

HUMAN RIGHTS WATCH

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New York, NY 10118-3299
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Appendix I: Letter to the Ministry of Defense

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MIDDLE EAST AND NORTH AFRICA DIVISION

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Lama Fakhri, *Deputy Director*
Eric Goldstein, *Deputy Director*
Ahmed Benchemsi, *Advocacy and Communications
Director*

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Joe Saunders, *Deputy Program Director*
Frances Sinha, *Human Resources Director*

November 27, 2018

Lieutenant General Mohamed Zaki
Minister of Defense
Ministry of Defense and Military Production

CC: Colonel Tamer El Rifai
Official Spokesman of the Armed Forces

CC: Mr. Daa Rashwan
Head of the State Information Service

Dear General Zaki,

I write to you on behalf of Human Rights Watch to request information related to the conditions and rights of the residents in North Sinai governorate. We have previously issued a number of reports regarding violations that have occurred in North Sinai, and we are investigating allegations of other violations by the security forces involved in the continuing military operations over the past five years, as well as abuses by the militant groups, and we highly value your response and any additional information you can provide us with.

Human Rights Watch is an international, nongovernmental organization that has worked on human rights issues in more than 90 countries around the world, including Egypt. It is important to us to include your opinion and official information issued by you to ensure that our report reflects the government's views accurately and transparently, especially in light of our research and the lack of public information about the situation in Sinai. We would highly value your response to the following questions:

- 1) Egyptian media reports, both government and private, indicated the presence of prisoners held in in Al-Gala' military base in Ismailia.
 - I. How many prisoners have been held in the Al-Gala' base in Ismailia since the escalation of military operations at the end of 2013 through today? How many of them have been released thus far? How many of them have been referred to court?

"IF YOU ARE AFRAID FOR YOUR LIVES, LEAVE SINAI!"

120

- II. How many of these prisoners are women? How many are children under the age of 18?
- III. How many of the prisoners are civilians, and how many are militants found to have taken up arms against the State?
- IV. What are the judicial oversight mechanisms for this prison?

2) What are the other detention facilities in Sinai used by the security forces to hold detainees in Sheikh Zuweid, El Arish, or elsewhere? How many detainees have been held in these facilities since late 2013?

3) Official statements, including by President Abdel Fattah al-Sisi, have frequently referred to the situation in North Sinai as a “war.”

- I. Do the Egyptian government view the situation in Sinai as a non-international armed conflict?
- II. What training do Egyptian security forces (army and police) obtain on local and international laws of human rights and laws of war?
- III. What are the rules of engagement followed by the armed forces in their engagements with militants?
- IV. Have civilians or others not found to pose a security threat meriting the use of firepower been shot, whether deliberately or by mistake? And if so, what are the judicial or other internal avenues to hold accountable soldiers found to have committed violations, and to compensate survivors and the families of the killed and wounded?

4) Media and rights organizations have reported the presence of civilian residents of Sinai serving as armed militias alongside the security forces. Sinai residents have called them “spies” or “Battalion 103.”

- I. How many of these militia members are there?
- II. What is the legal status of their recruitment?
- III. What is the nature of the duties delegated to them?
- IV. What are the means of oversight for their activities?

5) Human Rights Watch and other rights organizations have documented extrajudicial killings of detainees by the police and army in Sinai in several incidents.

- I. Has there been any internal or judicial investigation into these incidents?
- II. What are the rules for treatment of arrested militants?
- III. What kind of oversight exists to guarantee basic minimum standards for the treatment of prisoners?

6) How many civilians have been wounded or killed in artillery fire or airstrikes in Sinai? How many of these casualties were by mistake or “collateral damage,” and how many were deliberate?

- I. What are the mechanisms to investigate and hold accountable the forces responsible for such incidents?
- II. What are the available mechanisms to compensate harmed civilians?

- III. Has the Egyptian Air Force used cluster munition bombs in Sinai? How many times?
- IV. Did the Egyptian army use armed drones to launch attacks in Sinai? How many times?

7) Residents' accounts and media reports indicate that Rafah was near-entirely evacuated, and that many villages south of Sheikh Zuweid have been depopulated.

- I. How many residents have been displaced from their homes in Sinai since the end of 2013 through today? How many in each city?
- II. What are the mechanisms to compensate or support those effected, whether forcibly displaced or those who left their homes due to the escalation of clashes with militants and the fear for their lives?
- III. What alternatives are provided by the government to displaced residents?
- IV. What plans exist to allow displaced people to go back to their homes in safety and dignity in the future?

8) How many members of the security forces have been wounded or killed in Sinai since the end of 2013 through today? How many members of armed groups have been wounded or killed?

9) As reported and documented by The New York Times, Aljazeera, and others, have the Israeli Air Force participated in airstrikes in Sinai, whether through armed drones or jetfighters?

- 1- How many such strikes were carried out?
- 2- What mechanisms exist to ensure that the strikes are proportionate and discriminate?
- 3- Did Israel participate in the attacks in Sinai through any other means?
- 4- Did forces from any other countries participate in the operations in Sinai? What is the nature of these forces and what kind of attacks did it launch?

10) Residents' accounts and media reports indicate the presence of several restrictions on movement and a partial ban on some commodities such as car fuel and a total ban on others.

- I. What are the restrictions that have been in place in North Sinai? How are they different across different cities?
- II. What measures the Egyptian government has taken to ensure that these restrictions do not result in shortages of goods or halt of economic activities?
- III. Is the Egyptian government able to provide residents with all necessary needs? If not, did the government allow humanitarian organizations to provide aid to people in need?

Human Rights Watch very much appreciates any time you can spend to answer our questions and provide us with any information you may have at your earliest convenience. We hope to receive your response within one month from date of receiving the letter (by

December 27, 2018). Any answers following December 27 will be added later to our website.

You can send us your reply via email at [REDACTED]@[REDACTED].[REDACTED] or [REDACTED]@[REDACTED].[REDACTED] or via fax +1-212-736-1300.

Sincerely,

[Signature]

Michael Page
Deputy Director
Middle East and North Africa
Human Rights Watch

Appendix II: Letter to North Sinai Governor (Arabic)

قسم الشرق الأوسط وشمال أفريقيا
سارة ليا وينسن، المديرية التنفيذية
لما فقيه، نايبة المديرية
إريك غولستين، نايب المديرية
أحمد بن شمسي، مدير التواصل والمرافعة

10 مايو/أيار 2018

اللواء عبد الفتاح حرحور
محافظ شمال سيناء
جمهورية مصر العربية

سيادة اللواء،

أكتب إليكم بالنيابة عن "هيومن رايتس ووتش" للاستفسار عن عمليات هدم المنازل والإخلاء القسري في محافظة شمال سيناء، خصوصا في مدينة رفح وعلى طول الحدود مع غزة. هيومن رايتس ووتش منظمة دولية غير حكومية تعمل في قضايا حقوق الإنسان في أكثر من 90 دولة حول العالم. نحن الآن بصدد إعداد تقرير موجز حول القضية ونحرص على عرض وجهة النظر الحكومية بدقة ونزاهة.

وثقنا انتهاكات في المرحلتين الأولى والثانية من عمليات إخلاء رفح في تقرير صدر في سبتمبر/أيلول 2015.³⁰⁵ تشير تقارير إعلامية إلى استئناف الجيش المرحلتين "الثالثة" و "الرابعة" في عمليات الإخلاء في رفح في عام 2017. نود طرح الأسئلة التالية.

عمليات الهدم في رفح

1. ما الدليل على استمرار أنشطة التهريب وقذو مقاتلين وأسلحة من غزة إلى شبه جزيرة سيناء، وانخراطهم في حوادث عنف ضد الحكومة في سيناء؟ تشير عدة تقارير إعلامية إلى توقف أنشطة التهريب تماما وتوصل حكومة حماس في غزة أيضا إلى اتفاق مع الحكومة المصرية لتعزيز الأمن وضبط الحدود.

دع على التقرير "ابحثوا عن وطن آخر: عمليات الإخلاء القسرية في رفح المصرية"، 22 سبتمبر 2015، على الرابط

<https://www.hrw.org/ar/report/2015/09/22/281494>

اللجنة الاستشارية

كاترين بير انيس، المديرية
أسلي بالي، مسؤول
بروس راب، مسؤول
غاري سيك، مسؤول
فواد عبد المومني
جمال أبو علي
ياسر عكاوي
هالة الدوسري
صلاح الحجبلان
عبدالغني الإيراني
أحمد المخيني
غانم النجار
ليزا أندرسون
شاؤول بخاش
ديفيد بيرنشتاين
روبرت بيرنشتاين
نيثان براون
بول شيفغني
هناء إدوار
بهي الدين حسن
حسن المصري
منصور فرحان
لبنى فريخ غورغيس
أيل كروس
عمر حمزاوي
أسوس هاردي
شوان جبارين
مارينا بينتو كوفمان
يوسف خلات
مارك لينش
أحمد منصور
ستيفان ماركس
عبدالعزیز نعيدي
نييل رجب
فيكي رسكين
تشارلز شماس
شيد شينبيرغ
سوزان تاماسيبي
كريستوف تانغي
مصطفى تليلي

هيومن رايتس ووتش

كينيث روث، المدير التنفيذي
ميثيل ألكساندر، نايب المدير التنفيذي
والمبادرات العالمية
ايران ليفاين، نايب المدير التنفيذي البرامج
تشارك لاسينغ، نايب المدير التنفيذي، العمليات
وليد أيوب، مدير تكنولوجيا المعلومات
إيما دالي، مديرية الاتصالات
باربرا غوليلمو، مديرية المالية والإدارة
بالاتوندي أولوغوجي، نايب مدير البرامج
دينا بوكينبير، المستشار العام

2. كم عدد المباني التي هدمت في المرحلتين الثالثة والرابعة حتى الآن؟ كم عدد المباني السكنية والتجارية والحكومية والمدارس المهدومة؟

3. كم عدد العائلات التي نزحت في هاتين المرحلتين؟ وكم عدد المواطنين؟

4. ما التعويضات التي قدمتها الحكومة للعائلات التي تم إخلاؤها؟ ما الآليات الموجودة لتحديد التعويضات؟ ما أساليب الطعن التي قدمتها للحكومة للعائلات غير الراضية عن قرارات الحكومة؟

5. ما هي التعويضات التي تقدمها الحكومة للأراضي الزراعية؟

6. ماهي التسهيلات الأخرى المقدمة للمواطنين كالمسكن المؤقت ووسائل نقل الممتلكات؟

المنطقة العازلة حول مطار العريش

أعلن الرئيس عبد الفتاح السيسي عن إنشاء منطقة عازلة بطول 5 كيلومترات حول مطار العريش في يناير/كانون الثاني 2018. قال شهود لهيومن رايتس ووتش إن الجيش بدأ بهدم المنازل والأراضي الزراعية في المنطقة بعد ذلك بوقت قصير.

1. لم تجد هيومن رايتس ووتش أي قوانين نوقشت في البرلمان أو أصدرها الرئيس السيسي لدعم قراره الشفهي. هل أصدرت الحكومة أي مراسيم لإضفاء الشرعية على آليات القرار والتعويض؟ ما هي؟

2. كم عدد المباني وما حجم الأراضي الزراعية التي هُدمت؟

3. كم عدد العائلات التي نزحت في هذه المنطقة العازلة الجديدة؟ وكم عدد المواطنين؟

4. ما التعويضات التي قدمتها الحكومة للعائلات التي تم إخلاؤها؟ ما الآليات الموجودة لتحديد التعويضات؟ ما أساليب الطعن التي قدمتها للحكومة للعائلات غير الراضية عن قرارات الحكومة؟

5. ما التعويضات التي تقدمها الحكومة للأراضي الزراعية؟

عمليات هدم أخرى

1. هل نفذ الجيش أو الحكومة عمليات هدم أخرى في مناطق أخرى من مدن العريش أو رفح أو الشيخ زويد؟ كم مبنى تم تدميره؟ ما المبرر القانوني الذي شكّل أساساً لعمليات الهدم هذه؟

نقدر كثيراً أي ردود أو إيضاحات على الأسئلة أعلاه، بإمكانكم التواصل معنا على الإيميل egypt@hrw.org أو على الفاكس +961 1 217635

وتفضلوا بقبول فائق الاحترام،

[التوقيع]

مايكل بيچ
نائب مدير
قسم الشرق الأوسط وشمال أفريقيا
هيومن رايتس واتش

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Appendix III: Letter to Israeli Prime Minister Benjamin Netanyahu

January 14, 2019

Benjamin Netanyahu
Prime Minister of Israel
The Prime Minister's Office
Defense Minister
37 Kaplan Street, Tel-Aviv 6473424

CC: Tzipi Hotovely
Deputy Minister of Foreign Affairs
Israel Ministry of Foreign Affairs

Dear Prime Minister,

I write to you on behalf of Human Rights Watch to request information related to the Israeli military involvement in the conflict in North Sinai and its cooperation with the Egyptian army.³⁰⁶

We have previously issued a number of reports regarding violations that have occurred in North Sinai, and we are investigating allegations of other violations by the Egyptian security forces in its continuing military operations over the past five years, as well as abuses by the militant groups.

Human Rights Watch is an international, nongovernmental organization that has worked on human rights issues in more than 90 countries around the world, including Egypt. It is important to us to include your opinion and information issued by you to ensure that our report reflects the official views accurately and transparently, especially in light of our research and the lack of public information about the situation in Sinai. We would highly value your response to the following questions.

³⁰⁶ "Egypt's Sisi acknowledges close coordination with Israel in Sinai," *Reuters*, January 7, 2019, <https://www.reuters.com/article/us-egypt-sisi-usa/egypts-sisi-acknowledges-close-coordination-with-israel-in-sinai-idUSKCN1P101X>

In February 2018, the New York Times reported that “Israeli drones, helicopters and jets” have carried out air campaigns in North Sinai for in 2016 and 2017, conducting more than 100 airstrikes.³⁰⁷ Both Israeli and other media have highlighted other forms of collaboration between the Israeli and the Egyptian armies in North Sinai including intelligence sharing. In an interview aired by the US program “60 Minutes” on January 6, Egyptian President Abdel Fattah al-Sisi highlighted Israel’s involvement in these operations and we would appreciate answers to the following questions.³⁰⁸

- 1- How many times did the Israeli air force launch attacks in Sinai from July 2013 until now?
- 2- What mechanisms exist to warn the civilians in Sinai living adjacent to targeted sites in order to give them a chance to evacuate before attacking such sites?
- 3- How many people have been wounded or killed in strikes launched by Israeli forces? How many are civilians?
- 4- What are the available mechanisms to investigate incidents that led to civilian casualties or destruction of their properties? What remedies exist to compensate civilians harmed by attacks Israel participated in?
- 5- In what ways do Israeli forces support Egyptian forces in operations in North Sinai?
- 6- What are the existing mechanisms to ensure that Israeli forces’ cooperation do not aid or facilitate abuses committed by the Egyptian security forces in Sinai?

We would appreciate if you could provide us answers to these questions by February 14, 2019. Any responses received following February 14 will be posted onto our website.

You can send us your reply via email at [REDACTED]@[REDACTED].

Most respectfully,

[Signature]

Michael Page
Deputy Director
Middle East and North Africa
Human Rights Watch

³⁰⁷ David D. Kirkpatrick, “Secret Alliance: Israel Carries Out Airstrikes in Egypt, With Cairo’s O.K.,” *The New York Times*, February 3, 2018, <https://www.nytimes.com/2018/02/03/world/middleeast/israel-airstrikes-sinai-egypt.html>

³⁰⁸ “Egypt’s Sisi acknowledges close coordination with Israel in Sinai,” *Reuters*.

Appendix IV: Imagery and Descriptions of Sinai Detention Facilities

A. Camp al-Zohor



4 Aug 2012



12 Oct 2013



12 July 2014

Satellite images showing Camp al-Zohor in different stages of construction: August 4, 2012; October 12, 2013; and July 12, 2014. Satellite imagery © DigitalGlobe 2018; Source: Google Earth.

Egypt's Second Field Army built Camp al-Zohor after July 2013 to accommodate its expanding military operations in Sinai and hold large numbers of new detainees. The facility was originally a youth and sports center, surrounded by high-rise government housing projects, until the military took it over gradually from 2012 until they completely occupied it by December 2013 and later expanded it. The army evicted most of the surrounding buildings' residents, witnesses told Human Rights Watch, and the military also conscripted civilian residents to work, sometimes without payment, on the construction of the base.³⁰⁹

Human Rights Watch reviewed a time sequence of satellite images that show the initial military occupation of the sports and youth center occurred sometime after the fourth of August 2012, consistent with evidence from witnesses.³¹⁰ By early October 2013, satellite imagery showed the base had expanded to include multiple permanent buildings and tent structures on the sports playgrounds as well as the stationing of over 30 heavy military vehicles, including armored personnel carrier (APCs) and main battle tanks (MBTs). By July 2014, the tent structures had been replaced with additional permanent buildings and the base was almost entirely enclosed with a security wall.

³⁰⁹ Human Rights Watch interviews with 40 North Sinai residents and several activists, April 2016 to April 2018.

³¹⁰ Camp coordinates are 31°13'57"N 34°6'38"E.

B. Battalion 101 Military Base



Satellite Image of Battalion 101 Military Base, December 4, 2017. Satellite imagery © DigitalGlobe 2018; Source: Google Earth.

An Egyptian military base located in al-Arish hosts Battalion 101 of the Border Guards Unit.³¹¹ The Border Guard Troops is a unit within the Egyptian army tasked with guarding the country's borders. Since the current conflict in Sinai escalated, the base appears to have been hosting more troops. According to eyewitness accounts, the army began detaining civilians at the base shortly after July 2013.³¹²

³¹¹ Camp coordinates are 31°8'25"N 33°50'18".

³¹² Human Rights Watch interviews with 40 Sinai residents, and several activists, April 2016 to April 2018.

Battalion 101 has been the target of several Sinai Province attacks that have killed and injured scores of army soldiers and officers. A senior commander, army officer Ahmed Abdel Nabi, was killed in one of these attacks.³¹³

C. Al-Galaa Military Base



Satellite Imagery: Al-Azoly prison building in al-Galaa Military Base, October 12, 2017. Satellite imagery © DigitalGlobe 2018; Source: Google Earth.

³¹³ Mohamed Khalil, Abdel Hakam al-Gendy, "Funeral of Border guards Katiba 101 Commander in Pictures," Al-Masry al-Youm, January 28, 2016, <https://www.almasryalyoum.com/news/details/882609> (access November 20, 2018).

The army built al-Galaa Military Base decades ago. Located in Ismailiya, on the Suez Canal, al-Galaa Military Base is the headquarters of the Second Field Army Command, which has primary responsibility for North Sinai, and is now one of the largest military bases in Egypt. Inside the base there are several prisons, including al-Azoly, as well as a military court, a hospital, and other military facilities that house up to several thousand soldiers and officers.³¹⁴ The troops in the base include infantry, artillery, and special forces.³¹⁵ After July 2013, the army began to detain forcibly disappeared residents inside the base and subject them to torture and ill-treatment in order to elicit confessions. Al-Galaa likely holds the largest number of forcibly disappeared detainees in Egypt.³¹⁶ One former detainee told Human Rights Watch that there were up to 600 detainees in al-Azoly military prison when he was there for months in 2015.

According to eight testimonies of former detainees' and relatives of detainees in al-Galaa, the Egyptian Commission for Rights and Freedoms, an independent human rights organization, concluded that there could be up to 1,000 civilians and 120 army soldiers detained inside al-Galaa Military Base.³¹⁷ A former soldier who served at al-Galaa Military Base from 2010 to 2011 and "Hossam," a former detainee who spent several months in al-Azoly prison in 2015, both told Human Rights Watch that al-Azoly used to serve as a temporary detention facility for disciplined soldiers.³¹⁸

While the army has not officially acknowledged the presence of any detention facilities in al-Galaa, several government and pro-government newspapers reported occasionally that "the Second Field Army" released scores of Sinai residents held in al-Galaa Military Base.³¹⁹ In early 2015, the army built an additional structure inside al-Galaa that detainees began to call "the new Azoly." Hossam, the former detainee, told Human Rights Watch that

³¹⁴ The al-Azoly prison building coordinates are **30°35'9.78"N, 32°15'16.24"E**.

³¹⁵ "The Second Field Army, Egypt,"

[https://www.marefa.org/%D8%A7%D9%84%D8%AC%D9%8A%D8%B4_%D8%A7%D9%84%D8%AB%D8%A7%D9%86%D9%8A_%D8%A7%D9%84%D9%85%D9%8A%D8%AF%D8%A7%D9%86%D9%8A_\(%D9%85%D8%B5%D8%B1\)](https://www.marefa.org/%D8%A7%D9%84%D8%AC%D9%8A%D8%B4_%D8%A7%D9%84%D8%AB%D8%A7%D9%86%D9%8A_%D8%A7%D9%84%D9%85%D9%8A%D8%AF%D8%A7%D9%86%D9%8A_(%D9%85%D8%B5%D8%B1)) (accessed December 19, 2018).

³¹⁶ Human Rights Watch interviews with 54 Sinai residents and several activists and journalists.

³¹⁷ "al-Galaa Military Base, Theatre of Torturers and Hidden Base of the Disappeared," The Egyptian Commission for Rights and Freedoms, June 2017, <http://www.ec-rf.net/?p=1978> (accessed November 16, 2018).

³¹⁸ Human Rights Watch interview with a former soldier, outside Egypt, June 2016.

³¹⁹ Mohamed al-Bahrawy, "The Army Releases 94 Sinai Detainees Held in al-Galaa Base," *Al-Masry Al-Youm*, May 29, 2015, <http://www.almasryalyoum.com/news/details/728532> (accessed July 18, 2018) and Hanaa al-Tabrany, "Sheikhs' Efforts Successfully Yield the Release of 94 of Sinai Residents," *Al-Ahram*, May 9, 2015, <http://gate.ahram.org.eg/News/645126.aspx> (accessed November 16, 2018).

the original Azoly prison is a three-story building.³²⁰ When he arrived at al-Galaa, soldiers took him directly to the new Azoly.³²¹

³²⁰ Human Rights Watch interview with “Hossam” via mobile texting, May 2016.

³²¹ Hossam’s account also matches accounts of detainees in the Egyptian Commission for Rights and Freedoms’ report.