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RIGHTS
WATCH

“Security Forces Dealt with Them”

Suspicious Killings and Extrajudicial Executions by Egyptian Security Forces

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Suspicious Killings and Extrajudicial Executions
by Egyptian Security Forces

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Printed in the United States of America

ISBN: 978-1-62313-934-6

Cover design by Rafael Jimenez

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Summary

This report covers a pattern of suspicious killings and probable extrajudicial executions by Egyptian Interior Ministry forces of people who at the moment of their deaths apparently posed no life-threatening danger to security forces or others, and so amounted to deliberate and unlawful killings. In all of the cases documented here, the individuals appear to have been in custody prior to being killed and some were forcibly disappeared by National Security Agency forces.

Following the military ouster of President Mohamed Morsy in July 2013, and particularly after the August 2013 violent dispersal of the pro-Morsy Rab'a sit-in when security forces killed at least 817 protesters in one day, Egypt witnessed a sharp rise in violent attacks by an array of armed Islamist groups, against security forces, government facilities, and civilians. Government and Interior Ministry statements almost always blamed these attacks on the Muslim Brotherhood, one of Egypt's oldest and largest Islamist organization to which Morsy belonged and which was outlawed in 2013 following the military takeover.

Under the pretext of combating terrorism, President Abdel Fattah al-Sisi's government has effectively given the Interior Ministry's police and National Security Agency free rein to suppress all opposition, including peaceful dissent, with near-absolute impunity for grave abuses. The result has been one of the worst prolonged human rights crises in the country's recent history. Much of the reporting by human rights groups and investigative journalists has focused on the extralegal killings of peaceful protesters, mass arbitrary arrests, forced disappearances, and ill-treatment and torture in custody. This report looks at the suspicious killings and the probable extrajudicial executions of detained persons, most of whom had been in secret detention.

Between January 2015 and December 2020, according to 123 Interior Ministry statements and pro-government media reports citing unnamed security officials, security forces killed at least 755 alleged "militants" or "terrorists" in 143 alleged shootouts or gun battles in 19 governorates across the country. In most of these statements the authorities said those killed were members of the Muslim Brotherhood. Thirty-one of these incidents, involving the killings of 297 alleged militants, were in Egypt's North Sinai. Human Rights Watch has

previously documented extrajudicial killings in North Sinai and this report focuses only on mainland Egypt. These incidents proliferated after President al-Sisi in June 2015 called for “swift justice” following major violent attacks.

This report documents the suspicious and probable extrajudicial execution of 14 individuals in 9 alleged shootout incidents in mainland Egypt in which, according to Interior Ministry statements, security forces killed a total of 75 men of whom only 21 were named. Human Rights Watch examined the Interior Ministry’s statements regarding these 9 incidents, including analysis of the few photographs and videos available, and interviews with acquaintances or family members of 14 of those killed. All evidence indicates that these were probable extrajudicial executions.

The Interior Ministry statements rarely contained any meaningful information about the circumstances of these incidents, and only occasionally provided photographs or even names of those killed. “Security forces dealt with the source of fire” or “security forces dealt with them,” was the justification cited for the overwhelming majority of these killings. The statements typically claimed that security forces, based on intelligence gathered by the National Security Agency, were approaching a “terrorist hideout” when the alleged militants opened fire, requiring security forces to return fire. The result in almost every case was the deaths of all the alleged suspects. Human Rights Watch’s analysis of the 123 official and quasi-official statements found that only one suspect was reported to have been captured alive in the 143 alleged shootouts while security forces casualties (47 wounded and 5 killed) were reported in only 10 of those alleged gun battles.

Operating with near-total impunity and lack of scrutiny of any sort, the Interior Ministry appeared not to care much whether its statements were convincing. They were often suspiciously pro-forma and sometimes incoherent. In one incident documented in this report, a pro-government newspaper had reported the arrest of a man and his subsequent interrogation over a week before the Interior Ministry subsequently claimed its forces killed him in a shootout. In another incident, the Interior Ministry announced the arrest of nine unnamed suspects of what they called the “special operations unit” of the Muslim Brotherhood in the morning, and in the evening said nine unnamed “terrorists” of the same unit were killed in a shootout.

For a multitude of reasons, including the government's severe restrictions on independent reporting, relentless efforts to silence human rights groups, and the lack of independence and inefficiency of Egypt's prosecution authorities in investigating the alleged shootouts, it is not possible to reach definite conclusions about many of these killings. However, Human Rights Watch found that the incidents documented in this report establish a clear pattern of apparently unlawful extrajudicial executions, in many cases of detainees who had previously been forcibly disappeared or who at the time of the killing posed no imminent danger to security forces or others.

In all nine alleged shootouts examined in this report, the statements did not indicate that any member of the security forces was killed or wounded. Members of eight of the 14 families said they saw what they believed were signs of abuse on the bodies of their killed relatives. In all 14 cases, family members said their killed relatives had been arrested and were in the custody of security agencies before the incidents in which they were reportedly killed. Eight of the 14 families said they or other people, including friends or acquaintances, had witnessed the arrest. Thirteen of the 14 families said their relative had been forcibly disappeared and that they had officially inquired about their whereabouts before their killing. Twelve families said they sent telegrams or letters to authorities, frequently the Interior Ministry or prosecution. Human Rights Watch reviewed copies of the telegrams in six of the cases.

Only one family said that the police informed them about the killing of their relative the next day; all the other 13 families said they received no official notice or information at any point. All the families but one said they had to actively seek information about the deaths and the location of the bodies of their relatives. The family of one man was only able to collect his body after two months, and families of two of those killed have not been able to collect their bodies since December 2018. At least 11 families said National Security officers intimidated and harassed them when they tried to locate the bodies of their relatives. Seven families said security forces escorted them from the morgue to the burial site to force them to bury their relatives without any funeral service, fearing that the family would photograph the body or that the funeral would turn into a spontaneous protest.

No family received a forensic or autopsy report or any further documents or information from the authorities about the circumstances of the killings or alleged shootouts, even though nine of the bodies appeared to have been dissected for autopsy. Authorities called

none of the families to have a representative present during autopsy. Five families said they had still not received the death certificates as of time of writing.

Human Rights Watch found no record that authorities have opened any serious or meaningful investigations into any of the incidents documented in this report. All families said they had not been summoned for questioning as possible witnesses or otherwise requested to provide information that would indicate that any serious investigation was opened.

Only one family said their killed relative probably had been involved in armed activity. All the other families said their relatives had not been engaged in violence or political activity. Two families said their two relatives were killed during a journey to flee persecution in Egypt via its southern border with Sudan.

From official statements and the families' accounts, it appears that the victims in these killings were men whom the security agencies believed belonged to, assisted, or financed violent, armed groups that emerged in the aftermath of the 2013 military coup such as Hasm and Liwa' al-Thawra, regardless of evidence, and which the authorities said were armed branches of the Muslim Brotherhood.

Analysis of the photographs and videos in three cases demonstrates the absence of evidence supporting the Interior Ministry's narrative and that bodies had been moved before being photographed. Three other photographs analyzed, including one concerning a case documented in this report, the hands of three deceased men that appear to have been restrained or cuffed immediately before their death. Another photo shows that a gun appeared to have been placed next to one of the men to stage a shootout.

Arbitrary arrests and enforced disappearances violate international law and Egypt's constitution, which requires that all detainees be brought before a prosecutor within 24 hours. Egyptian laws do not explicitly define enforced disappearance, and insufficiently define and punish torture.

The right to life is an inherent non-derogable human right, regardless of the circumstances, even in times of armed conflict or states of emergency. Summary, extrajudicial, or arbitrary executions are clearly prohibited under international law, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, to which Egypt is a state party.

Except for brief periods between 2012 and 2017, Egyptian security forces have been operating for four decades, since 1981, under a nationwide state of emergency as Egypt's draconian emergency law grants them unchecked powers. Since 2013, new laws further normalized abuses and lack of accountability in violation of the most basic international norms and standards. The 2015 counterterrorism law, for instance, includes an overly broad, abusive, definition of terrorism. It also gives security personnel full discretion to use force without judicial oversight, and immunizes them from criminal investigation even in cases where this use results in loss of life.

In the incidents documented in this report, Egyptian authorities failed to present any evidence or records indicating that use of lethal force was required. All available evidence suggests the contrary. Even when an exchange of fire may be justified, there are clear restrictions and obligations that Egyptian security forces appear to have violated.

Under international law, such as the 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the use of potentially lethal force such as firearms is an "extreme measure" that should be only considered when "strictly necessary in order to protect life or prevent serious injury from an imminent threat." It cannot, for example, be lawfully used to prevent the escape of a suspect or convict if that person did not pose an imminent threat. When unavoidable, officers should only use firearms with a view to "minimize damage and injury, and respect and preserve human life." Officers should also ensure that medical aid is provided to wounded individuals as soon as possible. In none of the incidents documented in this report did the Interior Ministry say it had ordered ambulance services.

Given the potentially grave consequences of the use of lethal force, the UN Basic Principles require that law enforcement officials report in detail, and in a timely fashion, details of incidents in which officers used firearms and killed or wounded others. Such reporting

includes ensuring that “relatives or close friends of the injured or affected person are notified at the earliest possible moment.”

According to the Basic Principles and other instruments of international law, in all cases involving use of firearms by officials persons affected and, in case of death, families of the deceased “shall have access to an independent process, including a judicial process.” Regarding the incidents investigated in this report, the authorities permitted families little or no access to police or forensic reports, relevant documents or information, or independent judicial or administrative redress mechanisms. Photographs that the Interior Ministry occasionally published of the alleged shootout scenes appeared to show that bodies of the deceased had been moved and that the basic elements of preserving the crime scene were not met.

The 2016 updated UN Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, widely known as the Minnesota Protocol, offers step-by-step guidelines and principles that governments should apply in investigating any potentially unlawful deaths.

According to the protocol’s guidelines, the duty to investigate is “triggered” not only in a clear case of unlawful death, but also where there are “reasonable allegations of a potentially unlawful death.” The duty to investigate is applicable even if authorities do not receive a formal complaint. For persons in detention centers, as at least nine of the individuals whose killings are documented in this report appear to have been, the Protocol states: “Owing to the control exercised by the State over those it holds in custody, there is a general presumption of state responsibility in such cases... .”

Of relevance to the cases of killings documented in this report is the obligation of the authorities to identify, summon, and interview all possible witnesses. This should include door-to-door visits and inquiries in the area surrounding the killings and any other physical location of importance to the investigation.

Steps the Egyptian authorities have taken concerning the killings documented in this report do not even begin to comply with the most basic elements of the protocol’s guidelines, even in the most superficial sense. The Interior Ministry almost always claimed that any investigations into alleged shootouts were handled by the Supreme State Security

Prosecution (SSSP), the branch of the general prosecution that typically rubber-stamps security forces' allegations and almost never investigates accounts of torture or enforced disappearance.

The Prosecutor General should remove the SSSP from overseeing investigations into possible security forces abuses. President al-Sisi should direct the Justice Ministry to create an independent committee with sufficient resources and authority to promptly carry out thorough and impartial investigations into all killings by Interior Ministry forces including possible extrajudicial executions.

This report should be read in the context of previous reporting by Human Rights Watch and other groups, providing evidence of the continuing grave abuses committed by authorities in Egypt, particularly by the Interior Ministry and its National Security Agency, including systematic, widespread arbitrary detentions, enforced disappearances, and torture.

Human Rights Watch calls on the UN Human Rights Council to establish an independent international mechanism to monitor and report on the human rights situation in Egypt, and to investigate grave human rights violations and security forces' abuses including but not limited to extrajudicial executions, torture, and enforced disappearances.

Given the level of abuses by Egypt's Interior Ministry and military forces, documented in this and previous reports, including in North Sinai, Egypt's international partners should halt all security and military assistance and weapons transfers to the Egyptian government and condition their resumption on an end to grave human rights abuses and transparent investigations of serious crimes. They should also impose targeted sanctions on officials and entities responsible for such ongoing abuses, and where possible, investigate them under universal jurisdiction principles.

Recommendations

The recommendations detailed here are meant to address, ensure accountability for, and deter the serious human rights abuses documented in this report and previously documented ongoing systematic abuses, including enforced disappearances and torture.

To President Abdel Fattah al-Sisi

- Direct the Justice Ministry to create an independent judicial committee, with sufficient resources, independent experts, and authority to carry out thorough, prompt, and impartial investigations into all killings by Interior Ministry forces, including those killed in alleged shootouts and other possible extrajudicial and summary executions, including but not limited to cases involving complaints by families, human rights organizations, or others.
- Offer prompt compensation to the families of those summarily or extrajudicially executed.
- State publicly that the government does not tolerate and will prosecute those responsible for extrajudicial executions, enforced disappearances, torture, and ill-treatment.
- Order security forces to immediately end extrajudicial and summary executions.
- Request the parliament to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and direct the government to establish an independent national body to carry out regular and unannounced visits to all places of detention.

To the Egyptian Government

- Put an immediate end to detention in National Security Agency facilities, including by issuing necessary decrees or passing legislation.
- Provide legal training and education to security forces on international standards and laws regulating the law-enforcement use of firearms and prisoners' rights.

- End the abusive, prolonged, and nationwide application of the state of emergency. Ensure that any state of emergency is declared only when and where strictly needed.
- Accept without further delay all pending visit requests by United Nations human rights mechanisms, including the special rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment and, on the promotion and protection of human rights while countering terrorism, as well as the Working Groups on Arbitrary Detention and Enforced or Involuntary Disappearances, and take all measures to fully cooperate with their missions and protect everyone they meet from reprisals.

To Prosecutor General Hamada al-Sawy

- Order prosecutors to fully cooperate with any independent committee created to investigate killings by the Interior Ministry and to ensure the safety of victims, witnesses, and families of victims during and after investigation and trial.
- Remove members of the Supreme State Security Prosecution from overseeing any cases related to alleged security forces abuses. Ensure that every investigation is conducted promptly and impartially, and that prosecutors investigate all possible abuses even in the absence of a formal complaint.
- Acknowledge publicly the scope of the problems of enforced disappearance, torture, and ill-treatment in Egypt, and commit to implementing a policy of zero tolerance for all forms of arbitrary and unlawful detention.
- Issue clear instructions to prosecutors to immediately inform family members of individuals killed in law enforcement operations of the details of what happened, and to have a family member or lawyer present during an autopsy. Issue orders to facilitate families' collection of the deceased bodies as necessary.

To the Egyptian Parliament

- Amend the Law 162 of 1958 on the State of Emergency to authorize judicial supervision over implementation of all security measures and remove the unchecked, extra-constitutional powers now given to security forces.
- Thoroughly revise or revoke Law 94 of 2015 for Combating Terrorism to remove officers' impunity, narrow the definition of terrorism, and comply with international counterterrorism norms.

- Amend the Code of Criminal Procedure and the Penal Code to clearly define and penalize unlawful detentions and enforced disappearances.
- Convene public parliamentary hearings for the families of those killed in alleged shootouts to explain their grievances and present their accounts.

To the United States, Canada, the United Kingdom, European Union, its Member States, and all of Egypt’s International Partners

- Impose targeted sanctions, including asset freezes, against Egyptian officials and entities most responsible for ongoing serious human rights violations, including those documented in this report, as well as officials responsible for continued impunity for such abuses, as provided for under the US Global Magnitsky Sanctions program, the EU Global Human Rights Sanctions Regime, and similar sanctions instruments in the United Kingdom and Canada. These sanctions will be most effective if pursued collectively. The sanctions should include the Interior Ministry’s National Security Agency as entities. Officials who could be sanctioned could include senior ministers, National Security Agency directors, and senior justice officials. Individuals targeted with sanctions should be given due process and clear steps set out that they can take as individuals to have the sanctions lifted.
- Suspend all arms sales and provision of counterterrorism and other security-related and dual-use items such as surveillance technology as well as security training or assistance to Egypt, and condition resumption on the authorities’ adopting concrete, verifiable measures to end grave security forces’ abuses documented in this and previous reports and hold perpetrators accountable.
- States that have provided security assistance to Egypt since 2013 should publicly disclose the kinds of assistance; explain how such assistance is consistent with national laws on the provision of military and security assistance (for example, the United Kingdom’s Overseas Justice and Security Assistance Policy and the US’s Arms Export Control Act and Leahy Laws, and the 2008 Common European Position on control of military equipment exports); and state what steps they have taken to mitigate risks of complicity in human rights abuses.
- States that have provided military or security assistance to Egypt in recent years should have in place effective mechanisms for monitoring the end use of those

- weapons and programs, and whether any police or army units who received trainings from these states have been involved in serious abuses.
- Press the Egyptian authorities to allow unhindered access in the country for independent human rights monitors and journalists and allow them to conduct their work without fear of retaliation for themselves or people they meet.
 - Support efforts at the UN Human Rights Council to establish an independent monitoring and reporting mechanism on grave human rights violations in Egypt.
 - Acting where possible under the principle of universal jurisdiction, national judicial authorities should launch broad, structural (preliminary) investigations, without specific suspects, designed to gather evidence related to grave abuses in Egypt which can be used in future criminal proceedings.
 - Under the principle of universal jurisdiction and in accordance with national laws and where evidence allows, investigate and prosecute Egyptian security officers and other officials credibly implicated in serious crimes, including enforced disappearances, torture, or extrajudicial executions, as well as superiors who knew or should have known about such crimes and did not take all necessary and reasonable measures in their power to prevent their commission or to punish those responsible.

To the UN Human Rights Council

- Establish without further delay an independent international mechanism to monitor and report on the human rights situation, and to investigate grave human rights violations in Egypt, including enforced disappearances, torture, and extrajudicial executions. The mechanism should be mandated to establish the facts and identify those responsible with a view to ensuring that perpetrators of violations are held accountable, as well as to collect and preserve information related to these abuses for future use by credible judicial institutions. Ensure that the mandate is sufficiently broad to cover future and past serious abuses at least since July 2013.

To the UN Office of Counter-Terrorism, UN Counter-Terrorism Executive Directorate, UN Office of Drugs and Crime, and other UN Entities

- Withhold funding for counterterrorism programs run by the Egyptian Interior Ministry, military, or other security-related agencies or units until concrete measures are taken to prevent and investigate abuses.
- Disqualify the Egyptian government from eligibility to host or co-host any UN conferences or other UN events, pending substantial, measurable improvements in Egypt's human rights record.
- Rigorously assess the effects on human rights of Egypt's counterterrorism measures in country visits by UN entities such as the UN Office of Counter-Terrorism as well as in reviews such as the Universal Periodic Review and the Counter-Terrorism Executive Directorate assessments of member states' compliance with UN counterterrorism mandates and the UN Global Counter-Terrorism Strategy.
- UN Secretary-General Antonio Guterres and Under Secretary-General of the UN Office of Counter-Terrorism Vladimir Voronkov should publicly condemn the failure of Egyptian authorities and security forces to comply with international human rights standards, including while countering terrorism.

To the African Union (AU) and the African Commission on Human and Peoples' Rights (ACHPR)

- The AU's Department for Political Affairs, Peace, and Security, as part of its early warning and conflict prevention mission, should place Egypt on its Horizon Scanning briefing on the state of peace and security in Egypt and brief the AU Peace and Security Council periodically about human rights in the country, particularly enforced disappearances, torture, and extrajudicial executions by security forces.
- The Peace and Security Council should review all AU member states' military and security arrangements with Egypt, embargo arms exports to the Egyptian army and police, and halt security trainings with Egyptian security forces, and condition resumption on evidence of credible steps to investigate and prosecute serious crimes, including extrajudicial executions.

- In lieu of the Commission's 297 Resolution of 2015 on the deteriorating human rights situation in Egypt, the African Commission on Human and Peoples' Rights should adopt a new resolution condemning escalating abuses in Egypt, including extrajudicial executions, and the Special Rapporteur for Egypt should request a country visit to assess the extent to which the government has implemented ACHPR Resolution 297.

Methodology

For this report, Human Rights Watch created a database of 165 official and quasi-official statements made by the Interior Ministry and pro-government media about shootout incidents between January 2015 and December 2020. Of those statements, 123 concerned shootouts with armed men whom the government invariably described in terms such as “terrorists” or “militants.”

To identify these statements Human Rights Watch monitored the Interior Ministry’s official accounts on Twitter and Facebook and used key terms such as “terrorism,” “terrorists,” or “hideout” to search for and find older posts. Human Rights Watch did not include statements about security raids that did not report a shooting. Human Rights Watch also used the aforementioned key words to find statements in government and pro-government media that were not published on the official Interior Ministry social media pages. This report does not include militants or security personnel killed in major attacks by armed militants on security forces.

Human Rights Watch investigated nine of the alleged shootout incidents that took place in mainland Egypt (excluding the Sinai Peninsula), in which 75 alleged armed militants were killed. Researchers interviewed 13 relatives or friends of 14 of them. Human Rights Watch also interviewed three human rights lawyers, three human rights activists and a journalist who worked on or covered extrajudicial killings. All the interviews were done remotely, except two, which were conducted in person. Two of the 14 cases were introduced to Human Rights Watch by We Record, a human rights group, and the two interviews concerning those two cases were conducted jointly with an Istanbul-based researcher with We Record. Human Rights Watch reviewed media reports and investigations of the cases by Egyptian human rights groups.

A Human Rights Watch researcher analyzed 52 photographs and three videos concerning six individuals killed in three of the nine alleged shootouts. They show the alleged shootout scenes and dead bodies. The government published 35 of them and the rest were provided by activists and family members. This visual evidence was also reviewed by the Independent Forensic Expert Group of the International Rehabilitation Council for Torture

Victims, including Professor Dr. Onder Ozkalipci, the Group's steering committee member and a forensic physician, Professor James Lin, the Group's coordinator and a legal and forensic expert, and by Stefan Schmitt, International Forensic Manager of the National Forensic Science and Technology Center at Florida International University and former director of the International Forensic Program at Physicians for Human Rights.

This report also highlights and includes additional research into the probable extrajudicial execution of 10 detainees in two separate incidents in mainland Egypt in 2015 that Human Rights Watch had documented in previous reports.

Human Rights Watch on two occasions sent detailed questions to Interior Minister Mahmoud Tawfiq and Prosecutor General Hamada al-Sawy, on April 27 and May 11 2021. Copies of the letters were also sent to the State Information Service, the National Council for Human Rights, and the spokesperson of the Egyptian cabinet. At the time of publication, the authorities had not responded. The letters are in the annex of the report.

All interviewees have been given pseudonyms and some personal details were omitted because of security considerations. Egyptian authorities have routinely harassed, intimidated, arrested, and sometimes prosecuted witnesses to serious human rights abuses.

All persons interviewed were informed of the purpose of the interview, its voluntary nature, and the ways in which the information would be used. Human Rights Watch conducted the remote interviews using encrypted applications, wherever possible, to ensure the security of interviewees. None of those interviewed received monetary or other incentives for speaking with Human Rights Watch. All interviews were conducted in Arabic.

I. Background

Widespread suspicious and extrajudicial killings are not unprecedented in Egypt's recent history. From the late 1980s through the late 1990s, when the government confronted rising Islamist armed militancy, the Interior Ministry arrested thousands of peaceful as well as violent opponents and was reportedly involved in the extrajudicial killings of alleged Islamist militants.¹ During the decade spanning the late 1980s to the late 1990s, the Interior Ministry killed hundreds of alleged Islamist militants.²

In a 1993 report, Amnesty International wrote:

[M]any of the deaths caused by the police may have been unlawful killings resulting from an excessive and unwarranted use of lethal force. Indeed, some killings bear the hallmarks of extrajudicial executions - deliberate killings of people who posed no violent threat at the time they were shot dead.³

In a 1995 report on hostage-taking by security forces, Human Rights Watch reported a number of cases of possible extrajudicial executions in what appeared to be staged shootouts.⁴ Some 20 years later, in 2016, Mohamed Tha'lab, a former deputy interior minister, in a BBC documentary about violence under former President Hosni Mubarak, claimed that minister Zaki Badr, who led the ministry from 1986 to 1990, had effectively endorsed a ministry policy of extrajudicial executions:

¹ Human Rights Watch, *Egypt: Hostage-Taking And Intimidation By Security Forces*, January 1995, <https://www.hrw.org/reports/1995/Egypt.htm>; Amnesty International, *Egypt: Grave Human Rights Abuses Amid Political Violence*, May 25, 1993, <https://www.amnesty.org/en/documents/mde12/003/1993/en/> (accessed May 27, 2021).

² See, for example: Mohamed Salah, "Leader of al-Gama'a al-Islamiya killed with three others from the Groups' armed wing," *al-Hayat*, September 8, 1998, copied in Sauress <https://www.sauress.com/alhayat/31019480> (accessed February 15, 2021); Mokhtar Awad and Mostafa Hashem, Carnegie Middle East Center, "Egypt's Escalating Islamist Insurgency," October 2015, https://carnegieendowment.org/files/CMEC_58_Egypt_Awad_Hashem_final.pdf (accessed June 11, 20121).

³ "Egypt: Grave Human Rights Abuses," Amnesty International, *Ibid.*

⁴ Human Rights Watch, *Hostage-Taking and Intimidation By Security Forces*, *Ibid.* Section, "March 1994: SSI Officer Intimidates Family of Victim of Security Forces Raid."

Badr did not want defendants. Defendants would have to be presented to prosecutors and might complain about having been tortured and so on. As long as they [the militants] are fighting, kill them. It's a war.⁵

In the same documentary, well-known former general and security analyst Fouad Allam, who was also the deputy director of the State Security Investigations (SSI, the name of the National Security Agency until 2011), said that there were orders at the time to “shoot them in the heart,” referring to Islamist armed militants.⁶ “They [security] carried out assassinations of members of the [Islamist] groups,” he added.⁷

Killings of alleged armed militants largely subsided in the late 1990s, after the Islamist group al-Gama'a al-Islamiya renounced violence and security agencies had suppressed and dismantled violent Islamist groups.

The Massacres of 2011 and 2013

More than 10 years after the violent events of the 1990s, and during the 18 days of the 2011 nationwide uprising against President Hosni Mubarak, Interior Ministry security forces killed hundreds of peaceful protesters.⁸ Following Mubarak's ouster, and faced with public euphoria and demands for accountability, Mubarak's immediate successors, his own military generals, the Supreme Council of the Armed Forces, created an interim government and allowed superficial investigations into some of these killings, but almost all the soldiers and officers prosecuted for killing demonstrators were acquitted in court proceedings that lacked any serious efforts to produce evidence and to hold perpetrators accountable.⁹

⁵ “Egypt's Contemporary Pharaohs,” *BBC Arabic*, video clip, February 9, 2016, <https://www.youtube.com/watch?v=t3XXF9TlkDs&t=15445> (accessed July 22, 2021).

⁶ *Ibid.*

⁷ It is telling that General Allam was appointed in 2017 as a member of the National Council for Combating Terrorism and Extremism.

⁸ “Egypt: Documented Death Toll from Protests Tops 300,” Human Rights Watch news release, February 8, 2011, <https://www.hrw.org/news/2011/02/08/egypt-documented-death-toll-protests-tops-300>.

⁹ Yousri al-Badry and Ibrahim Qura'a, “Acquittal for All Interior Ministry Officers in Protesters' Killings,” *Almasry al-Youm* January 24, 2017, <https://www.almasryalyoum.com/news/details/1077890> (accessed May 7, 2021).

Security and military forces continued to kill protesters in the months following Mubarak's ouster with impunity.¹⁰ But the worst was yet to come. General Abdel Fattah al-Sisi, then minister of defense, oversaw the largest mass killings of protesters in Egypt's recent history in August 2013. The military had just overthrown the elected president, Mohamed Morsy, in July 2013, and imprisoned him and his main advisers. On August 14 that year, the military and the police moved to violently disperse tens of thousands of individuals who gathered in Cairo's Rab'a Square and elsewhere to protest Morsy's removal.¹¹ Over the course of July and August, security forces killed over 1,150 protesters, including at least 817 in Rab'a Square alone.¹²

A year after the massacre, in June 2014, al-Sisi became president, winning 96.1 percent of the electoral vote that lacked any meaningful competition.¹³

In the years since, al-Sisi's government has faced violent attacks by armed political groups against security forces and civilians. Grave abuses became "normal" daily news.¹⁴ In the following months, security forces killed hundreds and abducted, disappeared, and tortured thousands of protesters and dissidents. Members and sympathizers of the Muslim Brotherhood, Egypt's oldest and largest Islamist organization, with offshoots throughout the Arab world and the group to which Morsy belonged, were the main target for security forces despite, in many cases, not presenting evidence of the individuals' involvement in violence.¹⁵ Soon arbitrary arrests, abductions, and forcible disappearances victimized men and women from all walks of life, including journalists, academics, human rights defenders, and social media critics.¹⁶ Since 2015 the repression has included

¹⁰ Amnesty International, *Egypt: Brutality Unpunished and Unchecked: Egypt's Military Kill and Torture Protesters With Impunity*, October 2, 2012, <https://www.amnesty.org/en/documents/MDE12/017/2012/en/> (accessed May 7, 2021).

¹¹ Human Rights Watch, *All According to Plan: The Rab'a Massacre and Mass Killings of Protesters in Egypt*, August 12, 2014, <https://www.hrw.org/report/2014/08/12/all-according-to-plan/raba-massacre-and-mass-killings-protesters-egypt>.

¹² *Ibid.*

¹³ Patrick Kingsley, "Abdel Fatah al-Sisi won 96.1% of vote in Egypt presidential election, say officials," *The Guardian*, June 3, 2014, <https://www.theguardian.com/world/2014/jun/03/abdel-fatah-al-sisi-presidential-election-vote-egypt> (accessed June 15, 2021).

¹⁴ Human Rights Watch, *World Report 2015*, (New York: Human Rights Watch, 2015), Egypt chapter, <https://www.hrw.org/world-report/2015/country-chapters/egypt>.

¹⁵ *Ibid.*

¹⁶ Human Rights Watch, *World Report 2016*, (New York: Human Rights Watch, 2016), Egypt chapter, <https://www.hrw.org/world-report/2016/country-chapters/egypt>.

hundreds of gay and trans people and LGBT activists, and women social media influencers whom the government viewed as “immoral.”¹⁷

Enforced Disappearances

One of the gravest abuses of al-Sisi’s security forces has been widespread enforced disappearances.¹⁸ At one level this has been a tactic to terrorize critics and dissidents and sharply raise the cost of criticizing the government. Security officers have also wanted to ensure they can extract information and coerce video-recorded confessions without even a semblance of judicial or public scrutiny.¹⁹ Human Rights Watch and other organizations have documented how, under al-Sisi’s government, the Interior Ministry’s National Security Agency in particular forcibly disappeared and tortured detainees to extract information or confessions, or to punish them, on a scale that likely amounts to crimes against humanity.²⁰

An example of the security mentality justifying the practice of enforced disappearance are the words of a National Security Agency officer to a detainee he interrogated while forcibly disappeared for weeks in mid-2015:

If the public knows that an individual was arrested with us, they will campaign for his release and claim he is innocent. We will come under pressure and will not be able to work.²¹

Such a mentality, effectively viewing the rule of law as incompatible with security, was reflected in statements by President al-Sisi himself on June 30, 2015, in response to the

¹⁷ Human Rights Watch, *World Report 2017*, (New York: Human Rights Watch, 2017), Egypt chapter, <https://www.hrw.org/world-report/2016/country-chapters/egypt>; Human Rights Watch, *World Report 2018*, (New York: Human Rights Watch, 2018), Egypt chapter, <https://www.hrw.org/world-report/2016/country-chapters/egypt>; and Human Rights Watch, *World Report 2021*, (New York: Human Rights Watch, 2021), Egypt chapter, <https://www.hrw.org/world-report/2021/country-chapters/egypt#295c25>

¹⁸ The Egyptian Commission for Rights and Freedoms, “Continuous violation and absent justice, forced disappearance, a five-year report,” September 2020, <https://www.ec-rf.net/3509/> (accessed May 7, 2021).

¹⁹ Human Rights Watch, *“We Do Unreasonable Things Here” Torture and National Security in al-Sisi’s Egypt*, September 6, 2017, <https://www.hrw.org/report/2017/09/05/we-do-unreasonable-things-here/torture-and-national-security-al-sisis-egypt>.

²⁰ Ibid.

²¹ Human Rights Watch interviews with a former victim of forced disappearance in Cairo in 2016 and 2021, via secure messaging app. After the initial secret detention lasting for about three weeks, the person was detained for several additional months without trial before being released.

assassination of Public Prosecutor Hisham Barakat a day earlier. “The hand of justice is chained by laws,” he said, adding that “we will amend the laws to achieve swift justice.” Clearly referring to imprisoned Brotherhood leaders, al-Sisi said, “They are giving the orders from their prison cells.”²²

Less than two days following Barakat’s assassination, security forces carried out what appeared to be the extrajudicial killings of nine high-profile, detained Muslim Brotherhood leaders.²³ The incident received significant media coverage. Security officers arrested several journalists who tried to visit the building where the killings took place.²⁴ The coverage this incident received may have been a reason that security agencies have avoided easily accessible locations in subsequent alleged shootouts.

Six weeks later, on August 15, 2015, al-Sisi decreed a counterterrorism law that gives security personnel immunity from any criminal investigation for any use of lethal force during operations.²⁵ Further reflecting a mentality that problematizes the rule of a law, al-Sisi said a month later, in September 2015, that the 2014 constitution “was written in good will. But countries are not built by good will alone.”²⁶

Suspicious Killings

Since July 2015, Egypt has witnessed a spree of suspicious killings by security forces. The Interior Ministry released more than 123 statements claiming its forces killed “terrorists,” “*ikhwanis*” (members of the Muslim Brotherhood), “suspects” or “militants” in hideouts. Many families of those killed told journalists and human rights groups that their relatives

²² “Al-Sisi Leads the Funeral of Prosecutor General Hisham Barakat,” the official YouTube channel of Egypt’s Defense Ministry, video clip, June 30, 2015, <https://www.youtube.com/watch?v=wJ2LD7n7nrk> (accessed February 9, 2021).

²³ “Egypt: Police Account of Deadly Raid in Question,” Human Rights Watch news release, July 31, 2015, <https://www.hrw.org/news/2015/07/31/egypt-police-account-deadly-raid-question>.

²⁴ See for example, “A lethal attack revisited,” Mada Masr, July 13, 2015, <https://www.madamasr.com/en/2015/07/13/feature/politics/a-lethal-attack-revisited/> (accessed October 27, 2020).

²⁵ “Egypt: Counterterrorism Law Erodes Basic Rights,” Human Rights Watch news release, August, 19, 2015, <https://www.hrw.org/news/2015/08/19/egypt-counterterrorism-law-erodes-basic-rights>.

²⁶ Mohamed al-Galy, “Al-Sisi: the constitution was written in goodwill and countries are not built by goodwill,” *Youm7*, September 13, 2015, <https://www.youm7.com/story/2015/9/13/%D8%A7%D9%84%D8%B3%D9%8A%D8%B3%D9%89-%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%89-%D9%83%D9%8F%D8%AA%D8%A8-%D8%A8%D9%86%D9%88%D8%A7%D9%8A%D8%A7-%D8%AD%D8%B3%D9%86%D8%A9-%D9%88%D8%A7%D9%84%D8%AF%D9%88%D9%84-%D9%84%D8%A7-%D8%AA%D8%A8%D9%86%D9%89-%D8%A8%D8%A7%D9%84%D9%86%D9%88%D8%A7%D9%8A%D8%A7/2346160> (accessed June 9, 2021).

had previously been arrested and forcibly disappeared.²⁷ In some cases the Interior Ministry claimed that those killed in a “shootout” were responsible for a specific armed attack, but weeks or months later would announce the arrest or the “shootout” deaths of another group of alleged militants, claiming they were responsible for the same attack.²⁸

The killings of previously detained persons have been difficult to document and received little media coverage because of government restrictions on human rights work and investigative reporting, the Interior Ministry’s practice of shrouding its operations in secrecy, and the failure of the Egyptian judiciary to exercise its duty to investigate abuses.²⁹

It appears that the main victims in these numerous “shootouts” have been men whom the security agencies believed, in many cases apparently without evidence, to have belonged to, assisted, or financed Islamist armed groups.³⁰ Following Morsy’s ouster, and particularly following the Rab’a massacre, Egypt witnessed a sharp rise in attacks on security forces, government facilities, and civilians by Islamist armed groups including those affiliated with al-Qaeda and the Islamic State (ISIS).³¹ These groups have been most active in North Sinai, where the Egyptian security forces and military have been battling an ISIS affiliate since 2013.³²

²⁷ Stephanie van den Berg, Edmund Blair, Lesley Wroughton, and other unnamed Reuters staff, “Special Report: Egypt kills hundreds of suspected militants in disputed gun battles,” April 5, 2019, *Reuters*, <https://www.reuters.com/article/us-egypt-killings-specialreport/special-report-egypt-kills-hundreds-of-suspected-militants-in-disputed-gun-battles-idUSKCN1RH1oE> (accessed February 21, 2021).

²⁸ See for example: “Security announces three times the arrest and killings of suspects in the Prosecutor General’s assassination,” *al-Masry al-Youm*, March 7, 2016, <https://www.almasryalyoum.com/news/details/905606> (accessed May 12, 2021).

²⁹ International Commission of Jurists, *Egypt’s Judiciary: A Tool of Repression. Lack of Effective Guarantees of Independence and Accountability*, October 12, 2016, <https://www.icj.org/egypt-authorities-must-end-politicization-of-the-judiciary-and-ensure-its-independence-and-accountability/> (accessed February 9, 2021); and Human Rights Watch, *Work on Him Until He Confesses: Impunity for Torture in Egypt*, January 31, 2011, <https://www.hrw.org/report/2011/01/30/work-him-until-he-confesses/impunity-torture-egypt>.

³⁰ See below under “Suspicious Killings and Probable Extra Judicial Executions.”

³¹ See “Non-State Actors,” Tahrir Institute for Middle East Policy (TIMEP), <https://timep.org/non-state-actors/> (accessed February 12, 2021).

³² Human Rights Watch, *If You Are Afraid for Your Lives, Leave Sinai! Egyptian Security Forces and ISIS-Affiliate Abuses in North Sinai*, May 28, 2019, <https://www.hrw.org/report/2019/05/28/if-you-are-afraid-your-lives-leave-sinai/egyptian-security-forces-and-isis>.

Apart from ISIS and al-Qaeda, other smaller Islamist armed groups emerged and claimed violent attacks in mainland Egypt, most prominently al-‘Eqab al-Thawry (Revolutionary Punishment) in February 2015, Hasm (an acronym for the Arms of Egypt Movement) in July 2016, and Liwa’ al-Thawra (Revolution Brigade) in August 2016.³³ These groups and others have been responsible for attacks that killed and wounded dozens of police and military officers and soldiers, as well as civilians, and destroyed public property, particularly between late 2013 and 2018.³⁴ They have only occasionally acknowledged the affiliation of or publicly mourned any members killed in the alleged shootouts.³⁵

The discourse of these smaller groups invoked the 2013 military coup and abuses by security forces as their main grievances, rather than claiming they were fighting a broader battle to establish an “Islamic Caliphate” or goals similar to those articulated by ISIS or al-Qaeda.³⁶ Furthermore, they published statements diverging from the position of ISIS and al-Qaeda that Egypt’s leaders and officers are *kuffar* (non-believers) who should be fought for that reason.³⁷ Some of these groups, particularly Hasm and Liwa’ al-Thawra, denounced attacks against Christians in an apparent attempt to distance themselves from other armed Islamists, claiming that they were only targeting security forces.³⁸ Security and political analysts, including some who are close the Brotherhood, believe that many of the members and leaders of these newer, smaller groups in mainland

³³ These are mostly the dates when these groups first claimed attacks, but the groups were probably created earlier. See “Revolutionary Punishment,” TIMEP, <https://timep.org/esw/non-state-actors/revolutionary-punishment/>; and “Liwaa al-Thawra,” TIMEP, <https://timep.org/esw/non-state-actors/liwaa-al-thawra/>; and “Hassm,” TIMEP, all March 29, 2017, <https://timep.org/esw/non-state-actors/hasam-movement/> (all accessed February 12, 2021).

³⁴ Mokhtar Awad and Mostafa Hashem, “Egypt’s Escalating Islamist Insurgency;” Ibid.

³⁵ For example, Mohamed al-Sawy, “Who is ‘Deshesha’ who was killed by the Interior Ministry and mourned by the terrorist group Hasm?,” Masrawy, December 19, 2016, https://www.masrawy.com/news/news_cases/details/2016/12/19/1001892/%D9%85%D9%86-%D9%87%D9%88-%D8%AF%D8%B4%D9%8A%D8%B4%D8%A9-%D8%A7%D9%84%D8%B0%D9%8A-%D9%82%D8%AA%D9%84%D8%AA%D9%87-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%88%D9%86%D8%B9%D8%AA%D9%87-%D8%AD%D8%B1%D9%83%D8%A9-%D8%AD%D8%B3%D9%85-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8%D9%8A%D8%A9- (accessed June 29, 2021).

³⁶ “Non-State Actors,” Tahrir Institute for Middle East Policy, Ibid.

³⁷ Mohamed Tawfiq, “Hasm and Liwa’ al-Thawra, Discourse and Practice,” the Egyptian Institute for Studies, September 11, 2017, <https://eipss-eg.org/%D8%AD%D8%B3%D9%85-%D9%88%D9%84%D9%88%D8%A7%D8%A1-%D8%A7%D9%84%D8%AB%D9%88%D8%B1%D8%A9-%D8%A7%D9%84%D8%AE%D8%B7%D8%A7%D8%A8-%D9%88%D8%A7%D9%84%D9%85%D9%85%D8%A7%D8%B1%D8%B3%D8%A9/> (accessed July 29, 2021).

³⁸ Ibid, and, Mohamed Gom’a, “The Ikhwanī Jihadism. Pragmatic and Intellectual Aspects,” al-Ahram Center for Political and Strategic Studies, May 2, 2018, <http://acpss.ahram.org.eg/News/16611.aspx> (accessed February 12, 2021).

Egypt possibly had links to or broke off from the Muslim Brotherhood after 2013 as they became dissatisfied with the group's political strategy and leadership that historically renounced violence in the 1970s.³⁹ In the years following the coup, the Brotherhood leaders and figures, at best, gave contradictory statements regarding violence; its leadership was clearly divided and fragmented as an overwhelming number of its first- and second-tier leaders were forced into prisons or exile.⁴⁰

In January 2018, the United States government designated Hasm and Liwa' al-Thawra as terrorist organizations under the Specially Designated Global Terrorists Act.⁴¹ This followed the designation of Ajnad Masr as a terrorist group in December 2014.⁴²

The Egyptian government in its official statements labeled all these newer groups as "special operations units," referring to what they alleged to be an "armed wing" of the Muslim Brotherhood, as if they were all one and the same.⁴³ The government moved swiftly in late 2013 to officially designate the Brotherhood, which had hundreds of thousands of members, as a terrorist organization in order to justify its nationwide crackdown against anyone with the slightest alleged connection to the group.⁴⁴

The Interior Ministry statements announcing the killings of alleged armed "militants" or "terrorists" usually named the Brotherhood (*Ikhwana*), Hasm, and other groups interchangeably. Even from an intelligence standpoint, a distinction

³⁹ Mohamed Tawfiq, "Hasm and Liwa' al-Thawra, Discourse and Practice," *ibid*, and Mohamed Hamama, "The hidden world of militant 'special committees,'" Mada Masr, December 22, 2015, <https://www.madamasr.com/en/2015/12/22/feature/politics/the-hidden-world-of-militant-special-committees/> (accessed February 12, 2020).

⁴⁰ Omar Said, "No united front: Mixed messages from the Muslim Brotherhood on violence," Mada Masr, April 8, 2015, <https://www.madamasr.com/en/2015/04/08/feature/politics/no-united-front-mixed-messages-from-the-muslim-brotherhood-on-violence> (accessed June 9, 2021).

⁴¹ "Secretary Tillerson Designates HASM & Liwa Al-Thawra as Specially Designated Global Terrorists," US Embassy in Egypt, 31 January, 2018, <https://eg.usembassy.gov/secretary-tillerson-designates-hasm-liwa-al-thawra-specially-designated-global-terrorists/> (accessed June 11, 2021).

⁴² "Terrorist Designations of Ajand [sic] Misr and Ibrahim al-Rubaysh," US Department of State, December 18, 2014, <https://2009-2017.state.gov/r/pa/prs/ps/2014/12/235386.htm> (accessed June 11, 2021).

⁴³ See, for example, the Interior Ministry Official Facebook Page, July 23, 2017, <https://www.facebook.com/MoiEgy/posts/1481876358522689> (accessed May 7, 2021).

⁴⁴ "Egypt: Terrorist Tag Politically Driven," Human Rights Watch news release, December 28, 2013, <https://www.hrw.org/news/2013/12/28/egypt-terrorist-tag-politically-driven>.

between those who supported violent opposition and those who did not was apparently immaterial for the government's purpose of using counterterrorism to criminalize all forms of dissent, including peaceful activism.⁴⁵

The government has used terrorism allegations to arbitrarily arrest, detain, forcibly disappear, and torture activists and dissidents across the political spectrum including journalists, academics and human rights defenders.⁴⁶ Those whom security agencies believed were members or supporters of the Brotherhood or other Islamist groups faced another risk in detention – extrajudicial killing.

“Be careful, if you join one of these cells, you won't get any help from the judicial system,” an unnamed Western security official monitoring the situation from Cairo told the *Wall Street Journal*.⁴⁷ The Egypt chapters in the US State Department annual human rights country reports have noted reports on extrajudicial executions since at least 2017.⁴⁸

In 2017, 2018, and 2019, Human Rights Watch documented the probable extrajudicial executions of forcibly disappeared detainees in war-torn North Sinai where the military and police have been battling an ISIS-affiliated group called Wilayat Sina'.⁴⁹ This includes a report in March 2017 documenting the probable extrajudicial killings of at least four, and as many as ten, men in al-Arish, in which an official video of the alleged security raid appeared to be doctored to cover up the killings.⁵⁰ This report focuses only on security forces' killings in mainland Egypt.

⁴⁵ “Egypt: Intensifying Crackdown Under Counterterrorism Guise,” Human Rights Watch news release, July 15, 2018, <https://www.hrw.org/news/2018/07/15/egypt-intensifying-crackdown-under-counterterrorism-guise>.

⁴⁶ “Egypt uses terrorism trials to target human rights activists, say UN experts,” UN Human Rights Council press release, October 8, 2020, <https://www.ohchr.org/FR/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26364&LangID=F> (accessed June 9, 2021).

⁴⁷ Jared Malsin and Amira El-Fekki, “Egyptian Families Accuse Security Forces of Killing Detainees,” *Wall Street Journal*, July 23, 2019, <https://www.wsj.com/articles/egyptian-families-accuse-security-forces-of-killing-detainees-11563874202> (accessed November 6, 2020).

⁴⁸ US State Department Bureau of Democracy, Human Rights, and Labor, “Country Reports on Human Rights Practices: Egypt,” 2020. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/egypt/>; 2019, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/egypt/>; and 2018, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/egypt/> (all accessed February 22, 2021).

⁴⁹ Human Rights Watch, “If You Are Afraid for Your Lives, Leave Sinai!,” *Ibid*.

⁵⁰ “Egypt: Possible Extrajudicial Killings in Sinai,” Human Rights Watch news release, March 16, 2016, <https://www.hrw.org/news/2017/03/16/egypt-possible-extrajudicial-killings-sinai>.

“Your Hands Are Not Tied”

In recent years, several officials made statements that could be interpreted as implying security forces have “a right” to battle and kill dissidents. Ali Gom’a, Egypt’s former Grand Mufti, the country’s highest religious authority, whose religious opinions (*fatwas*) are officially sought on many issues including by courts considering death sentences, made statements concerning the killing of Rab’a protesters.⁵¹ In an August 18, 2013 speech in presence of the interior and defense ministers as well as the most senior military and police commanders, just four days after the Rab’a massacre, Gom’a appeared to be referring to those who opposed the forced ouster of President Morsy or “who touch the Egyptian military” as *kuffar* (nonbelievers) and *khawarij* (a word used to refer to an Islamic sect that should be fought as illegitimate).⁵² Parts of the speech were broadcast on Egypt’s government TV and other alleged parts of the speech, including an apparent call for killings, were leaked in October that year.⁵³ A statement by Gom’a’s office did not deny he made such statements but claimed he was referring to armed groups in Sinai.⁵⁴

Egypt’s Dar al-Ifta (House of Fatwa) has issued numerous statements describing members of the Muslim Brotherhood as terrorists, *kuffar* or *khawarij* and urging the military and police operations to “battle” them. The statements apparently endorse the blanket government crackdown on anyone with links to the Brotherhood, without clarifying in what context such “battling” or killings would be legal from an Islamic point of view and whether, for example, the killings of people in state custody would be legal.⁵⁵

⁵¹ “Egypt’s Mufti Endorses Protesters’ Killings,” Al Jazeera, October 8, 2013, <https://www.aljazeera.net/news/arabic/2013/10/9/%D9%85%D9%81%D8%AA%D9%8A-%D9%85%D8%B5%D8%B1-%D8%A7%D9%84%D8%B3%D8%A7%D8%A8%D9%82-%D9%8A%D8%A4%D9%8A%D8%AF-%D9%82%D8%AA%D9%84-%D8%A7%D9%84%D9%85%D8%AA%D8%B8%D8%A7%D9%87%D8%B1%D9%8A%D9%86> (accessed July 22, 2021).

⁵² Ibid.

⁵³ The full speech could be found on different YouTube channels and websites, including “الفيديو الكامل لكلمة الشيخ علي جمعة “أمم السيسي وقيادات الجيش” video clip, October 10, 2013, <https://www.youtube.com/watch?v=gxm8w-yVyH8> (accessed July 22, 2021).

⁵⁴ Gom’a defended his statements in another public speech published on his official YouTube page, in which he claimed the Rab’a killings were justified because protesters were not peaceful, “يقال أنك أبحت دماء المتظاهرين وطالبت الجيش المصري “، بذلك” March 4, 2015, <https://www.youtube.com/watch?v=dNprN6ddA8Y> (accessed July 22, 2021).

⁵⁵ “Why Does Dar al-Ifta Endorse the Killings of the Brotherhood?,” Arabi21 website, February 21, 2019, <https://arabi21.com/story/1161767/%D9%84%D9%85%D8%A7%D8%B0%D8%A7-%D8%AA%D8%AD%D8%B1%D8%B6-%D8%AF%D8%A7%D8%B1-%D8%A7%D9%84%D8%A5%D9%81%D8%AA%D8%A7%D8%A1-%D8%A7%D9%84%D9%85%D8>

Many of the alleged shootouts were announced by the Interior Ministry a few days, sometimes as soon as a day or two, after attacks that killed or wounded security forces. This was the case in at least six of the alleged shootout killings documented in this report. An element to consider when investigating such killings is the security forces' rather explicit expression of wanting to "avenge" their killed colleagues. Government officials, including President al-Sisi, have frequently used terms such as "revenge," "avenge," "the right of our martyrs," and "avenging the blood of our martyrs" in their statements.⁵⁶

On February 1, 2015, al-Sisi addressed hundreds of the most senior military and police leaders. "Our meeting today with you is very important," he said, and then angrily shouted:

I did not tie your hands seeking revenge for Egypt's martyrs. Do you understand this? You are the ones who will avenge for Egypt.... I said before your hands are not tied. And they will not be tied.⁵⁷

Al-Sisi made these televised statements two days after Wilayat Sina' attacks that killed dozens of police and army soldiers and officers in North Sinai.⁵⁸ It was just one of many similar calls.⁵⁹ On the same day al-Sisi made these remarks, a low-ranking police officer (*amin shorta*) shot and killed a wounded suspect attacker named Mohamed Atia al-Sayed, whom he was guarding at a Cairo hospital. Al-Sayed had been detained and hospitalized following an alleged shootout a week earlier.⁶⁰

%B5%D8%B1%D9%8A%D8%A9-%D8%B9%D9%84%D9%89-%D9%82%D8%AA%D9%84-%D8%B9%D9%86%D8%A7%D8%B5%D8%B1-%D8%A7%D9%84%D8%A5%D8%AE%D9%88%D8%A7%D9%86 (accessed July 22, 2021).

⁵⁶ Ahmed al-Bahnasawi, "The National Defense [Council] Mourns Board Guards Martyrs and Affirm: We Will Avenge," *e/-Watan* Newspaper, July 20, 2014, <https://www.elwatannews.com/news/details/523797> (accessed February 12, 2021).

⁵⁷ "President al-Sisi's Speech in His Meeting with Leaders of the Armed Forces and the Police," February 2, 2015, The National Media Authority YouTube Channel, video clip, <https://www.youtube.com/watch?v=343YlvotloQ> (accessed February 12, 2021).

⁵⁸ Patrick Kingsley and Manu Abd, "At least 32 killed in Egypt as militants attack army and police targets in Sinai," *The Guardian*, January 30, 2015, <https://www.theguardian.com/world/2015/jan/29/egypt-army-police-sinai-el-arish-sheikh-zuwayed-rafah> (access February 12, 2021).

⁵⁹ See for example: "The third revenge strike against the hideouts of terrorist rats," the Official Facebook page of the Armed Forces' Spokesperson, video clip, July 4, 2015, <https://www.facebook.com/watch/?v=684282681702717> (accessed May 7, 2021).

⁶⁰ The Interior Ministry initially claimed al-Sayed had attempted to escape or that Muslim Brothers bribed the officer to kill him so that he did not divulge information. But prosecutors later referred the officer to trial after he confessed he had killed

The governmental National Council for Human Rights mentions in its annual reports since 2016 that it has received hundreds of complaints of enforced disappearance.⁶¹ Its 2018 report said that the Council's communications with the Interior Ministry revealed that in the majority of those cases the people had been forcibly disappeared.⁶² There is no mention of extrajudicial killings, but in its 2019 report the Council said it had received a complaint about an incident involving a criminal suspect in Gharbiya governorate whom police arrested at home on October 28, 2018, and later executed in a desert area. The 2019 report mentioned that prosecutors were investigating but as of writing Human Rights Watch could not find any information about the results of any investigation.⁶³

al-Sayed after al-Sayed cheered the news that ISIS forces had killed government soldiers in Sinai. Mohamed al-Naqash, "Amin Shorta who killed a terrorism suspect at Imbaba Hospital referred to criminal court," *al-Masry al-Youm*, March 17, 2015, <https://www.almasryalyoum.com/news/details/682488> (accessed March 20, 2021).

⁶¹ The National Council for Human Rights, "The 14th Annual Report for 2018/2019,"; and "The 13th Annual Report for 2017/2018,"; and "The 12th Annual Report for 2016/2017," <https://www.nchr.eg/ar/annual> (accessed May 25, 2021).

⁶² "The 13th Annual Report for 2017/2018," *ibid.*, p. 32.

⁶³ "The 14th Annual Report for 2018/2019," *ibid.*, p. 58.

II. Suspicious Killings and Probable Extra Judicial Executions

Human Rights Watch reviewed 165 official and quasi-official statements released about killings in alleged shootouts between January 2015 and December 2020. Of the 165 statements, approximately 123 concerned 143 incidents of alleged shootouts that involved alleged “terrorists,” and the others not discussed in this report involved shootouts with alleged criminal or drug gangs.⁶⁴ Most of the 123 statements were official, meaning they were released on the ministry’s official Facebook page and Twitter account. The other statements were reported in local media, attributed to unidentified security officials.

Interior Ministry officials claimed in the 123 statements concerning the 143 alleged shootout incidents that its forces killed 755 alleged “terrorists,” usually referred to as “cadres” or “elements” of the “terrorist” Muslim Brotherhood, Hasm, or other organizations, in 19 governorates.⁶⁵

The Interior Ministry statements routinely provided no meaningful information about the circumstances, only occasionally providing the names and more rarely photographs of those killed. Of the 755 individuals killed, only 141 were named. Some statements said that those killed were still being identified but did not issue any further clarification. Only 21 statements were accompanied by photographs of the dead. The Interior Ministry’s justification for these killings was almost always that security forces had “dealt with the source of fire.” The statements in almost every case claimed that security forces, based on intelligence gathered by the National Security Agency, had identified a “terrorist” hideout, obtained permission from Supreme State Security Prosecution to raid the place, prepared a raiding force, and while approaching the hideout the alleged “terrorists” opened fire, compelling the security forces to return fire. The alleged shootout almost always resulted in the killing of all the “terrorists.”

⁶⁴ This report focuses only on shootouts involving alleged armed militants.

⁶⁵ Those include 297 allegedly killed in 31 incidents in North Sinai. But this report focuses only on cases in mainland Egypt, excluding North Sinai. Also, in very few incidents, the statements said that militants killed themselves while dealing with explosives during the alleged shootouts.

One telling indication of how suspicious these “shootout” killings are is that, out of all 143 reported incidents, only in one incident, in June 2015, did officials report that one man was arrested after being wounded. The review found that only in four shootouts were the alleged armed militants or terrorists (at least six of them) reported to have been able to escape. A total of 47 members of the security forces were reported wounded (in 7 incidents) and 5 killed (in 3 incidents). None of the 123 statements indicated that officials had notified ambulances or emergency medical aid to be available to attend to or evacuate wounded suspects despite their obligation to do so under international law.

Operating with near-total impunity and lack of oversight of any sort, the Interior Ministry appeared not to care much whether its statements were compelling or convincing. Almost all used pro-forma language and routinely offered no details about the specific location where the alleged gun battle took place, usually providing only a vague sense of location. The statements also rarely offered details about the numbers or the identity of the “raiding” forces, the time of the raid beyond the date, whether any civilians were harmed or whether any civilian property was damaged – all details one would expect to find in an official statement about an actual shootout, particularly when it allegedly occurred in a residential area where reporting by media and residents could be expected.⁶⁶

One exception that, in contrast, illustrates missing elements of credibility in the Interior Ministry statements, was a shootout that occurred on April 20, 2020 in al-Amiriya neighborhood in Cairo which did exceptionally have dozens of witnesses. Several videos of the events by residents and journalists went viral.⁶⁷ The videos show that the exchange of fire lasted for hours and gunshots were clearly heard while security forces surrounded and slowly approached the apartment where the armed militants were.⁶⁸ The Interior Ministry warned residents in nearby buildings to avoid looking out of their windows and shut down the power grid in the whole area. One National Security Agency officer was killed in the shootout. By late evening, the Interior Ministry said it killed all seven “terrorists” that were in the building even though no explanation was given why no one

⁶⁶ Only two statements mentioned that two bystanders were injured.

⁶⁷ Sama Osama, “Egyptian police kill 7 terrorists in raid in Cairo’s El-Amiriya ahead of Easter,” *al-Ahram*, April 15, 2020, <https://english.ahram.org.eg/NewsContent/1/64/367325/Egypt/Politics-/Egyptian-police-kill--terrorists-in-raid-in-Cairo%E2%80%99.aspx> (Accessed July 29, 2021).

⁶⁸ See for example: “The moment security forces stormed a terrorist hideout in al-Amiriya,” video clip, YouTube channel of Sada al-Balad TV, <https://www.youtube.com/watch?v=-HcroxE738> (accessed July 29, 2021).

was arrested.⁶⁹ There is virtually no such reporting capturing the events in the dozens of incidents since 2015 that the Interior Ministry characterized as shootouts.

Many statements gave at best only a rough idea of the weapons or ammunition seized.

Some of the Interior Ministry statements included other suspicious elements. In a May 2020 statement, the ministry posted photographs of the “terrorists” allegedly killed but the photographs were actually of individuals killed months or years earlier.⁷⁰ The ministry removed the photos after activists exposed the discrepancy.⁷¹ In another instance, the Interior Ministry said that on March 16, 2020 its forces killed six “terrorist elements” in a shootout in Baer al-Abd, in North Sinai. A statement about two months later, on May 23, said its forces killed 21 more armed militants in Baer al-Abd, but some of the photographs published of both incidents appear to have been taken inside the same house or building.⁷²

The statements frequently labeled those killed as members of the “terrorist” Muslim Brotherhood or other groups that the authorities link to them, such as Hasm. Sometimes the statements mentioned the case numbers in which the killed individuals had been prosecuted or wanted. In many cases, they alleged the individuals were responsible for certain attacks or involved in killings of officers without providing evidence for such claims.⁷³ In some cases, the Interior Ministry alleged that armed militants killed in separate “shootouts” months or years apart were responsible for the same attack or killing of an officer. Sometimes such killings occurred after the Interior Ministry had announced the arrest of alleged suspects or after authorities had charged them.⁷⁴

⁶⁹ Ibid.

⁷⁰ “Sinai, The Truth,” We Record, March 4, 2021, <https://werecord.org/%d8%b3%d9%8a%d9%86%d8%a7%d8%a1-%d8%ad%d8%b5%d8%a7%d8%af-%d8%a7%d9%84%d8%ad%d9%82%d9%8a%d9%82%d8%a9/> (March 20, 2021).

⁷¹ Ibid.

⁷² Ibid.

⁷³ Based on Human Rights Watch previous investigations, these are usually mass trials involving several hundred defendants prosecuted mainly based on circumstantial security allegations that often fail to establish individual criminal responsibility or provide material evidence. See for example, “Egypt: Scant Evidence for Mass Convictions,” Human Rights Watch news release, April 19, 2015, <https://www.hrw.org/news/2015/04/19/egypt-scant-evidence-mass-convictions>

⁷⁴ See for example: “Security announces three [different] times the arrest and killings of suspects in the Prosecutor General’s assassination,” *al-Masry al-Youm*, Ibid.

It is not possible to reach definite conclusions about the hundreds of killings in alleged shootouts in recent years, given that the Interior Ministry rarely provides even the most rudimentary information, such as the names of those killed. But the investigations of the nine incidents documented in this report, even with the limited available information, show the hallmarks of apparently extrajudicial executions of persons already in custody, in some cases forcibly disappeared. Other cases appear to involve people who at the moment they were killed posed no threat to security forces or anyone else and could have been arrested.

The following section in this report examines the Interior Ministry's statements about 9 incidents which took place between July 2015 and September 2019 in which 75 persons were killed. The section draws on analysis of the limited number of photographs and videos available and interviews with acquaintances or family members of 14 of those killed. All evidence indicates that these were probable extrajudicial executions that represent a broader pattern. In four of the nine incidents, the alleged shootouts occurred in a confined space such as an apartment in a multi-story residential building. One incident was inside a car on highway, another in a tent in a desert area. The statements about the other three incidents did not specify the nature of the location. The Interior Ministry statements named only 21 of the 75 killed. In all nine incidents, the statements did not indicate that any member of the security forces was killed or wounded. Members of eight families said they saw what they believed were signs of abuse on the bodies of their killed relatives, including shoe marks on the face, burn and cut wounds, and broken bones or dislocated teeth. Human Rights Watch obtained and reviewed non-official photographs and videos showing the bodies of five of those killed in these incidents, in addition to official photographs showing two other men whose deaths are documented in this report.

In all 14 cases family members said their killed relatives had been arrested and were in the custody of security agencies before the incidents in which they were reportedly killed. Eight of the 14 families said they or other people, friends or acquaintances, witnessed the arrest. Thirteen of 14 families said their relative had been forcibly disappeared and that they had officially inquired about their whereabouts before their killing. Twelve families said they sent telegrams or letters to authorities, frequently the Interior Ministry or prosecution, seeking information about their loved ones. Human Rights Watch reviewed copies of the telegrams in six of the cases.

Only one family said that the police informed them about the killing of their relative the next day; all the other 13 families said they received no official notice or information at any point. All the families but one said they had to actively seek information about the deaths and the location of the bodies of their relatives. The family of one man was only able to collect his body after two months, and families of two of those killed have not been able to collect their bodies since December 2018. Nine of the 14 families said they needed security authorization or Supreme State Security Prosecution permission to collect the bodies of their relatives. At least 11 families said National Security officers intimidated and harassed them when they tried to locate the bodies of their relatives. Seven families said security forces escorted them from the morgue to the burial site to force them to bury their relatives without any funeral or service, fearing that the family would photograph the body or that the funeral would turn into a spontaneous protest. No family received a forensic or autopsy report or any further documents or information from the authorities about the circumstances of the killings or alleged shootouts, even though nine of the bodies appeared to have been dissected for autopsy. Authorities called none of the families to allow them to have a representative present during autopsy. Five families said they had not even received the death certificates as of time of writing. Human Rights Watch found no record that authorities have opened any serious or meaningful investigations into any of the incidents documented in this report. All families said they were not summoned for questioning as possible witnesses or otherwise requested to file any information that would indicate that any serious investigation was opened.

Only one family said their killed relative probably had been involved in armed activity. Two families said their two relatives were killed during a journey to leave Egypt's southern border to Sudan, fleeing persecution, with the help of smugglers. All the other families said their relatives had not been engaged in violence or political activity.

Almost all the official statements mentioned near the end that “legal measures were taken” and that “the Supreme State Security Prosecution is investigating the incident,” without further explanation.⁷⁵ The Supreme State Security Prosecution is an abusive branch of public prosecution that largely backs up often unsubstantiated allegations by the security authorities. It has also supported the unlawful detention of peaceful activists

⁷⁵ See for example: Interior Ministry's statement about killing three men, Interior Ministry Official Facebook page, June 20, 2017, <https://www.facebook.com/MoiEgy/posts/1448534885190170> (accessed November 9, 2020).

and dissidents, and has almost uniformly failed to investigate allegations of wrongdoing by security officials, including torture as well as unlawful killings.⁷⁶

Even in cases with strong material evidence that the murdered men had been in state custody when they were killed, Human Rights Watch could find no indication that authorities carried out any serious investigation or held any one accountable. One such incident that Human Rights Watch investigated earlier and received unusually wide coverage in Egyptian media at the time was the killing in May 2015 of Ain Shams University student Islam Atito.⁷⁷ Human Rights Watch documented how security agencies probably abducted the final-year engineering student on May 19, 2015 as he finished a school exam.⁷⁸ According to witnesses, university surveillance camera recordings collected by prosecutors and seen by a professor supervising him, as well as several media and human rights reports, two or three men chased Atito and pushed him into a car near the university.⁷⁹ Atito's family told Human Rights Watch that they searched for him at hospitals and police stations that day and filed reports with police inquiring about his whereabouts. The next day, May 20, a short Interior Ministry statement announced Atito was an "*ikhwan*" (Muslim Brother) militant who had been killed in a "desert hideout" after he had opened fire on pursuing security forces. The statement claimed he was responsible for killing a police officer, Wael Tahoun, in April 2015.⁸⁰ The Interior Ministry had already arrested separately two groups of alleged militants in the weeks before Atito's killing, claiming they had "confessed" they were responsible for Tahoun's killing.⁸¹ Atito regularly attended his classes and reportedly had no noticeable absence from school or political involvement.⁸² His family said they saw signs of abuse on his body.⁸³ Despite all of this compelling evidence, no officer was apparently questioned or found guilty of Atito's probable abduction and extrajudicial killing. Instead, his younger brother, Ihab, was reported arrested in September 2016. The Egyptian Center for Economic and Social Rights,

⁷⁶ Human Rights Watch, *Work on Him Until He Confesses*, Ibid; and Amnesty International, *Egypt: Permanent State of Exception*, Ibid.

⁷⁷ Ahmed Khair al-Din, "Islam Atito, from Exam Room 260A to a Desert Road," *al-Masry al-Youm*, June 11, 2015, <https://www.almasryalyoum.com/news/details/752697> (accessed March 15, 2021).

⁷⁸ Human Rights Watch news release: "Egypt: Dozens Detained Secretly," July 20, 2015, <https://www.hrw.org/news/2015/07/20/egypt-dozens-detained-secretly>.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ahmed Khair al-Din, "Islam Atito, from Exam Room 260A to a Desert Road," Ibid.

⁸² Ibid.

⁸³ Ibid.

a prominent rights groups, said authorities forcibly disappeared Ihab Atito for over two months. He remains in custody at time of writing.

Atito's killing was only the beginning of a barrage of such cases.

Nine Muslim Brothers Killed in Giza, July 2015

One of the first reported alleged shootout incidents involving probable extrajudicial executions occurred on July 1, 2015 when Interior Ministry forces killed nine Muslim Brothers, including several well-known senior leaders, in an apartment in October 6 City in Giza.

In an investigation published on July 31, 2015 Human Rights Watch concluded that these killings may have been extrajudicial executions, based on strong evidence including interviews with 11 relatives and witnesses with knowledge of the incident.⁸⁴ The evidence suggested that security forces had arrested, fingerprinted, and tortured the men before killing them.⁸⁵ The killings appeared to be in retaliation for the assassination of Prosecutor General Hisham Barakat two days earlier, which the authorities immediately tried to link to the Muslim Brotherhood.⁸⁶ During Barakat's funeral, President al-Sisi publicly complained that "the hands of justice were tied by laws" and asserted:

We will not sit [watching] those who are killing us being on trials for five or ten years.... No courts would work this way, under those circumstances. This could work with normal people. But [for] the people who are not [normal] only prompt laws would work with them.⁸⁷

The Interior Ministry, in an official statement issued the evening of July 1, claimed that "security agencies were examining the confiscated material ... which could help identify those who carried out the killing of the Prosecutor General," a further indication of the

⁸⁴ "Egypt: Police Account of Deadly Raid in Question," Human Rights Watch news release, July 31, 2015, <https://www.hrw.org/news/2015/07/31/egypt-police-account-deadly-raid-question>.

⁸⁵ Ibid.

⁸⁶ "Egypt: Top Prosecutor's Killing a New Risk for Rule of Law," Human Rights Watch news release, June 30, 2015, <https://www.hrw.org/news/2015/06/30/egypt-top-prosecutors-killing-new-risk-rule-law>

⁸⁷ Al-Sisi Leads the Funeral of Prosecutor General Hisham Barakat," the Official YouTube Channel of Egypt's Defense Ministry, June 30, 2015, Ibid.

retaliatory nature of these killings.⁸⁸ The statement said that its forces had killed nine men involved in the Brotherhood’s “special operations committees” responsible for “acts of terrorism and vandalization.”⁸⁹ The statement claimed that intelligence indicated that Abdel Fattah Ibrahim Attia, a Brotherhood leader described as the “main engine” of the committees, was convening an organizational meeting with other leaders of the “special operations committees.” When security forces approached the apartment where they were meeting, the statement claimed, they were shot at, and therefore “quickly fired back,” killing Attia and eight others.⁹⁰

The Brotherhood denied the government’s narrative and said that the killed leaders were not armed and were peaceful members of a committee overseeing the support of the Brotherhood’s “martyrs and wounded.”⁹¹

The ministry’s statement raised more questions than answers. It did not, for example, explain why, if the Interior Ministry had such intelligence, security forces did not arrest Attia or any others on their way to the meeting. The statement did not name the other eight victims but said two of them had previously been sentenced to death in absentia in cases of alleged violence. The statement claimed that security forces seized three rifles, six magazines, and 132 bullets. There was no mention of any bullet casings. The statement said three members of the raiding force were injured but gave no details.⁹²

Another element of suspicion, one that amounts to an official acknowledgement that the men had been captured alive, was an Interior Ministry statement just a few hours earlier on July 1 saying it had arrested nine members of the Brotherhood’s “special operations committees” the day before, on June 30.⁹³ No names were mentioned. The Interior Ministry deleted this statement or made it inaccessible sometime in 2021.

⁸⁸ Interior Ministry statement about the killing of 9 men, Interior Ministry Official Facebook page, July 1, 2015, <https://www.facebook.com/MoiEgy/photos/a.922527107790953/922527114457619> (accessed October 27, 2020).

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Abdelrahman Abu el-Gheit, “Reactions to the Killings of Egypt’s Brotherhood Leaders,” Al Jazeera, July 1, 2015, <https://www.aljazeera.net/news/reportsandinterviews/2015/7/1/%D8%B1%D8%AF%D9%88%D8%AF-%D9%85%D8%AA%D8%A8%D8%A7%D9%8A%D9%86%D8%A9-%D9%84%D8%AA%D8%B5%D9%81%D9%8A%D8%A9-%D9%82%D9%8A%D8%A7%D8%AF%D8%A7%D8%AA-%D8%A5%D8%AE%D9%88%D8%A7%D9%86-%D9%85%D8%B5%D8%B1> (accessed June 11, 2015).

⁹² Ibid.

⁹³ “The Results of the Security Agencies’ Nationwide Efforts On June 30,” Interior Ministry Official Facebook page, July 1, 2015, <https://www.facebook.com/MoiEgy/posts/92238841138156> (accessed October 27, 2020).

← نتائج جهود الأجهزة الأمنية على... - الصفحة الرئيسية



الصفحة الرسمية لوزارة الداخلية

1 July 2015 at 13:09

نتائج جهود الأجهزة الأمنية على مستوى الجمهورية فى ضبط العناصر الإرهابية عن يوم 30 يونيو الجارى

- فى إطار المتابعات الأمنية المكثفة وتوجيه الضربات الأمنية الإستباقية الفعّنة التى تستهدف القيادات الوسطى لتنظيم الإخوان الإرهابى والموالين لهم المتهمين فى قضايا التعدى على المنشآت العامة والخاصة والمشاركين فى الأعمال العدائية والتحريض عليها على مستوى محافظات الجمهورية ... فقد أسفرت جهود الأجهزة الأمنية بتاريخ 30 يونيو الجارى عن ضبط (30) من تلك العناصر .

- وفى سياق متصل أسفرت نتائج الجهود الأمنية لإجهاز مخططات وتحركات أعضاء لجان العمليات النوعية بتنظيم الإخوان الإرهابى والتى تستهدف قوات الجيش والشرطة والمنشآت الهامة والحيوية عن ضبط (9) من أعضاء تلك العناصر.

- كما تمكنت الأجهزة الأمنية من خلال تنفيذ حملات مكثفة على مستوى بعض المحافظات من ضبط (16) من العناصر المتطرفة المطلوب ضبطهم على ذمة قضايا.

تم إتخاذ الإجراءات القانونية حيال جميع العناصر الإرهابية والعرض على النيابة المختصة.

1.9K

134 shares

Screenshot of a Facebook statement by Egypt's Interior Ministry on July 1, 2015, stating it had arrested nine members of the Muslim Brotherhood's "special operations committees" the day before, on June 30. The statement has since been taken down or privatized on the ministry's page. © Screenshot from Egypt's Ministry of Interior Facebook page

El-Watan, a pro-government newspaper, in a one-line report published between the two ministry statements, said that security forces had "succeeded in liquidating nine Brotherhood leaders," citing an unnamed "security source."⁹⁴ The newspaper named one

⁹⁴ Mohamed Barakat, Gehan Abdelaziz, and Mahmoud al-Garhy, "Urgent: Nine Brotherhood leaders liquidated inside an October 6 City apartment," *el-Watan* Newspaper, July 1, 2015, <https://www.elwatannews.com/news/details/761948?t=push> (accessed October 27, 2020).

of those killed, Nasser al-Hafy, a leader of the dissolved Brotherhood's Freedom and Justice Party who was an elected member of the 2012 parliament.

A lawyer who asked not to be named and who had represented Sayed Dwedar, one of the nine men killed, said that Dwedar's driver, who had driven Dwedar to the meeting that morning, called the lawyer at 11 a.m. to say that Dwedar was being arrested. The driver, who was waiting outside the apartment building, said that a large number of security forces had gathered in the area and some had entered the building.⁹⁵ The driver did not mention hearing any shooting, but the lawyer did not ask. The driver was then unreachable after a brief follow-up call that evening, the lawyer said.⁹⁶

The families of the unnamed men killed in the incident learned about the fate of their relatives later that evening when Mekameleen, a pro-Brotherhood TV station, and other media outlets published the list of names and photographs of the nine killed.⁹⁷

As Human Rights Watch reported at the time, Dwedar's lawyer and nine relatives of those killed said that most of the bodies bore signs of abuse, including stab wounds, broken bones, and marks from electric shocks. At least four of the nine had been shot in the head, relatives said. The lawyer, who said he had significant experience in fatal shooting incidents, told Human Rights Watch that one of the head wounds bore a circular burn mark, indicating the man had been shot at point-blank range.⁹⁸

Burial permission forms issued by the Health Ministry, viewed by Human Rights Watch, stated that most of the nine men died of gunshots, broken bones, and lacerated internal organs.⁹⁹ Today, nearly seven years after the incident, no credible investigation has taken place, and no relatives of the deceased have been called to offer their accounts despite families' official complaints against the Interior Ministry.

⁹⁵ "Egypt: Police Account of Deadly Raid in Question," Human Rights Watch news release, *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

⁹⁹ *Ibid.* The cause of death in many burial permissions Human Rights Watch reviewed were written in a laconic, unscientific way.

The incident received significant coverage at the time by government and non-government media. Security agencies arrested several journalists who tried to visit the building where the killings took place.¹⁰⁰ Apparently one of the “lessons” security agencies learned was to avoid carrying out alleged shootouts in an easily identifiable and accessible location.

Mu’tasim Ahmed al-Agizi

One of the two families of the killed men that Human Rights Watch had not been able to reach in 2015 is that of Mu’tasim Ahmed al-Agizi. Al-Agizi, 25, was a sales representative for a pharmaceutical company from Mahlet Abu Ali village, in Gharbia governorate.¹⁰¹ He was one of eight of the men who were living in cities in Nile Delta and traveled to October 6 City for the July 1 meeting. “Yasin,” a relative of al-Agizi, said that he had left his family home in the early morning that day, and drove his car to Cairo.¹⁰² “We were together until dawn. It was Ramadan and we had Sohor [the meal before day-time fasting] together,” Yasin said. He said that al-Agizi had still been active with the Muslim Brotherhood following the 2013 military takeover. Around noon that day, the family received information from friends of al-Agizi that he was arrested. In the early afternoon, a low-ranking security officer arrived at the family home’s in Gharbia and asked about al-Agizi but gave no information.¹⁰³

Unlike several of the men killed in this incident, al-Agizi, who studied in the faculty of science at Mansoura University, was not wanted by authorities at the time and had no cases against him, Yasin said. Al-Agizi’s father, however, was a senior Brotherhood leader and has been detained since the August 2013 events that followed the dispersal of the pro-Morsy Rab’a sit-in and was sentenced to 15 years in a flawed mass trial.¹⁰⁴

Yasin said that three family members were able to collect al-Agizi’s body shortly after it was transported by ambulance to the Zeinhom morgue in Giza. He added that the family

¹⁰⁰ See for example “A lethal attack revisited,” Mada Masr, July 13, 2015, <https://www.madamasr.com/en/2015/07/13/feature/politics/a-lethal-attack-revisited/> (accessed October 27, 2020).

¹⁰¹ Human Rights Watch remote interview with “Yasin,” via Signal, October 31, 2019.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ “Egypt: Morsy Death Sentence Follows Flawed Trials,” Human Rights Watch news release, June 15, 2015, <https://www.hrw.org/news/2015/06/16/egypt-morsy-death-sentence-follows-flawed-trials>.

arranged a funeral and buried him in the early morning hours of July 2. “Security forces were present at the funeral with an armored vehicle and two police cars,” Yasin said.¹⁰⁵

Al-Agizi’s family filed a complaint with the police to retrieve his car and other belongings, including his wallet, mobile phone, a tablet, and some documents. “The family received an unofficial call from an officer who knew the family, who said that they will not get the car or any of Mu’tasim’s belongings back because of the other complaint they filed against officials about the killings,” Yasin said. The family received al-Agizi’s eyeglasses and a wristwatch he was wearing when he was killed.¹⁰⁶

Al-Agizi’s burial permission, seen by Human Rights Watch, stated that he died from five bullet wounds to the stomach, lacerated internal organs, and broken bones.¹⁰⁷

Three Men Killed in Assiut, December 2016

An Interior Ministry statement on December 6, 2016 said that security forces killed three members of Hasm in a shootout in Assiut governorate, in southern Egypt: Abdelrahman Gamal from Minya, and Mohamed Said Zaki and Alaa Ragab Owais, both from the adjacent Bani Suef governorate.¹⁰⁸ The statement said that the three were wanted by the State Security Prosecution in Case 724 of 2016 for alleged armed attacks.¹⁰⁹ The statement used the usual wording: the Interior Ministry’s National Security Agency gathered intelligence about a hideout of alleged leaders of the “military wing of the terrorist [Brotherhood] organization.” The ministry prepared a force to raid the hideout, but when they approached the militants “abruptly fired” at the security agents, who “dealt with the source of fire,” resulting in the deaths of the three men.¹¹⁰ The statement mentioned that the hideout was a two-story building in Bani Shaaran village, in the town of Manflout, Assiut, close to the western desert road.¹¹¹

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ A Burial Permission is an official document issued by the Health and Interior Ministries that relatives of the deceased need to obtain to be able to bury them.

¹⁰⁸ Interior Ministry statement about the Assiut shootout, Official Interior Ministry Facebook Page, December 6, 2016, <https://www.facebook.com/MoiEgy/photos/a.181676241876047/1254074861302841> (accessed November 3, 2020).

¹⁰⁹ Better known as Military Criminal Case 64 of 2017. Months after this incident, authorities referred this case to military trial, charging over 300 defendants with armed violence, including the attempted assassination of Assistant Prosecutor General Zakria Abdel Aziz.

¹¹⁰ Interior Ministry statement about the Assiut shootout, Ibid.

¹¹¹ Ibid.

The statement said that Abdelrahman Gamal was responsible for manufacturing explosive devices and providing training for other members on their manufacture. Alaa Ragab Owais was responsible for the “assassination group.” And Mohamed Said Zaki was the leader of Hasm in Bani Suef. The statement named several officers whose earlier killings the three had allegedly been involved in.¹¹²

The statement said that after searching the site, security forces seized three 7.62 x 39 millimeter rifles, seven bullet magazines and ammunition of the same caliber, and documents related to their armed activities. In its coverage of the incident, the pro-government Albawabh news site cited unnamed security officials who denied allegations that the three had been forcibly disappeared before their deaths.¹¹³

Evidence Human Rights Watch gathered suggests otherwise. Their families and human rights groups said the three were arrested separately, in August and October 2016, and disappeared for several months prior to the date of the alleged shootout. The independent Egyptian Commission for Rights and Freedoms (ECRF) said, after the ministry announcement of the killings, that it had previously documented the arrest and incommunicado detention of Mohamed Said Zaki.¹¹⁴ The ECRF said that while Zaki was shopping with his wife on al-Arish street in Giza on October 9, 2016, men in plain clothes abducted him, put him in an unmarked microbus, and drove away.¹¹⁵ The family’s inquiries about his whereabouts were unsuccessful, the ECRF statement said. It added that, according to Zaki’s mother, the death certificate stated that Zaki’s cause of death was “acute circulatory failure.” The family told the ECRF that they saw his body and that it had what they believed were signs of abuse, including “signs of wounds in the head, [and] broken upper teeth....”¹¹⁶

The ECRF said that Alaa Ragab Owais was arrested on August 13, 2016, and that his family sent several inquiries to authorities about his whereabouts. The ECRF statement added

¹¹² Ibid.

¹¹³ Ahmed Yehia and Mohamed al-Desiti, “The Full Details of Liquidating 3 Suspects,” Albawabh News, December 7, 2016 <https://www.albawabhnews.com/2258682> (accessed October 27, 2020).

¹¹⁴ “The Forcibly Disappeared Face Arbitrary Executions in Secret Detention Because of the Authorities’ Denial of the Forced Disappearance Phenomenon,” The Egyptian Commission for Rights and Freedoms, press release, March 16, 2017, <https://www.ec-rf.net/?p=1865> (October 27, 2020).

¹¹⁵ Ibid.

¹¹⁶ Ibid.

that a survivor of forced disappearance, whom it did not name, told ECRF lawyers that he saw Owais in the Abbasiya National Security building in Cairo, where they had been held at the same time.¹¹⁷

A joint report by two Egyptian human rights organizations, the Egyptian Front for Human Rights and Belady Center for Rights and Freedoms, said that Case 724 of 2016 (also known as Military Case 64 of 2017), for which the Interior Ministry said Zaki, Owais, and Gamal were wanted, was marred by gross abuses, including failure to investigate serious allegations of torture and disappearance; 120 defendants said they had been disappeared.¹¹⁸ Dozens of defendants' families filed complaints with the governmental National Council for Human Rights in this case.¹¹⁹

Abdelrahman Gamal

The third person mentioned in the Interior Ministry statement about the alleged Assiut shootout was Abdelrahman Gamal, 23 at the time, from Matay town in Minya governorate.¹²⁰ A science student at Minya University, he stopped attending classes and moved to Cairo in late 2013 or early 2014 after he learned he was wanted by authorities for his activism with the Muslim Brotherhood, "Tayseer," a relative of Gamal living outside Egypt, said.¹²¹ In 2014, the authorities prosecuted Gamal in absentia, in addition to his father and several others, in a mass trial over charges of alleged violence, including membership in a "terrorist" organization and possession of explosives. A court sentenced him to life in prison, Tayseer said.¹²² Gamal's father said in a TV interview that his son was a peaceful activist.¹²³ But Tayseer said he believed that, in 2015, Gamal had joined the

¹¹⁷ Ibid.

¹¹⁸ The Egyptian Front for Human Rights and Belady Center for Human Rights, "Abuse is the Default Situation," July 2, 2018, <https://egyptianfront.org/ar/2018/07/alentehak64case/> (accessed October 27, 2020).

¹¹⁹ Nadia Abu el-Einin, "The National Human Right Council Receives Complaints of the Families of the Defendants in the Case of Assistant Prosecutor General," Masr al-Arabia website, February 22, 2017, <https://masralarabia.net/%D8%A7%D8%AE%D8%A8%D8%A7%D8%B1-%D9%85%D8%B5%D8%B1/1370071-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%82%D9%88%D9%85%D9%8A-%D9%8A%D8%AA%D9%84%D9%82%D9%8A-%D8%B4%D9%83%D8%A7%D9%88%D9%8A-%D8%A3%D9%87%D8%A7%D9%84%D9%8A-%D9%82%D8%B6%D9%8A%D8%A9-%D8%A7%D9%84%D9%86%D8%A7%D8%A6%D8%A8-%D8%A7%D9%84%D8%B9%D8%A7%D9%85-%D8%A7%D9%84%D9%85%D8%B3%D8%A7%D8%B9%D8%AF> (accessed October 27, 2020).

¹²⁰ Human Rights Watch remote interview with "Tayseer," a relative of Gamal, via Whatsapp, October 31, 2019.

¹²¹ Ibid.

¹²² Ibid. He said that it was an initial court sentence but was not able to immediately provide court documents.

¹²³ "Father of Abdelrahman Gamal recounts his son's story of enforced disappearance," Mekameleen TV Official Facebook Page, video clip, <https://www.facebook.com/watch/?v=1429975747020731> (accessed October 27, 2020).

Hasm armed group. Both Gamal’s father and Tayseer said that security forces killed Gamal in custody, about four months after he was arrested, and during that time he was held incommunicado.¹²⁴

According to Tayseer, Gamal’s friends, including a witness, informed his family that on August 25, 2016, he was arrested at an apartment in October 6 City, in Giza governorate. “We talked the day before and he told me everything was all right,” Tayseer said. He added that he had been in regular contact, almost daily, with Gamal over the Telegram messaging app.¹²⁵

Tayseer said the witness told the family that he heard gunshots when uniformed police raided the apartment, and that several people, including Gamal, were apprehended alive. “We sent complaints and reports to the Prosecutor General, the minister of interior, the minister of justice and the president himself,” Tayseer said, adding that the family received no response.¹²⁶ Two weeks after his arrest, a lawyer who had connections in the Interior Ministry told the family that Gamal had been sighted by other detainees. “We were told that he was sent to the National Security building in Sheikh Zayed [adjacent to October 6 City].”¹²⁷

Hours after the Interior Ministry published its December 2016 statement claiming the shootout deaths, officials from the Interior Ministry in Assiut called Gamal’s family in Minya to inform them about his death and tell them they could collect his body from the morgue at Assiut University Hospital, Tayseer said. According to Tayseer, four people who were able to see Gamal’s body said they observed seven bullet wounds, two in the head and the rest in the chest and abdominal area. They further said that there appeared to be signs of abuse including burns to the upper half of Gamal’s body and shoulders.¹²⁸

Human Rights Watch reviewed a copy of the burial permission, dated December 7, 2016, which said that Gamal’s death was “under inspection by the forensic doctor.”

¹²⁴ Ibid.

¹²⁵ Human Rights Watch remote interview with “Tayseer,” Ibid.

¹²⁶ Ibid. Tayseer could not immediately provide copies of the telegrams or faxes sent.

¹²⁷ Ibid.

¹²⁸ Ibid.

A December 7, 2016 video published by *Al Jazeera Egypt's* Facebook page showed what it said was Gamal's body shrouded in a white sheet while his mother caressed his uncovered face in the back of a burial service car.¹²⁹

Several months after Gamal's death, police in Minya detained his 16-year-old brother several times for short periods, in what the family said was a form of intimidation.

Eight Men Killed on Their Way to Sudan, May 2017

On May 8, 2017, Egypt's official Middle East News Agency (MENA) reported that Interior Ministry forces killed eight "terrorists" on the Safaga-Sohag highway in southern Egypt in a shootout.¹³⁰ The statement cited an unnamed "senior" security official and did not name any of the eight men. The statement claimed the usual story: the National Security Agency obtained intelligence about a "terrorist hideout," and when security forces approached the site, they were fired on and fired back, killing all eight. The statement said that security forces seized an unidentified number of guns and ammunition.¹³¹

A few hours after the news agency statement, the Interior Ministry released an official statement on its Facebook page which was apparently about the same incident.¹³² The statement said that eight "terrorist elements" of the Brotherhood were killed in a hideout near a "desert road" in southern Egypt, but did not specify the location.¹³³ The statement said security forces used "IT technology" in tracking the men and seized three 7.62 x 39 millimeter rifles, 118 bullets and shells of spent bullets. The statement mentioned the names of only three of the men killed: Helmy Saad Masry Mohareb, Mohamed Medhat al-Zanati Nasser, and Abdelrahman Rashad Mohamed al-Wakeel.¹³⁴

¹²⁹ Al Jazeera Egypt Facebook page, video clip, December 7, 2016, <https://www.facebook.com/watch/?v=336559833393721> (accessed October 27, 2020).

¹³⁰ "MENA: 8 terrorists killed in an exchange of fire with the police in Safaga-Sohag highway," *Youm7*, May 8, 2017, <https://www.youm7.com/story/2017/5/8/%D8%A3-%D8%B4-%D8%A3-%D9%85%D9%82%D8%AA%D9%84-8-%D8%A5%D8%B1%D9%87%D8%A7%D8%A8%D9%8A%D9%8A%D9%86-%D9%81%D9%89-%D8%AA%D8%A8%D8%A7%D8%AF%D9%84-%D9%84%D8%A5%D8%B7%D9%84%D8%A7%D9%82-%D8%A7%D9%84%D9%86%D8%A7%D8%B1%3224541> (accessed October 21, 2020).

¹³¹ *Ibid.*

¹³² Interior Ministry statement about the eight killed, Interior Ministry Official Facebook page, May 8, 2017, <https://www.facebook.com/MoiEgy/posts/1411168052260187/> (accessed November 6, 2020).

¹³³ The pro-government website Albawabh news said that the killings were in an area between Safaga and Sohag. "The C.V of the Brotherhood Terrorists Leading the Sohag Camp," May 8, 2017, <https://www.albawabhnews.com/2517710> (accessed October 23, 2020).

¹³⁴ Interior Ministry statement about the eight killed, *Ibid.*

Several news websites published the names of the other men, including Albawabh news site, which is close to Egypt's intelligence agencies. Albawabh said that nine men were killed in the incident and published their names and photographs.¹³⁵ In addition to the three named in the official government statement, Albawabh included: Mohamed and Mahmoud Ali Hassan, brothers from al-Sharqia governorate, Bassam Adel Adam from al-Arish in North Sinai, Abdallah Ragab from al-Fayoum, Mohamed Abdel Salam from al-Behira, and Ibrahim Gamal al-Ghazali from al-Menofiya.¹³⁶

The Interior Ministry statement claimed that intelligence indicated that the group was planning to travel to obtain military training arranged by the Muslim Brotherhood outside Egypt, in order to return and carry out violent attacks.¹³⁷ The statement claimed that Helmy Saad Masry Mohareb was assigned to lead the group and that he had earlier been sentenced to death in absentia in a case in Damnhour and was wanted in several additional cases involving violence.¹³⁸

The statement said that Mohamed Nasser was wanted in two 2014 cases for belonging to the Muslim Brotherhood and vandalizing public property.¹³⁹ Al-Wakeel was wanted in State Security Case 370 of 2015, involving anti-government "armed militancy" in Qaliubiya governorate, the statement said.¹⁴⁰

Several independent and opposition websites published accounts of the families contradicting the Interior Ministry's statement. Families and lawyers told the independent Arabic Post and Noon Post websites that the men were traveling to Sudan to flee government oppression of Brotherhood members and that they were not part of any armed

¹³⁵ Mohamed al-Dessity and Ahmed Yehia, "Photos of the 9 Terrorists Killed in Sohag," Albawabh News, May 9, 2017, <https://www.albawabhnews.com/2518661> (accessed November 6, 2020).

¹³⁶ Ibid.

¹³⁷ Interior Ministry statement about the eight killed, Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

groups.¹⁴¹ The Muslim Brotherhood released an official statement condemning what it described as the “assassination” of eight “innocent” men.¹⁴²

The Facebook page of *Al Jazeera Egypt* published a video showing a person it said was Abdelrahman al-Wakeel’s father speaking inside a mosque during his son’s funeral.¹⁴³ The father, a lawyer, said that he had encouraged his son to leave Egypt as a court sentence was expected soon. “I am saying the truth before God,” the father said in the video.¹⁴⁴ The father said he had booked a train ticket to Aswan for his son on May 4, and that the family had been in contact with him until May 7.¹⁴⁵

Mohamed Medhat al-Zanati Nasser

Mohamed Nasser, 23, one of the men the Interior Ministry named as killed in a “shootout”, was from Ebshady village, in the town of al-Shuhada, in al-Menofiya governorate in the Nile Delta.¹⁴⁶ He was studying commerce in the University of al-Menofiya. In August 2016, he stopped attending classes after security forces attempted to arrest him near his village, apparently because of his Muslim Brotherhood activities, “Naeem,” a relative, said.¹⁴⁷

¹⁴¹ “The Other Narrative of Liquidating 8 Dissidents by the Egyptian Government Before Crossing the Borders,” *Noon Post*, May 25, 2017 <https://www.noonpost.com/content/18141> (accessed October 23, 2017); and “They Were Fleeing to Sudan, The Truth of Accusing the Egyptian Police of Liquidating 8 Brotherhood Members After Detaining Them,” *Arabic Post*, May 11, 2017, <https://arabicpost.net/archive/2017/05/11/%D9%83%D8%A7%D9%86%D9%88%D8%A7-%D9%8A%D9%87%D8%B1%D8%A8%D9%88%D9%86-%D8%A5%D9%84%D9%89-%D8%A7%D9%84%D8%B3%D9%88%D8%AF%D8%A7%D9%86-%D9%85%D8%A7-%D8%AD%D9%82%D9%8A%D9%82%D8%A9-%D8%A7%D8%AA%D9%87%D8%A7/> (accessed October 23, 2017).

¹⁴² “A Press Statement About The Liquidation of Eight Innocents by the Interior Ministry of the Coup,” Ikhwan Online website, May 9, 2017, <https://www.ikhwanonline.com/article/229849/-%D8%AA%D8%B5%D8%B1%D9%8A%D8%AD-%D8%B5%D8%AD%D9%81%D9%8A-%D9%84%D8%AC%D9%85%D8%A7%D8%B9%D8%A9-%D8%A7%D9%84%D8%A5%D8%AE%D9%88%D8%A7%D9%86-%D8%AD%D9%88%D9%84-%D8%AA%D8%B5%D9%81%D9%8A%D8%A9-%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%A7%D9%84%D8%A7%D9%86%D9%82%D9%84%D8%A7%D8%A8-8-%D8%A3%D8%A8%D8%B1%D9%8A%D8%A7%D8%A1> (accessed October 24, 2020).

¹⁴³ “The Father of Abdelrahman al-Wakeel, One of the Victims Killed by the Interior Ministry,” May 14, 2017, Al Jazeera Egypt Facebook Page, video clip, <https://www.facebook.com/206388199744219/videos/423252254724478/> (accessed October 23, 2020).

¹⁴⁴ *Ibid.*

¹⁴⁵ “The Other Narrative of Liquidating 8 Dissidents,” *Noon Post*, *Ibid.*

¹⁴⁶ Human Rights Watch remote interview with Nasser’s relative, “Naeem,” via Whatsapp, October 31, 2020.

¹⁴⁷ *Ibid.*



Mohamed Medhat al-Zanati Nasser participating in a demonstration in his hometown of el-Shuhada, the day former President Hosni Mubarak stepped down on February 11, 2011. © 2011 Private

In August 2016, according to Naeem, Nasser was stopped in an agricultural area by two men in plain clothes whom he thought wanted to ask about something. Instead, they attacked him and tried to handcuff him. Nasser was able to kick them and run away and he went into hiding. Naeem said that over the following months the family heard from other detained men that National Security officers were looking to kill Nasser for having kicked the officers and for having got away, which “made their bosses punish them.” “They took it personally,” Naeem said.¹⁴⁸

¹⁴⁸ Ibid.

10/18/2016

خدمات سمات النخول

دولة قطر
وزارة الداخلية
إدارة العمرة لجوازات المنفذ
وشؤون الوافدين

State of Qatar
Ministry of Interior
General Directorate of Border Passports
And Expatriates Affairs

موقع وزارة الداخلية

مكان الإصدار:
رقم التسمية:
نوع التسمية:
تاريخ الإصدار:
بيانات الشخص القادم:

رقم الطلب:
عدد السفرات:
مدة الإقامة:
تاريخ الإنتهاء:

Place of Issue:
Visa Number:
Type of Visa:
Date of Issue:

موقع وزارة الداخلية
[Redacted]
عمل- إقامة سنوية
2016-10-17

Application No:
Travel Number:
Residency Duration:
Date of Expiry:
Applicant's Details:

MOHAMED MEDHAT ABOUELFATAH
ELZANATY NASER
محمد مدحت أبو الفتح الزناتي ناصر

Name:
Gender:
Date of Birth:
Passport Validity:
Sponsor's Number:

الاسم:
الجنسية:
المهنة:
نوع و رقم الجواز:
اسم الكفيل:

ذكر
1994-06-18
2023-08-08
[Redacted]

الجنس:
تاريخ الميلاد:
صلاحية الجواز:
رقم الكفيل:

Nationality:
Profession:
Passport Type-No:
Sponsor's Name:

مصر
حداد مسلح
[Redacted]
[Redacted]

ملاحظة في حال سمات الزيارة: يجب عمل الفحص الطبي والتعميد خلال شهر من تاريخ النخول
لمتابعة معاملاتكم وطباعتها على الانترنت <http://www.moi.gov.qa>
E-mail: bpea@moi.gov.qa

A copy of the visa Mohamed Medhat al-Zanati Nasser received to go to Qatar but which he was unable to use.
© 2016 Private

The family then began arranging for Nasser to leave Egypt. They obtained a visa for him but because of his mandatory military service he would not be able to obtain army permission to travel.¹⁴⁹ Instead Nasser intended to cross irregularly into Sudan, Naeem said. In May 2017, Naeem learned that Nasser had begun his journey over a route long used to smuggle goods and people, including wanted dissidents and political activists, between several countries in East and North Africa.¹⁵⁰

Naeem said he spoke with Nasser on the phone on May 5, 2016. “He seemed afraid and anxious that the journey was not going smoothly and that some fellow travelers dropped out because other travelers didn’t look okay.” Naeem said he encouraged Nasser to wait

¹⁴⁹ All young Egyptian men are required to serve in the army with some exceptions. Before traveling outside the country, men usually have to obtain an army permission that they are not wanted for military service.

¹⁵⁰ Abdul Fattah Faraj, “Despite Tighter Security, Migrant Smuggling Thrives between Sudan, Egypt,” *Asharq al-Awsat*, August 13, 2019, <https://english.aawsat.com//home/article/1855111/exclusive-%e2%80%93-despite-tighter-security-migrant-smuggling-thrives-between-sudan> (accessed October 21, 2019).

and check with the person who arranged the trip. On May 6, Naeem called again but another traveler who he says may have been Ibrahim al-Ghazali picked the phone. That man said that they were resting in a farm area. Just an hour or two later, Naeem tried to call again, many times, but the phone had been switched off. On May 7, Naeem called a friend who earlier had left Egypt by the same route and had links to the smugglers, asking him to seek news. The friend called him back a few hours later and said that the group had been arrested on that day, May 7, and might be presented to prosecutors in Hurghada soon.¹⁵¹ “I immediately called Nasser’s father and told him to file a complaint to inquire about his whereabouts,” Naeem said.

Nasser’s family learned about the deaths of the eight men the next day when the Interior Ministry released its statement.¹⁵² According to Naeem, the family received a phone call from someone who said that the bodies might be in a hospital in Hurghada. On their way there, the family received another call telling them the bodies were at Giza’s Zeinoh morgue, but staff there told them they had received no bodies and that some forensic doctors had been called to go to Sohag to carry out some work there, Naeem said.¹⁵³

On May 10, the family traveled to Sohag. There, authorities required them to give DNA samples for matching and told that they would be contacted in five days to collect the bodies, Naeem said. The family stayed in the same hotel where al-Ghazali’s family was also staying, waiting to collect his body. The next day, a National Security officer called them and asked them to stop gathering in front of the hospital, where the bodies were.

Nasser’s family was able to collect his body on May 13 and buried him in al-Menofiya around 11 p.m. that day, Naeem said. Al-Ghazali’s family received his body a day later, according to a relative of his.¹⁵⁴

Naeem said that, according to other relatives who saw Nasser’s body, it bore what he believed were signs of burn wounds on his knees and wounds from electric shocks on his wrists. Fingers on both his hands appeared to have been fingerprinted and the body had

¹⁵¹ A city on the Red City coast, in eastern Egypt.

¹⁵² Human Rights Watch remote interview with “Naeem,” Ibid.

¹⁵³ Ibid.

¹⁵⁴ See under Ibrahim al-Ghazali.

three bullet wounds, he said. No forensic reports were provided to the family, Naeem said.¹⁵⁵

Human Rights Watch and the independent forensic experts it consulted reviewed seven photographs showing Nasser's body in the morgue and a 20-second video showing his back. The photographs and video show several gunshot wounds in the right and left sides of the chest and back. The fingers on his left hand appear to have been fingerprinted. Bones appeared to project from his left hand just above the wrist. His chest had a longitudinal autopsy stitched scar.

Ibrahim Gamal al-Ghazali

Ibrahim Gamal al-Ghazali, one of the eight men killed in the incident, was not named in the official Interior Ministry statement. Al-Ghazali, 22, was a children's gymnastics teacher, also from al-Shouhada town in al-Menofiya governorate.¹⁵⁶ "Yasser," a relative of al-Ghazali, said al-Ghazali was a close friend of Nasser.¹⁵⁷

Al-Ghazali's family had been aware of his plans to cross from Egypt to Sudan and that he was going to travel in May 2017 with a group that included his friend, Nasser.¹⁵⁸

Al-Ghazali had been arrested once for a month in 2014 and charged in Case 1561 of 2014 of Downtown Cairo with participating in an anti-government protest on the anniversary of the January 25 uprising.¹⁵⁹ He was released on bail. A court later sentenced him to 10 years in absentia in a flawed mass trial of 227 people, most arbitrarily arrested, in Case 1564, known as "*Mazaleem Wast al-Balad*."¹⁶⁰

¹⁵⁵ Ibid.

¹⁵⁶ Human Rights Watch and We Record joint remote interview with "Yasser," al-Ghazali's relative, via Signal, on October 24, 2019, and another Human Rights Watch remote interview with "Yasser," on November 3, 2020.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Human Rights Watch partially reviewed the case file and met with another defendant in this case who was arbitrarily arrested. The case follows the usual pattern of abusive charges based mainly on unsubstantiated accounts of National Security Agency officers.

According to Yasser, al-Ghazali had earlier plans to travel abroad but his two visa applications to Turkey were rejected. Yasser said that on May 3, 2017, al-Ghazali started his journey to the border with Sudan in the same group with Nasser.

Yasser said that he learned on the evening of May 7 about al-Ghazali's arrest near Halayib city on the Sudan border when someone involved in arranging the trip and in regular contact with the smugglers called him. Yasser said that Ghazali's family immediately contacted a lawyer to attend his interrogation once Ghazali appeared before prosecutors. But that never happened. "Less than 24 hours after I knew about al-Ghazali's arrest the Interior Ministry's statement about the killings came out," Yasser said.¹⁶¹

Authorities did not inform the family that al-Ghazali had been killed, but since the Interior Ministry statement mentioned Nasser, they were quite sure that their son was among the eight killed.¹⁶² Yasser added that al-Ghazali's father, not knowing what to do, traveled to Hurghada, on Egypt's Red Sea coast, as he had been told that people arrested in similar situations were presented to prosecutors there. Half-way to Hurghada, he changed course to Giza when he was told his son's body might be in the Zeinhom morgue, but it was not there. On May 10, the family received information from a family acquaintance in the Health Ministry that al-Ghazali's body was in the Akhmim Central Hospital morgue in Sohag.¹⁶³

According to Yasser, the Akhmim Central hospital staff told al-Ghazali's father that he needed security authorization to collect the body. On May 10 he went to the National Security Agency building in the city, where an officer interrogated him about how he knew that his son was among the eight killed even though the Interior Ministry's statement did not mention his name. After the interrogation, the authorities took a blood sample from the father to conduct a DNA test and told him he would be contacted within the next three to five days.¹⁶⁴

On May 14, the family received a phone call informing them that they could collect al-Ghazali's body from the morgue. After collecting his body, security forces escorted the family on an eight-hour road trip from Sohag to al-Ghazali's hometown in al-Menofiya.

¹⁶¹ Human Rights Watch remote interviews with al-Ghazali's relative, Ibid.

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

The family saw what they believed were signs of beatings and abuse on al-Ghazali's body, Yasser said, including what appeared to be cigarette burns on his chest and abdominal area.¹⁶⁵ Human Rights Watch and the independent experts it consulted reviewed three photographs that the human rights platform We Record was able to obtain of al-Ghazali's body. One shows his lower face and his left shoulder, another shows his right arm and the third shows his left arm.¹⁶⁶ The photograph of the right arm showed an apparent high velocity gunshot exit wound on the back (posterior) side. The photograph of the shoulder showed suspected entrance and exit gunshot wounds. The third photograph showed a large circular laceration in the front (anterior) side of the left arm where skin was missing and muscles and bones were visible.¹⁶⁷ We Record said they had other photographs that showed two bullet wounds in his lower back and another in his chest around 20 centimeters below his right shoulder.¹⁶⁸

The death certificate reviewed by Human Rights Watch, dated May 9, 2017, stated "unnatural cause of death: bullet wounds, lacerated internal organs, broken bones, and bleeding." No autopsy report was delivered to the family.

Yasser said that authorities did not return to the family any of the belongings that al-Ghazali had with him on the journey, including his mobile phone, passport, and cash.

Four Men Killed in Two Incidents in Alexandria and Cairo, June 2017

Interior Ministry forces killed three men – Sabry Sabah Khalil, Abdel Zaher Yasin Mutawea, and Ahmed Mohamed Abu Rashed – in Alexandria on June 20, 2017, and one, Mohamed Abdel Moniem Zaki Abu Tabeekh, in October 6 City, in Giza, on June 23, 2017, in two separate incidents of alleged shootouts. The Interior Ministry said all four were involved with Hasm.¹⁶⁹

¹⁶⁵ Ibid.

¹⁶⁶ We Record shared with Human Rights Watch three photographs.

¹⁶⁷ The missing tissue and the discolored, irregular edges of this wound may indicate scavenger activity (rodents).

¹⁶⁸ Additional photographs that a Human Rights Watch research staff reviewed during a meeting in We Record's office in Istanbul on October 24, 2019.

¹⁶⁹ "Who are Egypt's militant groups?" *BBC News*, November 24, 2017 <https://www.bbc.com/news/world-middle-east-34751349> (accessed October 19, 2020).

Just a few days earlier, on June 18, Hasm had claimed responsibility for a roadside bomb attack that killed one police officer and wounded another as well as three soldiers in Cairo's Maadi district.¹⁷⁰

Human Rights Watch interviewed relatives of the four men. Evidence strongly suggests police, between four and five weeks earlier, had arrested the four, who were apparently connected by business or friendship and supportive of the Muslim Brotherhood, and held them incommunicado before they were extrajudicially executed.

Families of all four said they made dozens of complaints inquiring about their relatives' whereabouts without any response from the authorities. Human Rights Watch reviewed copies of the telegrams sent except for those sent in the case of Mutawea. Relatives of Mutawea saw him being arrested, while relatives of Rashed said a witness informed them about his arrest. Families of the three men killed in Alexandria said that the men's bodies bore what they believed were torture marks. Authorities gave them no autopsy reports despite the fact that bodies had undergone autopsies. The three families also received no death certificates and had to bury their relatives under strict security surveillance.

Sabry Sabah Khalil

Sabry Khalil was 46 years old when the Ministry of Interior announced his killing on June 20, 2017.¹⁷¹ A father of five daughters, the youngest 11, Khalil, who worked as an accountant and ran a real estate business, was from al-Dalgamoun village in Kafr el-Zayat, al-Gharbiya governorate, in the Nile Delta.¹⁷²

Two of Khalil's relatives, "Soha" and "Nihal," interviewed separately, said that Khalil had been wanted since 2014 on charges of joining the Muslim Brotherhood.¹⁷³ In 2015, a military court sentenced him to 10 years in absentia in a mass trial along with 79 other

¹⁷⁰ Mohamed el Sherif, Ali Abdelatti, Ahmed Aboulenein and Amina Ismail, "Roadside explosion in Cairo kills Egyptian policeman," *Reuters*, June 18, 2017 <https://de.reuters.com/article/us-egypt-security-idUSKBN19901L> (accessed October 21, 2020).

¹⁷¹ Interior Ministry's statement about killing three men, Interior Ministry Official Facebook page, June 20, 2017, <https://www.facebook.com/MoiEgy/posts/1448534885190170> (accessed November 9, 2020).

¹⁷² Human Rights Watch conducted remote interviews with Khalil's two relatives: "Nihal" on September 11, 2019, via WhatsApp, and with "Nihal" and "Soha," via Skype on July 17, 2017.

¹⁷³ *Ibid.*

defendants on charges of vandalizing public property and possession of explosives.¹⁷⁴ Out of fear of arrest, and because his home in Kafr el-Zayat had been raided more than once, Khalil rented two apartments, one in October 6 City, west of Cairo, and another in Alexandria.¹⁷⁵ His work required him to travel frequently between the two cities, the relatives said.¹⁷⁶ One daughter visited him frequently in the October 6 City apartment, most recently on May 16, 2017.¹⁷⁷

Soha and Nihal said until then their phone communication with Khalil had been regular. They knew that he was traveling to Alexandria but two days after the visit they felt he sounded "different" on the phone. Soha said that "he was texting too succinctly." Nihal said that on May 18 Khalil sent a voice note on a messaging app.¹⁷⁸ "We had agreed on a security question and answer to know if he got arrested," she said. "He sent a voice note to me, and I was 100-percent sure that he was arrested."

Around that time, Soha and Nihal said, a close friend of Khalil, Mohamed Abu Tabeekh, was worried because he, too, was unsuccessfully trying to contact him. Abu Tabeekh was from Khalil's hometown of al-Dalgamoun and lived on the same street in October 6 City.¹⁷⁹ Soha said that Khalil asked Abu Tabeekh to meet, and he agreed. Then both Khalil and Abu Tabeekh went missing and were not reachable by phone.¹⁸⁰

Khalil's family concluded that he had been arrested around May 18, as on that day or the next security forces in black uniform and balaclavas raided Khalil's apartment in Giza, Soha said. Khalil's family lived in Kafr al-Zayat, but a neighbor of Khalil in Giza's October 6 City informed them about the raid. The neighbor told Soha that security agents went directly to the fourth floor, where Khalil's apartment was, and "destroyed" the apartment. According to Soha, security agents arrested another man living in the same building and kept him for two weeks in the National Security Agency's building in Sheikh Zayed,

¹⁷⁴ North Cairo Military Criminal Case 52 of 2015. For more information about the use of military trials to prosecute thousands of political dissidents under President Abdel Fattah al-Sisi's government, see: "Egypt: 7,400 Civilians Tried In Military Courts," Human Rights Watch news release, April 13, 2016, <https://www.hrw.org/news/2016/04/13/egypt-7400-civilians-tried-military-courts>.

¹⁷⁵ October 6 City is frequently considered part of greater Cairo but administratively it is part of Giza.

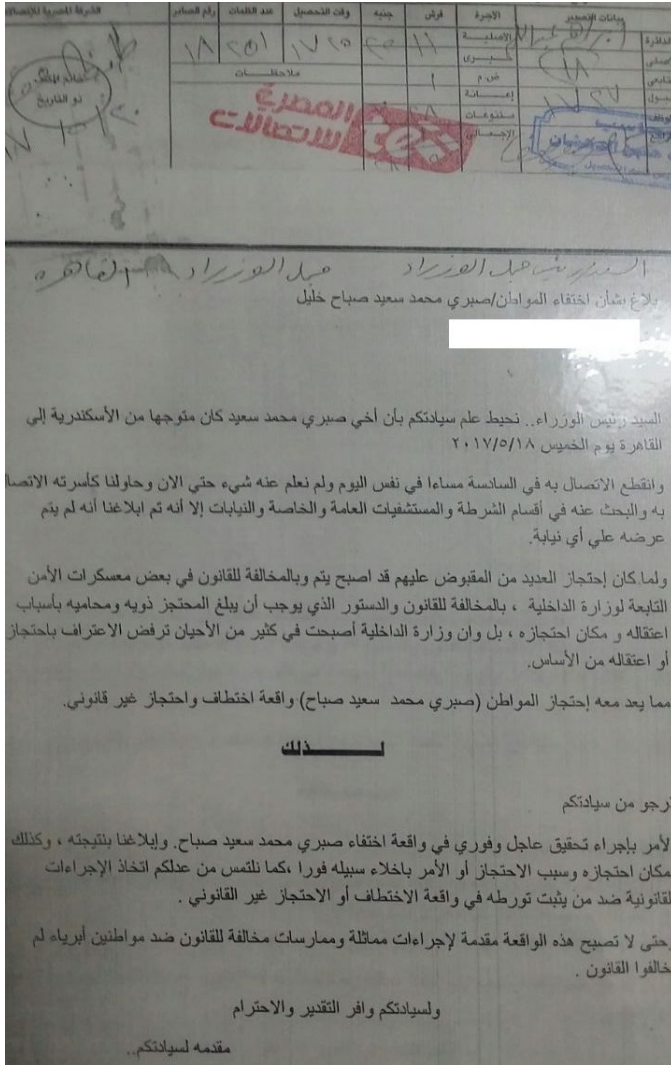
¹⁷⁶ Human Rights Watch remote interviews with Khalil's two relatives, *Ibid.*

¹⁷⁷ *Ibid.*

¹⁷⁸ *Ibid.*

¹⁷⁹ See below for more on Abu Tabeekh's story.

¹⁸⁰ Human Rights Watch remote interviews with Khalil's two relatives, *Ibid.*



One of the several telegrams sent by Sabry Khalil’s family inquiring about his whereabouts. Some identifying details have been obscured. © 2020 Private

adjacent to October 6 City, before releasing him. According to Khalil’s relatives, before going to Khalil’s apartment security forces raided Abu Tabekkh’s apartment in a different building on the same street.¹⁸¹

On May 20 and 21, Khalil's family said, they sent several telegrams and complaints to the authorities, including the interior minister, the Prosecutor General, the security directorates in Giza and al-Gharbiya, and the police station closest to the raided apartment, inquiring about his whereabouts, copies of which Human Rights Watch reviewed. The family received no responses and for the next 33 days they had no information about Khalil's and Abu Tabekkh’s whereabouts. On June 20, they said they learned about Khalil’s death from the media.¹⁸²

On June 20, 2017, the Interior Ministry issued a statement claiming that security

forces killed Khalil and two other men in an exchange of fire in Alexandria. The statement claimed that when security approached the building where the men were, the men opened fire and security forces “dealt with the source of fire.”¹⁸³ The statement claimed that security agents seized two automatic weapons, a 9 millimeter pistol and an unspecified amount of ammunition. The statement said that the shootout occurred in a deserted building in the Salt Company housing project in Alexandria’s Borg al-Arab area.¹⁸⁴

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ Interior Ministry’s statement about killing three men, Ibid.

¹⁸⁴ Ibid.

The statement falsely stated that Khalil had received a life sentence in a criminal case in Alexandria.¹⁸⁵ It also said that he, and the two others killed, were sought in State Security case 420 of 2017.¹⁸⁶

The two other persons killed in the incident were Abdel Zaher Yasin Mutawea and Ahmed Mohamed Abu Rashed, the statement said. Mutawea, 32, a pharmacist, was a friend of Khalil and helped him rent the apartment in Alexandria, Nihal said.¹⁸⁷ Abu Rashed, 41, worked at the government tax authority and was from Khalil's hometown.

Abu Tabeeekh, Khalil's friend who went missing with him, was announced killed in a separate Interior Ministry statement on June 23, 2017.¹⁸⁸

Authorities did not contact Khalil's family, but family members said that through lawyers they were able to learn that Khalil's body was in the Koum al-Dikka morgue in Alexandria. When they arrived there, morgue employees told the family that there were three unidentified bodies. The family presented the Interior Ministry's statement about the incident, which included passport-like pictures of the deceased, but the morgue officials said that the family could not collect Khalil's body without Interior Ministry authorization. When the family tried to obtain authorization from Alexandria's Borg al-Arab police station, officers told them that they had no information about the incident and that no report had been filed about the deaths, Nihal said.¹⁸⁹

The officers at the police station told the family to inquire at the office of the Supreme State Security Prosecution in Cairo. There, they were told that they would have to wait for a phone call to inform them when they could collect the body, Nihal said. Soha said that authorities requested two relatives of each of the deceased men to submit DNA samples to prove their relationship to the deceased.¹⁹⁰ After five days of negotiations and traveling back and forth, on June 25, which that year was Eid al-Fitr, the day Muslims celebrate the

¹⁸⁵ Human Rights Watch reviewed the military court verdict in Case 52 of 2015 in which Khalil was sentenced to 10 years in absentia.

¹⁸⁶ State Security Case 420 of 2017 involved over 270 defendants who were charged with belonging to Hasm and Liwa' al-Thawra and responsibility for several violent attacks that killed and injured several police officers.

¹⁸⁷ See below for details on Mutawea's and Rashed's stories.

¹⁸⁸ Human Rights Watch remote interviews with Khalil's two relatives, *Ibid.*

¹⁸⁹ *Ibid.*

¹⁹⁰ *Ibid.*

end of Ramadan, Khalil's family received a call from the Borg al-Arab police station informing them they could come to collect his body.¹⁹¹

They received no autopsy report or death certificate, as international law requires.¹⁹² The burial permission, a copy of which Human Rights Watch reviewed, mentioned that the cause of death was "pending investigation." When the family saw Khalil's body, he was "too thin, in an obvious way," Nihal said. "He had bruises on his body and three bullet wounds to his chest and around his heart." Nihal also said the body had a longitudinal chest scar, indicating he had undergone an autopsy.¹⁹³

Security forces in several police cars escorted the hearse and accompanied the family from the morgue in Alexandria to where Khalil was buried in his hometown in Kafr al-Zayat, about 100 kilometers south of Alexandria. Nihal said that police arrested several people following the funeral for chanting against the government but released them shortly afterwards.

The family received several visits by National Security Agency officers after Khalil was killed, Nihal said.¹⁹⁴

Abdel Zaher Yasin Mutawea

The Interior Ministry announced the death of a 32-year-old pharmacist, Abdel Zaher Yasin Mutawea, in the same June 20 incident.¹⁹⁵ "Mohsen," a relative of Mutawea, said that security agencies had been pursuing him for Brotherhood ties since the military took over the government in July 2013.¹⁹⁶ He was later sentenced to prison in absentia for allegedly vandalizing public property and so constantly moved places to avoid arrest.¹⁹⁷ Mutawea's wife, in their hometown in Damnhour city, north of Cairo, told Mohsen that she was with Mutawea in an apartment in Alexandria where he was living when security forces came to

¹⁹¹ Ibid.

¹⁹² See below under International Legal Obligations.

¹⁹³ Human Rights Watch remote interviews with Khalil's two relatives, Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ Interior Ministry's statement about killing three men, Ibid.

¹⁹⁶ Human Rights Watch remote interview with Mutawea's relative, "Mohsen," via Whatsapp, July 20, 2017.

¹⁹⁷ Human Rights Watch remote interview with Mutawea's relative, "Mohsen," Ibid. The Interior Ministry statement mentioned Cases 81 of 2015 and 6737 of 2016 in Damnhour. The relative did not immediately have more details on the timing of the court verdicts or their nature.

arrest him in mid-May 2017. The family sent faxes and telegrams to the Office of the Prosecutor General and the Interior Ministry inquiring about his whereabouts but received no response.

Khalil's family said they believed that security officers tortured Khalil to force him to divulge the whereabouts of Mutawea's apartment in Alexandria.¹⁹⁸

The family learned about Mutawea's killing from news media on June 20. When they began inquiring about the location of the body, they faced obstacles and security harassment similar to what Khalil's family said they had faced. Prosecutors in Alexandria refused to authorize them to collect Mutawea's body and told them to go to the office of the Supreme State Security Prosecution in the Fifth Settlement neighborhood in eastern Cairo, which also refused to authorize them. Five days later, around June 25, the family received a call informing them they could collect the body from the Koum al-Dikka morgue in Alexandria.¹⁹⁹

Mohsen said that they saw the body, which had what he believed were marks of abuse, including bruises and wounds to Mutawea's face and head.

Mohsen added that authorities did not deliver any autopsy reports or a death certificate to the family, although a characteristic longitudinal stitched scar on his body indicated it had undergone forensic dissection.²⁰⁰

The only document handed to the family was the burial permission, which stated that the cause of death was "pending investigation."

The Interior Ministry statement mentioned that Mutawea was wanted in two cases of vandalizing public properties.

¹⁹⁸ Human Rights Watch remote interviews with Khalil's two relatives, *Ibid.*

¹⁹⁹ *Ibid.*

²⁰⁰ *Ibid.*

Ahmed Mohamed Abu Rashed

Ahmed Abu Rashed, 40, was an employee at the Tax Authority. “Zainab,” a relative, said that he was not living with his family in Alexandria but visited them frequently.²⁰¹ He had three children, the youngest seven years old. Zainab said that Abu Rashed also ran a business as a real estate broker in order to boost his income. Abu Rashed knew Sabry Khalil, as they were from the same village of al-Dalgamoun. In recent years they were business partners but not close friends, Zainab said.²⁰²

Zainab said the family had been in regular contact with Abu Rashed and that he also regularly called his mother until May 28, 2017, when, for the next three days, his phone rang without answer before it was switched off. Zainab said she asked his friends about his whereabouts but in vain. On June 4, Zainab inquired by telegram about Abu Rashed’s whereabouts to the Office of the Prosecutor General, the Interior Ministry, and several other entities.²⁰³ No one responded. Human Rights Watch reviewed copies of the telegrams sent.

Zainab said that a man who did not identify himself called her one day in early June to say that he saw Abu Rashed being arrested in Alexandria. Zainab called that phone number several times later, but no one responded. She gave this information, including the phone number, to prosecutors who, to her knowledge, took no action.²⁰⁴

الاجرة	الاسم	رقم الهاتف	وقت التعمير	عدد القاعات	رقم الصيغ	ملاحظات
١٥	الاسكندرية	١٥٥٥١٧٠١	١٥	١٥	١٥	
١٥	الاسكندرية	١٥٥٥١٧٠١	١٥	١٥	١٥	
١٥	الاسكندرية	١٥٥٥١٧٠١	١٥	١٥	١٥	
١٥	الاسكندرية	١٥٥٥١٧٠١	١٥	١٥	١٥	

تحيط سيادتكم علما بان المواطن : أحمد أحمد محمد محمد أبو راشد

رقم قومي : [REDACTED]

السن : ٤٠ سنة

المهنة : مأمور ضرائب

قد تم القبض عليه دون سند قانوني من مدينة الاسكندرية يوم الاحد ٢٨ / ٥ / ٢٠١٧

ونخشى من تعرضه للإساءة في المعامله حيث أنه لم يعرض على النيابة العامة رغم مرور أكثر من ٢٤ ساعة المحددة قانونا وذلك بعد اختفاء قسرى

هذا

نتلص اتخاذ الإجراءات القانونية اللازمة والكشف عن مكان احتجازه

وتفضلوا بقبول دافئ التحية والاحترام ...

One of the several telegrams sent by “Zainab” inquiring about Abu Rashed’s whereabouts. Some identifying details have been obscured. © 2021 Private

²⁰¹ Human Rights Watch remote interview with Abu Rashed’s relative, “Zainab,” via Skype, July 20, 2017.

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Ibid.

Zainab said that in early April, a few weeks before Abu Rashed went missing, security officers questioned his colleagues at the Tax Authority. A few days earlier, Zainab said, security forces raided an apartment building where he was the broker in Sidi Bishr, a district of Alexandria; they searched an empty apartment looking for him. Zainab said Abu Rashed expressed concern and decided to go hiding but continued to meet his family regularly.²⁰⁵

The Interior Ministry statement announcing his death did not specify any charges against Abu Rashed but said that he was involved with the Hasm armed group.²⁰⁶

The site of the alleged shootout identified in the Interior Ministry statement was one of many deserted residential buildings near the saline lakes in western Alexandria, part of a failed government-sponsored housing project from the 1990s.²⁰⁷

When Zainab went to collect Abu Rashed's body, she said, she saw Abu Rashed's face despite a National Security officer's attempt to prevent her. "His teeth appeared dislocated and his mouth was full of blood. He had a big bruise on his cheek," she said.

Another relative who attended the burial ritual of washing the body told Zainab that Abu Rashed had a bullet wound in the chest and that there were flesh wounds near his left elbow and on his left leg, she said.²⁰⁸

Zainab said Abu Rashed had stitched scars on his chest and head indicating an autopsy had been performed but authorities gave the family no autopsy report or death certificate. Human Rights Watch reviewed a copy of the burial permission, which stated that the cause of death was "under investigation." Security forces escorted the family from Koum al-Dikka

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ The project was allegedly marred with corruption and the apartments that were meant to be occupied by workers in the nearby salt-producing factories were never inhabited. See for example: "Three Housing Projects Occupied by Ghosts in Alexandria. Where Does Government Money Go?" Mohamed Amer, Masrawy website, November 5, 2017, https://www.masrawy.com/news/news_regions/details/2017/11/5/1185523/%D8%AB%D9%84%D8%A7%D8%AB%D8%A9-%D9%85%D8%B4%D8%B1%D9%88%D8%B9%D8%A7%D8%AA-%D8%A5%D8%B3%D9%83%D8%A7%D9%86-%D8%AA%D8%B3%D9%83%D9%86%D9%87%D8%A7-%D8%A7%D9%84%D8%A3%D8%B4%D8%A8%D8%A7%D8%AD-%D8%A8%D8%A7%D9%84%D8%A5%D8%B3%D9%83%D9%86%D8%AF%D8%B1%D9%8A%D8%A9-%D8%A3%D9%85%D9%88%D8%A7%D9%84-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D8%A9-%D8%A5%D9%84%D9%89-%D8%A3%D9%8A%D9%86-%D8%B5%D9%88%D8%B1 (accessed October 20, 2020).

²⁰⁸ Ibid.

morgue to his hometown burial in al-Dalgamoun, some 100 kilometers from Alexandria.²⁰⁹ “It was an environment of intimidation,” Zainab said. “The security had [our] driver’s phone number and he had to call them as a check-in every while. He was terrified.”

Zainab said that the National Security officers made the family sign documents that they would “directly” bury Abu Rashed without any funeral or invitees and did not allow anyone to photograph the body.

Mohamed Abdel Moniem Zaki Abu Tabeekh

Mohamed Abu Tabeekh, 39, also from al-Dalgamoun village, in al-Gharbiya governorate, was an English teacher and worked in translation. He had three children, the youngest 10 years old, when he was killed in June 2017.²¹⁰

“Basma,” a relative of Abu Tabeekh, said that he had not been wanted in any cases. She said that he had renewed his national ID card in March 2017, and he would not have been able to do so if he was wanted by law enforcement. He moved from al-Dalgamoun to Giza after his brother was killed in an anti-government protest on January 25, 2014.²¹¹

Basma said Abu Tabeekh was a “very close friend” to Sabry Khalil. They were also neighbors in October 6 City. For two days, between May 18 and 20, Khalil was not returning Abu Tabeekh’s calls, she said. Khalil answered the phone once, but his words worried Abu Tabeekh, Basma said. When Abu Tabeekh headed to the mosque nearby for *al-Fajr* (dawn) prayers on May 20, he told his family that he was going to check on Khalil afterwards, as Khalil lived on the same street. After he left for the prayers, Abu Tabeekh himself went missing and stopped answering his phone.²¹²

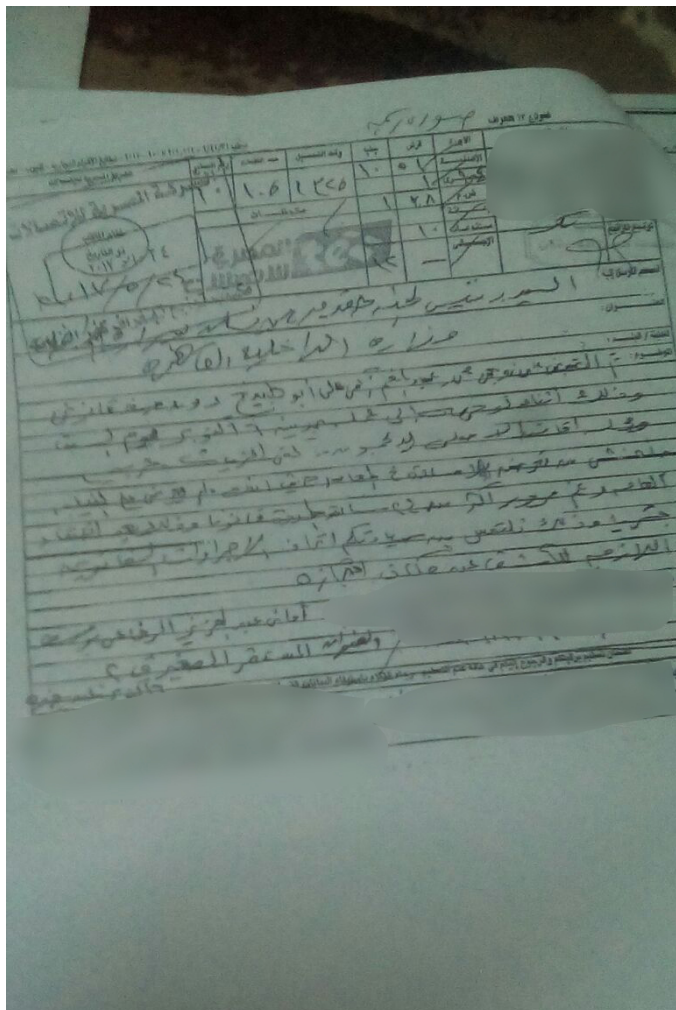
Basma said the family felt scared and decided to leave the apartment at dawn the next day. When his wife returned alone around noon, she found the apartment in disarray and the front door broken. Neighbors told the family that security forces had raided the

²⁰⁹ Ibid.

²¹⁰ Human Rights Watch remote interview with Abu Tabeekh’s relative, “Basma,” via Skype, July 17, 2020.

²¹¹ Ibid.

²¹² Ibid.



One of the several telegrams sent by Abu Tabeekh’s family inquiring about his whereabouts. Some identifying details have been obscured. © 2021 Private

apartment and asked about Abu Tabeekh’s wife. Two days later, neighbors told the family, security forces came and searched the apartment one more time.²¹³

Basma said the family sent telegrams and faxes to eight government bodies including the National Council for Human Rights, the Interior Ministry and the Office of the Prosecutor General inquiring about the Abu Tabeekh’s whereabouts. Human Rights Watch reviewed copies of the telegrams sent.

The authorities did not respond and the family knew nothing about Abu Tabeekh until, Basma said, an Interior Ministry statement announced his death on June 23, more than a month after he had gone missing.²¹⁴ Basma said that his wife was in a hospital with a relative when she saw the news on a TV screen.

Basma said that the family went back to the apartment about two weeks after the June 23 statement. “Everything was messed with,” she said. “Even the rubbish bag was emptied on the floor.”

The Interior Ministry’s statement, as usual, did not provide much information and parts of it were incoherent. It did not mention the date of the alleged shootout and claimed that the

²¹³ Ibid.

²¹⁴ Interior Ministry statement about a shootout in October 6 city, the Interior Ministry Official Facebook Page, June 23, 2017, <https://www.facebook.com/MoiEgy/photos/a.181676241876047/1451079298269062> (accessed October 20, 2020).

National Security Agency had information that members of Hasm were going to hold “an organizational meeting” on the highway to the oases of the Western Desert, which passes through October 6 city.²¹⁵ The statement said security forces were monitoring the area. When they approached two parked cars men inside began firing; security forces returned fire, killing the driver of one of the cars, Abu Tabeekh, while the others escaped.²¹⁶

The statement claimed that Abu Tabeekh’s body “was found next to” a silver Opel Astra which he was driving and that “after searching the site of the incident” security agents found an automatic rifle, ammunition, bullet casings, and Abu Tabeekh’s national ID card.²¹⁷

The statement did not indicate how many people were allegedly in the cars at the time of the shootout or any details about the car that allegedly escaped. The statement said Abu Tabeekh was from al-Dalgamoun and residing in an apartment in October 6 City but did not explain why there had been no attempt to arrest him there if security knew where he was living. The statement claimed that Abu Tabeekh was a leader of Hasm and responsible for its “central financial support.” It also said he was sought by authorities in Case 420 of 2017.²¹⁸

Basma said that the car description and plate number mentioned in the statement matched the car that the family owned.

Basma said the family went to the October 6 police station after seeing the news on TV. An officer confirmed that police had received a report of a man killed by gunfire a day before. The family collected the body from the Zeinhom Morgue in Giza on the same day, June 24. Human Rights Watch viewed a copy of a death report, signed by a forensic doctor, which stated that the cause of death was “bullet wounds in the chest that led to bleeding.” A relative who saw the body told Abu Tabeekh’s wife that there was nothing remarkable apart from the gunshot wounds, she added. The family received a death certificate two weeks after the killing.²¹⁹

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Ibid.

²¹⁸ See above under Sabry Khalil.

²¹⁹ Human Rights Watch remote interview with Abu Tabeekh’s relative, “Basma,” Ibid.

Four Men Killed Near Ismailia, July 2017

On July 15, 2017, the Interior Ministry issued a statement saying that security forces that morning had killed four “terrorists” in a desert area near Gilbana village, in al-Qantara Sharq, in Ismailia governorate, about 180 kilometers northeast of Cairo.²²⁰ The statement named Suhail Ahmed al-Mahy and Zakaria Mahmoud Nada, and said the two others were still being identified, which is also a “pro-forma” clause occasionally used in ministry statements on alleged shootouts. Nearly five years after the incident, the ministry has released no further information, which is also the case for other statements in which some of the alleged armed militants killed were not identified.

The incident took place one day after unknown gunmen killed five police officers and soldiers in Cairo.²²¹ No group immediately claimed responsibility.

The statement claimed the usual: intelligence led security forces to the site which “terrorists used as a hideout to hide and prepare for a series of terrorist attacks.” “When security forces were abruptly fired at while approaching them, they dealt with them, which resulted in killing four terrorists.”²²² The statement, which did not include pictures, said that security forces confiscated sums of cash, an automatic 7.62 x 39 millimeter rifle and a “Brown[ing]” 9 millimeter pistol, ammunition, casings from fired bullets and pamphlets with extremist ideas.²²³

The statement also mentioned a separate incident in Giza on the same day in which security forces killed two men in another alleged shootout.

The statement did not include any charges, accusations, or case numbers for al-Mahy and Nada. Their family offered a coherent narrative about their probable arrest a week before the statement, asserting that the two men in custody when they were killed. Forensic analysis of photographs taken of their bodies showed significantly different stages of decomposition, indicating that the putrefied body had been kept in an external

²²⁰ Interior Ministry statement on Ismailia (Gilbana) shootout, the Interior Ministry official Facebook page, July 15, 2017, <https://www.facebook.com/MoiEgy/photos/a.181676241876047/1474488482594810> (accessed October 28, 2020).

²²¹ Ahmed Tolba and Patrick Markey, “Gunmen kill five Egyptian police south of Cairo,” *Reuters*, July 14, 2017, <https://www.reuters.com/article/us-egypt-security-idUSKBN19ZoTI> (accessed June 11, 2021).

²²² *Ibid.*

²²³ *Ibid.*

environment without refrigeration, or possibly that the two men were not killed at the same time which contradicts the Interior Ministry's narrative. The authorities offered no explanation. One source told the families that the two men were probably killed four days before the Interior Ministry's announcement.

Suhail Ahmed al-Mahy and Zakaria Mahmoud Nada

Suhail al-Mahy and Zakaria Mahmoud Nada are first cousins, born in 1997 and 1996 in al-Sawahel village in the Nile Delta governorate of Damietta.²²⁴

"N.," a source close the families of both men, said that although they come from a family known for its support of the Muslim Brotherhood, al-Mahy and Nada were not involved with the Brotherhood or any other political organization.²²⁵ N. said that neither had criminal records or been arrested before.²²⁶ "They even didn't have Facebook accounts to follow news or comment on political affairs," they said.²²⁷ Al-Mahy was "a mere high school student," they said. Nada had dropped out of school and was working as a carpenter in one of the city's furniture shops, for which Damietta is famous.²²⁸

According to N., on July 9, 2017, al-Mahy and Nada left New Damietta, where they lived, with two friends, via public microbus to visit Cairo and Alexandria. N. said they were not sure if all four were in the same vehicle. In a phone call that evening, al-Mahy told his family that they were then approaching a regular police checkpoint near Ismailia governorate, on the Suez Canal.²²⁹ His family never heard from him again, nor did Nada's.²³⁰

About six months earlier, al-Mahy had been injured in a car accident and underwent surgery to insert plates in his right thigh. He walked with a crutch, they said.²³¹ "He wanted

²²⁴ Human Rights Watch remote interviews with "N.," a source who knew the families of both men, via Signal, August 29, 2019, and November 4, 2020. We use "they" to refer to this source to anonymize their gender.

²²⁵ Suhail al-Mahy's grandfather, Abdel Fattah Ismail, was a prominent Muslim Brotherhood member who was executed in 1966, in President Nasr's era, in the same notorious military trial with Sayed Qutb, one of the most influential Islamic writers in the history of the Muslim Brotherhood.

²²⁶ Human Rights Watch remote interviews with "N.," Ibid.

²²⁷ Ibid.

²²⁸ Ibid. This is also how the Interior Ministry described them, a "student" and a "carpenter."

²²⁹ The way from Damietta to Cairo runs through Portsaid, then to Ismailia, and al-Sharqia.

²³⁰ Human Rights Watch remote interview with "N.," Ibid.

²³¹ Ibid.

a change of scenery, so he decided to travel,” they said. Al-Mahy had also been in an earlier car accident in 2016 that led to injuries to his neck and face.

The road trip in July 2017 was only the third time he traveled outside Damietta, N. said.

N. said that their families looked for al-Mahy and Nada for several days. They said they asked their lawyer to send telegrams inquiring about their whereabouts to several government entities but never received a response.²³² “Their phones were working for days, but no one was picking up,” they said.²³³

A week later, the family of the two cousins learned about their killing from television news. The family called a contact in the Ismailia Public Hospital to check if they had received bodies from any shooting incidents, and learned that their bodies were in the hospital morgue. The following day the family traveled to Ismailia, but the morgue staff refused to give them any information and told them to obtain security authorization.²³⁴ The family visited the Ismailia Security Directorate and the al-Qantara Sharq police station, but officers denied knowledge of any shooting incidents. Eventually they visited the National Security Agency building in Ismailia. Officers there asked the family to leave their phone numbers and said that they would contact them with the information. “They told us they will get us information on the condition that no funeral or memorial service would be held,” N. said.²³⁵

Four days following the Interior Ministry announcement, on July 19, al-Mahy’s father received an officer’s phone call. “They asked us to come to collect his body in the morning, and later come again to collect Zakaria’s at night,” N. said.²³⁶

When the family went to collect the body, they were terrified by what they saw. “We barely recognized Suhail [al-Mahy],” they said. “They pointed at a bloated body with bad burns

²³² “N.” said the lawyer sent the telegrams but that they did not have copies. Human Rights Watch was unable to speak with the lawyer.

²³³ Human Rights Watch remote interview with “N.,” Ibid.

²³⁴ Ibid.

²³⁵ Ibid.

²³⁶ Ibid.

all over and a featureless face and said, ‘This is Suhail.’”²³⁷ N. said they recognized Suhail’s underwear, which they had shopped for him not long before his death.²³⁸

When the family saw Nada’s body, which was easily recognizable and in the adjacent storage box in the morgue, they felt more assured that the other body was al-Mahy’s, N. said.

The family saw signs that made them believe both men were abused before they died. N. said that Nada had shoe marks on his face from what appeared to be stomping. His nose was broken, and there appeared to be marks of cigarettes put out on his body. He also had bullet wounds to his head and face.²³⁹ The condition of al-Mahy’s body was worse and indicated it may have been kept unrefrigerated, but authorities offered no explanation for this.

Human Rights Watch reviewed a copy of al-Mahy’s death certificate, which stated that the cause of death was a “bullet from a rifle, an automatic rifle or a larger firearm.”

Human Rights Watch and the independent experts consulted for this report reviewed a video of al-Mahy’s body showing most of his body except his feet and back. His body showed signs of advanced decomposition, indicating he had died at least 24 to 48 hours before the video was taken.²⁴⁰ He wore underwear boxers. There was apparently coagulated blood in and around the mouth. The skin on his right hand was peeling off.²⁴¹ The video also showed a stitched longitudinal scar in al-Mahy’s chest indicating an autopsy had been performed but authorities gave no autopsy report to the family. It was not possible for Human Rights Watch to draw further conclusions about the wounds he sustained before death because of the body’s decomposition and apparent putrefaction. There were what looked like larvae (insects) on his body.

²³⁷ What the interviewee saw was probably signs of advanced decomposition, which can look like burn wounds to families of the deceased.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Bloating typically occurs 2-3 days after death. Delineation of the vessels, called “marbling,” also occurs in the same postmortem interval. This duration is based on the assumption that al-Mahy was left in an outside environment. Temperature affects decomposition and therefore a final conclusion about the date of death is not possible without knowing in what kind of environment the body was kept.

²⁴¹ “Degloving” of the skin on the hands and feet is a sign of advanced decomposition.

Reuters news agency, in an investigative report on possible extralegal killings in Egypt, said that it had obtained photographs and a video of Nada's body and showed them to three forensic experts, including Professor Derrick Pounder, a pathologist who has consulted for Amnesty International and the United Nations.²⁴² According to the experts' analysis, Nada's body had "three gunshot wounds to the head. One bullet entered beside his right nostril and exited just below his lower lip." "That would place the shooter overlooking, above and to the right of the victim if the victim was standing, which would seem unlikely in an exchange of gunfire," Pounder told Reuters.²⁴³ "A more likely scenario is that the victim was kneeling with the shooter standing close on the right side." Nada's other gunshot wounds were in his forehead, "almost symmetrically placed just below the hairline to the left and right, which suggested final 'coup de grace shots,'" Reuters wrote, citing Pounder.²⁴⁴

Human Rights Watch reviewed seven photographs showing the upper half of Nada's body and his head and face. Forensic expert Stefan Schmitt, whom Human Rights Watch consulted, agreed with this analysis. Nada's chest and neck had the longitudinal stitched scar indicating an autopsy had been performed but authorities provided no forensic reports to the family.

According to N., their source in al-Ismailia Public Hospital told them that al-Mahy's body arrived at the hospital on the morning of July 11, four days before the Interior Ministry announced their killings.²⁴⁵ The morgue delivered al-Mahy's body on July 19 to the family in a black plastic bag, they said. Police and morgue staff placed his body in an ambulance and refused to let any family member ride with them. They traveled to his hometown in Damietta, more than 140 kilometers from al-Ismailia, escorted the entire time by a police car. "The police wanted to ensure that no funeral or service would be held for al-Mahy," N. said.²⁴⁶ "We buried him without a coffin or rituals." Security officers did not allow his mother to see the body and harassed those who tried to attend the burial, N. added.

²⁴² Stephanie van den Berg, Edmund Blair, Lesley Wroughton and other unnamed Reuters staff, "Special Report: Egypt kills hundreds of suspected militants in disputed gun battles," April 5, 2019, *Reuters*, <https://www.reuters.com/article/us-egypt-killings-specialreport/special-report-egypt-kills-hundreds-of-suspected-militants-in-disputed-gun-battles-idUSKCN1RH1oE> (accessed October 29, 2020).

²⁴³ *Ibid.*

²⁴⁴ *Ibid.*

²⁴⁵ Human Rights Watch remote interview with "N.," *Ibid.*

²⁴⁶ *Ibid.*

N. said that security allowed the family to bury Nada following similar restrictions. In the morgue, they said, they met the families of the two other unnamed men killed in the same incident, but they did not speak.²⁴⁷ They said that that the body of one of the men was in a similar condition to al-Mahy's. "His family couldn't recognize him and asked for a DNA test to be conducted."²⁴⁸

Less than a year after his killing, in May 2018, police arrested al-Mahy's mother, Amal Abdel Fattah Ismail, and authorities prosecuted her in the State Security Prosecution Case 832 of 2016 on charges of joining what authorities said was the "Islamic State (ISIS) of Upper Egypt."²⁴⁹ N. said security agents held her incommunicado for about two months. A terrorism court sentenced her in November 2018, following a mass trial of over 65 defendants, to 15 years in prison.²⁵⁰ Authorities also charged al-Mahy's mother and one of al-Mahy's four brothers, Mos'ab, in another State Security case, 818 of 2018. A court ordered Mos'ab released in 2020 but authorities instead added him to another case.²⁵¹ Both Ismail and Mos'ab remain jailed at time of writing.

Security forces arrested one of al-Mahy's three sisters, Mulaika, 24, in May 2020 and held her incommunicado for several weeks.²⁵² Prosecutors added her to Case 818 of 2018. In January 2021, A court ordered Mulaika's conditional release, but she was not released until March 5, 2021.²⁵³

N. said that said that Hanzala and Muthanna, al-Mahy's two other brothers, were arrested in 2014 and 2016. Muthanna has been missing since then and Hanzala remained jailed at time of writing.²⁵⁴

²⁴⁷ Ibid.

²⁴⁸ Ibid.

²⁴⁹ Mohamed Magdy, "A list of Names of those sentenced to life in prison and severe prison in 'Upper Egypt ISIS' case," November 8, 2018, *al-Shorouk*, <https://www.shorouknews.com/news/view.aspx?cdate=08112018&id=743b2caf-faff-42bd-87d1-20ce3bf27955> (accessed October 29, 2020).

²⁵⁰ Ibid.

²⁵¹ Human Rights Watch interview with "N.," Ibid.

²⁵² Mulaika's arrest and disappearance was reported by several human rights organizations such as Belady for Rights and Freedoms. See Belady for Rights and Freedoms Facebook Page, June 8, 2020, <https://www.facebook.com/beladyeg/posts/1304044456468973> (accessed November 6, 2020).

²⁵³ Belady for Rights and Freedoms Facebook Page, January 27, 2021, <https://www.facebook.com/beladyeg/photos/a.714217748784983/1494454920761258> (accessed May 18, 2021).

²⁵⁴ The Brotherhood-affiliated Egypt Window website said Ismail and her son Muthanna were forcibly disappeared. It published a photo of a complaint the family sent the National Human Rights Council inquiring about Muthanna's whereabouts on May 10, 2018, https://egyptwindow.net/Provincial_News/53978/default.aspx (accessed October 29, 2020).

Eight Men Killed in Sinnouris, Fayoum Governorate, July 2017

On July 23, 2017 the Ministry of Interior published a statement on Facebook saying that its forces killed eight members of the “armed wing of the terrorist Brotherhood,” naming the Hasm group.²⁵⁵ The statement said that security forces were shot at when they approached a militants’ hideout in a desert area near Sinnouris town, in al-Fayoum governorate, and returned fire, killing the eight. The statement claimed that this hideout was used to “recruit and train new young members,” and added that security forces seized four automatic rifles, a 9 millimeter pistol, ammunition, spent bullet casings, and two motorcycles.²⁵⁶ The statement was accompanied by four photographs showing a tent in a desert area, two motorcycles, and three improvised practice targets.²⁵⁷ The alleged shootout followed the suspicious retaliatory pattern as it occurred just two days after Hasm claimed an attack that killed and injured four police officers.²⁵⁸

Omar Adel Abdelbaqy

One of those named in the Interior Ministry statement was Omar Adel Abdelbaqy, a 19-year-old high school student who grew up in the small village of Salmant, Belbis town, in al-Sharqia governorate, less than 60 kilometers northeast of Cairo. He had two younger sisters and a younger brother, according to “Tawfiq,” a relative.²⁵⁹

Tawfiq said that security forces first arrested Abdelbaqy in 2014, when he was 16, for participating in protests supporting the Muslim Brotherhood following the 2013 military takeover.²⁶⁰ According to Tawfiq, Abdelbaqy said he had been “tortured” before authorities released him eight months later without trial.²⁶¹ Tawfiq said that both Abdelbaqy and his father had been wanted for their Brotherhood activities. Security forces visited their home routinely. To avoid arrest, Abdelbaqy had an apartment where he

²⁵⁵ Interior Ministry statement about the Sinnouris shoutout, The Interior Ministry Official Facebook Page, July 23, 2017, <https://www.facebook.com/MoiEgy/posts/1481876358522689> (accessed November 3, 2020).

²⁵⁶ Ibid.

²⁵⁷ Ibid.

²⁵⁸ “Hasm claims responsibility for Fayoum shooting,” *Egypt Today*, July 21, 2017, <https://www.egypttoday.com/Article/1/12984/Hasm-claims-responsibility-for-Fayoum-shooting> (accessed June 11, 2021).

²⁵⁹ Human Rights Watch in-person interview with Abdelbaqy’s relative, “Tawfiq,” outside Egypt, October 16, 2019.

²⁶⁰ Ibid.

²⁶¹ Human Rights Watch has previously documented the systematic arrests, prosecutions and torture of children in Egypt in cases of political grounds following the 2013 military coup. See: Human Rights Watch, “*No One Cared He Was A Child: Egyptian Security Forces’ Abuse of Children in Detention*,” March 23, 2020, <https://www.hrw.org/report/2020/03/23/no-one-cared-he-was-child/egyptian-security-forces-abuse-children-detention>.

sometimes
slept overnight.²⁶²

Abdelbaqy was “active and daring,” Tawfiq added. “One time an officer almost caught him in a protest, but he ran away. They kept chasing him for almost an hour.”²⁶³

According to Tawfiq, on July 13, 2017, Abdelbaqy went out in the afternoon to join a football training at the village club. “He was training a group of young kids” Tawfiq said. “They liked him a lot because he was nice and patient with them.”²⁶⁴

The family worried when Abdelbaqy was not back by late night and not answering his phone, but they decided to wait until morning as they thought he could be in his other apartment. When he was still not reachable in the morning the family decided to track him. The “find my device” phone feature, Tawfiq said, showed that his last location was near the National Security building in Zagazig, the capital of al-Sharqia governorate. That’s when the family realized he had been arrested.²⁶⁵ One of the teenagers who was present in the club told Abdelbaqy’s family that a group of men took him and put him in an unmarked car waiting by the club and drove away immediately.²⁶⁶

That day the family visited two police stations in Zagazig as well as the National Security building to inquire about Abdelbaqy’s whereabouts, but all denied any knowledge of his whereabouts or arrest. At the National Security building “an officer said unpleasant things to his mother and told her not to come back,” Tawfiq said. The family also inquired about him in another National Security building in nearby 10th of Ramadan City.²⁶⁷ Tawfiq said that the family sent telegrams to the Office of the Prosecutor General, the al-Sharqia Security Directorate, and other officials, but received no response.²⁶⁸

²⁶² Human Rights Watch interview with Abdelbaqy’s relative, “Tawfiq,” Ibid.

²⁶³ Ibid.

²⁶⁴ Ibid.

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ Ibid.

²⁶⁸ Tawfiq could not provide copies of these telegrams to Human Rights Watch.

On July 15, two days after Abdelbaqy went missing, the Albawabh website, which is close to security agencies, reported that security authorities arrested Abdelbaqy.²⁶⁹ The article, accompanied by his photo, said that al-Sharqia police, “in coordination with National Security Agency officers,” arrested “a young man belonging to the terrorist Muslim Brotherhood organization in Salmant village in Belbis town. His name is Omar Adel Abdelbaqy.” The article said that he was sentenced to ten years in prison following a military trial for “joining unauthorized protests and inciting and participating in violence....” The article added that “The suspect is being interrogated ... The general prosecution is handling the investigation.”²⁷⁰ The article named two journalists in its byline but did not mention sources.²⁷¹

Tawfiq said that Abdelbaqy’s family felt relieved when they saw the Albawabh article as it confirmed he was in custody.²⁷² But eleven days later the Ministry of Interior published the statement announcing Abdelbaqy was killed.²⁷³ The statement did not mention any specific cases, charges, or previous attacks that Abdelbaqy or the seven others killed were allegedly involved in.²⁷⁴

Tawfiq said that just hours after the Interior Ministry released its statement, National Security forces arrived at Abdelbaqy’s family home in Salmant village and surrounded it for about ten days. His parents stayed elsewhere for fear of being arrested.²⁷⁵

²⁶⁹ Ahmed Mahmoud and Samir Ibrahim, Albawabh News, “A Fugitive Brotherhood Student Sentenced to 10 Years Arrested in al-Sharqia,” July 15, 2017, <https://www.albawabhnews.com/2615684> (accessed November 3, 2020).

²⁷⁰ Ibid.

²⁷¹ Ibid. Human Rights Watch researchers found hundreds of articles by one of the journalists covering security-related issues in al-Sharqia, many citing the governor and other officials, indicating he had good connections with security agencies.

²⁷² Human Rights Watch interview with Abdelbaqy’s relative, “Tawfiq,” Ibid.

²⁷³ Interior Ministry statement about the Sinnouris shoutout, July 23, 2017, Ibid.

²⁷⁴ Ibid.

²⁷⁵ Human Rights Watch interview with Abdelbaqy’s relative, “Tawfiq,” Ibid.

محافظات

ضبط طالب إخواني هارب من 10 سنوات سجنًا بالشرقية

السبت 15/يوليه/2017 - 01:03 م



المهم

أحمد محمود و سمير إبراهيم

ألقت مباحث مديرية أمن الشرقية بالتنسيق مع ضباط جهاز الأمن الوطنى، اليوم السبت، القبض على شاب ينتمى لتنظيم جماعة الإخوان الإرهابية فى قرية سلمنت التابعة لمركز ومدينة بليس يدعى "عمر عادل عبدالباقى"، 23 عاما طالب، ومحكوم عليه بالسجن 10 سنوات "عسكريا"، بتهمة التظاهر دون تصريح والتحريض على أعمال الشغب والعنف والمشاركة فيها وزعزعة أمن واستقرار البلاد. جار تطوير مناقشة المتهم المذكور للوقوف على حجم نشاطه الإرهابى، وتحرر عن ذلك المحضر اللازم وتولت النيابة العامة التحقيق.

Screenshot of the Albawabh article that reported when security authorities arrested Omar Adel Abdelbaqy.

Tawfiq said that a man phoned Abdelbaqy's father, Adel, on July 24, a day after the ministry announcement and introduced himself as an officer with National Security in 10th of Ramadan City.²⁷⁶ According to Tawfiq, the officer "offered condolences, and said, 'It was not us who killed him.'" The officer also told the father to "calm down," otherwise he would be "hurt."²⁷⁷

On July 24, the family traveled to Zeinhom morgue in Cairo, where they believed Abdelbaqy's body was. Tawfiq said that a morgue employee told them there were two unidentified bodies in the morgue and allowed the family to check. Abdelbaqy was one of

²⁷⁶ Officer's name redacted.

²⁷⁷ Ibid.

them, Tawfiq, who saw the body, said. But the morgue employees did not allow the family to collect the body because for the morgue the dead man's identity was still unknown.²⁷⁸

Tawfiq, who said he had served in the Egyptian military in the Gulf war during the 1990s, said that he saw on Abdelbaqy's body what he believed were two 6mm bullet wounds in his chest that appeared to have been fired at close range. Tawfiq said that he saw no signs indicating abuse.²⁷⁹

For the next several days, Tawfiq said, relatives visited the morgue but were not allowed to collect the body until August 3, after one of his uncles underwent a DNA test to prove his relation to him. National Security officers only allowed them to take the body after midnight to avoid potential protests at the funeral and warned the family against any chants against the government during the burial, Tawfiq said. They took Abdelbaqy's body to Salmant, where they held a funeral and buried him.²⁸⁰

The day after the funeral, a police officer arrived at Abdelbaqy's family home and asked all visitors who came to offer condolences to leave. The father then left Egypt, as he feared "he would be arrested and killed like Omar," Tawfiq said.²⁸¹

30 Men Killed in Two Raids in Giza, December 2018

In the early morning of December 29, 2018, a Ministry of Interior press statement said that its forces killed 40 "terrorists" that day in two separate alleged shootouts in Giza involving 30 men and a third incident in North Sinai involving 10 men.²⁸² Human Rights Watch analyzed the statement and accompanying photographs and was able to interview a relative of two of the men killed in Giza.²⁸³ The evidence clearly indicates that some of the 30 men killed there were not killed in shootouts and were probably extrajudicially executed.

²⁷⁸ Ibid.

²⁷⁹ Ibid.

²⁸⁰ Ibid.

²⁸¹ Ibid.

²⁸² "The Interior Ministry: 40 Terrorists Killed Before They Carry Out Operations Targeting Christmas Celebrations," December 29, 2018, *al-Ahram* government newspaper, <http://gate.ahram.org.eg/News/2081556.aspx> (accessed October 29, 2020).

²⁸³ As mentioned earlier, this report focuses on killings outside Sinai, in mainland Egypt.

Questionable Statement and Photographs

The ministry statement did not name or mention any details about the 40 men killed, even their alleged affiliation with any groups. It claimed the raids and killings were “simultaneous” and part of the ministry’s “preemptive” efforts to prevent terrorist attacks planned “against state institutions” and “Christian places of worship.”²⁸⁴ It was one of the largest numbers of alleged armed militants announced killed in one day. The statement did not mention any arrests and said that security forces seized “large numbers of guns, ammunition, and explosives” but provided no details.²⁸⁵

The statement claimed that security forces, based on intelligence, “dealt with” the “terrorist” hideouts, resulting in the deaths of 14 men near the Abu al-Wafa buildings in October 6 City, 16 men near the Abna’ al-Giza buildings (apartment complex) near October 6 City, and 10 men in the Ibni Baytak buildings in al-Arish, the capital in North Sinai.²⁸⁶

The statement was sent to the media with dozens of photographs showing dead bodies, all with obscured faces, and pools of blood and guns next to many of them. It was widely covered in Egyptian and international media.

The statement came less than 24 hours after a roadside bomb in Giza had killed three Vietnamese tourists and an Egyptian tour guide. The sequence fits the pattern of what appear to be retaliatory killings following attacks by armed groups and involving executions of persons already in custody.²⁸⁷

The three sites identified in the statement as “terrorist hideouts” are government-sponsored housing projects. The Abna’ al-Giza apartment complex comprises uninhabited residential buildings, and the buildings in al-Arish were only partially occupied.²⁸⁸ By contrast, the Abu al-Wafa buildings are in a lively area in October 6 City, where a gun battle between security forces and 14 armed men would normally attract the attention of the bystanders and neighbors and have a significant number of witnesses. But as in all other

²⁸⁴ “The Interior Ministry: 40 Terrorists Killed Before They Carry Out Operations,” *Ibid.*

²⁸⁵ *Ibid.*

²⁸⁶ *Ibid.*

²⁸⁷ “Egypt police ‘kill 40 militants’ in raids after tourist bus blast,” December 29, 2018, *BBC* <https://www.bbc.com/news/world-middle-east-46708695> (accessed October 29, 2020).

²⁸⁸ Mohamed al-Sahy, “The Abna’ al-Giza Ruins: The Story of the Housing Project Turned a Nightmare for its Owners in the Desert,” February 10, 2019, Sada al-Balad news website, <https://www.elbalad.news/3695116> (accessed October 29, 2020).

incidents documented in this report, there is no record that the prosecution summoned any potential witnesses or made any meaningful efforts to investigate the killings.

Human Rights Watch researchers and the independent experts consulted for this report reviewed 35 photographs of these incidents published on the websites of the government newspaper *al-Ahram* as well as the pro-government *al-Youm al-Sabea* newspaper, and Mobtada and Masrawy websites.²⁸⁹ The different photographs show the bodies of at least 40 men and 28 guns. The photographs had been altered, as indicated by the blurring of



The position of this body strongly indicates this person was originally restrained or handcuffed in that position prior to their death, before these restraints were apparently removed. © 2018 Private

faces. Analysis of the photographs found additional evidence of the lack of credibility of the government’s narrative.

At least five photographs show that the bodies had been moved before being photographed, as indicated by the position of body relative to the pools of blood or marks of dragging. At least three photographs show spent bullet casings.²⁹⁰ The low position of suspected projectile impacts on the walls and the apparent blood stains and splatter on the walls behind the bodies in 10 photographs, suggest that nine men were shot from above. Many appear to have been shot in the head, as indicated by the pools of blood proximate to the position of the bodies and heads.

²⁸⁹ “The Interior Ministry: 40 Terrorists Killed Before They Carry Out Operations,” *ibid*; and Mahmoud Abdel Rady, “The Interior Ministry raids the terrorists’ hideouts, 40 Takfiris killed in Giza and North Sinai,” *Youm7*, December 29, 2018, <https://www.youm7.com/story/2018/12/29/%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%AA%D8%AF%D8%A7%D9%87%D9%85-%D8%A3%D9%88%D9%83%D8%A7%D8%B1-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8-%D9%85%D9%82%D8%AA%D9%84-40-%D8%AA%D9%83%D9%81%D9%8A%D8%B1%D9%8A%D8%A7-%D8%A8%D8%A7%D9%84%D8%AC%D9%8A%D8%B2%D8%A9-%D9%88%D8%B4%D9%85%D8%A7%D9%84-%D8%B3%D9%8A%D9%86%D8%A7%D8%A1/4084977>; and Fahmy Ghaly, “The First Photos of the Killings of 40 Terrorists in Giza and North Sinai,” *Mobtada*, December 29, 2020, <https://www.mobtada.com/details/799821> (all accessed November 5, 2020).

²⁹⁰ In a gun battle many more bullet casings or damage to the walls behind the bodies could be expected. Since the photographs focus only on the bodies it is not possible to know if there were more casings or unspent bullets than those in the photographs.

At least three photographs show three different bodies with their hands behind their backs in a position strongly indicating they were originally restrained or handcuffed in that position prior to their deaths before these restraints were apparently removed. One of the three appears in a red sweater, blue jeans and partially visible white underwear, the fingers of his left hand clutching his right hand behind his back, and a cartridge casing visible on the ground behind his back. He is photographed lying on his right side in a room with a concrete floor partially covered by a large pool of blood. Another photo shows the same man with his left arm in front of him, and a firearm that was not in the other photograph appears next to him, his left hand holding its stock, indicating the photograph was probably staged to make it appear that the man was holding the firearm.

According to Professor Schmitt, in general, in a raid, even after killing or wounding an armed suspect, one would assume that the authorities would separate the combatants from the weapons as a priority, as they need to confirm that they indeed are dead. “Under this assumption, it certainly is unusual to find many photographs of bodies either holding the weapons, or having them close-by.” Prof. Schmitt added in email exchanges with Human Rights Watch that finding the weapons in such positions “is not something that necessarily happens when someone is killed.”

Ahmed Yousri and Ibrahim Hassan Ghadeer

The families of cousins Ahmed Yousri, 31, and Ibrahim Ghadeer, 24, arrested in late 2016, recognized their bodies in the published photographs, according to “Ashraf,” a relative of both men, and a lawyer.²⁹¹ Authorities never informed them of the two men’s fate and had not allowed them to receive the bodies up until time of writing. The families believe authorities buried them in an unknown location. According to the families and their lawyer, a court had ordered Yousri and Ghadeer released in November 2018, but the authorities never complied.²⁹²

Ashraf said that security forces arrested both men in November 2016, along with three other members of their extended family. Several members of their families witnessed the raids and arrests at two buildings where they lived in Cairo’s Ain Shams neighborhood and

²⁹¹ Human Rights Watch remote interviews with “Ashraf,” on January 6, 2019, and November 4 and 11, 2020, and with the lawyer, via Signal, on January 7, 2019.

²⁹² Ibid.

in Giza’s October 6 City, Ashraf said. Authorities held them incommunicado for a few weeks before presenting them to prosecutors in Cairo. The other three family members were released separately, without trial, in the following months. Prosecutors charged Yousri and Ghadeer in Case 831 of 2016, known as Afnad Masr IV (Soldiers of Egypt IV), in which authorities accused an unspecified number of suspects of joining the Afnad Masr armed group and involvement in violence.²⁹³

Ashraf, who now lives outside Egypt, said that Yousri, an accountant, was arrested about two weeks after his wedding. His wife was pregnant and gave birth while he was in detention.²⁹⁴

In December 2016, authorities transferred Yousri to Cairo’s notorious Scorpion Prison where many of those perceived as high national security threats are jailed.²⁹⁵ Scorpion Prison authorities routinely ban visits by families and lawyers for months or years at a time.²⁹⁶ Yousri was only able to receive verbal messages or, rarely, letters from his family smuggled to him during court hearings when he saw Ghadeer, who unlike Yousri was allowed visits in Istiqbal Tora prison.²⁹⁷

Ghadeer, a computer programmer, received several family visits. Ashraf recalled briefly seeing Ghadeer in prison in late 2018 when he was visiting another imprisoned relative. “He was okay, but he had back problems that couldn’t be treated inside prison.”²⁹⁸ Ashraf added that Ghadeer told him that Yousri “looked terrible” when he saw him in a court hearing.

Ashraf recalled that Ghadeer talked about “his dreams to travel abroad” when released. On November 6, 2018, a court conditionally released Yousri and Ghadeer as they approached the two-year limit for pretrial detention in Egyptian law.²⁹⁹

²⁹³ Afnad Masr claimed responsibility for several terrorist attacks in 2014 and 2015. Authorities arrested and prosecuted dozens of suspects and defendants in four separate cases for allegedly being part of this group.

²⁹⁴ Human Rights Watch remote interview with “Ashraf,” Ibid.

²⁹⁵ More information about the Scorpion Prison, Human Rights Watch, “*We Are in Tombs, Abuses in Egypt’s Scorpion Prison*,” September 28, 2016, <https://www.hrw.org/report/2016/09/28/we-are-tombs/abuses-egypts-scorpion-prison>.

²⁹⁶ Ibid.

²⁹⁷ Human Rights Watch remote interview with “Ashraf,” Ibid.

²⁹⁸ Ibid.

²⁹⁹ Art. 143 of Egypt’s Criminal Procedural Code (Law 150 of 1950) as amended in 2013.

Following the release order, Ashraf said, authorities transferred both men to Ain Shams police station, where they received family visits, clothes, and food. After a few days, authorities transferred them to al-Salam police station. The families were not able to see them there but they had what turned out to be their last phone call, through a smuggled phone, with their family.³⁰⁰ On November 17, 2018, their lawyer wrote on his Facebook page that they were awaiting National Security officers' approval to be released.³⁰¹ But for more than a month after the phone call from the al-Salam police station, neither the family nor the lawyer were able to contact them. On December 21, the lawyer wrote that a court was going to review Yousri's and Ghadeer's release conditions on December 22 despite that they were still "forcibly disappeared."³⁰²

An officer at al-Salam station told their family that they had been sent to the National Security Agency's headquarters in the Abbasiya neighborhood around the last week of December, Ashraf said. He added that another family member detained at Tora prison told the family that he met with new prisoners transferred from the Abbasiya National Security detention who said they had seen Yousri and Ghadeer there. "This was two weeks before the Interior Ministry announced the killings," Ashraf said.³⁰³

According to Ashraf, Ghadeer's family identified him in the photographs published with the ministry statement, as he was a tall man and had a white back brace, which he was wearing for his back problem. "Yousri was wearing the same clothes that he received in Ain Shams police station more than a month earlier," Ashraf said.³⁰⁴

Ashraf said that the family contacted a doctor who was able to visit the Zeinhom morgue unofficially. The doctor confirmed that he saw Yousri's and Ghadeer's bodies among those delivered to the morgue on December 29, the day the alleged shootout was announced. As of writing, the family has not been able to collect their bodies. On January 3, 2019, about five days after the killing, the lawyer wrote on his Facebook page, "I'm in the morgue now.

³⁰⁰ Human Rights Watch remote interview with "Ashraf," Ibid.

³⁰¹ Facebook post by lawyer Abdelaziz Ahmed Abdelaziz, November 17, 2018, https://www.facebook.com/permalink.php?story_fbid=2229265000696120&id=100008379248724 (accessed November 2, 2020).

³⁰² Facebook post by lawyer Abdelaziz Ahmed Abdelaziz, December 21, 2018, https://www.facebook.com/permalink.php?story_fbid=2252856108337009&id=100008379248724 (accessed November 2, 2020).

³⁰³ Human Rights Watch remote interview with "Ashraf," Ibid.

³⁰⁴ Ibid.

They are refusing to allow anyone [to collect the bodies]. They took [our] names. The number [of bodies] is likely over 40.”³⁰⁵

The Association of Families of the Disappeared, a Facebook group, wrote in the evening of December 29, 2018, that the family of anyone disappeared should go to morgues in the cities where the alleged shootouts took place to check if their disappeared relatives were among those killed.³⁰⁶ The group said that there were 62 bodies from alleged shootouts that December.³⁰⁷

Ashraf said that the family had another relative whom Interior Ministry security forces killed in 2015 in an earlier alleged shootout.



Screenshot of lawyer Abdelaziz Ahmed Abdelaziz’s Facebook post, dated January 3, 2019. © Private

³⁰⁵ Facebook post by lawyer Abdelaziz Ahmed Abdelaziz, January 3, 2019, https://www.facebook.com/permalink.php?story_fbid=2261329867489633&id=100008379248724 accessed November 2, 2020).

³⁰⁶ Facebook post by the Association of Families of the Disappeared رابطة اسر المختفين قسريا - المركز المصري لمناهضة الإختفاء القسري, December 29, 2018, https://www.facebook.com/permalink.php?story_fbid=2030569427030306&id=910729275680999 (accessed November 2, 2020).

³⁰⁷ Ibid.

Nine Men Killed in Cairo, September 2019

On September 18, 2019, the Ministry of Interior issued a six-line statement claiming security forces had killed nine “elements of the terrorist Brotherhood” in two “hideouts” in Cairo’s 15th of May City and al-O’bour city, in Qaliubia governorate, northeast of Cairo.³⁰⁸ The statement named only Mahmoud Gharib, and claimed he was a leader of the Liwa’ al-Thawra (Revolution Brigade) armed group.³⁰⁹

Mahmoud Gharib

Mahmoud Gharib, 24, was a university student from al-Shouhda town, al-Menofiya governorate. His family said he had been arrested about six months earlier and held incommunicado prior to his killing.³¹⁰

Gharib, an active Muslim Brotherhood member, had joined the group during the January 2011 uprising, when he was 15. That is when “Hossam” met him for the first time. Gharib and Hossam became close friends in the summer of 2013 when they both joined the weeks-long pro-Morsy Rab’a sit-in in Cairo. Hossam said he lived with Gharib for more than a year leading up to his arrest in early 2019.³¹¹

Authorities had arrested Gharib and detained him for three months in 2014 on charges of participating in unauthorized protests. “He was only an 18-year-old who just finished high school,” Hossam said. Authorities released him without trial, and he began studying agriculture at Cairo’s al-Azhar University. Hossam said that authorities arrested two of Gharib’s brothers in 2018 and 2019 and interrogated them about his whereabouts. Gharib then stopped attending university classes in Cairo and moved to Alexandria, Hossam said.³¹²

Hossam said that in January 2018 Gharib contacted him asking for help finding a place to stay in Alexandria. “I was the link between Gharib and his family,” Hossam explained. Gharib’s father was also sought by authorities for Brotherhood links. For the next several

³⁰⁸ Interior Ministry Facebook statement, Interior Ministry’s official Facebook page, September 18, 2019, <https://www.facebook.com/MoiEgy/posts/2494260140617634> (accessed November 5, 2020).

³⁰⁹ Ibid.

³¹⁰ We Record introduced “Hossam” to Human Rights Watch.

³¹¹ Ibid.

³¹² Ibid.

months, Gharib moved between several apartments in Alexandria, all rented by Hossam.³¹³ In June 2018, authorities added Gharib to Egypt’s terrorism list.³¹⁴

Following Gharib’s arrest in 2019 authorities charged him and one of his elder brothers, who had been arrested in 2018, in Case 64 of 2017, in which the military prosecution had prosecuted over 300 defendants for alleged involvement with Hasm armed and the failed attempt to assassinate Assistant Prosecutor General Zakria Abdel Aziz in September 2016.³¹⁵ Six months after the Interior Ministry announced his death, a military court sentenced Gharib in absentia in March 2020 to life in prison.³¹⁶ The court acquitted his brother but authorities have kept him detained in another case.³¹⁷

Hossam said he witnessed Gharib’s arrest. On March 17, 2019, he said, he was going to meet Gharib in a café in al-Sa’a square, one of Alexandria’s busy areas. Around 5:30 p.m., Hossam said, when he was just dozens of meters away from the café, he saw several men in plainclothes approach Gharib. They arrested him while shouting “security” at a gathering group of people.³¹⁸ Hossam said he saw seven or eight men attack Gharib, hitting him on the head with their guns while pushing him into an unmarked microbus after tying him with the sleeves of jacket he was wearing.³¹⁹ This was the last time anyone saw him, Hossam said.

The following day, on March 18, security forces raided Gharib’s apartment, and two other apartments associated with Hossam, who went into hiding before leaving Egypt later that year.³²⁰

A few days later, Gharib’s family sent telegrams to the Ministry of Interior and the head of the Alexandria Security Directorate stating that he was apprehended on March 17 in al-Sa’a

³¹³ Human Rights Watch in-person interview with “Hossam,” Ibid.

³¹⁴ The Official Gazette (*al-Waqa’ea al-Masriya*) Issue 139 bis, June 20, 2018.

³¹⁵ The case was marred with abuses and over 120 defendants said they were forcibly disappeared. See earlier case, “Three Men Killed in Assuit.”

³¹⁶ Egyptian Commission for Rights and Freedoms, March 9, 2020, <https://www.facebook.com/ecrf.net/photos/pcb.1551148255048902/1551147261715668> (accessed March 22, 2021).

³¹⁷ Ibid.

³¹⁸ Human Rights Watch in-person interview with “Hossam,” Ibid.

³¹⁹ Egyptian security agencies frequently use unmarked cars and minibuses in their arrest campaigns. This has been the practice for decades.

³²⁰ Human Rights Watch in-person interview with “Hossam,” Ibid.

square and inquiring about his whereabouts and expressing concern over his well-being. Human Rights Watch reviewed copies of these telegrams, dated March 23, 2019 and April 11, 2019. The family never received a response.³²¹

Hossam said that Gharib's detained brother smuggled a letter to his family a few weeks after Gharib went missing saying that other inmates had met him in a detention center and that he was fine.³²²

During the months between Gharib's arrest and his death, another of his brothers was arrested for two days during which he was blindfolded in a secret detention center and "not asked about anything" Hossam said. "The family believes that the brother was arrested as a way to pressure Gharib to confess."³²³

The brief September 2019 Interior Ministry statement accused Gharib of involvement in the killing of Lieutenant General Adel Ragaei in October 2016 in al-O'bour, an attack that the group Liwa al-Thawra had claimed at the time.³²⁴

The statement announcing Gharib's death, which included no photographs, claimed that security forces seized six automatic weapons, two birdshot guns, chemicals, electrical circuits and an improvised explosive device.³²⁵

According to Hossam, when the family went to Giza's Zeinhom morgue to collect Gharib's body right after the announcement of the killings, staff there told them they had not received it. For the following 50 days, the family was not able to collect the body. Eventually, on November 12, 2019, the family received a call from the mayor of their village (al-Shouhda) to collect the body on condition that "they do not make a fuss about it," a family member told We Record. Gharib was buried in the presence of security forces in his hometown without a funeral. No family member was able to see the body uncovered.³²⁶

³²¹ Ibid. Copies of the telegrams were provided by We Record.

³²² Ibid.

³²³ Ibid.

³²⁴ "Militant Group Lewaa Al-Thawra Publishes Footage of Adel Ragaei Assassination," Mada Masr, November 16, 2016, <https://www.madamasr.com/en/2016/11/16/news/u/militant-group-lewaa-al-thawra-publishes-footage-of-adel-ragaei-assassination/> (accessed November 5, 2020).

³²⁵ Interior Ministry Facebook statement, Interior Ministry's official Facebook page, September 18, 2019, Ibid.

³²⁶ Human Rights Watch in-person interview with "Hossam," Ibid.

III. Extrajudicial Executions Under International and Egyptian Law

Extrajudicial killings and summary executions are serious violations of international human rights law and can amount to crimes against humanity when carried out in a systematic or widespread fashion as state policy. This is the case particularly when extrajudicial killings are compounded by other grave abuses such as forced disappearance and torture. Failure to provide information about the fate of those executed make their families victims to those crimes as well.

International Legal Obligations

The Inherent Right to Life

The right to life is an inherent, core, and non-derogable human right, regardless of the circumstances and even in times of armed conflict or states of emergency. Summary, extrajudicial, or arbitrary executions are clearly prohibited under international law.

Such protections derive from fundamental regional and international treaties to which Egypt is a state party, including the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights (ACHPR), the Arab Charter on Human Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).³²⁷

Article 6 of the ICCPR states, "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."³²⁸ In its interpretation of Article 6, the UN Human Rights Committee said that everyone is entitled to the protection of the right to life without distinction or discrimination of any kind

³²⁷ Egypt ratified and accessed ICCPR in 1982, ACHPR in 1984, and CAT in 1986.

³²⁸ Art. 6, the International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21, U.N.

“including for persons suspected or convicted of even the most serious crimes.”³²⁹ Article 6 further states that in countries where death penalty is not yet abolished, it “can only be carried out pursuant to a final judgement rendered by a competent court,” and only for the most serious crimes.³³⁰

The ACHPR states that “Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.”³³¹

The UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary, and Summary Executions affirm that “extra-legal, arbitrary, and summary executions” cannot be carried out “under any circumstances.” According to the principles, “governments shall prohibit orders from superior officers or public authorities authorizing or inciting other persons to carry out any such extralegal, arbitrary or summary executions. All persons shall have the right and the duty to defy such orders.”³³²

Use of Firearms

In the incidents documented in this report, Egyptian authorities failed to present information documenting evidence of actual gun battles that might require using lethal force. All available information suggests the contrary. But even in actual exchanges of fire which may have taken place, there are clear restrictions and obligations to minimize casualties and deaths. Even if some of the alleged shootouts were real, in these cases the Egyptian security forces apparently violated these norms, as indicated by the very few suspects who survived such incidents and the very low numbers of reported casualties among security forces. In all 143 incidents of alleged shootouts Human Rights Watch reviewed, only one militant, out of 756, was arrested after being wounded. In only four incidents, around six alleged militants escaped. In a stark comparison, a total of 47 members of the security forces were wounded (in only seven incidents) and five were killed (in only three incidents).

³²⁹ General Comment 36 (CCPR/C/GC/36), The United Nations Human Rights Committee, September 3, 2019, adopted by the Committee at its 124th session, October - November 2018.

³³⁰ Art. 6, the International Covenant on Civil and Political Rights (ICCPR), *Ibid.*

³³¹ African Charter on Human and Peoples' Rights, <https://www.achpr.org/legalinstruments/detail?id=49>.

³³² United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, Economic and Social Council resolution 1989/65 of 24 May 1989, <https://www.ohchr.org/Documents/ProfessionalInterest/executions.pdf> (accessed June 10, 2021).

According to the UN Human Rights Committee, the body of experts that reviews state compliance with the ICCPR, international law requires that the use of lethal force, such as firearms, is an “extreme measure” that should only be considered when “strictly necessary in order to protect life or prevent serious injury from an imminent threat.” It cannot, for example, be lawfully used to merely prevent the escape of a suspect or convict if that person does not pose such an imminent threat during their escape.³³³

Governments should legislate effective safeguards to prevent arbitrary deprivation of life, including “establishing by law adequate institutions and procedures for preventing deprivation of life, investigating and prosecuting potential cases of unlawful deprivation of life, meting out punishment and providing full reparation.”³³⁴ Egyptian laws regulating law enforcement forces offer no detailed regulations. On the contrary, they provide security forces with wide discretion in using lethal force.³³⁵

The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials detail regulations governing the use of lethal force and state that governments should keep them “constantly under review” with a view to limiting the use of lethal force.³³⁶ Use of firearms should always be a measure of last resort, and governments should provide security forces means “as broad as possible” including “various types of weapons and ammunition that would allow for a differentiated use of force and firearms” and “non-lethal incapacitating weapons for use in appropriate situations.”³³⁷ When the use of firearms is unavoidable, officers should only use them with a view to “minimize damage and injury, and respect and preserve human life.”³³⁸ Officers should also ensure that medical aid is provided to any wounded individuals as soon as possible.³³⁹

³³³ General Comment 36 (CCPR/C/GC/36), *Ibid.*

³³⁴ *Ibid.*

³³⁵ See below under Egyptian Laws.

³³⁶ United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990), Principle 9.

³³⁷ *Ibid.*

³³⁸ *Ibid.*

³³⁹ *Ibid.*

In none of the incidents documented in this report did the Interior Ministry say it ordered ambulance service, and in none of these incidents did any of the suspects survive whether injured or unharmed.

The UN Principles require officers to give “a clear warning of their intent to use firearms, unless to do so would unduly place the law enforcement officials at risk (...) or would be clearly inappropriate or pointless in the circumstances of the incident.”³⁴⁰

The UN Principles are clear that political events, turmoil, political instability, or a public emergency “may not be invoked to justify any departure from these basic principles.”³⁴¹

The incidents documented in this report demonstrate utter disregard of Egyptian security forces to such principles. In addition, Human Rights Watch and other organizations have documented Interior Ministry forces killing and wounding thousands of citizens in disproportionate, unnecessary use of lethal force against largely peaceful protesters.³⁴² Very few officers were ever investigated and fewer found guilty in a final court verdict.³⁴³ Some of these mass killings likely amounted to crimes against humanity.³⁴⁴

Such a record of gross abuses in broad daylight, with near-total impunity, effectively confers a green light for abusive officers to carry out extra-judicial executions of secretly held detainees.

Obligation to Report and Investigate

Under international law, state authorities have a clear responsibility to carry out transparent, independent criminal investigations of any law enforcement personnel involved in the suspected unlawful use of lethal force or extrajudicial killings. Neither in the 14 cases detailed in this report, nor in any other alleged shootout incidents reviewed by Human Rights Watch, does it appear that a single officer has been summoned for investigation. Human Rights Watch is not aware of any instance in which the Interior

³⁴⁰ Ibid.

³⁴¹ Ibid.

³⁴² Human Rights Watch, “‘We Do Unreasonable Things Here’ Torture and National Security in al-Sisi’s Egypt,” Ibid, and Human Rights Watch, “‘All According to Plan’: The Rab’a Massacre and Mass Killings of Protesters in Egypt,” Ibid.

³⁴³ Yousri al-Badry and Ibrahim Qura’a, “Acquittal for All Interior Ministry Officers in Protesters’ Killings,” Ibid.

³⁴⁴ Ibid.

Ministry has carried out any internal investigation or imposed any disciplinary measures in relation to these incidents.

Because of the grave consequences of using lethal force, even before opening an investigation international law obliges law enforcement authorities to report in a timely fashion details of incidents in which officers using firearms killed or wounded others. Such reporting includes ensuring that “relatives or close friends of the injured or affected person are notified at the earliest possible moment.”³⁴⁵

In this report, only one of 14 families of the individuals killed said that the Interior Ministry officially notified them within a day of the incident. In almost all the cases, families had to proactively seek information, sometimes for weeks or months, with no cooperation from authorities, and in two cases were in the end unable to retrieve the bodies of their loved ones.

In all cases involving use of firearms by law enforcement officials, persons affected (in case of death, families of the deceased) “shall have access to an independent process, including a judicial process.”³⁴⁶ For incidents detailed in this report, no family was able to review meaningful reports and the authorities offered little or no access to documents, information or independent judicial or administrative investigation or redress mechanisms.

International law holds responsible superiors who knew or should have known about the unlawful use of lethal force by their subordinates, and they too should be investigated in such incidents. Subordinates are obliged to defy orders to unlawfully kill or wound individuals and cannot avoid prosecution by invoking the fact that they were following orders.³⁴⁷

The Minnesota Protocol

The UN Office of the High Commissioner for Human Rights released in 2016 an updated “Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and

³⁴⁵ Art. 5. paragraph (d), United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Ibid.

³⁴⁶ Art. 23, United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Ibid.

³⁴⁷ Art. 26, Ibid.

Summary Executions,” widely known as the Minnesota Protocol, first adopted in 1991.³⁴⁸ The guidelines also apply in “situations of internal disturbances and tensions.”³⁴⁹

The manual offers detailed clinical and judicial guidelines and principles that governments should apply in investigating any “potentially unlawful deaths.”³⁵⁰ This includes either actions or lack of action by the authorities that violate the duty to respect the right to life, such as “all deaths possibly caused by law enforcement personnel.” It also includes the death of a person detained or in custody, regardless of the place of that custody.³⁵¹

Governments should work on incorporating the guidelines of the Minnesota Protocol in their laws and practices. Statements typically released by the Interior Ministry or public prosecution about the killings documented in this report, and broadly all similar incidents, do not even begin to meet the most basic elements of the protocol’s guidelines, even in the most superficial sense.

According to the Protocol’s guidelines, authorities’ duty to investigate is not only “triggered” where there is a clear case of unlawful death, but also where there are “reasonable allegations of a potentially unlawful death.” The duty to investigate is applicable even if authorities do not receive a formal complaint.³⁵² For persons in state custody, as the majority of cases documented in this report appear to have been, the Protocol states:

Owing to the control exercised by the State over those it holds in custody, there is a general presumption of state responsibility in such cases Particular circumstances in which the State will be held responsible for the death, unless it is proven to the contrary, include, for example, cases where the person suffered injury while in custody or where the deceased was,

³⁴⁸ The UN Office of High Commissioner for Human Rights (OHCHR), “The Minnesota Protocol On The Investigation Of Potentially Unlawful Death. The Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions,” 2016, <https://www.ohchr.org/EN/Issues/Executions/Pages/RevisionoftheUNManualPreventionExtraLegalArbitrary.aspx> (accessed February 15, 2021).

³⁴⁹ Ibid., p. 6.

³⁵⁰ Ibid., p.1.

³⁵¹ Ibid., pp.1 and 6.

³⁵² Ibid., p. 5.

prior to his or her death, a political opponent of the government or a human rights defender....³⁵³

Among the basic principles is that family members of the victims should have “the right to seek and obtain information on the causes of a killing and to learn the truth about the circumstances, events and causes that led to it.”³⁵⁴ The Protocol further states that the right to know the truth extends to society as a whole:

Family members and society as a whole both have a right to information held in a state’s records that pertains to serious violations, even if those records are held by security agencies or military or police units.³⁵⁵

This means that close relatives should be able to participate effectively in the investigation and be informed regularly of its progress during all phases.³⁵⁶ Family members should also have the right to have a representative present during an autopsy.

Needless to say, family members should be protected from harassment or intimidation, which was a problem faced by at least 11 families out of 14 whose relatives’ deaths are documented in this report.

In order to meet international standards, investigations should be:

- Prompt, and without unjustified or unreasonable delays.
- Effective: they need to be thorough, collect all possible information and use different methods to confirm events.
- Independent and impartial: investigations must be free from influence by institutional hierarchies and chains of command, and investigations into serious abuses like extrajudicial executions should be carried out under the jurisdiction of a civilian court.

³⁵³ Ibid., p.6.

³⁵⁴ Ibid., p.4.

³⁵⁵ Ibid., p.5.

³⁵⁶ Ibid., p.9.

- Transparent: investigative processes and outcomes must be transparent, including openness to public scrutiny.³⁵⁷

The Minnesota Protocol offers a detailed look at the investigation process, providing scientific, medical, criminological, and legal guidelines on ante-mortem analysis, autopsy, crime scene preservation and analysis, and how to keep structured records of all evidence. The impartiality of the forensic doctors, thorough examination of the crime scene to retrieve all evidence, including biological or chemical evidence, and the expertise of impartial firearms experts are all fundamental elements required to establish a “living” chronology of events that surrounded and preceded the killings.³⁵⁸

Photographs the Interior Ministry sometimes released of alleged crime scenes in the incidents documented in this and previous reports frequently indicate that the bodies of those killed had been moved before being photographed and that the most elemental scientific and criminology principles in preserving a crime scene were not met. For instance, the Interior Ministry released a video statement about its operations against “terrorists” in July 2018, which apparently showed a security man in plain clothes retrieving guns with his bare hands, unprotected by gloves, from what the video alleged to be an underground “terrorist” hideout.³⁵⁹

Human Rights Watch found no evidence that the prosecutor general ordered independent experts to visit the crime scene in any of the incidents in this report, or to examine confiscated weapons or other evidence.

Of relevance to the killings documented in this report is the obligation of the authorities to identify, summon, and interview all possible witnesses. This should include door-to-door visits and inquiries in the area surrounding the site of the killings and any other physical location of importance to the investigation.³⁶⁰ In many of the cases documented here, authorities gave no precise locations of the killings, and apparently did not take the simplest steps of identifying and interviewing possible witnesses. That was the case even

³⁵⁷ Ibid., pp. 7,8.

³⁵⁸ Ibid., p. 17.

³⁵⁹ “Arresting 5 of Hasm terrorist members and killing 5 others,” Interior Ministry Facebook page, video clip, July 31, 2018, <https://www.facebook.com/watch/?v=1862270253816629> (Accessed May 20, 2021).

³⁶⁰ Ibid., pp. 14-16.

in four alleged shootouts in this report that happened in multistory residential buildings where numerous witnesses could potentially provide valuable information. On the contrary, security forces routinely harassed, intimidated, and arrested journalists who tried to visit houses in the vicinity of incidents related to security forces abuses.³⁶¹

Also relevant is the collection of mobile phone data, whether from devices found at the alleged shootout scene or from the service providers. Such data can provide evidence, whether exculpatory or inculpatory, of the locations of the victims in the days or hours before the killings and the people they have been in touch with.³⁶² In no incident documented in this report did authorities provide information about such data to the families or to the public. In the vast majority of cases of enforced disappearance that Human Rights Watch has documented in Egypt, in this report or previously, prosecutors did not authorize the families of the disappeared to obtain such data from telecom companies.³⁶³

The Protocol, in general, derives from international law instruments such as the UN Basic Principles on the Independence of the Judiciary (1985), the UN Basic Principles on the Role of Lawyers (1990), and the UN Guidelines on the Role of Prosecutors (1990).

In light of these principles, it is quite impossible to envision a meaningful, transparent, independent investigation into the killings documented in this report without radical systemic changes in Egypt.³⁶⁴ The Egyptian judiciary lacks independence and, in recent years, has been heavily politicized.³⁶⁵ Forensic doctors and pathologists are poorly-trained, ill-funded, and are employees of the Justice Ministry which lacks independence.³⁶⁶

³⁶¹ See for example: “Egypt: Police Beat Man to Death, Family Says,” Human Rights Watch news release, October 6, 2020, <https://www.hrw.org/news/2020/10/06/egypt-police-beat-man-death-family-says>

³⁶² *Ibid.*, p. 17.

³⁶³ See for example: “Egypt: Uncover Missing Politician’s Whereabouts,” Human Rights Watch news release, March 19, 2019, <https://www.hrw.org/news/2019/03/19/egypt-uncover-missing-politicians-whereabouts>.

³⁶⁴ International Commission of Jurists, *Egypt’s Judiciary: a Tool of Repression. Lack of Effective Guarantees of Independence and Impartiality*, *Ibid.*

³⁶⁵ See Amnesty International, *Egypt: Permanent State of Exception: Abuses by the Supreme State Security Prosecution*, *Ibid.*

³⁶⁶ Louisa Loveluck: “In Egypt, even an autopsy is political,” *Global Post*, May 20, 2013, <https://www.pri.org/stories/2013-05-20/egypt-even-autopsy-political> (accessed January 21, 2021).

The Prohibition on Enforced Disappearance

Almost all persons who were killed in incidents in this report had apparently been subjected to days, weeks, or months of enforced disappearance before the government announced their deaths. Enforced disappearance, a serious violation of international human rights law, is defined as the arrest or abduction of an individual by state authorities or their agents followed by a refusal to acknowledge the deprivation of liberty or by concealing the fate or whereabouts of the person.³⁶⁷

Human Rights Watch and other organizations, including the UN human rights special mechanisms have reported thousands of incidents of enforced disappearance by Egyptian security forces under President al-Sisi's government.³⁶⁸ People forcibly disappeared are outside the protection of law, and are especially vulnerable to severe torture and inhuman treatment. Enforced disappearances may constitute crimes against humanity when so widespread as to suggest it is state policy, as is the case in Egypt.³⁶⁹

Even though Egypt has not ratified the UN Convention against Enforced Disappearance, all governments are required to uphold the rule of law when it comes to keeping people in custody, including by following the standards set out in the 1992 UN General Assembly's Declaration on the Protection of All Persons from Enforced Disappearances.³⁷⁰

Authorities have an obligation in cases of enforced disappearance to provide information to the victims' relatives. The right of victims' families to know the truth in cases of disappearances is guaranteed by international law. The African Principles and Guidelines on the Right to a Fair Trial and Legal Assistance states that anyone arrested or detained should be brought before a judge and charged with a specific crime, and be entitled to trial within a reasonable time or release. Any person deprived of liberty should be held in an officially recognized place of detention.³⁷¹

³⁶⁷ See International Convention for the Protection of All Persons from Enforced Disappearance, adopted September 23, 2005, E/CN.4/2005/WG.22/WP.1/Rev.4 (2005), and also the Declaration on the Protection of all Persons from Enforced Disappearance, adopted by General Assembly resolution 47/133 of 18 December 1992, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/EnforcedDisappearance.aspx>.

³⁶⁸ Human Rights Watch, "*We Do Unreasonable Things Here' Torture and National Security in al-Sisi's Egypt*", *Ibid.*

³⁶⁹ *Ibid.*

³⁷⁰ Declaration on the Protection of all Persons from Enforced Disappearance, General Assembly resolution 47/133 of 18 December 1992, <https://www.ohchr.org/en/professionalinterest/pages/enforceddisappearance.aspx>

³⁷¹ The 2003 Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa, African Commission on Human and Peoples' Rights, <https://www.achpr.org/legalinstruments/detail?id=38> (accessed June 15, 2021).

Two families out of the 14 cases in this report said they were never informed about the fate of their relatives, and had not been permitted to receive their bodies at time of writing almost three years after they were killed in December 2018. Another family was only allowed to receive the body of their deceased relative after two months. The UN Human Rights Committee has held that a state's failure to pursue cases or provide information about the fate of a disappeared person to families can inflict extreme anguish upon relatives of the disappeared, which make them victims of the violation as well. For the families, not knowing what happened to a relative is a source of ongoing suffering, and may even amount to torture, according to the UN Working Group on Enforced Disappearance.³⁷²

Eight families out of 11 in this report who were able to see the uncovered bodies of their killed relatives said that their deceased relatives bore signs of beatings, burns, broken bones or teeth, or other signs of abuse that had occurred shortly before the killings took place. International treaties that Egypt is party to prohibit torture and cruel, inhuman, or degrading treatment or punishment, without exception or derogation.³⁷³ Article 10 of the ICCPR mandates that "[a]ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."³⁷⁴

Egyptian Laws

Key articles of the Egyptian constitution prohibit extralegal executions, including article 55 which states, "All those who are apprehended, detained or have their freedom restricted shall be treated in a way that preserves their dignity. They may not be tortured, terrorized, or coerced...".³⁷⁵ Articles 51 and 59 require the government to ensure, guarantee and protect the human dignity and physical safety of all individuals.³⁷⁶

Enforced disappearances and arbitrary arrests further violate article 54, which states, "All those whose freedoms have been restricted shall be immediately informed of the causes

³⁷² UN Working Group on Enforced or Involuntary Disappearances, "General Comment on the Right to the Truth in Relation to Enforced Disappearance," July 22, 2010, http://www2.ohchr.org/english/issues/disappear/docs/GC-right_to_the_truth.pdf (last accessed May 29, 2016).

³⁷³ UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *ibid.*

³⁷⁴ ICCPR, art. 10.

³⁷⁵ Amended Constitution of the Arab Republic of Egypt for 2014, Official Gazette, vol. 3 bis A, January 18, 2014.

³⁷⁶ *Ibid.*

therefore, notified of their rights in writing, be allowed to immediately contact their family and lawyer, and be brought before the investigating authority within twenty-four hours of their freedoms having been restricted.”³⁷⁷

Egyptian laws do not explicitly define enforced disappearance and are insufficient in defining, criminalizing, and punishing torture.³⁷⁸

Egyptian security forces have been operating almost uninterrupted for four decades, since 1981, under nationwide states of emergency which grant them unchecked powers.³⁷⁹ Law 94 of 2015 for Confronting Terrorism erodes basic rights and protections.³⁸⁰ It gives security personnel full discretion, without judicial oversight, to use force, and immunizes them from any criminal investigation in cases in which they used lethal force.³⁸¹ According to article 8:

Enforcers of the provisions of this Law shall not be held criminally accountable if they use force to perform their duties or protect themselves from imminent danger to lives or properties, when the use of this right is necessary and adequate to avert the risk.³⁸²

According to articles 63 and 232 of Egypt’s Code of Criminal Procedure, the public prosecution has the exclusive prerogative to investigate allegations against public officials and law enforcement personnel. Only the Prosecutor General, an Attorney General, or a Chief Prosecutor can file a court case against an official, meaning that a lower-ranking prosecutor, below the rank of Chief Prosecutor, cannot do that.³⁸³

³⁷⁷ Ibid.

³⁷⁸ See the legal section under “*We Do Unreasonable Things Here: Torture and National Security in al-Sisi’s Egypt*,” Ibid.

³⁷⁹ Ibid. Since 1981, the state of emergency was lifted for only a few interrupted months, between June 2012 and August 2013, and November 2013 and April 2017.

³⁸⁰ Law 94 of 2015 for Confronting Terrorism, Official Gazette Issue 33 bis, August 15, 2015. It was amended most recently in March 2020.

³⁸¹ “Egypt: Counterterrorism Law Erodes Basic Rights,” Human Rights Watch news release, January 22, 2021, <https://www.hrw.org/news/2015/08/19/egypt-counterterrorism-law-erodes-basic-rights>.

³⁸² Law 94 of 2015 for Confronting Terrorism, Ibid.

³⁸³ Egypt’s Law 150 of 1950 Regarding Criminal Procedural Code, Published in the Official Gazette on October 15, 1951, and as amended most recently in September 2020.

Another layer of impunity is provided in the Instructions of the Public Prosecution, issued by the prosecutor general to prosecutorial staff nationwide, which lays out how prosecutors are supposed to conduct investigations against police officers. These instructions state that junior members of the prosecution can only proceed with their investigations after obtaining permissions from their superiors, such as the chief prosecutor of a local district.³⁸⁴ Moreover, the prosecution has to inform the accused officer’s supervisors before any interrogation, raising the possibility that officers will proceed to intimidate victims or witnesses.³⁸⁵ Only the prosecutor general’s office can make the final decision to refer a case against a public official or law enforcement officer to trial, and he can decide instead to send the case for internal ministry discipline.³⁸⁶

Systematic Failure to Investigate Abuses

The Interior Ministry statements about alleged shootouts reviewed for this report almost always mention that the investigations into those incidents were handed to the Supreme State Security Prosecution (SSSP), a branch of public prosecution that oversees political, terrorism, and state security cases. The statements sometimes mentioned that the SSSP authorized the raid. However, the public prosecution released no statements about the nine incidents documented in this report, and almost never publicly commented on the dozens of the announced alleged shootout incidents since 2015. Human Rights Watch found no record that the prosecution has opened an independent, transparent investigation into any of these incidents.

Human Rights Watch and other organizations’ research over the past decade has provided a detailed look into the appalling systematic failure of Egypt’s general prosecution to investigate security forces abuses, including enforced disappearance, torture and protesters’ killings.³⁸⁷ Egypt’s judiciary, in general, lacks independence and, under President al-Sisi’s government, has been under relentless attacks by the executive

³⁸⁴ Instructions to the Public Prosecution, art. 558

https://www.academia.edu/38963540/%D8%A7%D9%84%D8%AA%D8%B9%D9%84%D9%8A%D9%85%D8%A7%D8%AA_%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A6%D9%8A%D8%A9_%D9%83%D8%A7%D9%85%D9%84%D8%A9_%D9%81%D9%87%D8%B1%D8%B3_%D9%83%D8%A7%D9%85%D9%84 (accessed May 21, 2021).

³⁸⁵ Instructions to the Public Prosecution, art. 561, Ibid.

³⁸⁶ Instructions to the Public Prosecution, art. 568 bis, Ibid.

³⁸⁷ Human Rights Watch, “*Work on Him Until He Confesses: Impunity for Torture in Egypt*,” Ibid; and, “*We Do Unreasonable Things Here’ Torture and National Security in al-Sisi’s Egypt*,” Ibid.

authority, and many new laws introduced to further undermine its independence.³⁸⁸ Dozens of judges who voiced the slightest criticism or gesture of independence have been disciplined or fired.³⁸⁹

One major problem is the conduct of the SSSP. For decades, this prosecution branch has acted largely as a rubber stamp for security allegations, including arbitrary arrests and extended pretrial detention of peaceful activists and dissidents.³⁹⁰ In utter disregard to the right to defense, and to provide a further cover for abuses, the SSSP premises are routinely inaccessible to lawyers.³⁹¹ Members of the SSSP almost always deny lawyers the right to obtain or read the prosecution files or official charges, or see evidence against their clients.³⁹²

Moreover, the systematic intimidation of witnesses, tampering of evidence by police and Interior Ministry officers, as documented in several previous reports, constitute an even greater problem because the prosecution in fact largely relies on the police and Interior Ministry to investigate and collect evidence.³⁹³ For example, the Instructions of the Public Prosecution states that a member of the police force delivers confiscated evidence to the forensic authority.³⁹⁴

One former prosecutor speaking with Human Rights Watch in 2011 summarized the structural problem:

... The *niyaba* [prosecution] does not do the investigations (*tahareyaa*) itself, it relies on the police. It's not the prosecutor's job to look for the evidence, unless they take a personal interest in it. The prosecutor is usually much too overloaded to question the evidence presented by the police. It's the police that bring the witnesses and the evidence. So if I

³⁸⁸ International Commission of Jurists, *Egypt's Judiciary: A Tool of Repression. Lack of Effective Guarantees of Independence and Accountability*, *Ibid.*

³⁸⁹ *Ibid.*

³⁹⁰ Amnesty International, *Egypt: Permanent State of Exception*, *Ibid.*

³⁹¹ *Ibid.*

³⁹² The Arabic Network for Human Rights Information, "The Story of a Lawyer and a Defendant in State Security Prosecution," August 5, 2019, <https://www.anhri.info/?p=10257> (accessed May 25, 2021).

³⁹³ Human Rights Watch, "*Work on Him Until He Confesses: Impunity for Torture in Egypt*," *Ibid.*

³⁹⁴ Instructions to the Public Prosecution, art. 458, *Ibid.*

order the police to go and summon a witness and they come back saying they couldn't find him or he no longer lives there, there's not much I can do about it. Plus they can always tamper with the evidence or pressure witnesses to change their testimony.³⁹⁵

The culpability of the SSSP is also evident when it sends cases to courts, as their investigations are almost entirely based on the unsubstantiated, sometimes incoherent, allegations of the National Security Agency officers who are the same officers involved in abducting, disappearing and torturing activists, which emphasizes the SSSP's role as a cover for security forces abuses.³⁹⁶

Egypt's Forensic Medial Authority has been chronically underfunded.³⁹⁷ Several officials have complained in recent years that only less than 100 forensic doctors work for the authority in unfavorable conditions, including lack of sufficient compensation and inadequate equipment.³⁹⁸

Instead of acknowledging these structural problems, Egypt's Prosecutor-General Hamada al-Sawy said in November 2020 that "arbitrary arrests and enforced disappearance do not happen in Egypt," which undermines any official efforts by members of the prosecution to investigate such crimes.³⁹⁹

These are some of the factors that make an independent investigation into probable extrajudicial executions nearly impossible without radical, structural reforms that address the systematic problems undermining Egypt's justice system. But as a first step the Office

³⁹⁵ See "Conflict of Interest: Relying on Police for Evidence," in Human Rights Watch, "*Work on Him Until He Confesses: Impunity for Torture in Egypt*," Ibid.

³⁹⁶ Amnesty International, *Egypt: Permanent State of Exception*, Ibid.

³⁹⁷ Ramy Mohey el-Din: "Head of Forensic Authority Reveals that [they have] Only 80 Forensic Doctors Nationwide," *Youm7*, October 5, 2020,

<https://www.youm7.com/story/2020/10/5/%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%B5%D9%84%D8%AD%D8%A9-%D8%A7%D9%84%D8%B7%D8%A8-%D8%A7%D9%84%D8%B4%D8%B1%D8%B9%D9%89-%D9%8A%D9%83%D8%B4%D9%81-%D8%B9%D9%86-%D9%88%D8%AC%D9%88%D8%AF-80-%D8%B7%D8%A8%D9%8A%D8%A8%D8%A7-%D8%B4%D8%B1%D8%B9%D9%8A%D8%A7/5006672> (accessed May 21, 2021).

³⁹⁸ See "Delays and Poor Quality of Forensic Medical Examination," in Human Rights Watch, "*Work on Him Until He Confesses: Impunity for Torture in Egypt*," under Ibid.

³⁹⁹ "The Prosecutor General Reveals the Truths about Enforced Disappearance," *al-Ahram* government newspaper, November 22, 2020, <https://gate.ahram.org.eg/News/2532769.aspx> (accessed June 10, 2021).

of the Prosecutor General should remove the SSSP from overseeing any cases related to security forces abuses.

Security Entities and Officials Involved

The National Security Agency

Almost all statements by the Interior Ministry about the alleged shootouts mentioned that the ministry's National Security Agency (NSA) was involved, particularly in gathering information and identifying the individuals to be targeted. Human Rights Watch and other groups have repeatedly documented the responsibility of the NSA for grave abuses including widespread, systematic arbitrary arrests, enforced disappearances and torture. The NSA has dozens of offices and multiple headquarters in Cairo and all of Egypt's governorates. They all serve as illegal detention sites, usually heavily surrounded by security and fortifications, and are inaccessible to members of the public. The location of some of those buildings are well-known to dissidents and activists but others remain secret. Members of the public prosecution never visit these locations to carry out the slightest examination as required by Egyptian law which mandates them to inspect all detention sites.

Acting as Egypt's main domestic intelligence apparatus for decades, the NSA works with unchecked powers, largely outside the law. Its director, who holds the title of Assistant Interior Minister, is appointed by and reports directly to the minister.⁴⁰⁰ The NSA director is usually chosen from among the senior NSA officers who spent years or decades working in the agency. The level of knowledge that senior officers knew or should have known about abuses being committed by the agency, and whether they failed to take steps to prevent or prosecute the crimes, should be considered by those concluding independent investigations or sanctions, as well as responsibility for ongoing abuses, including by countries that provide Egypt with security assistance.

The agency's directors since 2015, the period covered by this report and who should be investigated for their potential role in abuses, are as follows:

- **General Khaled Tharwat** was the Assistant Interior Minister and the NSA director between October 2012 and March 2015. Before becoming the agency's director, he held several positions as an NSA officer. Human Rights Watch previously called for

⁴⁰⁰ The National Security Agency was formerly called State Security Investigations (SSI) before the January 2011 uprising.

investigating his possible role in the post-July 2013 mass shootings of protesters and security forces' abuses that drastically escalated following the July 2013 military takeover.⁴⁰¹

- **General Salah Hegazy** was Assistant Interior Minister and the agency's director between March 2015 and December 2015, when the apparent extrajudicial executions documented in this report first escalated.
- **General Mahmoud Shaarawy** held several senior positions in the Interior Ministry, including as assistant minister and NSA director between December 2015 and October 2017. Since June 2018 he has been the minister of local development.
- **General Mahmoud Tawfik** has been minister of interior since June 2018. He spent most of his career in the NSA and was the agency's director between October 2017 and when he became minister.
- **General Emad Seyam** was the NSA director and Assistant Interior Minister between June 2018 and July 2019.
- **General Adel Gaafar** has been the NSA director and Assistant Interior Minister since July 2019 until time of writing.

Other Interior Ministry Units and Officials

The Interior Ministry statements about the alleged shootouts do not typically mention which departments or divisions with the security forces carry out those raids. Human Rights Watch examined several videos published by the Interior Ministry on its YouTube page showing alleged raids and shootouts and examined the emblems on the uniforms of the officers involved.⁴⁰² There are several divisions involved but two that are clearly featured in those videos are: the Special Operations Unit and the Central Security Forces; each has its own commander who reports to the interior minister. Human Rights Watch called for investigating General Medhat Menshawy, the former Special Operations Unit commander, for his role in supervising the 2013 Rab'a massacre.⁴⁰³

⁴⁰¹ See under Legal Standards and Accountability, Human Rights Watch, “‘All According to Plan’: The Rab’a Massacre and Mass Killings of Protesters in Egypt,” Ibid.

⁴⁰² See for example “Arresting the Terrorists Responsible for Assassinating Policemen in Helwan,” the official YouTube page of Egypt’s Interior Ministry, video clip, June 7, 2016, <https://www.youtube.com/watch?v=rrFGSli7DS4> (accessed July 22, 2021), and, “Statement About the Killing of 2 from the Terrorist Cell Involved in Murdering Colonel Hesham Azab,” the Official YouTube page of Egypt’s Interior Ministry, video clip, September 13, 2015, <https://www.youtube.com/watch?v=GCDdiumhre8> (accessed July 22, 2021).

⁴⁰³ See under Legal Standards and Accountability, Human Rights Watch, “‘All According to Plan’: The Rab’a Massacre and Mass Killings of Protesters in Egypt,” Ibid.

The Supreme State Security Prosecution

Human Rights Watch could not find records indicating whether members of the the Supreme State Security Prosecution (SSSP) actually accompany the security forces during the apparent extrajudicial executions, but the Interior Ministry statements about alleged shootouts typically mention that the SSSP was handling investigations into the killings. Members of the SSSP play a crucial role in maintaining the environment of impunity for NSA officers, as they almost always failed to investigate allegations of serious crimes such as enforced disappearance and torture.⁴⁰⁴ Senior Attorney General Khaled Diaa al-Din has reportedly headed the SSSP since 2016 and reports to Prosecutor General Hamada al-Sawy.⁴⁰⁵

⁴⁰⁴ Human Rights Watch, “‘*We Do Unreasonable Things Here*’ Torture and National Security in al-Sisi’s Egypt,” *Ibid.*

⁴⁰⁵ “Egypt: Top Security Prosecutor Khaled Diaa el-Din Abuses Defendants’ Rights,” Democracy for the Arab World Now (DAWN), September 3, 2020, <https://dawnmena.org/judge-khaled-diaa-el-din-head-of-the-supreme-state-security-prosecution/> (Accessed July 22, 2021).

Acknowledgements

Many Egyptian researchers, lawyers, and activists assisted with this report by connecting Human Rights Watch to victims' families. They cannot be named to protect their safety, but their brave work has been invaluable.

Amr Magdi, a Human Rights Watch Middle East and North Africa researcher, wrote this report, with the help of a senior research assistant who prepared initial drafts of two sections. Both researchers conducted interviews for this report.

Joe Stork, deputy director of the Middle East and North Africa division, edited this report. Clive Baldwin, senior legal advisor, provided legal vetting, Letta Tayler, associate director in the Crisis and Conflict Division, reviewed the report for terrorism and counterterrorism-related content. Tom Porteous, deputy program director, provided final program review.

Travis Carr, photo and publications coordinator at Human Rights Watch, helped prepare the report for publication. A senior associate in the Middle East and North Africa division provided production assistance.

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Annex I: Human Rights Watch Letter Sent to Minister of Interior Mahmoud Tawfiq on April 27 and May 11, 2021

April 27, 2021

General Mahmoud Tawfiq
Minister of Interior

CC: The National Council for Human Rights
CC: The State Information Service
CC: Spokesperson of the Egyptian Cabinet

Dear General Tawfiq,

I am writing on behalf of Human Rights Watch to request information about incidents in many governorates that the Interior Ministry has described as “shootouts,” in which the ministry’s security forces said they have killed members of violent armed groups.

The Interior Ministry has issued dozens of press statements announcing the killing of hundreds of armed terrorism suspects since 2015, alleging that in most of these incidents those killed belonged to the Muslim Brotherhood or other groups such as Hasm or Lewa’ al-Thawra, which the ministry considers armed affiliates of the Brotherhood.

Human Rights Watch is an international, non-governmental organization working on human rights issues in more than 90 countries around the world, including Egypt. We are now working on a report about those incidents involving killings in shootouts. It is important for us to hear from you to ensure that we reflect the government’s opinions accurately and fairly. We would appreciate the ministry’s response to the following questions:

- How many incidents have occurred since 2015 which the ministry characterized as shootouts and in which members of armed groups and suspected “terrorists” have been killed or wounded? Please indicate how many have occurred in each governorate.
- How many armed militants have been killed in those incidents since 2015? How many were wounded or apprehended alive? How many escaped?
- Almost all ministry statements give only numbers of individuals killed. Why was it not possible to apprehend any alive in the majority of these incidents?
- How many members of the security forces have been killed in those shootouts? How many have been wounded in those incidents?
- Were any bystanders wounded or killed in any of these shootout incidents? How many and in what circumstances?
- Which security forces are usually deployed in these kinds raids and shootouts?
- What measures are in place to ensure that security forces have used firearms lawfully and proportionately? For example, are officers involved required to file post-incident reports? Who inspects these reports?
- What are the internal regulations or guidelines that Interior Ministry forces are required to follow concerning use of firearms or lethal force?
- What are the measures followed by the Interior Ministry to ensure that its forces adhere to its use-of-force regulations and international laws and standards governing use of lethal force?
- In how many shootout incidents did the Interior Ministry conduct investigations into use of force resulting in fatalities? What are the measures used to investigate these incidents?
- What training does the Interior Ministry require for security forces regarding international laws and standards regulating the use of firearms and lethal force by law enforcement?
- What steps does the Interior Ministry take concerning the identification of those killed and providing information to the families? What measures are followed to deliver the bodies of those killed to the families?
- What measures does the Interior Ministry take to secure a crime scene? Are the raiding forces responsible for this? How are the weapons seized and what measures are usually followed to maintain the chain of custody to ensure that all potential evidence is secured and protected from being modified or damaged by any party?

- Has the Interior Ministry determined that lethal force was used unlawfully in any of these shootout incidents? Please indicate which incidents may have involved unlawful use of force.
- How many officers has the Interior Ministry investigated for possible use of force violations in connection with shootout incidents? Please indicate what disciplinary measures have taken place with regard to such incidents. Please indicate how many officers were referred for criminal investigation and how many of those were found guilty?

Human Rights Watch would be extremely grateful for the Interior Ministry's responses to these questions and any other information the ministry feels we should take into account in our public reporting.

We will reflect any response received by **May 22** in our report. Responses received after this date will be noted on our website. Please inform us as well of the best means to send you a copy of the report once released.

You may send replies to us via email: [REDACTED]@hrw.org or via fax: [REDACTED].

Respectfully,
Adam Coogle
Deputy Director
Middle East and North Africa
Human Rights Watch

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Annex II: Human Rights Watch Letter Sent to Prosecutor General Hamada al- Sawy on April 27 and May 11, 2021

April 27, 2021

Counsel Hamada al-Sawy
Prosecutor General

CC: The National Council for Human Rights
CC: The State Information Service
CC: Spokesperson of the Egyptian Cabinet

Dear Sirs,

I am writing on behalf of Human Rights Watch to request information about incidents in many governorates that the Interior Ministry has described as “shootouts,” in which the ministry’s security forces said they have killed members of violent armed groups.

The Interior Ministry has issued dozens of press statements announcing the killing of hundreds of armed terrorism suspects since 2015, alleging that in most of these incidents those killed belonged to the Muslim Brotherhood or other groups such as Hasm or Lewa’ al-Thawra, which the ministry considers armed affiliates of the Brotherhood.

Human Rights Watch is an international, non-governmental organization working on human rights issues in more than 90 countries around the world, including Egypt. We are now working on a report about those incidents involving killings in shootouts. It is important for us to hear from you to ensure that we reflect the government’s opinions accurately and fairly. We would appreciate the response of your office to the following questions:

- How many shootout incidents since 2015, in which armed militants or suspected “terrorists” were killed, has your office investigated or been referred for investigation?
- Did your investigations determine why it was not possible to take the armed militants into custody alive?
- Were any bystanders injured or killed in any of these shootout incidents? How many and in what circumstances?
- The Interior Ministry’s statements about shootout incidents usually end with this sentence: “The State Security Prosecution is handling the investigation.” Has the Office of the Prosecutor General issued any follow-up statements on any of those incidents?
- What are the measures followed by the Office of the Prosecutor General to investigate these incidents? How do you ensure that security forces have used firearms lawfully and proportionately?
- In several of these incidents, families of those killed alleged that their relatives were peaceful activists, or that they had been forcibly disappeared or otherwise in government custody when they were killed. Has your office or members of the general prosecution investigated such claims? What were the results of such investigations?
- International law requires governments to investigate suspicious killings in custody proactively, even if they do not receive complaints. As such, what are the measures your office has taken to ensure proactive investigations into killings in custody?
- What are the measures followed concerning the identification of those killed and providing information to their families? What are the measures followed to deliver their bodies to their families?
- Have the Office of the Prosecutor General or other branches or the prosecution summoned any officers involved for their accounts about alleged shootouts? How many officers did you summon and in which incidents?
- What measures do members of the prosecution take to secure the crime scene and by whom? Are the security forces involved in the shootout responsible for this? For example, who is responsible for preserving fingerprints and seizing the firearms at the crime scene?

- What measures are taken by the prosecution to maintain the “chain of custody” so that any potential evidence is secured and protected from modification or damage by any party?
- What measures are in place to identify and gather testimonies of potential witnesses, including security forces, family members of those killed, and bystanders or neighbors at the crime scene? In how many shootout incidents did the prosecution gather such testimonies?
- What protocols are in place to assign independent firearms, forensic, and other experts in conducting these investigations? What guarantees are in place for their independence?
- Has the general prosecution determined that any shootout incidents involving Ministry of Interior security forces involved the unlawful use of lethal force? Please indicate which incidents. What measures has your office taken regarding the involved officers? How many officers were investigated and how many referred to criminal trial? How many were found guilty and what was their sentence?

Human Rights Watch would be extremely grateful for any responses to these questions and any other information your office feels we should take into account in our public reporting.

We will reflect any response received by **May 22** in our report. Responses received after this date will be noted on our website. Please inform us as well of the best means to send you a copy of the report once released.

You may send replies to us via email: [REDACTED]@hrw.org or via fax: [REDACTED].

Respectfully,
Adam Coogle
Deputy Director
Middle East and North Africa
Human Rights Watch

“Security Forces Dealt with Them”

Suspicious Killings and Extrajudicial Executions by Egyptian Security Forces

Egypt’s Interior Ministry has reported that its police and National Security Agency officers have in recent years killed over 750 alleged “terrorists” across the country during what they claimed were “shootouts.” “*Security Forces Dealt with Them*” looks at the suspicious killings and the probable extrajudicial executions of alleged armed militants by Egypt’s security agencies, most of whom had been in secret detention. Human Rights Watch found over 140 such incidents between 2015 and 2020, and in almost all of them there were no survivors among the alleged militants or casualties among security forces. Human Rights Watch closely examined nine incidents in which 75 men were killed. Accounts by relatives of victims, forensic analysis of available photographs, and other evidence show that the men had been probably arrested and sometimes forcibly disappeared when the ministry reported their killings. Some photographs showed men in positions inconsistent with the shootout narrative, such as men who were apparently handcuffed immediately beforehand and others likely shot while sitting or kneeling.

These killings escalated following statements by President al-Sisi calling for “swift justice” in response to attacks against officials and security forces. Egyptian security forces operated with impunity, and authorities carried out no serious investigations into any of the killings.

Given the level of abuses by Egypt’s Interior Ministry and military forces, Egypt’s international partners should halt all security and military assistance and weapons transfers to the Egyptian government and impose targeted sanctions on officials and entities responsible for such ongoing abuses.



Members of the Egyptian police special forces stand guard on Cairo's landmark Tahrir Square on January 25, 2016.

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