



**Joint Submission to the Universal Periodic Review of Egypt by Human Rights Watch and the Egyptian Front
for Human Rights
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North Sinai Conflict

Since 2011, the Egyptian military and police have battled extremist militants in North Sinai, and residents have lived in fear of arrest, disappearance, and death at the hands of their alleged protectors, the security forces. Following the forcible removal of former President Mohamed Morsy by the army in July 2013, the conflict has escalated dramatically. North Sinai governorate encompasses the middle and northern parts of the Sinai Peninsula, a sparsely populated—roughly half a million residents—and historically marginalized territory separated from the rest of the country by the Suez Canal and bordering Israel and the Gaza Strip. Since 2013, thousands have been arrested, and hundreds have been disappeared. Tens of thousands of residents have been forcibly evicted or fled their homes.

Human Rights Watch has documented how Egyptian military and police have carried out systematic and widespread arbitrary arrests, enforced disappearances, torture, and extrajudicial killings of hundreds of suspects. Fighters belonging to the militant group which refers to itself as Wilayat Sina', or Sinai Province, an affiliate of ISIS, also have engaged in kidnapping, torture, and murder. The abuses committed by both sides in this armed conflict likely amount to war crimes. The Egyptian government has claimed its counterterrorism operations in North Sinai killed thousands of “terrorists” between since 2014, meanwhile it imposes a severe media-blackout on events in the region. Human Rights Watch has been able to document scores of arbitrary arrests, disappearances and extrajudicial killings between 2013 and 2017.

I- Abuses By Government Forces

A- Forced Evictions and Home Demolitions and Restrictions on Movement

Between October 2014 and August 2015, Egypt's military demolished 2,715 buildings and evicted thousands of families on the border with Gaza, violating human rights law and possibly the laws of war. And in the first quarter of 2018, it escalated its campaign and destroyed at least 3,600 additional buildings, evicting the whole city of Rafah near-entirely while offering no compensations or alternative housing for hundreds of families.

The military campaign left up to 420,000 residents in four northeastern cities in urgent need of humanitarian aid for months in 2018. The campaign has also included severe government restrictions on the movement of people and many essential goods in much of North Sinai governorate. People had to commute on foot after the army imposed severe restrictions on car fuel. Several towns witnessed severe shortages of food, cooking gas and drinking water and had to rely on alternative inefficient methods such as rain water and fire.

Evidence, including satellite imagery and residents' accounts, shows that security forces have been involved in burning and destroying the property of Sinai residents, allegedly in the context of counterterrorism operations, but without providing any judicial orders or a remedy. In the period from October 2014 until the end of 2018, Egyptian Front has monitored the official statements of the military Spokesman, according to which the military and police forces have destroyed 1431 houses, 216 warehouses, 790 trenches, 486 tunnels, and 1139 shacks and huts, and burned 2649 motorbikes, 1572 cars, 519 four-wheel drive vehicles. The military and police forces never provided details of where such vehicles were captured or to whom it belonged while claiming that the owners of the property were wanted for security reasons or cooperated with terrorist groups.

B- Mass Arrests and Enforced Disappearances

Regular campaigns of arbitrary arrests mark daily life in the areas where militants have been the most active including the towns of Rafah and Sheikh Zuwayed and their surrounding villages in the north east. According to locals who spoke to Human Rights Watch, the police and military treat residents of these towns with almost automatic suspicion. They said that soldiers, sometimes accompanied by Interior Ministry police forces and army-sponsored militia members, traveling in convoys of armored vehicles, regularly cordon off neighborhoods and move from house to house, asking for men by name or arresting whoever happens to be present. In none of the cases Human Rights Watch documented did the authorities present a warrant or tell residents why they were making arrests, witnesses said. Typically, the arresting officers said they would take someone for routine questioning and return them shortly. However, in many cases those arrested have been detained for long periods of time, sometimes up to years.

Human Rights Watch documented 50 cases of arbitrary arrests, of which 39 cases were likely forcibly disappeared. Of those 14 have been missing for years. In none of these cases did prosecutors investigate the disappearance or subsequent torture of detainees. In one case, a young man whom the army forcibly disappeared for months before finally moving him to an official prison outside the Sinai told the prosecutor interrogating him about his months-long disappearance and ill-treatment. He said the prosecutor responded: "Consider it [the price you pay] for the sake of the homeland."

From October 2014 until the end of 2018, the Egyptian Front found out that government forces have arrested 8226 people in North Sinai, according to official statements of the military Spokesman who allegedly claimed that all 8226 were "wanted for security reasons" or were "suspects in terrorism cases." This shows that the Egyptian authorities continue to use the pretext of counterterrorism in its largely arbitrary campaigns of mass arrests in Sinai, which are far removed from judicial oversight, while failing to provide enough information about the identities of and charges facing the persons arrested. The case of 12-year-old Abdullah Boumedine Nasr al-Din, demonstrates the severity of the violations of the rights of detainees in Sinai. Nasr al-Din, from the al-Arish city, was arrested on December 31, 2017 from his home on terrorism charges, and was forcibly disappeared for seven months, interrogated without a lawyer, and was being held in solitary confinement for nearly 100 days, according to his family

who spoke to the Egyptian Front. In December 2018, a court ordered his release on bail, but instead security forces transferred him to al-Arish Police Station where he continues to be detained.

C- Extrajudicial Killings and Killings at Checkpoints

Human Rights Watch documented 20 cases of extrajudicial killing of detainees in North Sinai. In one case, the military arrested two brothers from their home in al-Arish, the capital of the governorate, in February 2015 and took them to Battalion 101, the largest military base in North Sinai. Two days later, one of the detained men's relatives received word that bodies had been discovered by the side of the road near the entrance to al-Raysan, a remote village 34 kilometers south of al-Arish. When the relative arrived at the scene, he found vehicle tracks and the bodies of his brothers, one with bullet wounds to the back and face and the other shot in the head, he said. The next day, a group of detainees who had just been released from Battalion 101 came to offer their condolences and told the relative that soldiers had taken the two brothers out of their cell on the morning of their death and loaded them into a convoy of Humvees.

All the main roads in North Sinai are tightly controlled by dozens of army checkpoints and military installations. Witnesses who spoke with Human Rights Watch described how soldiers at these checkpoints sometimes shot at approaching individuals and civilian vehicles that posed no apparent security threat. Human Rights Watch documented three of these unlawful killings. Witnesses also described how the curfew imposed in North Sinai since October 2014 did not allow emergency medical aid to be provided. And outside curfew hours, ambulances took long time before arriving because of delay at the army and the police checkpoints.

According to the military Spokesman's statements, which the Egyptian Front has monitored, the army claimed to have killed around 2811 people from October 2014 till December 2018. The killings were executed as part of military operations in Sinai, allegedly against terrorists affiliated with Wilayat Sina'. However, the army has provided almost no details about such operations and the identities of those allegedly killed. No investigations by the prosecution was ever announced into these killings.

D- III-Treatment, Torture and Death in Detention

The military detains most of those arrested in North Sinai at three sites: Battalion 101, located in al-Arish; Camp al-Zohor, a converted youth and sports center in Sheikh Zuwayed; and al-Azoly, a military prison inside Al-Galaa Military Base which is the headquarters of the Second Field Army in the Suez canal city of Ismailiya. Residents arrested by the police are typically transferred to the North Sinai governorate headquarters of the Interior Ministry's National Security Agency, also in al-Arish.

Far removed from any form of judicial oversight, detainees at these sites lack basic rights and sometimes are subject to abuse. Human Rights Watch documented 10 cases in which detainees or their relatives said they had been physically abused, including by beatings and electric shocks, almost always by soldiers in uniform. They described how this abuse, which in many cases appeared to amount to torture, occurred while they were forcibly disappeared—i.e., when their detention was kept secret from their relatives or lawyers—and kept in overcrowded cells without adequate food, clothing, clean water, or healthcare. Former detainees described seeing children as young as 12 who were detained in these conditions with adults. Very few of the former detainees, whose time in custody ranged from weeks to

months, were ever charged or appeared before prosecutors, as required by Egyptian law. Those who did, only saw prosecutors after the authorities transferred them to official detention facilities outside the Sinai or to military courts inside Al-Galaa Military Base for trial. Due to the fear of being arrested and tortured again—and possibly extrajudicially killed—no former detainees have since filed a complaint with the authorities about their treatment.

Former detainees said they witnessed the death of three other detainees in custody because of ill-treatment and lack of medical care.

II- Abuses by ISIS affiliate Sinai Province group

The local ISIS affiliate in North Sinai, which refers to itself as *Wilayat Sina'* (Sinai Province) and has taken root in the northeast corner of the peninsula, has committed horrific crimes, including the kidnapping of scores of civilians and members of the security forces, extrajudicially executing some of them.

Sinai Province's indiscriminate attacks, such as the use of improvised explosive devices (IEDs) in populated areas, have killed civilians and also led to forced displacement of local residents after the group planted IEDs near civilians' homes. The group has also deliberately attacked civilians, including the October 2015 bombing of Metrojet Flight 9268, which exploded after taking off from the Sinai resort town of Sharm al-Sheikh, killing all 224 passengers and crew. Sinai Province claimed responsibility for the bombing. Fighters from Sinai Province were probably also responsible for a November 2017 attack on worshippers at al-Rawda Mosque in North Sinai, which killed at least 311 people, including children, the deadliest such attack in Egypt's history.

In areas in Rafah and Sheikh Zuwayed, the group established its own *Sharia* courts that oversaw unfair "trials" and set up its own checkpoints that conducted both regular policing and *Hisba* (the enforcement of certain Islamic rules.) This included instructing women not to leave house alone and to cover their bodies and faces when they went out. Attacks on Christian residents in al-Arish that resembled ISIS attacks elsewhere in the Middle East have forced all Christian families to leave their homes and flee outside Sinai.

Recommendations

- Ensure that military and law enforcement operations in the Sinai comply with international humanitarian law and that civilians are offered all possible protections;
- Offer support, including temporary housing and alternative jobs, and compensations for forcible evicted families and ensure they are able to return to their lands when appropriate;
- Open Sinai for independent journalists, researchers and human rights organizations and end prosecutions of journalists who try to cover events in Sinai.
- Lift unlawful restrictions on movement, ensure that enough goods and supplies flow to Sinai residents.

and allow independent humanitarian aid organizations to offer necessary aid to Sinai residents.

- The Justice Ministry should commission a mission of inquiry composed of human rights activists, Sinai activists, legal experts and prosecutors, to openly and transparently investigate all abuses by the government forces and the militants in Sinai.

- The Prosecutor General should immediately order the release of all suspects and detainees arbitrarily arrested without judicial supervision as well as shutting down all unofficial, illegal detention centers.