

Third Annual Report

For the Stop Enforced Disappearance Campaign

2018 1st to August 2017 15th For the period from August



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Egyptian Commission for Rights and Freedoms

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Introduction:

On the International Day for the Victims of Enforced Disappearance, the Campaign to Stop Enforced Disappearances is launching its third annual report since its launch in 2015. This report comes two months after President Abdel-Fattah al-Sisi took office for a second term after winning the presidential election in June 2018.

During the first term of President Abdel Fattah al-Sisi, the crime of enforced disappearance was widely practiced, where the campaign of enforced disappearance recorded high rates of victims of enforced disappearance during the past four years, which refers to the release of the hands of the security services in the practice of this crime without accountability.

The Campaign to Stop Enforced Disappearances believes that the continued practice of such crime of enforced disappearance at the rates observed by the campaign in all the governorates of the Republic over five years may amount to crimes against humanity.

The period since August 1st 2017 until the beginning of August 2018 witnessed the continuation of the policy of the Ministry of the Interior in the arrest and forced disappearance of citizens in official and non-official detention centers, the most prominent of which were national security headquarters, where the campaign did not notice any change in the policy of the Minister of the Interior, Mahmoud Tawfiq, former¹ head of the National Security Service, who was appointed on June 6th 2018, replacing Majdi Abdel Ghaffar, who took over the ministry on March 5th 2015²

The "Stop Enforced Disappearance" campaign issued several reports on the crime of enforced disappearance in Egypt, covering the period from June 30th 2013 to August 1st 2018, with a total of 1521 cases of enforced disappearance, documented and monitored in 3 reports issued;

The first report covered the period from June 30th 2013 to the end of August 2016, and 912 cases were monitored.

The second report covered the period from August 2016 to August 2017, and 378 cases were monitored.

And the third covered from August 2017 to August 2018, where 231 cases of enforced disappearances were monitored.

These reports highlighted the cases of missing persons during the events that followed the June 30th 2013 events, including the Republican Guard incident, and the dispersion of both Nahda and Rabia sit-ins.

1

BBC, Egypt: The appointment of a new government, the defense and the interior The most significant changes, 14 June 2018:

<http://www.bbc.com/middleeast-44484294>

2

Bahi Hassan: Meet Majdi Abdel Ghaffar, National Security's child, and Minister of Interior, ALmasry Alyoum Thursday, 05/05/03 <https://www.almasryalyoum.com/news/details/671619>

The most prominent locations of detention where victims spent their periods of disappearance were at the national security headquarters where victims stayed for periods ranging from two days to nearly a year in which they were interrogated illegally to force them to confess to crimes under all forms of torture and inhumane treatment.

On the other hand, the high rates of complaints of enforced disappearance, have led some of the families of victims of missing persons to launch a new social movement at the end of 2013, called the Association of Families of Missing Persons.

The association was founded by the families of missing persons who lost their loved ones in the events that followed June 30th 2013.

These groups of people moved together to find out the truth about their missing ones. The goal was to build social relations for peaceful means, including networking with human rights organizations, dialogue with public figures, and organizing press conferences.

They would gather once a week to interview an organization, submit mass communications to the Attorney General, communicate with news networks or attend a press conference organized by a human rights organization.

On September 10th 2017, Ibrahim Metwally, the father of Amr Ibrahim Metwally, who had been missing since the events of the Republican Guard and one of the founders of the Association of the Families of the Disappeared, was arrested by Cairo authorities, as he was on his way to Geneva to attend the annual United Nations Human Rights Council meeting, after preparing a file on the issue of enforced disappearance in Egypt to be presented to the Working Group on Enforced Disappearance at the United Nations to discuss the issue.

He spent 3 days of enforced disappearance at the National Security headquarters in Abassia, where he was subjected to various forms of torture.

And the Supreme State Security Prosecution charged him with the establishment and the leadership of an organized group founded contrary to the provisions of the law, spreading and disseminating false news, and communicating with foreign parties to support him in disseminating the group's ideas against the background of case No. 900 of 2017, Supreme State Security.

His detention has since been renewed, and he is currently being held in the notorious Tura Prison, known as the Scorpio Prison.

On the other hand, Dr. Hanan Badr al-Din, the wife of the missing Khaled Hafez al Ezz El-Din since the events of the podium on July 2017, has been detained for more than a year. Dr. Hanan is also one of the founders of the association, and she was arrested in a prison while meeting with a survivor of the enforced disappearance while trying to reach and access information about her missing husband. She was accused in case No. 5163 2017 and was referred to the South Banha prosecution that charged her of joining a banned group, and the introduction of prohibited items into prison.

In February 2018, the campaign condemned in a statement what it described as the escalation of the pace of enforced disappearance against journalists and civil society activists with the approach of the presidential elections in Egypt, as the campaign renewed the demand to the Ministry of the Interior to cease the practice of enforced

disappearance against journalists and activists who had been subjected to enforced disappearance.

For example, Hassan al-Banna Mubarak, a trainee journalist at Al-Shorouq newspaper and a researcher at the Regional Center for Rights and Freedoms, who was subjected to 11 days of enforced disappearance, Mustafa Al-Aa'ssar, where they were arrested on February 4th, and Mootaz Wedanan who was also arrested on February 16th, and they were all interrogated at the Supreme State Security in case No. 441, 2018 and charged with joining a group founded contrary to the provisions of the law and the dissemination of false news.

The researcher Walid Khalil al-Shobaki, a PHD student at Washington University, was arrested on May 23rd, as he was conducting a field research on the Egyptian judiciary, and then he appeared in the Supreme State Security Prosecution on May 27th on Case 441. The case involved 35 defendants, including a group of civil society activists and journalists, most notably Ezzat Ghoneim, executive director of the Egyptian Commission for Rights and Freedoms, Adel Sabri, Editor-in-Chief of Misr-Al-Arabia website, and Wael Abbas, who is a journalist and a blogger.

About the “Stop Enforced Disappearance” Campaign

In conjunction with the International Day of Victims of Enforced Disappearance, the Egyptian Commission for Rights and Freedoms ECRF launched its campaign (Stop Enforced Disappearance) against enforced disappearance in Egypt in August 30th 2015. The overall goal of the campaign since its launch was to mitigate the phenomenon of enforced disappearance in Egypt after its vast spread, in a manner that alarmed large segments of Egyptian society, as some media outlets sought to deny the crime, in collusion with those responsible for it, or to justify it as a necessary practice in the fight against terrorism.

That led to the impunity of the perpetrators of such crime and in turn the recurrence of the violations and their prevalence, resulting in broader violations such as extrajudicial killings and unfair trials reaching verdicts that deny the right to life as life sentences.

In its documentation and monitoring of victims' cases, the campaign has adopted the definition adopted by the United Nations in the International Convention for the Protection of All Persons from Enforced Disappearance in defining what constitutes enforced disappearance;

"It is the arrest, detention, abduction or any other form of deprivation of liberty committed by State officials, persons or groups of individuals acting with the permission or support of the State or with its consent, followed by refusal to recognize deprivation of liberty or concealment of the fate of the disappeared person or his location, which deprives him of the protection of the law³"

The aim of the past three years was to reduce the phenomenon of enforced disappearance in Egypt by drawing the attention of the local and international community to the issue and raising awareness of it, as well as providing legal counseling to the victims' families and directing them to follow legal procedures when they complain that a member of their family has been subjected to enforced disappearance.

The campaign has had several successes, most notably the trust of the families of the victims in the campaign team, especially the Association of Families of the Disappeared, an association established at the end of 2013; the most important objective was to find out the fate of their missing loved ones in the events that followed June 30th 2013 as well, and the increasing the interest of some local NGOs and international human rights institutions in the issue of enforced disappearance and the possibility of networking with them, in addition to receiving a number of young volunteers who are interested in the issue within the campaign team.

On the other side, the campaign has been facing all sorts of challenges that have limited the activities of the campaign on the monitoring, documentation and continuous

3

International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly of the United Nations in December 2006
<http://www.ohchr.org/AR/HRBodies/CED/Pages/ConventionCED.aspx>

dissemination of enforced disappearances documented by the campaign through its social media page on Facebook and legal support.

In view of the challenges facing civil society in Egypt from the threats of closure of some human rights institutions, the detention of some human rights defenders and freezing the accounts of some NGO managers for their activities, however, the main challenges facing the campaign remain the fear of some survivors of enforced disappearance from documenting their experiences for fear of security prosecution, especially that Egypt hasn't ratified the International Convention against Enforced Disappearance of 1992 yet.

Since its launch, the campaign has been developing an information plan to draw the attention of the local and international communities to the victims of enforced disappearance, what they are exposed to in secret detention centers, and the hardships their families are subjected to in their search for them between the central security camps and the official and military prisons, and going through the legal process.

Another challenge was presented to the campaign which was blocking the human rights organizations websites, and the news websites that contribute to the broadcasting of publications on the human rights situation⁴.

4

Often with a decision: the blocking of websites in Egypt, Freedom of Thought and Expression Foundation, 5 December 2017 https://afteegypt.org/digital_freedoms/2017/12/05/13645-afteegypt.html

Monitoring Methodology:

The Stop Enforced Disappearance Campaign has sought to verify all monitoring information, where in this report; the campaign has relied on primary sources of documentation by collecting information and communicating with families of the disappeared, either directly through personal interviews or phone calls, so as to verify all information available to us, or monitoring some cases by providing legal support to them as soon as they appear to avoid any error or incorrect information about the numbers of the disappeared.

The campaign has also depended on the form issued by ECRF which is available on the campaign Facebook page⁵, where the information in such forms was verified through direct contact with the families of the victims or their lawyers.

Hence, the figures in this report reflect the cases received by the campaign in the period from mid-August 2017 to the beginning of August 2018.

It should be noted that the campaign encountered some problems while updating its data. For example, some people did not respond while the campaign was working on updating their data, so the campaign expressed incomplete information with code NA. Also, it should also be clear that the figures and statistics presented in this report reflect only what the campaign has reached, and not all enforced disappearances in Egypt.

The report does not mention any case of those, whom have been subjected to enforced disappearance and then have been found killed, suggesting that they may have been killed outside the law, and this is because those cases require an additional effort in documentation.

In a statement issued in March 2017, ECRF cited the risk of extrajudicial killings as a threat to the lives of the disappeared⁶; following three documented cases of extrajudicial killings, after accessing the evidence that indicated that they were in possession of the national security apparatus.

In July 2017 Amnesty International issued a statement calling for an investigation into allegations that four men had been subjected to disappearances, torture and extrajudicial executions⁷, in which they suspected that the four men had been killed in exchanges of fire with security forces.

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Form for submitting a report on the victim of enforced disappearance; available at:

https://docs.google.com/forms/d/e/1FAIpQLSeDuPa5Z5XuB8j140Vi8cdtklW0M7kfSXTpbr0g8lmnt_r9F_g/viewform

6

ECRF: forcibly disappeared, face the arbitrary execution in secret places of detention as a result of authorities ignoring the phenomenon of enforced disappearance, March 16th, 2017 <http://www.ecrf.org/?p=1865>

7

Amnesty International, Egypt: investigate allegations of disappearances, torture and extrajudicial executions of four men, July 6th 2017 [website](#)

9

According to testimonies documented by Amnesty International with the families of the victims, three of them saw traces of torture, including bruises, as well as burns in one case, indicating their presence in the possession of the Egyptian security services.

** There are some definitions adopted by the campaign during its classification of victims of enforced disappearance, and during the monitoring process so as not to confuse the reader:

-) Enforced disappearance: definition adopted by the International Convention for the Protection of All Persons from Enforced Disappearance.
-) Enforcedly Disappeared: The total number of persons who are still under enforced disappearance in isolation, and their families have not been able to know their location so far.
-) In Reserved Detention: the total number of persons who survived enforced disappearance and the campaign confirmed during the updating of their data that they were held in custody and had not been sentenced.
-) Released: Any person who has been subjected to enforced disappearance and appeared before the prosecution or judicial authority and his release on the case was ordered.
-) Discharged: Any person, who has been subjected to enforced disappearance for a while, has not been brought before any judicial body and released by the police.
-) Symbol (NA): refers to a number of information, where it means (unknown or no specific information is available).

The age group of victims was classified as:

- 0 – 18 years old (Children).
- 18 – 40 years old (Youth).
- 40 – 60 years old (Adult) and under the definition of adult; gender is classified as male and female.
- 60 + (Old).

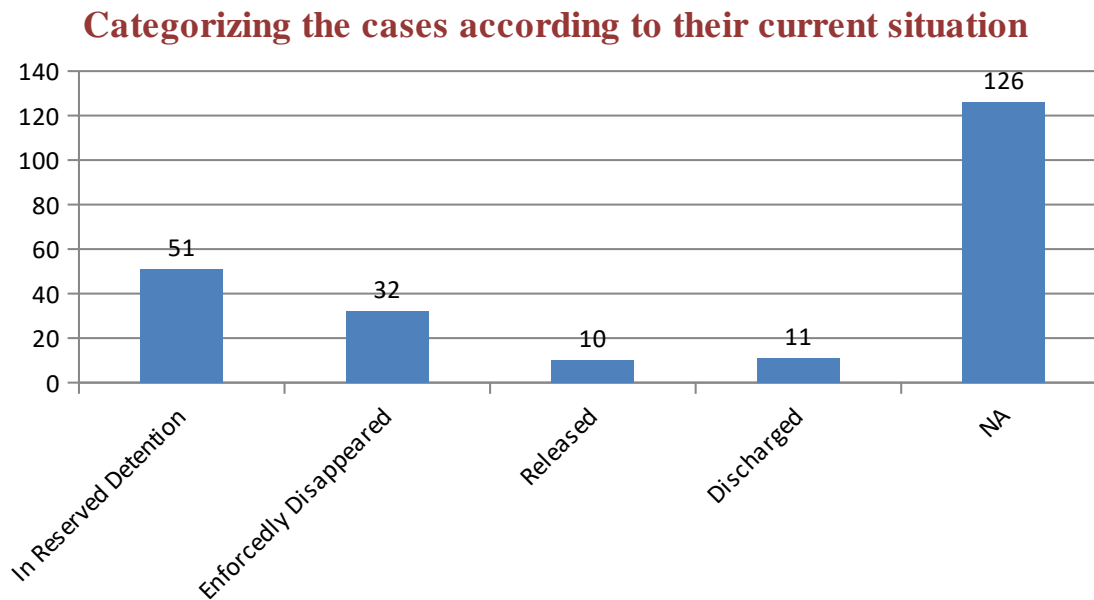
The governorates of the Republic were also classified as follows:

- Central governorates include Cairo, Giza and Alexandria.
- Seafront includes Delta cities and Marsa Matrouh.
- Upper Egypt includes all the governorates.
- Canal cities include Suez, Ismailia and Port Said.
- Cities of Sinai.

Period from August 15th 2017 until August 1st 2018 in figures:

From August 15th 2017 to August 1st, 2018, the Stop Enforced Disappearance Campaign monitored 230 cases of enforced disappearances; including 32 cases remaining under enforced disappearance, 51 cases remaining in pre-trial detention after appearing before the prosecution, 10 cases of release during the database update, 11 were released without being brought before a judicial body, and there were 126 whose fate was unknown indicated by the symbol NA.

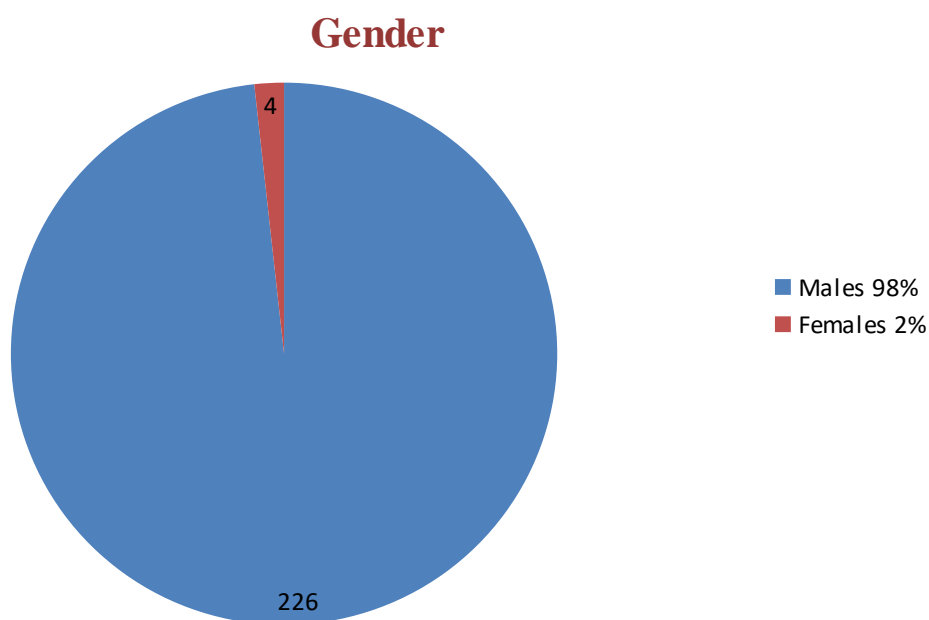
Categorizing the cases according to their current situation	
In Reserved Detention	51
Enforcedly Disappeared	32
Released	10
Discharged	11
NA	126
Total	230



Categorizing the total number of victims according to gender:

The total number of males is 226 cases, and the number of females in 4 cases out of a total of 230.

Gender	
Males	226
Females	4
Total	230



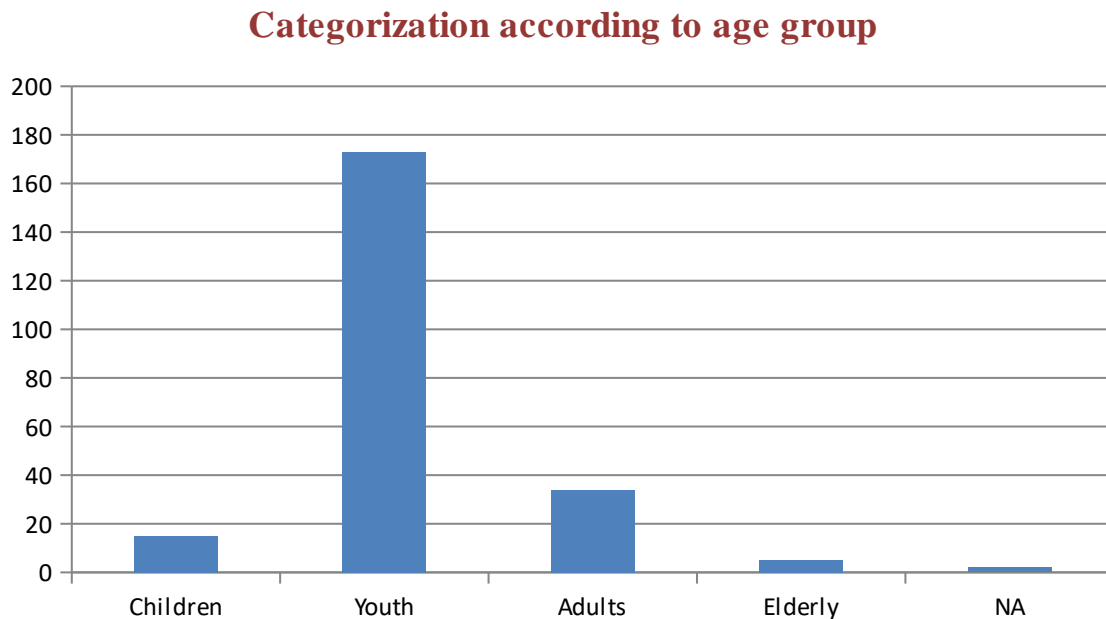
Categorizing the victims according to their age group:

The highest proportion was of young people aged 18 – 40 years with 173 cases, the majority of whom came from university students.

The category of adults between the ages of 40 – 60 was ranked second with a total of 34 cases.

Third; between 0 – 18 years of age with 15 cases. As for persons aged 60 and above (elderlies) accounted for only 5 cases and persons whose ages were unknown were 2 cases.

Categorization according to age group	
Children	15
Youth	173
Adults	34
Elderly	5
NA	2
Total	230

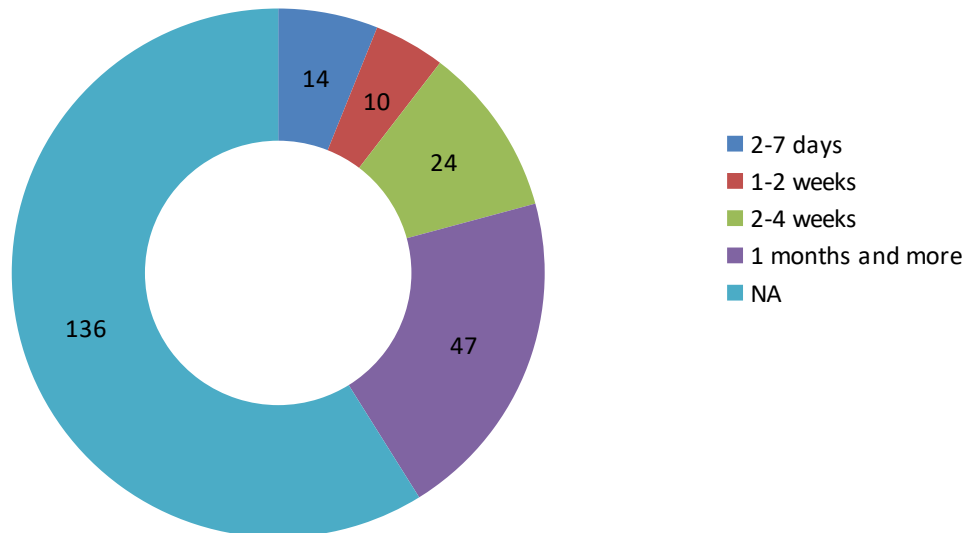


Categorization according to the time spent by the victims:

-) 2-7 days: 14 cases of disappeared for that period.
-) 1-2 weeks: 10 cases of disappeared for that period.
-) 2-4 weeks: 24 cases of disappeared for that period.
-) One month and more: 47 cases of disappeared for that period.
-) Persons whose period of disappearance was unknown: 136.

Categorization according to the time spent by the victims	
2 – 7 days	14
1 – 2 weeks	10
2 – 4 weeks	24
1 month and more	47
NA	136
Total	230

Categorization according to the time spent by the victims



Categorizing the total number of victims according to their occupation and jobs:

The number of students was at the top with a total of 82 cases out of the total number of victims.

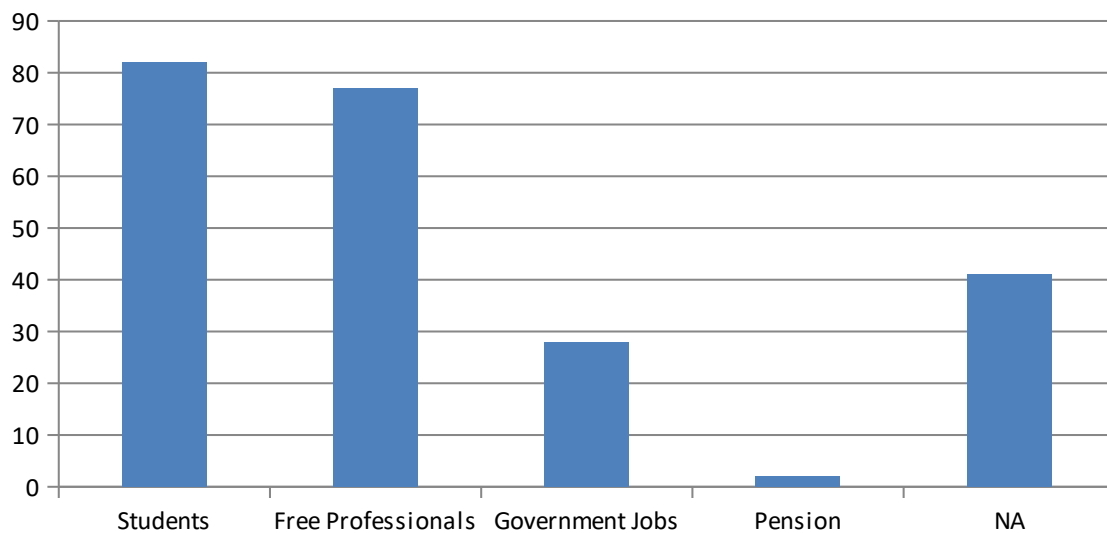
The free professions includes (workers, people working at marketing, accountants, doctors, engineers, translators, technicians, lawyers, pharmacists and researchers) ranked second with a total of 77 cases.

In the third place came workers in government jobs with total number of 28 cases, while those on pension were 2 cases

There were 41 cases in which the campaign was unable to determine their job classification.

Categorizing the total number of victims according to occupation and jobs	
Students	82
Free Professionals	77
Government Jobs	28
Pension	2
NA	41
Total	230

izing the total number of victims according to occupation a



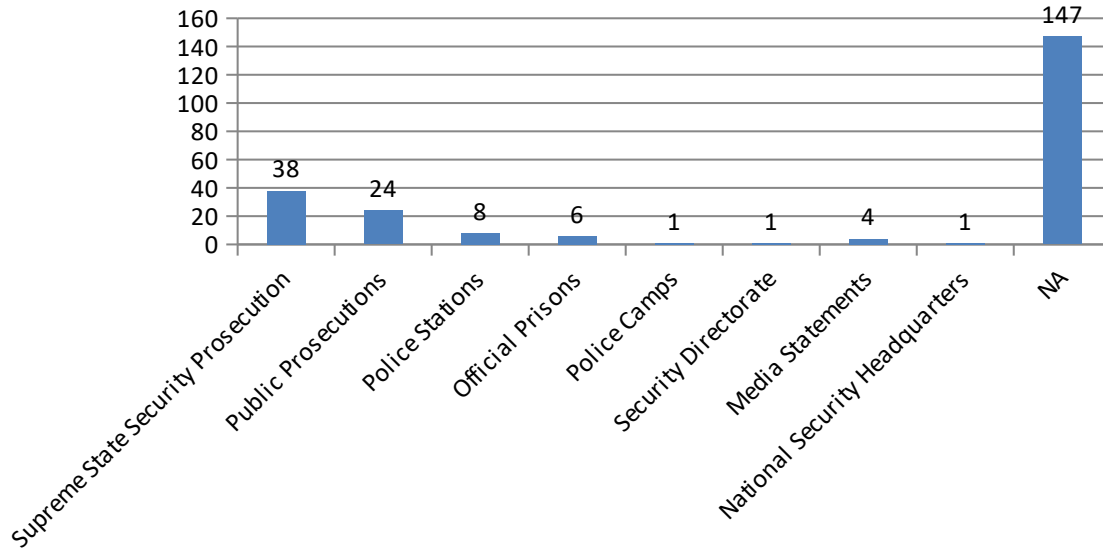
Categorization according to the location where victims appear after their period of enforced disappearance which are meant to be “where the victim was enabled to reach his or her family by telephone, or his family was enabled to know where he is being held and to meet him”

The Supreme State Security Prosecution: the highest percentage in places where the victims appeared, with a total of 38 cases. The Public Prosecution: in second rank with a total of 24 cases. Police Stations: came third with a total of 8 cases, followed by Official Prisons with a total of 6 cases.

The Ministry of the Interior's written and videotaped media statements were also an important source of information for the victims' families, to know the fate of their loved ones, where some of the enforcedly disappeared were shown in videos broadcasted by the Ministry of the Interior or the Ministry of Defense, in which the victims appear to confess to crimes related to overthrowing the regime, belonging to a terrorist group and other charges. Those data and security information materials revealed the fate of 4 cases of the total number of victims, while one Police Camp, one Security Directorate and one National Security Headquarters were the location of appearance of one case each.

Categorization according to the location where victims appeared	
Supreme State Security Prosecution	38
Public Prosecutions	24
Police Stations	8
Official Prisons	6
Police Camps	1
Security Directorate	1
Media Statements	4
National Security Headquarters	1
NA	147
Total	230

Categorization according to the location where victims appeared



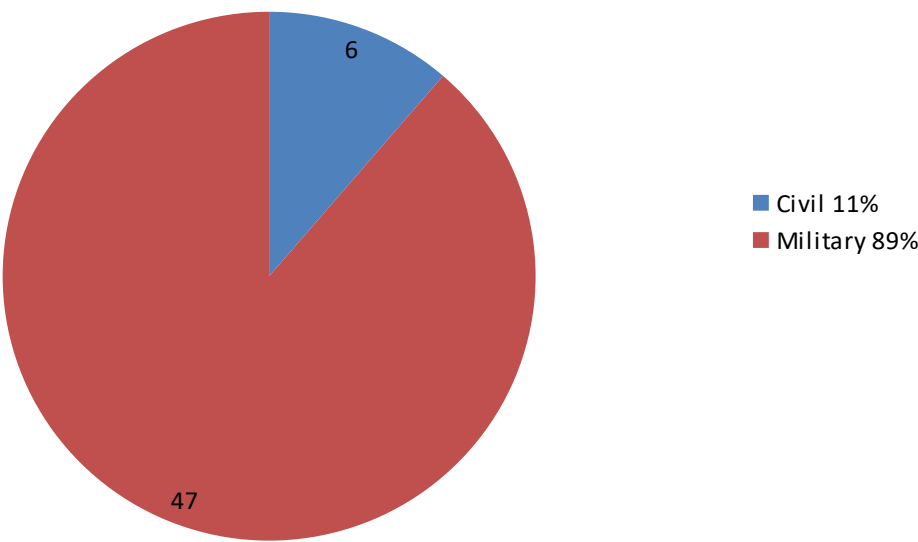
Categorization according to the type of cases they have appeared in following their disappearance:

47 cases appear before the ordinary judiciary including the public prosecution and the State Security Prosecution.

6 cases are to be tried before military prosecutions and military courts.

Categorization according to the type of cases	
Civil	47
Military	6
NA	177
Total	230

Categorization according to the type of cases



Categorization according to location of detention during their disappearances

National security headquarters in different governorates: 42 cases

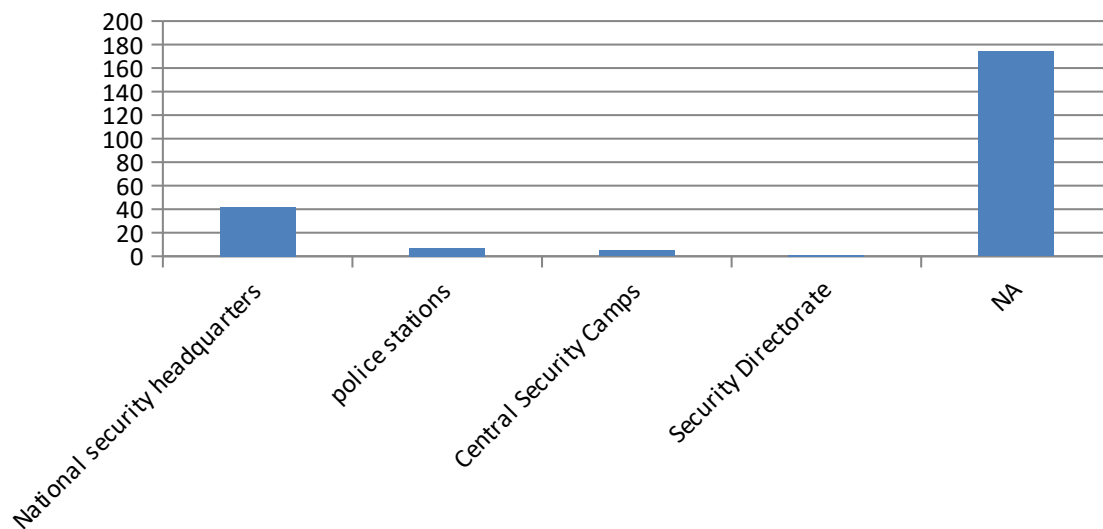
Detention in police stations: 7 cases

Central Security Camps: 5 cases

Security Directorate: one case.

Categorization according to location of detention during their disappearances	
National security headquarters	42
police stations	7
Central Security Camps	5
Security Directorate	1
NA	174
Total	230

ation according to location of detention during their disap



Categorization according to the current location of detention:

Official Prisons: Top of total 42 cases

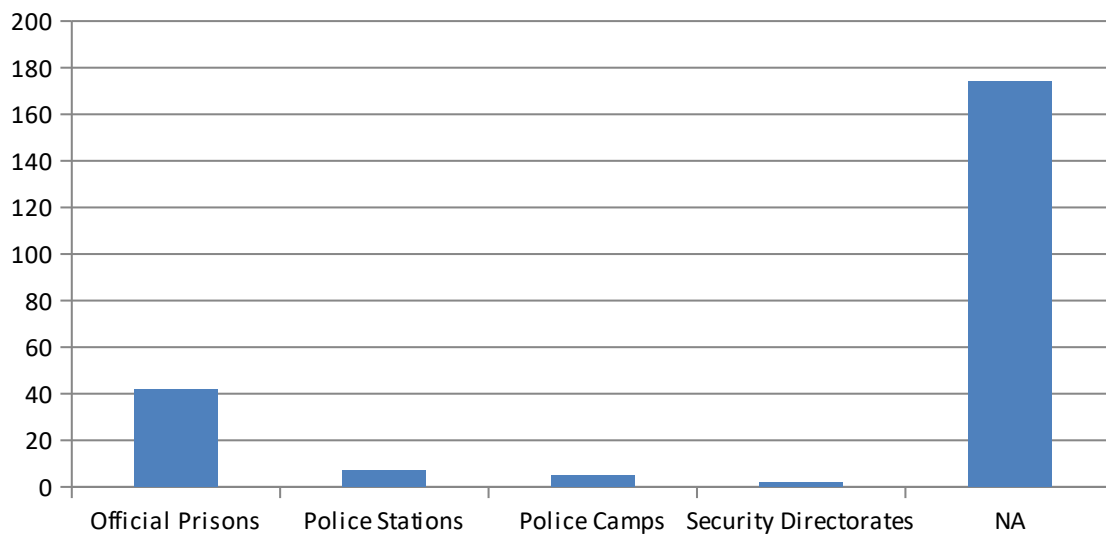
Police stations and departments: 7 cases

Security forces camps: 5 cases

Security directorates: 2 cases.

Categorization according to the current location of detention	
Official Prisons	42
Police Stations	7
Police Camps	5
Security Directorates	2
NA	174
Total	230

ategorization according to the current location of detentio



Categorization according to Marital Status:

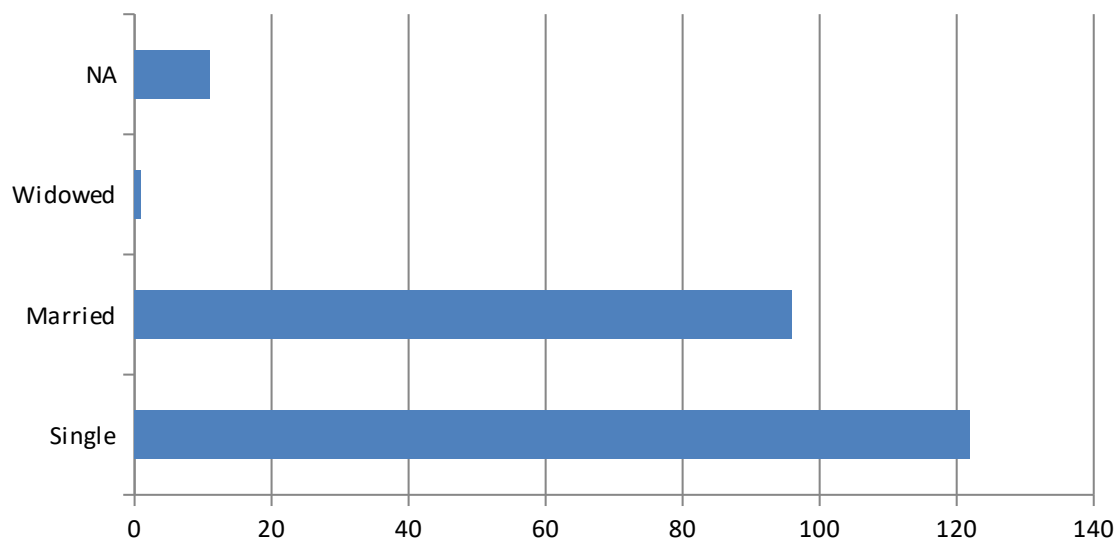
Single: 122

Married: 96

Widowed: 1

N/A: 11

Categorization according to Marital Status	
Single	122
Married	96
Widowed	1
NA	11
Total	230

Categorization according to Marital Status

Categorization according to the type of security move:

They were arrested from the house: 81 cases

Detained during Security Checks: 61 cases

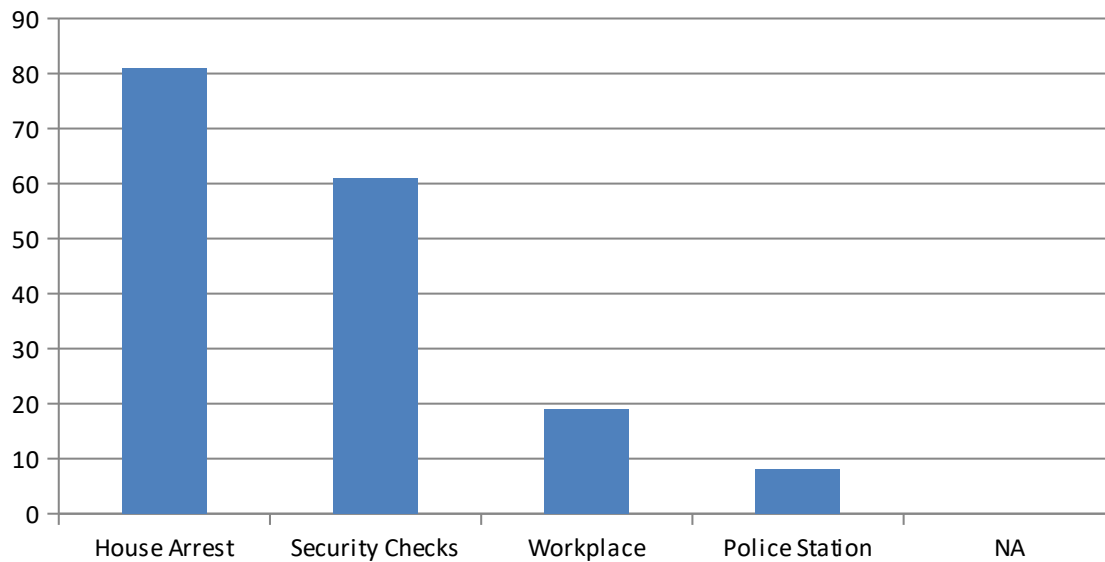
They were arrested from their workplace: 19 cases

Were arrested inside police stations during the completion of their release: 8 cases

The campaign was unable to find out where they were arrested NA: 61 cases.

Categorization according to the type of security move	
House Arrest	81
Security Checks	61
Workplace	19
Police Station	8
NA	61
Total	230

Categorization according to the type of security move



Categorization according to governorate of arrest:

Cairo was in the lead: 61 cases

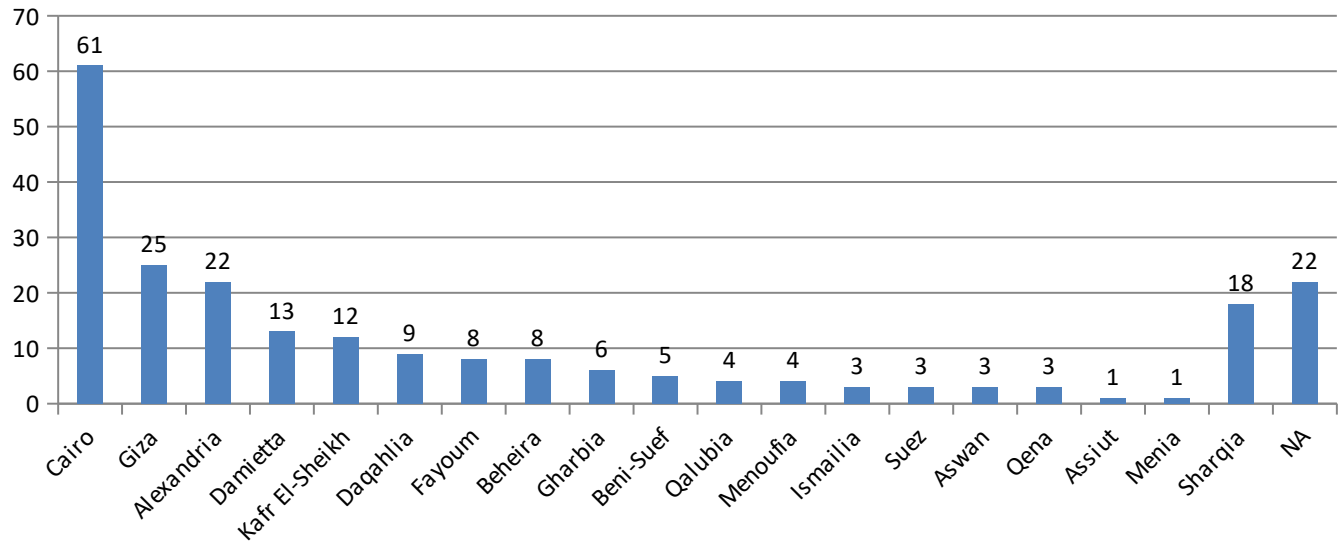
Followed by Giza: 25 cases

Alexandria 22 cases, Sharqia 18 cases.

The rest of the governorates; Damietta 13 cases, Kafr El-Sheikh 12 cases, Daqahlia 9 cases, Fayoum 8 cases, Beheira 8 cases, Gharbia 6 cases, Beni-Suef 5 cases, Qalubia 4 cases, Menoufia 4 cases, Ismailia 3 cases, Suez 3 cases, Aswan 3 cases, Qena 3 cases, Assiut and Menia one case each.

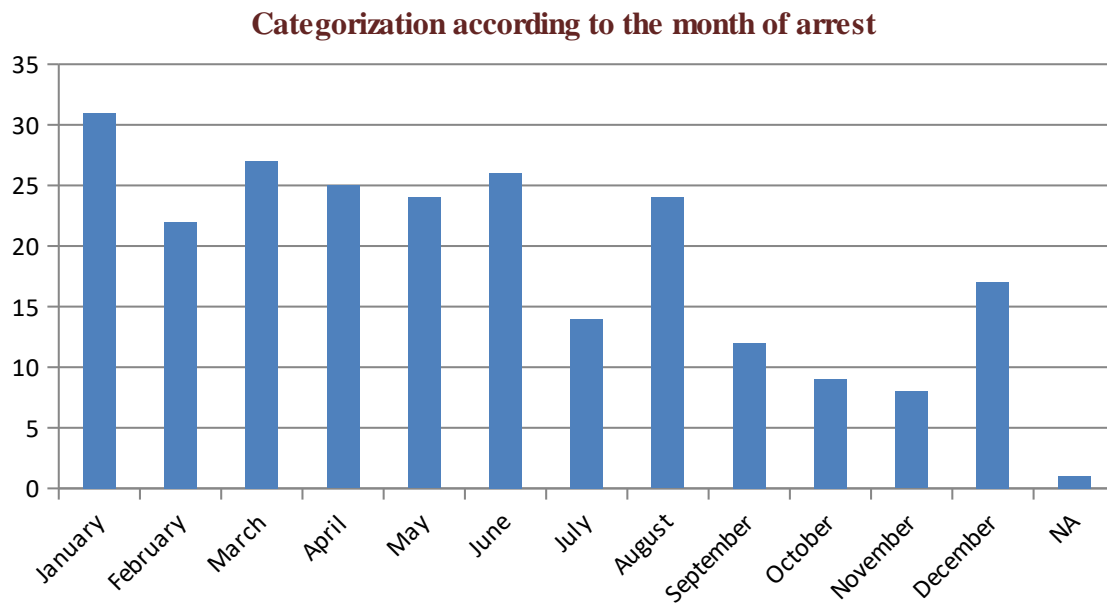
The number of cases which the campaign was unable to identify: 22 cases.

Categorization according to governorate of arrest	
Cairo	61
Giza	25
Alexandria	22
Damietta	13
Kafr El-Sheikh	12
Daqahlia	9
Fayoum	8
Beheira	8
Gharbia	6
Beni-Suef	5
Qalubia	4
Menoufia	4
Ismailia	3
Suez	3
Aswan	3
Qena	3
Assiut	1
Menia	1
Sharqia	18
NA	22
Total	230

Categorization according to governorate of arrest**Categorization according to the month of arrest:**

January 31, February 22, March 27, April 27, April 25, May 24, June 16, July 14, August 24, September 12, October 9 cases, November 8 cases, and December 17 cases.

Categorization according to the month of arrest	
January	31
February	22
March	27
April	25
May	24
June	26
July	14
August	24
September	12
October	9
November	8
December	17
NA	1
Total	230



Click here to view the database:

<https://docs.google.com/spreadsheets/d/1x420E3jH2s1ub9LHOsTP10oeB4zXrjZgmESux70smz4/edit#gid=586471923>

Summary and Recommendations:

-) To disclose the location of detention of the disappeared persons whose names are mentioned in the report, National Council for Human Rights' report, the "Stop Enforced Disappearance" Campaign's report, and Egyptian and international human rights organizations.
-) Criminalization of enforced disappearance in the Egyptian penal code as a crime that does not fall under the statute of limitations and aggravate the punishment in accordance with the gravity of this violation.
-) Amend the Penal Code to adopt the definition of torture found in the 1984 Convention against Torture
-) Accession to the Rome Statute of the International Criminal Court for 1998
-) Accession to the International Convention for the Protection of All Persons from Enforced Disappearance for the year 2006
-) Accession to the Optional Protocol to the Convention against Torture, 2002
-) Declaration by the President of the Republic on the rejection of the crime of enforced disappearance and the practice of torture and other cruel, inhuman or degrading treatment, and his promise to hold those responsible for such crimes accountable.
-) Issuing a law prohibiting the detention of civilians in military areas or prisons.
-) Accountability of those responsible for the practice of enforced disappearance from the leaders of the national security and intelligence services and responsible for the detention of persons in such periods in places of unlawful or secret detention.
-) Periodic monitoring by the prosecution and judiciary on police headquarters, national security headquarters, prisons, central security camps and military prisons.
-) To consider the actions taken by the families of the missing persons in the form of complaints and reports indicating the concealment of their relatives by the security services, make proper decisions faster, and respond to the families of the disappeared via official letters including the result of the search and investigation of the disappearance of their relatives.
-) Formation of a public prosecutor's office headed by a public prosecutor to investigate cases of enforced disappearance with powers to inspect official and unofficial places of detention.
-) To allow the National Council for Human Rights to make unannounced visits to places of detention, and to allow human rights organizations to visit prisons and places of detention to ensure that the law is enforced and detainees enjoy their rights.
-) The recognition by National Council for Human Rights to the existence of the crime explicitly by relying on the aforementioned text of the International Convention for the Protection of All Persons from Enforced Disappearance and using the definition adopted in the preparation of this report to the public opinion.