director, provided legal review. Thodleen Dessources, an associate in the terrorism and counterterrorism program, provided logistical assistance.

Rafael Jimenez designed the report and Anna Lopriore and John Sifton edited the report design. Fitzroy Hepkins handled the production of the report. Alexandra Sandels and Kathleen Gibson provided electronic research assistance.

Human Rights Watch would like to thank the numerous Egyptian journalists, civil society leaders, attorneys, and human rights activists who contributed their time or expertise and made this report possible. We would also like to thank the family members and former cell mates of the detainees who are the subject of this report, who were willing to share their experiences with us despite a environment in Egypt in which people continue to fear open discussion of SSI treatment of detainees.

Human Right Watch's research on Egypt and on terrorism and counterterrorism issues requires significant resources. We acknowledge with appreciation the generous support of donors, in particular those supporting Human Rights Watch's terrorism and counterterrorism program and Middle East and North Africa division.

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# Anatomy of a State Security Case

## The “Victorious Sect” Arrests

In April 2006, Egyptian authorities publicized the arrest of 22 members of the so-called “Victorious Sect” group, for allegedly plotting an attack on civilians in Cairo.

In 2007, Human Rights Watch investigated this high-profile case and found that Egyptian authorities had little evidence for their striking claims, and that allegations against the group were likely based on torture and coerced confessions. In fact, the evidence suggests that there never even was a “Victorious Sect.” Although government prosecutors in mid-2006 dismissed all charges against those detained, many remain in custody nearly two years after their arrest.

This report, an anatomy of the “Victorious Sect” case, provides a case study of abuses by Egyptian authorities. Egyptian attorneys and activists told Human Rights Watch that Egyptian authorities have likely fabricated charges in numerous other counterterrorism cases.