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Poverty, inequality and violence:

The economic social and cultural root causes of violence, including torture,

A human rights perspective

A study prepared by
the World Organization Against Torture
for the International Conference

**Poverty, Inequality and Violence:
is there a human rights response?**

Geneva, October 4 – 6 2005

Part II. Impact of socio-economic factors on violence; the national level perspective: Human rights, the socio-economic situation and violence in five countries

B. Egypt; Country Profile and Case Studies (*Egypt Profile and case studies*)*

I. Egypt; Country Profile

II. Case studies of the impact of agrarian reform on two villages in Egypt; Kouta Karoun village and el Bieda village

EGYPT Country Profile and case studies

Egypt country profile and case studies

Part one of this document contains a country profile of Egypt that seeks to provide a general description of the situation in the country over the last ten to fifteen years focusing in particular on those elements affecting the relation between the enjoyment or failure to enjoy economic, social and cultural rights and violence.

Egypt over the recent past has undergone significant economic and social changes in particular as a result of the privatization of publicly owned enterprises and as a result of agricultural reforms affecting land ownership and farmers. These changes have been directly linked to violence by state agents and to violence by non-state actors, in the community and family.

Part two of the document consists in two case studies of the impact of the agricultural reforms on two poor villages both as a result of the changes themselves and as a result of the violent manner in which they were implemented. These studies demonstrate the connection between respect for economic, social, cultural, civil and political rights and violence.

Both parts provide a vivid framework for the “Correlating violence and socio-economic inequality: an empirical analysis” in Part I, as well as for the analysis of the response of international human rights organs and financial institutions which makes up Part III of this study.

The country profile and case studies are based on a very extensive and well documented report prepared by the Land Center for Human Rights in Egypt. The unedited English version will be made available on the OMCT website. In addition, references have been made to other sources where appropriate.

I. Egypt; Country Profile

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I. Contextual information

A. Constitutional, legal and political situation

The Constitution of the Arab Republic of Egypt, adopted in 1971 and amended in 1980, established a democratic system and outlined the role of the public authorities.¹ The current Head of State, Mohamed Hosny Mubarak, was re-elected for a fourth six-year term in October 1999. The political structure is based on a multi-party system. There are currently 14 active political parties representing various stands across the political spectrum. The National Democratic Party currently holds the majority of seats in the People's Assembly.²

Emergency legislation

However, the constitutional, legal and political structure is heavily distorted by the emergency legislation in force almost continuously since 1958. Human Rights Watch has stated regarding emergency legislation that "The law gives the authorities extensive powers to suspend basic liberties including: arresting suspects at will and detaining them without trial for prolonged periods; referring civilians to military or exceptional state security courts whose procedures fall far short of international standards for fair trial; prohibiting strikes, demonstrations and public meetings, and censoring or closing down newspapers in the name of national security."³ Human Rights Watch has also stated that the emergency law creates an atmosphere of repression and impunity in which torture flourishes.⁴

The negative impact of the imposition of the state of emergency in Egypt has been recognized by United Nations human rights organs. For example, the Human Rights Committee has stated that it "is disturbed by the fact that the state of emergency proclaimed by Egypt in 1981 is still in effect, meaning that the State party has been in a semi-permanent state of emergency ever since."⁵ The Committee against Torture expressed its concern about the "fact that a state of emergency has been in force since 1981, hindering the full consolidation of the rule of law in Egypt."⁶ The Committee on Economic, Social and Cultural Rights stated that "the state of emergency that has been in place in Egypt since 1981 limits the scope of implementation of constitutional guarantees for economic, social and cultural rights."⁷

In February 2003 the emergency legislation was extended for three years in what Human Rights Watch said was an attempt to quash a growing campaign for the abolition of the law. The legislation was introduced in the People's Assembly without prior notice and passed the same day.⁸

¹ UNDP, Egypt Country Profile, p.2

² UNDP, Egypt Country Profile, p.2

³ HRW, Egypt's Emergency without End, February 25, 2003

⁴ HRW, U.S./Egypt: Bush-Mubarak Summit Should Spotlight Torture, Rights Abuses, Human Rights News, April 9, 2004

⁵ CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002 (6)

⁶ CAT, Concluding Observations of the Committee on the Committee Against Torture, Egypt, CAT/C/XXIX/Misc.4, November 20, 2002 (5)

⁷ CESCR, Concluding Observations of the Committee on Economic, Social and Cultural Rights, Egypt, E/C.12/1/Add.44, May 23, 2000 (10)

⁸ HRW, In the Name of Counter-Terrorism: Human Rights Abuses Worldwide, A Human Rights Watch Briefing Paper for the 59th Session of the United Nations Commission on Human Rights, March 25, 2003p.12, and HRW, U.N.: Counterterrorism Body Neglects Human Rights, Human Rights News, August 10, 2004, p.12, and HRW,

The justification given for exceptional legislation and other practices which violate human rights is often the “fight against terrorism”. Prime Minister Atif Ubyad reportedly cited the “war on terrorism” and new security laws passed in the United States and elsewhere since September 11, 2001, to justify the emergency law extension.⁹ Earlier, in September 2001, Prime Minister Ubyad, referring to critical reports on torture and unfair trials reportedly lashed out at human rights groups for “calling on us to give these terrorists their ‘human rights.’”¹⁰

In regard to the situation in Egypt, the Committee Against Torture has expressed its concern about the fact that infringements of human rights are justified by the repression against terrorist and recalls “that no exceptional circumstances whatsoever can be invoked as a justification for torture.”¹¹

Political pluralism

The reality of political pluralism in Egypt today has been challenged. One party rule in Egypt was in place from the 1952 Revolution to 1977 when the possibility of establishing political parties was recognized.¹² However, 25 years after the experience was launched, it seems that there is a great difference between theory and practice.”¹³ “Despite the fact that the number of political parties in Egypt has gradually increased until it reached 17 parties until 2002, the majority of such parties do not enjoy any party authority either through representation in the Parliament or influencing the public policy making.”¹⁴ A number of restrictions are placed on the policies which political parties can promote and the formation of parties is subject to prior authorization which, in practice, has rendered the setting up of parties difficult.¹⁵ The Human Rights Committee has expressed its concern about the way the authorization for the establishment of political parties is organized.¹⁶

The fairness of elections has also been criticised.¹⁷ Human Rights Watch pointed to several factors impacting on the fairness of elections: restrictions on freedom of association and assembly, including the ability to form political parties, to hold public rallies and organize marches as part of an electoral campaign, arrests and prosecution before military and state security courts of political opponents and potential opposition candidates, in particular members of the Muslim Brotherhood, restrictions on freedom of expression including banning of books and newspapers and the instituting of criminal charges against journalists, and harassment of human rights activists and others preparing to monitor the elections.”¹⁸

Egypt's Emergency without End, February 25, 2003. See also Land Center for Human Rights, General Evaluation: Egypt, 2004, p.56

⁸ See: Land Center for Human Rights, General Evaluation: Egypt, 2004, p.56

⁹ HRW, U.N.: Counterterrorism Body Neglects Human Rights, Human Rights News, August 10, 2004, p.12

¹⁰ HRW, U.N.: Counterterrorism Body Neglects Human Rights, Human Rights News, August 10, 2004, p.13

¹¹ CAT, Concluding Observations of the Committee Against Torture, Egypt, CAT/C/CR/29/4, December 23, 2002, (4)

¹² Land Center for Human Rights, General Evaluation, supra, page 11.

¹³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.11

¹⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.13

¹⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, pages 11 - 13

¹⁶ CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002 (22) The CCPR expressed its concern about this practice: “The Committee notes the de jure and de facto impediments to the establishment and functioning of political parties, primarily created by the committee set up under the Political Parties Act No. 40 of 1977, without full guarantees of independence.

¹⁷ Land Center for Human rights, General Evaluation, supra, page 14.

¹⁸ HRW, Elections in Egypt, October 2001

Groups outside the political process

The Land Center for Human Rights reports that the political system is also weakened by the fact that there are two main political streams in the Egyptian society which are not represented as legal parties: the political Islamic groups and the Communists.”¹⁹

The political Islamic group regards Islamic religion as the basic principle in the political life. “These groups vary widely, some resort to peaceful means in the political process and usually avoids confrontations with the government e.g. the Banned Muslim Brotherhood. Other groups resort to armed violence as the only means to pressure the government and call for replacing the existing system by an Islamic one, according to their views.”²⁰

The Muslim Brotherhood is considered one of the major political powers in the Egyptian society due to its huge membership, structural organization and political inclinations. “Failing to get recognized by the state as a declared party, it resorted to strengthening its roots in the civil societies whether political parties or syndicates in addition to many civil "charity" associations.”²¹

Over the 1980s and early 1990s, Militant Islamic political groups committed excessive violent actions on top of which was the assassination of president Saddat in 1981. “The first half of the 1990s witnessed an acceleration of armed violence on the political and social level. However, the following years witnessed a retreat in political violence i.e. the one directed to political figures with the continuation of the incidents of communal violence, yet with a lesser degree than in the early 1990s. Such is due to the firm security campaigns by the security agencies against the armed Islamic political groups. Such campaigns weakened the activities of these groups and after the Luxur incident in 1997; Egypt did not witness any other attack by the armed political terrorism.”²²

Evaluation of the political parties and impact on the situation in the country

In evaluating political parties in Egypt, the Land Center for Human Rights points to the poor social support for political parties reflected in the low rates of membership and their apathy to form real bases of proponents in society with clear programs of change. “In a nutshell, the experience of party plurality over the past 25 years was almost artificial and rootless. Many factors have contributed to such situation, some are general manifested by the atmosphere in which such an experience was launched and some are internal relating to these parties and their inability to provide an alternative in the form of a coherent program for development in Egypt to overcome its crisis which was aggravated over the past years.

The Land Center reports that this was reflected, particularly with the failure of the ruling party to provide solutions for the crisis, in a state of political vacancy that penetrated the Egyptian street. It is manifested in the lack of confidence in the electoral process and in the parties and state institutions to improve the conditions. Accordingly, there prevailed a lack of interest in public life in general and political life in particular.

According to the Land Center, under the economic and political crisis, such vacancy provides an environment suitable for the diffusion of extremist ideas that promote violence as

¹⁹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.25

²⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.25

²¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.25-26

²² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.30

a solution to the crisis. This was manifested in the phenomenon of political Islam over the 1990s and what it begot of violence and counter-violence among such groups and the government resulting in enormous losses of life and property. Moreover, the absence of political institutions capable of channelling the energies and aspirations of youth result in a state of alienation from the society and beget various patterns of aggressive and violent behaviour whether towards others or to the self as manifested in the cases of suicide which increased recently.”²³

Role of business in Egypt's political life

The Land Center has also expressed concern about the importance of the role of business in political life. “It is obvious from the above mentioned that capital dominates the political process in Egypt. It gets highly manifested in the electoral campaigns the costs of which have recently soared to millions of Egyptian pounds - such is only an example. The image would be much clearer with the addition of the cases of financial and political corruption and the growing influence of the capitalists. Such influence is reflected in the violation of the rights of the poor who lack fortune and consequently political influence.”²⁴ The Center also reports on the degree to which government policy follows the recommendations of the business community, in contrast to the requests of the labour movement, for example.²⁵

Non-governmental organizations

The Land Center for Human Rights, reports that non-governmental organizations “are the most important and widespread civil society institutions” and that they have significantly developed over the last three decades of the 20th century.²⁶ Regarding human rights NGOs, the number has risen from only one in 1983 to 32 in 2002. These human rights NGOs are mostly concerned with the protection of political, civil, economic and cultural rights against the violations of the state – which have significantly increased recently which puts them in constant confrontations with the state agencies. This begins with the state’s opposition to the establishment of these organizations; most of the requests were rejected and the organizers had to appeal to the judiciary to obtain official recognition.²⁷

In 2002, a new law regulating the activities of NGOs in Egypt was adopted which while containing one provision welcomed by NGOs, nevertheless retained most of the stringent regulations imposed on the activities of NGOs in past legislation. These included obliging NGOs to seek prior approval from the relevant government authorities for some of their key activities, such as seeking funding from abroad, becoming affiliated to organizations outside Egypt, and holding elections for board members.²⁸

²³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.16

²⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.20

²⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.19.

²⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.21 “Such development reflects the political changes that the Egyptian political system has undergone, towards political plurality and the proportional space for freedom that was provided on the one hand, and economic transformation towards establishing market powers on the other hand. (...) This synchronized with emergence of the problems of economic transformation and the declining role of the state in providing subsidies and services to the poor.”

²⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.22

²⁸ Human Rights Watch, World Report 2003; Egypt p.2. The law also contained new provisions giving the government even greater powers over NGOs, notably article 42 which authorized the Ministry of Social Affairs to dissolve NGOs without recourse to a court ruling. Among the grounds for dissolution were the participation of NGOs in political or trade union activity deemed prohibited by the authorities and the receipt of foreign funding without prior approval. The new law was condemned by both local and international human rights groups, as well as by funding institutions within the European Union.”(pages 5 – 6)

The law provides criminal penalties for unauthorized NGO activities that, in effect, criminalize many forms of informal or grassroots organizing. Persons carrying out the activities of an NGO prior to its formal registration are liable to a three-month prison term.

A number of NGOs have already been arbitrarily denied legal status by the Ministry of Social Affairs.²⁹ In a September 2003, one reason for the denial of registration was that among its goals was “to change Egyptian legislation in accordance with human rights conventions.” since the Ministry said that civil associations had no legal right to be “concerned with legislation.”³⁰ “In June 2003, a women’s rights advocacy group was turned down because “security agencies do not approve the registration of the aforementioned foundation.”³¹

The Human Rights Committee has expressed its concern regarding those restrictions³². For its part, Amnesty International has noted that “NGOs continued to operate under the shadow of a restrictive law, passed in June 2002, which regulates their activities. From June, the Ministry for Social Affairs began announcing its decisions on applications put forward by existing and newly established NGOs for registration under the new law. Certain organizations were granted registration while others were reportedly denied it without adequate explanation.”³³ “Many (NGOs) are forced to choose between closing their doors and risking imprisonment for operating without legal recognition as an NGO.”³⁴ However, Human Rights Watch has recently noted some improvements.³⁵

B. Economic situation

Economic reforms

The Land Center for Human Rights states that the Egyptian government placed its programs of economic reform within the framework of the formula of the International Monetary Fund (IMF). The early 1990s witnessed a significant development in the program of economic transformation as Egypt signed an agreement with the IMF in May 1991. Ever since that year, many measures have been taken in order to implement a package of economic policies in the way of transformation to the capitalist market. In the Land Center’s view, the primary objectives of the programs are reducing the deficit in the Balance Sheet and achieving a temporary stability in the exchange rate of the Egyptian pound. This means “the absolute and proportional reduction of the share of the working class and the peasants of the total income”.³⁶ The Land Center’s report sees in the propitiation of public sector companies and the land reform the source of a great deal of the state and non-state violence in Egypt in the intervening years.

²⁹ HRW, Threat Against the El Nadim Center for Victims of Violence, Human Rights News, July 13, 2004

³⁰ HRW, Egypt: Torture Victims Clinic Threatened With Closure, Human Rights News, July 14, 2003

³¹ HRW, Threat Against the El Nadim Center for Victims of Violence, Human Rights News, July 13, 2004. Also in June 2003, the Land Center for Human Rights, working on economic and social rights issues in rural areas, was denied its application to register as a new entity, Awlad al-Ard (Sons of the Earth); the Ministry’s letter also cited security concerns.”

³² “21. The Committee is concerned at the restrictions placed by Egyptian legislation and practice on the foundation of non-governmental organizations and the activities of such organizations such as efforts to secure foreign funding, which require prior approval from the authorities on pain of criminal penalties (article 22 of the Covenant).” CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002

³³ Amnesty International, Report 2003: Egypt, p.2

³⁴ HRW, Egypt: Torture Victims Clinic Threatened With Closure, Human Rights News, July 14, 2003

³⁵ HRW, Egypt: Emergency Court Acquits Political Dissident, Human Rights News, March 11, 2004

³⁶ Land Center for Human Rights, General Evaluation, *supra*, page 38.

Privatization

Privatization of the public sector began in 1991 and the purchasers of companies were granted all the rights and freedoms exercised by private sector companies with no restrictions with regard to production directed to the production units or sales in domestic and foreign markets (with the exception of the sector of public services) and, in addition, they are granted the full freedom to determine the suitable labour force. The Land Center also reports that legislation reduced the protection of workers, their participation in management and restricted trade union rights.³⁷

The Land Center reports that privatization resulted in the early retirement of 450,000 workers by the end of 2000. This also caused a significant increase in the number of workers in the non-official sector. These workers are subjected to “many forms of violations, there are no maximum or minimum working hours, no minimum wages, no guarantees against unjustified firing and the majority have no social or medical insurance at all. They have no work contracts and they feel no social safety at all.”³⁸

Agricultural reform

The Land Center for Human Rights reports that the program of economic reform in the countryside passed through two major phases. The first phase lasted from 1987 to 1989 which included first, the liberation of prices, the abolishment of obligatory collection of 10 basic crops and the start of opening markets for private investment. The main results of this phase were: raising the prices of fertilizers by 75%, liberating the crops fully, allowing the private sector to export citrus fruits and separating the Agricultural Bank from marketing the production equipment.³⁹

The second phase extended from 1990 to 1994. It aimed at increasing the price of cotton to 66% of the world price, liberating it in 1994, and abolishing subsidies for all the equipment of production. It also aimed at restricting and abolishing subsidized credit for peasants. One result was that from 1986 to 1989 the price of wheat rose over 100%.⁴⁰

The major development, however, in the economic reform of the countryside was the ending of controls on the rent farmers paid for their land. The old law on agricultural rents used to define the rent by 7 times the tax imposed and bans the eviction of peasants from the agricultural lands – hampering land centralization. After the liberation of the market of farm equipment and crops, it was imperative to repeal the old laws hampering the market of agricultural lands which were blocking land centralization since the latter is the only means to attract investments particularly to agricultural production. The cost of renting land was raised (from 7 to 22 times the tax imposed on land) for 1992 – 1997 and in 1997 fully liberated to be governed by the market powers.⁴¹

The result reports the Land Center, was that the small peasant, the landlord and tenant, were totally threatened – the prices of production equipment doubled dozen times, the prices of crops were left to a world market with sharp fluctuations and competition with more

³⁷ Land Center for Human Rights, General Evaluation, supra, pages 84 – 85.

³⁸ For more details, see Land Center for Human Rights, General Evaluation, supra, pages 84 – 85, and 40 - 41

³⁹ Land Center for Human Rights, General Evaluation, supra, pages 41 – 42 *Egypt's Agriculture during Reform*, Lyman Fletcher, Aiwa state, p. 55

⁴⁰ Land Center for Human Rights, General Evaluation, supra, pages 41 – 42 *Egypt's Agriculture during Reform*, Lyman Fletcher, Aiwa state, p. 55

⁴¹ Land Center for Human Rights, General Evaluation, supra, pages 41 – 42 *Egypt's Agriculture during Reform*, Lyman Fletcher, Aiwa state, p. 29.

capable and efficient countries in producing the same crops. Credit from banks became almost impossible after abolishing their works and leaving them to the market. The final stroke came through the new rent law. According to the said law, thousands of tenant peasants and small landlords were evicted. Such eviction was conducted in a ruthless manner by the Central Security forces. Many peasants were injured and killed in the police's attempt to uproot them from their lands.⁴² For more information on the implementation of the land reform and the consequent human rights violations see the two case studies in Part II of this document.

Economic indicators

Growth

The World Bank states that “Egypt’s rapid growth from 1976-1986 ended because of the collapse of oil prices, and the country was caught in an economic slowdown that affected the entire region. After a period of inward-oriented policies and heavy borrowing, Egypt reversed course in the early 1990s, with prudent stabilization efforts and structural reforms. The fiscal balance, foreign reserves, and external debt have also improved compared to the late 1980s. The country’s increase in domestic production as measured by the GDP growth rate accelerated from 1.9 percent per year in 1991/92 to 5.1 percent in 1994/1995 –1999/2000.”⁴³

The International Monetary Fund indicates that the actual growth rate of the Egyptian GDP has decreased to 3, 30% in 2001 until it reached 2% in 2002”⁴⁴ and the Egyptian Ministry of Foreign Trade indicates that the true growth rate of the Egyptian GDP was 3, 2% in the fiscal year 2001/2002.^{45,46} The floating of the Egyptian pound in January 2003 has helped the external sector and the economic growth rate has increased to 4 percent.”⁴⁷

The Land Center for Human Rights reports that “over the past years, many social trends indicate that there is a real economic crunch which is the outcome of the experience of reform which lasted for more than a decade. Such crisis can be measured through the major indicators that govern the performance of any economy and determine its effectiveness”. In that regard, the Center points not only to the drop in growth, indicated above, but also to unemployment, inflation, loss of investment, and foreign and national debt, which, the Land Center reports “increased significantly” in 2001/2002.⁴⁸

Unemployment and the right to work

According to the Land Center for Human Rights, “the 1990s witnessed a persistent increase in the unemployment rates. It might be argued that the government contributed to intensifying the problem by privatizing the companies and factories of the public sector and drove hundreds of thousands of labourers to the queues of unemployment”. As mentioned, by 2000, privatisation resulted in 450,000 being forced into early retirement and a significant increase in workers in the unofficial economy.⁴⁹

In addition, the law which freed the rent for agricultural land “added another hundreds of thousands of peasants to unemployment lengthy queues”.⁵⁰ The Central Bank of Egypt put

⁴² Land Center for Human Rights, General Evaluation, supra, pages 41 – 42

⁴³ World Bank, The World Bank in Egypt, Country Brief, September, 2004

⁴⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.42

⁴⁵ The Monthly Economic Report, the Ministry of Foreign Trade, November 2nd, 2002

⁴⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.42

⁴⁷ World Bank, The World Bank in Egypt, Country Brief, September, 2004

⁴⁸ for more details see, Land Center for Human Rights, General Evaluation, supra, pages 42 – 45.

⁴⁹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.85

⁵⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.50

the unemployment rate in Egypt at 7,9% and 8,45 in the fiscal years 1999/2000.⁵¹ The Land Center, for its part, estimates the number of unemployed individuals is 5 millions.⁵²

The Land Center also notes that social exclusion is a factor in unemployment since “the labourers of the poor class are more prone to getting unemployed due to their lack of means of nepotism and favouritism that would provide job opportunities for them.”⁵³ In turn, “unemployment and poverty are one of the major reasons behind the low social status of citizens, leading to the spread of public depression.”⁵⁴

In the view of the Land Center, “unemployment is, undoubtedly, one of the most critical problems which are facing Egypt now. It is dangerous not only because of the waste of human power and the consequent economic losses, but also due to the grave social implications of resulting from being unemployed particularly among youth. Unemployment is a suitable environment to the growth of crime, extremism, and terrorism – trends from which Egypt has suffered over the last decade.”⁵⁵

The Committee on Economic, Social and Cultural Rights expressed its concern at “the apparent inability of the Government to address the acute problem of unemployment in Egypt as well as the uncertainty of workers' rights as guaranteed under article 8 of the Covenant.”⁵⁶

Poverty

The Land Center reports that poverty rates are still high; it reaches 38, 3% in the large sense of poverty, and 24, 2% in the narrower sense. 60% of the poor are based in the rural areas and 40% in the urban areas.⁵⁷ The intensity of poverty is increased in Upper Egypt as it ranges from 50% to 75% of the inhabitants as compared to less than 40% of the population of Lower Egypt except for Al Behira governorate (38, 3% as per the narrower sense, and 52, 3% in the larger sense).⁵⁸ Moreover, it reaches 48, 6% in Qalubia governorate and 41% in Munufia governorate – as per the statistics of 2000.⁵⁹

The World Bank, for its part, estimates that that 23% of the population live below the national poverty line”,⁶⁰ and the Bank also states that “Egypt’s poverty, as measured in non-income indicators such as health and education, also pose a significant challenge. Despite a 2001 net primary enrolment rate of 88 percent, adult illiteracy is still high at almost 35

⁵¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.4. The Central Bank of Egypt, the statistical monthly report, October 2002

⁵² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.43

⁵³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.50. The case of a citizen named Abdel Hamid Sheta is a blatant example; he was excluded from the applicants to an occupation in the Ministry of Foreign Trade despite the fact that he passed all the examinations successfully, with the pretext that he is 'socially inappropriate' i.e. he was excluded from the job because he belongs to a poor family Sawt Al Omma Newspaper, Issue No. 161 on December 29, 2003, Cairo, 2003.

⁵⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.51.

⁵⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.43

⁵⁶ CESCR, Concluding Observations of the Committee on Economic, Social and Cultural Rights, Egypt, E/C.12/1/Add.44, May 23, 2000 (18)

⁵⁷ Report on the Comprehensive Development in Egypt, 1999/2000, Center for Studies and Research of the Developing Countries, Egypt, Cairo, 2001

⁵⁸ *ibid*,

⁵⁹ *ibid*,

⁶⁰ UNDP, Egypt Country Profile, p.3

percent. Even with almost universal access to health care, the number of children dying before age five is 39 (per 1,000 live births), still higher than in comparator countries.”⁶¹

C. Respect for key economic and social rights

1. *Right to land for farmers*⁶²

The Land Center for Human Rights provides extensive information on the negative impact on farmers and their families of the land reform legislation and its implementation in Egypt.⁶³ The rural inhabitants are usually ignored although they comprise tens millions of poor and marginalized persons, whose numbers are increased with the virtue of laws’ implementations, natural catastrophes, land privatization, forests’ destruction and widening in the commercial agriculture. Rapidly, great part of the rural land is isolated to comprise poverty, resources decline in addition to depriving farmers from land possession. It is not acceptable that the food producers (agrarian labourers) are the poorest categories in the community that enjoy with fewer opportunities for the nutritional safety.

Referring to several international conferences, in particular the 1979 FAO Conference for Land Reform and Rural Development which, according to the Land Center, asserted the necessity to guarantee land possession of farmers in order to destroy poverty and protect natural resources, the Land Center concludes that “the experiment of agricultural reformation in Egypt contradicts with all UN conferences related to safe possession of land and the right to have access to land”.

The implementation of the land reform law led to the eviction of “a big number of farmers from the arable lands and violated the right of farmers to a safe possession of land. Implementing of that law turned arable lands into consumption goods whose owner may rent for one year, one agricultural season or one third or half a year with a high rental value. Accordingly, farmers lost the feeling of a safe possession of land and lost access to bank loans as well as access to a better land management. Farmers stopped caring for the land and think only of getting the utmost out of it.”⁶⁴

The Land Center reports that the implementation of the law was accompanied by violence by State institutions against the tenants which have continued until the end of 2003. Throughout 1997, there were about 100 murdered, 1000 injured and more than 1000 arrested. In 1998-99, violent activities led to 87 killed, 545 injured and 798 arrested. From 1992 to 1998, farmers and some social forces organized some protests that pushed the security forces to arrest and torture some farmers, who were arrested randomly. Some of those farmers filed lawsuits in addition to appealing the unconstitutionality of the agrarian reform law before the Supreme Constitutional Court in order to receive their rights. Unfortunately, there is no sentence issued concerning this impeachment although it was presented five years ago.

The implementation of the law brought about violent disputes between rich people and poor farmers in villages. In some rural areas, large-scale owners colluded with police forces to violate farmers’ rights (hiring some armed vagrants to frighten, beat and oblige farmers to leave their lands without any compensation). For the Land Center, it seems that land reform was used for promoting benefits of large-scale owners without any concern with tenants’ rights.

⁶¹ World Bank, The World Bank in Egypt, Country Brief, September, 2004

⁶² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.59 – 68.

⁶³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.59 – 68.

⁶⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.59 – 60.

Farmers were tortured, beaten, threatened, and arrested by State authorities which, for the Land Center emphasizes on the close relation between civil, social and economic human rights. The Land Center lists more violations of human rights connected with the land reform, including the fact that most small-scale tenants lost their land and were forced to work as daily agrarian labourers, with no legal guarantees, social insurance or vocational safety, etc. Further, farmers were evicted from their homes which were attached to the land.

The Land Center discussed the impact of the land reform on the right to food and makes a number of specific recommendations to deal with the problems connected with the rural land reform.

2. Right to housing

The Land Center provided a detailed chapter on the right to housing in Egypt covering a number of key issues.⁶⁵ The Center reports that the “houses of the poor mostly lack the elements of proper housing, especially the elements of proper position and infrastructure. A huge part of the inhabitants in rural areas and in random suburbs around big cities lives in houses that lack all elements of proper housing. In addition to the absence of legal safety and weak or absent basic services, those people live in totally unsafe positions...”⁶⁶ The Center concluded that the economic reform has had a negative impact on the right to housing as it became harder to own or rent a house both for the poor and for middle income people. It was necessary to give higher priority to inexpensive housing for the poor, to ensure basic services (sanitary drainage, pure water, schools etc) and to ensure a fair distribution of the housing budget between Cairo and the rest of the provinces.⁶⁷

Forced eviction and house demolitions are the most dramatic violation of the human right to adequate housing in Egypt. These evictions and demolitions occur on a large scale and mostly affect poor communities. As a consequence, they deepen the crises in living conditions faced by poor peoples and at the same time fail to provide or enable alternative solutions that could take into account the social dimensions of the housing problem and its causes.

OMCT and the Egyptian Centre for Housing Rights have pointed out that the demolition of the simple houses of the poor leaves them prey to homelessness, disease and deepening impoverishment. In addition, the state-sponsored and state assisted house demolition or forced eviction involve the violation of existing laws and judicial ruling, absence of prior notification, threats and use of force in order to compel the victims to sign false statements, lack of suitable alternatives or adequate compensation, use of force by state agents.⁶⁸

The Committee on Economic, Social and Cultural Rights recognized this in connection with its review in 2000 of the report of Egypt. The Committee stated its concern “about the massive housing problems faced by the Egyptian population, as acknowledged by the delegation of Egypt, and which have been exacerbated by the deregulation of rents and an acute shortage of low-cost housing. Furthermore, forced evictions without alternative housing

⁶⁵ Land Center For Human Rights, General Evaluation, Supra, page 94 - 105

⁶⁶ Land Center For Human Rights, General Evaluation, Supra, page 94 - 95

⁶⁷ Land Center For Human Rights, General Evaluation, Supra, page 104.

⁶⁸ see: OMCT and the Egyptian Centre for Housing Rights, The Policy of Forced Eviction and House Demolition in Egypt: A Form of Cruel, Inhuman or Degrading Treatment or Punishment, Report presented to the CAT, November 2002, p. 4-5

or compensation being provided have been occurring in poor communities like the potters' village and the "Ayn Hilwan" area in Cairo.”⁶⁹

3. *Right to education*

The Land Center reviews in detail the status of the right to education in Egypt, dealing, inter alia, with educational expenditures, equal education opportunities, school buildings, the role of the private sector, the question of free education, education and culture, education and the labour market and education and violence. The Center draws a number of conclusions in that regard.⁷⁰

Public expenditures on schools are very low compared to other countries of the region.⁷¹ For example, the Land Center reports that 19,947 schools should have been built in the period 1992 to 2002 in order to end overcrowding but that only 8,264 schools were actually built. Moreover, weak budgets are badly managed as 48% of total workers in the ministry of education are in the managerial staff and that severely affects the expenditures.”⁷²

The quality of education of schools in poor suburbs, villages and in the south is poor with many violent religious groups. The Center states that there is thus a generation of graduates “believe in a group of values that call for the illusion of owning the truth and underestimates science for the sake of legends.” A big part of the graduates lack the required qualifications and ability to cope with labour market and they were the main source of religious violence groups and formed leaderships for those groups which belong to the lowest slices of the intermediate class.

Physical punishment is prevails in schools although the Ministry of Education declared hard punishments for teachers who use physical punishment, but the atmosphere of violence prevailing in poor areas allows for more and more ill-treatment and physical punishment in schools.

Egypt has constitutional and legislative provisions guaranteeing the right to education without discrimination.⁷³ However, the Land Center notes as a matter of concern the remaining inequalities between the educational status of boys and girls.⁷⁴ These inequalities are more pronounced in rural areas, with one-third of ten year old girls not being enrolled in school in rural Upper Egypt. Reports explaining the reason for these gaps state that many parents refrain from sending their daughters to school as they do not believe that the economic returns will be greater than the investment in a girl's education. Another reason cited is the lack of single-sex schools that discourage traditional parents from sending their daughters to school.”⁷⁵

4. *Right to Health*

The Land Center for Human rights provides a detailed analysis of the health care system in Egypt including information on reforms in the health care system, lack of adequate

⁶⁹ CESCR, Concluding Observations of the Committee on Economic, Social and Cultural Rights, Egypt, E/C.12/1/Add.44 para. 22, May 23, 2000

⁷⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.68 – 79.

⁷¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.73

⁷² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.70

⁷³ OMCT, Violence against Women In Egypt, 2001, p.15

⁷⁴ “60% of adult females and 36% of adult males are illiterate” UNDP, Egypt Country Profile, p.4

⁷⁵ OMCT, Violence against Women In Egypt, 2001, p.15

state funding, the opening of the health care sector for private initiatives, shortages of crucial medicines and the consequent increases in diseases.⁷⁶

There is a significant inequality of access to health care. The Land Center reports that “while infant mortality rate in urban Northern provinces is 44 for every thousand births in 1996, the rate jumps horribly to be 119 in rural southern provinces. It is the same thing for other indicators such as the age expected on birth and proportion of malnutrition diseases. The proportion of beds for citizens for example is 3.59:1000 in urban provinces, whereas it is 1.39:1000 in southern ones. Proportion of doctors is 1.27:1000 in urban areas and 0.74:1000 in the countryside.”⁷⁷

Based on its study, the Land Center concludes that “since the seventies until now, the state has been ignoring increasingly and gradually to provide the right of people to enjoy physical and mental health leaving the field for private sector, which cares mainly to make profits from patients regardless the right of the poor to medical services.”⁷⁸ “Weak governmental expenditures, together with the increasing population, led to backwardness in the quality of the medical services in governmental medical units in spite of their big number.”⁷⁹ “All of this has led to the ruins of the citizens’ health and the increase of the disease rates like: renal failure, epidemic liver and the digestive system diseases especially to the poor, on another hand this has led to the increase of violence.”⁸⁰

The Land Center recommends that the state reconsider many matters related to the protection of the right to health care putting in mind the social and human aspects and the necessity of human development for high development rates. The state should also fix a maximum for the prices of the services presented by the private sector, and the prices of drugs and other medical equipment as well. It is also necessary to develop a true data base and an information management policy in order to determine the size and type of health problems in Egypt and find a solution for these problems and it is necessary to apply a strict and effective inspection on all activities related to the right to health and spread health awareness.⁸¹

D. Economic, Social and Cultural Rights in Egypt; Economic reforms and the state of emergency

The Land Center and other sources have emphasized that the manner in which economic reforms were implemented seriously violated the economic, social and cultural rights of many Egyptians, especially the poor. The limits on the exercise of civil and political rights imposed by the state of emergency exacerbate the crisis.

The Committee on Economic, Social and Cultural Rights concurs;

“The Committee is of the view that the state of emergency that has been in

⁷⁶ Land Center for Human Rights, General Evaluation, supra, pages 106 – 120.

⁷⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.111. The Land Center also reports a serious lack of medicine, medical and specialists, especially rural areas. Page 263.

⁷⁸ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.115

⁷⁹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.107

⁸⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.5

⁸¹ Land Center for Human Rights, General Evaluation:., supra, page 115 – 116.

place in Egypt since 1981 limits the scope of implementation of constitutional guarantees for economic, social and cultural rights; that some aspects of structural adjustment programmes and economic liberalization policies introduced by the Government of Egypt, in concert with international financial institutions, have impeded the implementation of the Covenant's provisions, particularly with regard to the most vulnerable groups of Egyptian society; and that the persistence of traditional practices and attitudes, deeply entrenched in Egyptian society, with regard to women and children hamper the ability of the Government to protect and promote their economic, social and cultural rights.”⁸²

II. Violence in Egypt

The Land Center for Human Rights provided an extensive, detailed and well documented study on violence in Egypt both state sponsored and violence by non-state actors.

A. State sponsored violence

The Land Center dealt with state sponsored or official violence which takes the form of torture, ill-treatment, killings and executions, repeated or almost continuous detentions, violence during public demonstrations, enforced disappearances, and violence against children, women and various social groups.

1. Torture

The Land Center reports that “there is unanimity among the international and national reports by the organizations working in the field of human rights that the phenomenon of torture is growing in Egypt”.⁸³ Human Rights Watch has reported that “while torture in Egypt has typically been used against political dissidents, in recent years it has become epidemic, affecting large numbers of ordinary citizens who find themselves in police custody as suspects or in connection with criminal investigations.”⁸⁴

The seriousness of the torture situation in Egypt has also been recognized by international human rights monitoring bodies.

⁸² Committee on Economic, Social and Cultural Rights, Concluding Observations of the Committee, Egypt, E/C.12/1/Add.44, para. 10, May 23, 2000

⁸³ Land Center for Human Rights, General Evaluation, *supra*, pages 121 – 153. The Center writes “What is even worse is that torture is being used systematically and regularly by the security forces against the political or criminal detainees. The 2002 report by Amnesty International emphasizes that torture is still mushrooming in the custodies all over the country. The UN Special Rapporteur on Torture concluded that the Egyptian security forces, particularly the state security prosecution, are used to practicing torture. The most recurrent methods of torture are shocking with electricity, battery, and hanging by the fists or the ankles, in addition to the various forms of psychological torture through the threat of murder, rape, or sexual abuse of the detainee or his female relatives. The victims of torture belong to the various factions of society among who are political activists and detainees in criminal investigations.” Land Center for Human Rights, General Evaluation, *supra*, page 125, citing *2002 Report by Amnesty International*, Egypt part

⁸⁴ HRW, UK: Promises on Torture Don't Work, Human Rights News, October 6, 2004, p.1

The Committee against Torture in 2003 noted “the many consistent reports received concerning the persistence of the phenomenon of torture and ill-treatment of detainees by law enforcement officials.”⁸⁵

The Human Rights Committee, for its part, stated “while noting the creation of institutional machinery and the introduction of measures to punish any violations of human rights by employees of the State, the Committee notes with concern the persistence of torture and cruel, inhuman or degrading treatment at the hands of law-enforcement personnel, in particular the security services, whose recourse to such practices appears to display a systematic pattern.”⁸⁶

The Land Center points out that torture in detention places in Egypt spreads in the wake of social tensions as a kind of collective punishment. This happened in several instances e.g. while implementing the law of evicting peasants. In its 1998 report, Amnesty International recorded that hundreds of people opposing the new agricultural law were detained, among who were prisoners of conscience and others.⁸⁷

The Center also reports that torture is committed against detained suspects in the so-called “policy of detaining hostages”. Security men, without any right, arrest the father of the suspect or the wanted or (a brother, a wife, or other relatives) as hostages in order to compel him to confess or to give him self up to the police.⁸⁸

Women in Egypt are tortured directly for being charged with certain charges, or they get tortured as a means to compel men (husband, father or brother) to make confessions, or they be detained as hostages to oblige the defendant men to give themselves up to the police. In all cases, sexual abuse is the basic means of torturing women, and the consequent horrible psychological pain affecting women and the whole families due to such degrading practices. What aggravates such pain is that a large number of women get detained or tortured in the presence of their children, and in some cases, mothers see their children subjected to torture.^{89,90}

The Land Center points out that under the Emergency law policemen have an absolute authority in arresting people and torturing them under the pretext of maintaining public law and order. The said law is particularly applicable to political activists and opponents to the ruling system. They get tortured by the most horrible means of torture in attempt to terrify them and to make them divert their political beliefs.⁹¹

Impunity

⁸⁵ CAT, Concluding Observations of the Committee Against Torture, Egypt, CAT/C/CR/29/4, December 23, 2002 (5b)

⁸⁶ CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002 (13)

⁸⁷ Land Center for Human Rights, General Evaluation, supra, page 125, citing *1998 Report by Amnesty International*, Egypt part

⁸⁸ Land Center for Human Rights, General Evaluation, supra, page 126.

⁸⁹ See: LCHR reports 1997, Torture in the Egyptian Countryside and Pre-trial Detention of Peasants in the Countryside

⁹⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.136

⁹¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.142

The Land Center reports that torturers in Egypt benefit from impunity as they “usually escape punishment and commit their crimes invoking their authority and influence.”⁹² The Center states that the “authorities did not investigate the vast majority of allegations of torture, however, and new cases continued to be reported.”⁹³ “In the vast majority of cases of alleged torture, no one was brought to justice because the authorities failed to conduct prompt, impartial and thorough investigations. However, some trials of alleged torturers did take place, but only in criminal, not political cases, and generally only after the most serious incidents, usually where the victims had died.”⁹⁴ “In a positive development, the authorities referred a number of police personnel accused of torturing and causing the death of suspects in their custody to trial in four separate cases in 2002.”⁹⁵

The Land Center points out that poor people who are tortured do not file complaints since they fear reprisals by the policemen who are the perpetrators and that should they wish to file a complaint, they lack the financial resources to do so.⁹⁶ The Egyptian authorities do not investigate the great majority of allegations of torture and in the few cases where officers have been prosecuted for torture or ill-treatment, charges were often inappropriately lenient and penalties inadequate.^{97,98,99}

In this regard, the Human Rights Committee stated in 2002 that “it is equally concerned at the general lack of investigations into such practices, punishment of those responsible, and reparation for the victims. It is also concerned at the absence of any independent body to investigate such complaints.”¹⁰⁰ And, according to Human Rights Watch “this lack of effective public accountability and transparency has led to a culture of impunity.”¹⁰¹ In the words of the Land Center, “...in addition to the legislative deficiency, there is a political environment that gives the police a free hand in violating the rights of citizens.”¹⁰²

2. Ill-treatment

⁹² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.139. “Even those who are brought to justice, face weak penalties due to basic loopholes in the Egyptian legislation through which they escape punishment.” Land Center for Human Rights, General Evaluation: Egypt, 2004, p.139

⁹³ HRW, World Report 2003, p.4

⁹⁴ Amnesty International, Report 2003: Egypt, p.3

⁹⁵ HRW, World Report 2003, p.4

⁹⁶ Land Center for Human Rights, General Evaluation, supra, page 130. “There are several reasons that hinder the victims from filing cases e.g. they are threatened to be tortured again together with their family members and to be charged with forged charges whenever they dare to file cases. There are many instances for this; the victims after such horrible experience find themselves facing a repressive and ruthless system. Consequently they prefer safety to the potential recurrence of that awful experience. What is problematic is that such systematic torture achieves its goals in most cases i.e. destroying the morale of the victims, degrading their dignity to the extent that the victim completely loses confidence in himself, society and law. The victims lose hope in future and in life itself so that he gets desperate and there is no opportunity to avenge himself against his torturers.”

⁹⁷ “Even those who are brought to justice, face weak penalties due to basic loopholes in the Egyptian legislation through which they escape punishment.” Land Center for Human Rights, General Evaluation: Egypt, 2004, p.139

⁹⁸ “The absence of measures ensuring effective protection and prompt and impartial investigations.” CAT, Concluding Observations of the Committee Against Torture, Egypt, CAT/C/CR/29/4, December 23, 2002 (5b)

⁹⁹ HRW, UK: Promises on Torture Don't Work, Human Rights News, October 6, 2004, p.1

¹⁰⁰ CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002 (13)

¹⁰¹ HRW, UK: Promises on Torture Don't Work, Human Rights News, October 6, 2004, p.1

¹⁰² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.140

The Land Center reports that “Ill treatment on the part of public officials has become a common feature of the daily life of the Egyptian society. The Egyptian citizen, who is definitely poor, lacks money to bribe public officials. Accordingly, he would undergo all forms of degrading treatment until he meets his need. Such an atmosphere begot several forms of ill treatment among individuals in work, in the means of transportation, queues before bakeries, etc. as such, the relationship between the citizen and the state, due to its being old and common, is getting to be customary. What is rather exceptional is that a citizen gets his rights in society and to be treated as a human being.”¹⁰³ The Center reports on the ill-treatment of prisoners which includes libel and humiliation, poor health care, deprivation of education, and preventing visits and contact with the outside world.¹⁰⁴

3. State violations of the right to life

Killings by state agents

The Land Center reports in some detail on murder by the state in Egypt focussing on killings by the state, deaths caused by the police in violent confrontations, as a result of torture, in police stations and during public demonstrations. Information is also provided on capital punishment in Egypt and arbitrary executions.¹⁰⁵

The Land Center states that the reason why the phenomenon of the violation of the right to life dramatically increased over the recent years is the flaring up of public protests all over the country and the accompanying clashes with the security forces. The latter repress such protests violently – the reason behind the numerous victims of such aggressive actions. Thus, the state violence against citizens and the violation of the right to life is part and parcel of the political, economic and social environment.¹⁰⁶

Capital punishment

In addition to the number of deaths which occurred in clashes with the security forces from 1991 to 1998 and the death due to torture, the Center deals with capital punishment after summary trials. That phenomenon started with the increase in actions of violence between the state and the militant Islamic groups in the early and mid 1990s. Many of the affiliates of such groups were referred to martial courts – where the requirements of impartial trials are not applicable. Litigation before such courts is not open to appeal. However, it is obligatory that the rulings made by such courts be ratified by the President of Egypt. It is noteworthy that the president has ratified most of such execution rulings passed by such courts – if not all of them. Many human rights organizations scathingly criticized the martial courts as they pose a blatant violation of several human rights such as: the right to be tried before a normal judge and that litigation should have several degrees so that the rulings passed may be challenged at a higher judicial degree. Martial courts were also criticized for comprising military panels – usually lack studies and proper rehabilitation that would render them qualified to be men of law and justice.

In this regard, the Human Rights Committee has noted “with concern the very large number of offences which, under Egyptian law, are punishable by the death penalty, and the

¹⁰³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.154-155. See also LCHR report on the violation of the right of peasants to live in dignity and safety, 2002

¹⁰⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.154-160.

¹⁰⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.154-171.

¹⁰⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.163

incompatibility of certain of those offences with article 6, paragraph 2, of the Covenant.”¹⁰⁷ For its part, Amnesty International reports that “while the use of the death penalty is decreasing worldwide, it has increased in Egypt over the past decade.(...) Crimes punishable by death in Egypt include offences under the so-called "anti-terrorism" legislation, as well as premeditated murder, rape and drug related offences. Over the past decade death sentences have been pronounced for all these offences. There is very little official data available on death sentences and executions in Egypt. Between 1996 and 2001, Amnesty International recorded 382 death sentences. However, the organization believes the actual number to be much higher than those it recorded.”¹⁰⁸ Human Rights Watch states in this regard that the “Egyptian courts sentenced at least fifty-eight people to death and the authorities carried out nineteen executions between November 2001 and November 2002, according to Amnesty International.”¹⁰⁹

4. Arbitrary Detention

The Land Center reports that detention is employed by the executive authority against political opponents, intellectuals with ideologies contrary to the regime, fundamentalist or terrorist groups, and criminal offenders. Over the last decade, the Center reports, the use of detention as a penalty increased dramatically.¹¹⁰

Human Rights Watch has reported that “the Egyptian government has arrested hundreds of Egyptian anti-war activists, demonstrators, journalists, onlookers, and passers-by following anti-war demonstrations that began on March 20, 2003. While most of these were released within twenty-four hours, dozens have been held for long periods.”¹¹¹

Under emergency legislation, the Prime Minister or the Minister of Interior has wide detention powers and the use of these powers has resulted in the increase of the number of detainees for various reasons. The security forces depend on the Emergency Law in combating the various forms of ordinary crime, despite the fact that there are the normal laws for that purpose.

The Center reports that recurrent detention is a practice by which persons are kept in detention even though their release has been ordered; this includes those detained by an administrative decrees despite the fact that they gained release rulings as new detention decrees are issued on a date precedent to the date of release and those who were detained after being charged in major cases and gained release rulings but are kept detained by virtue of successive administrative decisions. The Center provides several examples illustrating this practice.¹¹²

The Human Rights Committee, for its part, has noted “the persistent occurrence of cases of arbitrary detention.”¹¹³

¹⁰⁷ CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002 (12)

¹⁰⁸ Amnesty International, Egypt: Continuing executions while use of death penalty decreases worldwide, 28/10/04

¹⁰⁹ HRW, World Report 2003: Egypt, p.4

¹¹⁰ EOHR report, *Detention: a Crime against Freedom and Personal Safety*, 2001

¹¹¹ HRW, Stop Detention and Torture of Egyptian Anti-War Demonstrators, Campaigns, April 24, 2003

¹¹² Land Centre For Human Rights, General evaluation, *supra*, pages 172 – 181.

¹¹³ CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002

5. **Forced Disappearances**

The Land Center reports that “the phenomenon of forced disappearance, though new to the Egyptian society, is related to two factors: first, the exchanged violence between the militant Islamic groups and the state, second, the state of emergency which was declared since the assassination of president Saddat and will remain in force until May 2006. The Emergency Law allows the authorities to impose several restrictions on some public and personal freedoms and rights such as the freedom of assembly and movement.”¹¹⁴

The Working Group on Enforced or Involuntary Disappearances has stated that “many of the 20 reported cases of disappearance occurred between 1988 and 1994, and include alleged sympathizers of Islamic militant groups, students, a trader, a doctor and three citizens of the Libyan Arab Jamahiriya. Reportedly, the disappearances took place in the context of a renewal of the state of emergency which allegedly gave full rein to the security forces, without supervision or accountability.”¹¹⁵

6. **Violence against demonstrators.**

The Land Center reports that during “the nineties, the Egyptian society witnessed various demonstrations for many reasons. The size of these demonstrations varied between several hundreds and thousands. The issues of Palestine and Iraq were responsible for the burst of most demonstrations. It is notable that these issues worked only as a catalyst for demonstrations that burst mainly against economic and social policies of the state. It is notable also that security forces are normally twice more than the demonstrators are and take the form of a circle or many circles around the demonstration using violence in different degrees.”¹¹⁶

Human Rights Watch reports having documented “excessive use of force by security forces to disperse demonstrators protesting the U.S.-led war against Iraq in March, violating their right to freedom of assembly.”¹¹⁷ Human Rights Watch reported further that “the authorities arrested approximately 800 persons on March 21, at least sixty-one of whom were ordered held for further investigation and charged with destroying public property, inciting unrest, and failing to disperse when ordered to do so. Many were held at sites not recognized in Egyptian law as legal places of detention, including the headquarters of the State Security Investigations (SSI). Almost all of those charged were ordered released on March 30, but at this writing they still face possible criminal prosecution.”¹¹⁸

OMCT, for its part, has also documented violent repression of anti-war demonstrators in Cairo. On April 12th, 2003, the journalists' syndicate held a peaceful assembly demonstrating against the war in Iraq and Israeli action against Palestinians. Security forces reportedly arrested a number of identified individuals. In one case the person suffered beatings and psychological torture including threats to his family and OMCT received unconfirmed reports that some of these individuals have been interrogated, ill-treated, and

¹¹⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.184

¹¹⁵ Working group on Enforced or Involuntary Disappearances, Civil and political rights, including the question of disappearances and summary execution, E/CN.4/2003/70*, paras 94-97, January 21, 2003

¹¹⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.227

¹¹⁷ HRW, Egypt: Investigate Attack on Anti-War Protesters, November 7, 2003

¹¹⁸ HRW, *Egypt: Security Forces Abuse of Anti-War Demonstrators*, November 2003

tortured, including beatings, electric shocks, suspension and threats toward the individuals and their families.”¹¹⁹

7. Violence against children

The Land Center provides information on state sponsored violence inflicted on children. This includes violence by the police and in prisons, violence in care institutions, and violence against disabled children.¹²⁰

One group at risk are displaced or homeless children. Human Rights Watch reports that “Egyptian police routinely arrest and detain children they consider “vulnerable to delinquency” or “vulnerable to danger.” These children have not committed any criminal offence, and in many case the very basis for their arrest-that they are begging, homeless, truants, or mentally ill-shows that they are in need of protection and assistance rather than punishment.”¹²¹ For its part, OMCT has expressed its concern about the fact that according to article 96 of the Children’s Code, a child can be exposed to delinquency if he lives in the streets or in other places not adequate for living and/or if he collects cigarettes or any other garbage.¹²²

Regarding the arrest of children for being homeless, the Center reports that “the number of such arrests has sharply increased since 2000. There were more than 11,000 arrests of children on these charges in 2001 alone, accounting for one quarter of all arrests of children in Egypt that year. In many cases they are victims of abuse even before their arrest, having suffered violence in the home or had been subjected to exploitive and hazardous labour conditions.”¹²³

Human Rights Watch reports that “once in custody, the abuses continue. Police in Cairo routinely detain children in overcrowded and dirty adult police lockups, where they face abuse by adult criminal detainees and are not provided with food, bedding, or medical care.”¹²⁴ The Land Center reports that detained children, in place of care, “are subjected to police beatings and sexual abuse and violence; detained in unsanitary and dangerous conditions for days or weeks.”¹²⁵

Human Rights Watch reports that the police deliver such children to their families or deposit them in the social care institutions where they can face violence. “Then children are transferred to the al Azbekiya juvenile lockup, as required by Egyptian law, they also face overcrowding, inadequate food and bedding, and denial of medical care, and may be detained with children significantly older or younger who may have committed serious crimes.”¹²⁶

¹¹⁹ OMCT, Egypt: further arrests and allegations of torture of demonstrators, Urgent Campaigns, Urgent Appeal, April 17, 2003

¹²⁰ Land Center for Human Rights, General Evaluation, supra, pages 187 – 194.

¹²¹ HRW, Charged with being children: Egyptian Police Abuse of Children in Need of Protection, February 2003

¹²² OMCT, Rights of the Child in Egypt, June 2001, p.10

¹²³ “Children of the streets are those who were discarded by their families and were subjected to violence by the family, their employer, or the school and did not find any resort but the street.” LCHR p.187

¹²⁴ HRW, Charged with being children: Egyptian Police Abuse of Children in Need of Protection, February 2003

¹²⁵ “Instead of shouldering their responsibility towards such children, the state and its agencies arrest them. The police keep them in inhuman circumstances- endangering their health. They are usually kept for several weeks without food or water. In some cases, they might be detained with adult offenders who usually abuse them physically and sexually.” LCHR p.187

¹²⁶ HRW, Charged with being children: Egyptian Police Abuse of Children in Need of Protection, February 2003

The Land Center reports that the “children fear the juveniles’ institution, the governmental social care institutions. They have bitter experiences with it and in most cases; it was the reason behind their escape to the streets.”¹²⁷ Children are transferred to social care institutions without any judicial interference to end the causes behind their presence in the streets to which they return soon. Then, the vicious circle of arrest and release starts which does not end until such children are destroyed.”¹²⁸

The Committee on the Rights of the Child, in 2001, expressed its concern at the incidence of ill-treatment of children in schools despite its prohibition, and within the family. It is further concerned that domestic violence is a problem in Egypt and that this has harmful consequences on children.¹²⁹ It also stated that in light of its previous concluding observations and taking note of efforts by the State party to combat poverty and its negative effects on children, the Committee remained concerned at the large disparities in the enjoyment of economic and social rights, particularly health and education, by children living in rural areas and regions lagging behind in socio-economic development.¹³⁰

The Committee against Torture stated that the many reports of abuse of under-age detainees, especially sexual harassment of girls, committed by law enforcement officials, the lack of monitoring machinery to investigate such abuse and prosecute those responsible, and the fact that minors are kept in places of detention in contact with adult detainees;¹³¹

8. Violence against women

The Land Center describes the violence inflicted on women by the state in various ways. This includes laws that discriminate against women and exclude them from positions of authority or promotion in their work and the depiction of women in the media in an improper manner. The rights of women might be also violated through the various state agencies such as: work, prisons, police stations, social care institutions as well as the educational establishments.¹³² The Center states that “In a nutshell, the violence directed against women is not to be separated from the current of violence prevailing in the society at large. Violence directed to women whether sexual, psychological or physical is due to the low status of women in society.”¹³³

Women are especially vulnerable to violence during operations of arrest and during detention. The Land Center reports¹³⁴ that women are subjected to¹³⁵ the psychological and moral fear during search and arrest when the investigations forces break into houses paying no heed to the feelings of the inhabitants and the various forms of torture during detention

¹²⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.192

¹²⁸ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.187

¹²⁹ CRC, Concluding Observations of the Committee on the Rights of the Child, Egypt, CRC/C/15/Add.145, February 21, 2001

¹³⁰ CRC, Concluding Observations of the Committee on the Rights of the Child, Egypt, CRC/C/15/Add.145, February 21, 2001

¹³¹ CAT, Concluding Observations of the Committee Against Torture, Egypt, CAT/C/CR/29/4, December 23, 2002

¹³² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.195 - 199

¹³³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.199

¹³⁴ The Situation of Women inside Egyptian Prisons, The Human Rights Center for the Assistance of the Prisoners, Cairo, 2001

¹³⁵ See: Land Center for Human Rights, General Evaluation: Egypt, 2004, p.198

including the sexual abuse of the detained women.¹³⁶ In addition, women are detained in places allocated for the detention of men.

Further, women must take over the responsibility of providing for their families when husbands are arrested and in addition, they are detained in prisons far from their homes so that women get exhausted and after crossing long distances, the time of visit is too short. Further, women are compelled to take off their veils in order to visit their male relatives.

B. Non-State Violence

The Land Center for Human Rights describes a wide range of unofficial or social violence attributed to non-state actors. This includes murders (revenge, beating to death, suicides), torture, violence amongst farmers, violence against older people, armed robbery, violence against children (at home, at work, in schools) and against women (at home, work, in public).¹³⁷

1. Murders

The Land Center reports that the crime of murder represents the highest proportion of perpetrations in the Egyptian society (70%) and 25% of all crimes¹³⁸ and that the crime of beating to death comes in the second place with the percentage of 18% of total crimes giving a bigger share for the crime of murder¹³⁹ according to the statistics of 2000.

The crimes committed for defence of honour represent a big portion of murder crimes and the poorest classes witnessed a bigger portion of murder crimes. In the meanwhile, this crime spreads in the poorest provinces¹⁴⁰.

2. Torture

The Center reports cases where individuals torture their weak employees or family members (the wife, the children, or younger brothers).¹⁴¹ The Center point out that “this crime does not occur out of nothing. It is the natural result of backwardness in economic, social, and cultural position in the Egyptian society. These positions affected negatively the family ties and tolerance among family members spreading domestic violence generally and torture particularly. The most important reason of this phenomenon is the punishment for adultery or suspicion of it. The second reason is the desire to get rid of one of the family members, such as the stepson.”¹⁴²

¹³⁶ “Women are also reportedly targeted by the State in their private roles as mothers, sisters, wives, partners and daughters of political activists. They are the victims of a policy known as “hostage-taking”. Under these circumstances, women are particularly vulnerable to rape, the threat of rape and other sexual mistreatment. As this type of sexual abuse is considered a severe offence against both woman’s and her family’s honour, it is used against women to force wanted persons to give in, or to extract information and evidence on the activities of husbands and family members.” Special Rapporteur on Violence against Women, Integration of the human rights of women and the gender perspective, violence against women, E/CN.4/2003/75/Add1, paras: 716-730, February 27, 2003 (731)

¹³⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p. 206 – 259.

¹³⁸ PCentre for Studies and Researches of the Third World, Ibid, p. 12 – 13

¹³⁹ Ibid

¹⁴⁰ PCentre for Studies and Researches of the Third World, Ibid, p. 12 – 13

¹⁴¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.210

¹⁴² Land Center for Human Rights, General Evaluation: Egypt, 2004, p.211

3. Violence among farmers

The Land Center provides information and statistics on violence between farmers.¹⁴³ The Center reports that the circumstances that control the life of small farmers in Egypt's countryside are all similar in poverty, absence of decent life and few sources of livelihood, in addition to depriving farmers of existing ones. These circumstances enforce conflicts among farmers over the rare sources of livelihood available to them leading in turn to violent actions that end with death in some cases. Reasons of violence among farmers are endless, but land, as the main pivot of livelihood, is also the main pivot of most conflicts. Access to water (irrigation) is also a cause of conflict between farmers.

4. Violence Against Children

The Center analysis's societal violence against children in some detail including violence towards children at work, the extent of child labour in Egypt, the extent of violence against children in the agricultural sector, in industry, in the schools and domestic violence against children.¹⁴⁴

The Center states that "actually, there is a relation between violence on one side and poverty, violation of economic, social, and cultural rights, low opportunities of development, and the growing inequality on the other side. Thus, the phenomenon of violence against children cannot be understood and handled correctly without knowing the various complicated factors included in it. Economic and social factors come on the head of these factors, in addition to the cultural heritage that form the values prevailing in society."¹⁴⁵

Child labour

Regarding child labour, the Committee on Economic, Social and Cultural Rights reported that "each year over one million children between the ages of seven and twelve are hired by Egypt's agricultural cooperatives to take part in cotton pest management. Employed under the authority of Egypt's agriculture ministry, most are well below Egypt's minimum age of twelve for seasonal agricultural work. They work eleven hours a day, including a one to two hour break, seven days a week-far in excess of limits set by the Egyptian Child Law."¹⁴⁶

In that regard the Committee expressed its deep concern over reports that children under 12 years of age work more than six hours daily in the agricultural sector, which deprives them of their right to education. In addition, reports also claim that children between 8 and 15 years of age work in cotton gins in the Nile Delta under unfavourable conditions without lunch or rest breaks, and have no protection under Egyptian law particularly with regard to work-related injuries and diseases."

The Committee on the Rights of the Child expressed its concern in 2001 that the "regulations governing working hours and exposure to hazardous conditions for children are not respected nor effectively enforced. In particular, that there is no effective inspection and supervision in the private sector, family enterprises, agricultural activities and domestic

¹⁴³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.212 – 217.

¹⁴⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.232 – 248.

¹⁴⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.233

¹⁴⁶ CESCR, Concluding Observations of the Committee on Economic, Social and Cultural Rights, Egypt, E/C.12/1/Add.44, May 23, 2000 (21)

labour, precisely where child labour in Egypt is concentrated, in many cases involving hazardous conditions”¹⁴⁷.

Further, according to the Land Center, children working in agriculture also face routine beatings by their foremen¹⁴⁸, and Human Rights Watch reports they are exposure to heat and pesticides.¹⁴⁹

Violence in schools

The Land Center reports that although it is well known that violence is spreading in Egyptian schools especially at the primary level, few statistics are available. Violence in the schools, according to the Center, is intentionally neglected in order to preserve the reputation of the teacher.¹⁵⁰ The Center reports that “teachers tend to be violent for many reasons, such as low salaries and increasing prices together with the increase in consumption patterns that lead to a psychological pressure on teachers and other poor classes.”¹⁵¹

Violence in the family

The Land Center deals also with violence in the family against children. The Center reports that “parents may harm their child by beating or assigning him to works that do not match his physical and mental abilities as a child. They may even push him to robber and cheat. This treatment gives the child a feeling of injustice and envy towards the society and breeds the desire to revenge from others”¹⁵². Children may also suffer sexual violation and rape by brothers or sisters.”¹⁵³

The Center further states that in Egypt “domestic violence is a family matter that should not be mentioned in public. Thus, reported crimes represent only 10% of real domestic violence.”¹⁵⁴ Further, “official statistics and declarations on domestic violence have many contradictions and depend on the notifications received to police departments. These notifications are mostly drawn for the sake of the family reputation. In addition, violence against wives or children is ignored unless it left a trace that can be criminalised.”¹⁵⁵

6. Violence against Women

The Land Center has analysed and provided detailed information on the following forms of violence against women; family violence, sexual assaults, female genital mutilation, honour crimes, early marriage, violence against women in the public road and violence against women at work.¹⁵⁶ The Center states that “in a nutshell, the violence directed against women is not to be separated from the current of violence prevailing in the society at large.

¹⁴⁷ CRC, Concluding Observations of the Committee on the Rights of the Child, Egypt, CRC/C/15/Add.145, February 21, 2001 (49)

¹⁴⁸ “Children working in agriculture suffer many kinds of violations starting from depriving them of the right to play to beating and even killing them during transportation to work places.” Land Center for Human Rights, General Evaluation: Egypt, 2004, p.244

¹⁴⁹ HRW, Underage and unprotected: Child Labor in Egypt's Cotton Fields, January 2001

¹⁵⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.246-247

¹⁵¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.247

¹⁵² *PEs-Saba*, violence, sex, and women health, the conference of the Egyptian society to solve domestic and social conflicts, April 1979

¹⁵³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.247

¹⁵⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.246

¹⁵⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.246

¹⁵⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.248 – 259.

Violence directed to women whether sexual, psychological or physical is due to the low status of women in society.”¹⁵⁷

The Land Center reports that on a study¹⁵⁸ that asserts that violence committed against the Egyptian women is because of social, economic and cultural reasons. Economic reason (the desire to obtain possessions by force, disputes over expenses, inability to pay for living expenses, and unemployment) are the most important factors at 45.6%, followed by the social factor (second marriage, marriage without the family acceptance, disobeying, leaving without permission, the desire to be divorced, revenge by wives, wives’ leaving house, girls’ refusal to marry a specific persons, refusal of the divorced woman to return to the husband, and forcing wives into prostitution) representing 35.1%.

Cultural factors (suspicion, doubt, believing in mythology, insulting parents) are the cause of violence in 19% of the cases. The study emphasizes that most of the felons and victims are illiterate. The study asserts that women in the rural areas face violence more than women in urban areas. Cairo is the most province (especially in the poor random areas), where violence is widespread.”¹⁵⁹

The Land Center reports that it is “clear that family violence against women is more widespread in the poor and random areas that means that the misdistribution of wealth, services and facilities in addition to the deprivation from social, economic and cultural rights lead to diffusion of violence with its all forms committed against the weakest categories as women and children.”¹⁶⁰

Female genital Mutilation

The Land Center reports¹⁶¹ that female genital mutilation is the most dangerous form of violence against women in Egyptian society which damages the physical and psychological health of the child. It has been officially outlawed in Egypt, but is still widespread. The Human Rights Committee took note in 2002 of the action and awareness campaigns against female genital mutilation, but also noted that the practice still continued and called on Egypt to eradicate the practice of female genital mutilation.¹⁶²

Early Marriage

The Land Center identifies early or forced marriages as another form of societal violence against women “through which young girls are obliged to be responsible for marriage tasks although she isn’t qualified physically or psychologically to bear such burdens. Many studies and researches mention that this phenomenon is more widespread in the poor rural areas especially in the Upper Egypt, where diffusion of poverty and illiteracy and dominance of inherited customs and traditions impact negatively the women conditions.”¹⁶³

¹⁵⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p. 199

¹⁵⁸ Laila Abdel Wahab – family violence

¹⁵⁹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.251

¹⁶⁰ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.251-252

¹⁶¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.254 – 255.

¹⁶² CCPR, Concluding Observations of the Committee on Civil and Political Rights, Egypt, CCPR/CO/76/EGY, November 28, 2002

¹⁶³ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.257

C. Link between violence and social and economic factors

Throughout its extensive report and in the two case studies as well, the Land Center identifies the many links between economic and social factors and the various kinds of state sponsored violence and that perpetrated by private actors.

The Land Center points out that in “Egypt in particular, the conditions of deterioration and dependency witnessed by the Egyptian society has affected the majority of the social factions. The latter are living a state of poverty, social and cultural deterioration and deprivation. This is in addition to the state of political repression - providing an atmosphere suitable for the spread of violence whether inside the family, the two main victims of which are women and children, or in the outside relations that control the social and political powers in Egypt. Moreover, the severe social conditions undergone by the poor families whether in the urban or the rural areas are one of the forms of social violence. Such kind of violence is reproduced inside the one family and mostly the victim of which are women and children – the most vulnerable factions prone to suppression and violence.

Violence by extremist Islamic groups

One important manifestation of violence in Egypt has been that of the Islamic militants and the Center underlines that in order to understand the confrontations between the state and the militant Islamic groups during the 1990s due consideration has to should be given to the social root causes of the phenomenon.

The Center states that “the phenomenon of fundamentalist terrorism emerged in Egypt within a critical economic and social context. There “occurred the change in the social situation, maintained by new liberalism and transformation towards capitalism and private sector policies. This resulted in grave social changes, the most prominent of which was the crisis of the middleclass. The latter developed under the capitalist policies of the state over the 1960s and early 1970s. But was gradually eroded to poverty and marginalization. The situation as such provided an environment suitable for the emergence of Islamic extremism as an alternative for those youth who found themselves with no future.”¹⁶⁴

The Center also pointed out that “if the state or rather, the security agencies managed to suppress fundamentalist extremism ...”, “it actually failed to address the economic crisis and the consequent social tensions” and that this gives rise to “the recurrent public protests in which trivial events beget huge social turmoil leading to violent clashes between the security forces and the citizens”.¹⁶⁵

Another aspect identified by the Center is violence in schools and poor quality of education. The Center states that Egyptian schools, especially in poor suburbs, villages and the south, remained since the seventies a big source of violence. These schools were proper places for violence among students and towards them from teachers. “These reasons resulted in the existence of graduated generations that believe in a group of values that call for the illusion of owning the truth and underestimates science for the sake of legends. Big part of

¹⁶⁴ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.170. The Center pointed out that “This might be illustrated through the cases monitored of the confrontations between the security agencies and the militant Islamic groups. Most of such cases occurred in Upper Egypt, characterized by high rates of abject poverty, social exclusion and marginalization. It also spread in the slums of the urban areas where poverty and low standards of living prevail.”

¹⁶⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.171

the graduated lack required qualifications and ability to cope with labour market, which is basically weak. They were the main source of religious violence groups and formed leaderships for those groups which belong to the lowest slices of the intermediate class.”¹⁶⁶

“In a nutshell, there are social and economic dimensions for the growth of the phenomenon of religious extremism in Egypt and Public protests. The main reason behind the bad socio-economic situation of the country is the policies of the state. These methods resulted in the poverty of many factions of the society. Meanwhile, the state confronted such phenomenon by severe suppression implying numerous massacres on both sides.”¹⁶⁷

Violence and economic and social development

The Land Center states that the “spreading of violence in the Egyptian society is a normal result of the deep changes in economic, social, cultural, and political circumstances in the past decade. It has become an original characteristic of the Egyptian society. That appears in the fact that violent crimes, such as murder, rape, and forced robbery are prevailing most among the poorest social classes or among those classes that are mostly subject to violation of their economic, and social rights, such as workers, the unemployed, and governmental employees.”¹⁶⁸ The Center provides statistical support for these conclusions.

The Center reports that “people tend to be violent when they are desperate and have no hope of having their rights and urgent needs”.¹⁶⁹ “Thus, economic reasons are the most effective variable that leads to violence, low living standards and the feeling of suffering push people, especially youth, to violent reactions. The main two problems that lead to violence are unemployment and unequal distribution of wealth as most criminals are unemployed youth between 18 and 30 years old”^{170 171}.

“Unequal distribution of wealth makes poverty one of the deep characteristics of the Egyptian society”¹⁷². Consequently, a general atmosphere of social dissatisfaction prevails in a way that makes certain social classes and slices more tending to commit violence crimes¹⁷³. That appears in the facts that 47.1% of criminals did not work before their first crime, 60% of robbery criminals are unemployed, 100% of the unemployed get involved in street fighting, and 46.22% of the unemployed commit the crime of stimulating to kill”^{174 175}.

¹⁶⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.77-78

¹⁶⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.170.

¹⁶⁸ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.206

¹⁶⁹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.207

¹⁷⁰ **P**Dr. Laila Abdel-Gawwad, Mr. Mohammad Saad Mohammad, youth’s views of reality and the future of social violence in Egypt – economic, social, and criminal dimensions of violence in the Egyptian society, fourth annual conference, National Centre for Social and Criminal Researches, April 2003, second volume

¹⁷¹ Land Center for Human Rights, General Evaluation: Egypt, 2004, p. 207. When a young man works hard for a proper qualification and training, he expects that he will be able to provide himself a proper income. Nevertheless, he finds himself unemployed and unable to achieve his ambitions, thus refuses the social reality, and tends to be violent.”

¹⁷² **P**Centre for Studies and Researches of the Third World, Development in Egypt in 1999, 2000, p. 11-12

¹⁷³ **P**Dr. Laila Abdel-Gawwad, Mr. Mohammad Saad Mohammad, Ibid

¹⁷⁴ **P**Magdy Imam, economic changes and domestic crimes in the Egyptian society, an unpublished research, Faculty of Arts

¹⁷⁵ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.207

Regarding torture, the Center states that “it is noteworthy that the majority of the victims of torture belong to the poor social classes.”¹⁷⁶ However, “despite the fact that most of the crimes of torture are committed against the poor classes, torture is practiced against other factions of the middle class e.g. merchants, lawyers, professionals or intellectuals. Torture, particularly when it leads to death, is a major reason behind the outbreak of collective protests and actions of violence against police stations and some governmental agencies.”¹⁷⁷

IV. Conclusions and recommendations

The Land Center in the final chapter of its report draws extensive conclusions on each of the topics treated and also provides detailed recommendations aimed at eliminating the human rights violations and the official and social violence in Egypt. The Land Center made the following general recommendation;

“Supporting and motivating citizens participation in managing their life affairs, and support their self-capacity to improve their livelihood level.

The way out of this crisis is a bird with two wings and they are: participation and development, democracy and improving the livelihood level and a bird can’t fly with only one wing.

The democracy issue and improving livelihood chances and life for citizens can’t be achieved without creating practical frameworks for change through a connected building process that stand on effective dialogue, accepting multiplicity and diversity, the circulation, freedom of opinion, cancelling the laws that restrict freedom, cancel working in emergency law, and guaranteeing the right in gathering, organizing, demonstrating, striking and forming bonds and associations, and guaranteeing the citizen’s rights in suitable working chances, secure land tenure and suitable housing, and guaranteeing their right to health care, education, healthy food and clean water, and guaranteeing other services that provide the Egyptians with their rights in a suitable and decent life.”¹⁷⁸

¹⁷⁶ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.135

¹⁷⁷ Land Center for Human Rights, General Evaluation: Egypt, 2004, p.136

¹⁷⁸ Land Center for Human rights, General Evaluation, supra, page 267.

II. Case studies of the impact of agrarian reform on two villages in Egypt; Kouta Karoun village and el Bieda village

This Part contains a summary of case studies of the impact of agrarian reform on the human rights situation in two villages in Egypt and is based on a more detailed report prepared by the Land Center for Human Rights in Egypt. The unedited English version of the full report is available on the OMCT website.

The Land Center prepared its report in order to highlighting the impacts of the implementation of the agrarian land law (law 96/1992) in two Egyptian villages. The study focussed on the conditions through the different phases of the implementation in order to reviewing how such implementation leads to deterioration of socio-economic conditions in the Egyptian countryside. In addition, the study made it possible to learn more about the procedures of the state and large-scale landlords that violate farmers' rights and land safety.

Ten individuals "tenants, landlords and officials" were chosen per village for interviewing in order to discuss how the law was implemented by the state, the impact of the law implementation on different conditions and if it contributes to increasing violence inside the village. People in different categories [socially - politically - gender] were included and a questionnaire was prepared for this study. In addition, collective meetings with some experts and sheiks in the villages were held in order to document this data and clarifying the different views of the impact of the law implementation on farmers' living conditions and violence inside the village.

The events in the two villages took place within the overall economic, political and legal environment described in Part One of this document. In addition, the full report of the Land Center provide further detailed information on the agrarian reform policies in Egypt and how they were implemented as well as more details and examples which could not be included in the present summary.

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- I. Kouta Karoun village:
 - A. The village profile:
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- II. el Bieda village
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 - E. The story of another villager; "Uncle Ayob"

- III. Main points of the implementation of the agrarian reform law and its impact on human rights

I. Kouta Karoun village:

A. The village profile:

The village lies in the west of el Fayoum province. In the sixties water became available to the village and many farmers especially from the surrounding provinces as Beni Suief moved towards the village and began to reclaim the wasteland. The arable land in the village is about 1000 fedens possessed by limited number of owners. This land was owned by institution of land reform that distributed the land between numbers of farmers in exchange for annual fees paid by farmers regularly. In the seventies, number of investors began to reclaim vast areas of lands "100-200 fedens" which they cultivated with orange, mango and olive till the implementation of law 96/1992. That law gave those new landlords and the Ministry of Agriculture the opportunity to steal the land and cultivate the land with corn, wheat, opinion and peanuts.

The village was provided with electricity in 1985 and clean water was supplied to the village in 1995; only 20% of the families enjoy with this service while the other inhabitants depend on the underground water that impacts negatively their health conditions. In 2001, a telephone exchange was established in the village; only 10% of the families enjoy with this service. The village has no sewerage system although the project of this service was begun two years ago but has not been finished yet.

There are two primary schools [Kouta Karoun school "650 students - 25 teachers" and Kouta el Balad "475 students - 15 teachers]. The capacity of classes of these schools is varied between 55-60 students. There is one prep school in Abaza village "2 km far from the village" that costs 0.5 LE a day for coming and going to the village which prevents poor families from sending their children to school. Most secondary schools are in Abshoy village "37 km far from the village" that costs 20 LE a day for coming and going.

There is no health unit or private clinic in the village. The only health unit is 4 km far in which a doctor works for 15 years. This doctor deals with the clinic as a governmental institution from 8 am to 2 pm in which farmers receives the service for 1.05 LE, then the unit is transformed into private clinic in which the farmers pay 5 LE for examination. About medicines in the health unit, it is very few that isn't adequate for any operations. There is only one pharmacy in the village that is open from 10 am to 10 pm.

The percentage of the educated person is estimated with 30%. Before the law implementation, the families used to depend on cultivation for living but by the implementation of the mentioned law, huge number of families was obliged to leave the village searching for any source of income in Cairo or new cities. Those migrants worked in different profession for 15 LE a day. About the farmers that are still living in the village, they have no choice but working in others lands for 10 LE a day.

B. Conflicting for land possession before law implementation:

During 1966, the institution of land reform put its hand over 75 fedens and 6 kirats in Abshoy village from the inheritors of Mohamed Amin Wally. This plot was distributed between farmers "one feden and nineteen kirates a farmer". From this year, the 52 farmers in the village cultivated the plots dealing with the specialized institutions as agrarian cooperatives as the landlords.

According to the first article of law 3/1986, the possession of this land of the institution is considered as final possession because it was done for more than fifteen years. Some of those farmers presented their demands before the institution to buy these plots. Therefore, the farmers began to work for owning the land but the institution paid no concern giving no legal reason or reasonable justification.

By 1997, the farmers were surprised to learn that Mahmoud Amin Walley "the inheritor of Mohamed Amin" had completed the necessary procedures for evicting the farmers. The heir had presented an explanation before the institution that released the land. Mohamed Amin made use of his relationships with the police officers to oblige farmers to leave the land using the all available forms of violence. This although there was no final judgement in the lawsuits presented by farmers, especially that these lawsuits were still under the court deliberation.

Since the beginning of the year 1997, the security forces violated rights of personal safety and life of more than fifty farmers. The policemen of Abshoy police station accompanied eighteen soldiers and ten guards attacking farmers' houses. The police forces arrested twenty eight farmers to press them to leave the land. The security forces organized campaigns of collective detention against tenants, wives and kids. On 6/11/1997, the police forces hanged and beat farmers. Those farmers faced various means of torture. The farmers' wives suffered from sexual harassment. The reports of LCHR monitored the violations and violence committed against tenants. At the end, the tenants had no choice but to surrender.

Law 96/1992 is considered as the worst example of the policies called economic reform adopted by the Egyptian government since the beginning of nineties. These policies impact negatively the social, economic and psychological conditions of the poor in Egypt. The government makes use of many violent procedures against the poor to implement these policies. The farmers receive their share of these violations represented in implementation of law 96/1992.

These policies impact negatively the living conditions of the rural inhabitants and the rural relationships between them represented in increasing the disputes between farmers especially that the law implementation leads to richness of some groups that own vast areas accompanied with impoverishment of the other groups that are evicted from their lands. Law implementation leads to increasing of the phenomenon of unemployment in addition to absence of the participation of farmers in the public political life.

Kouta Karoun village is an example that reveals the violations committed during the law implementation. The village is the center where the family of the current minister "Dr. Joseph Wally, the minister of agriculture" that play an essential role to evict farmers from the land forcedly violating their rights in addition to using all forms of violence "torture, imprisonment and arresting women" against those poor people. Such violence led to death of a farmer called Ismaeel Aly Khalil as a result of torture inside the police station.

C. Detaining and terrifying farmers during the law implementation:

At the end of the transitional period in Oct 1997, the families in Abshoy village, el Fayoum province, were shocked with the attack of the security forces that supported the family of Joseph Wally to put their hands on the land rented and possessed by those farmers. When the families objected to the attack, they faced insulting and beating in addition to

demolition of their houses and destruction of their crops.

When some 47 farmers objected to the unjustified attack, they were detained and tortured to confess that their plots were rented from Mahmoud Wally "the minister's uncle. After fifteen days of detention and torture, the farmers were informed that they would meet the possession allegor "Mahmoud Wally" in his villa. When farmers went to his villa, they met Mr. Mahmoud and his nephew, who told his uncle that he had to get rid of those farmers and re-receive their possessions. That annoyed the farmers and pushed them to refuse leaving the land that led to continuing the torture process. Then, the officer released them asking them to meet Mr. Mahmoud. However, the farmers didn't go for that meeting which caused the police force to arrest more than 17 women of farmers' family in addition to using tractors to destroyed crops on farmers' lands. As a result of this detention, one of the farmers called Ismaeel Aly Khalil died when he arrived at his home because of the severe torture that he faced. That caused families to present many complaints.

According to the report of LCHR issued in August 1998, the security forces, on 25/10/1997, arrested 19 farmers to oblige them to leave the land responding for the complaint presented by the inheritors of Mohamed Amin against tenants. The Center issued a press release monitoring the violent incidents when farmers went to their plots for harvesting and they were arrested by the security forces on 17/4/1998. The security forces organized the campaign of detention against farmers violating laws and international covenants. The police of Abshoy obliged farmers to leave the land.

D. What is after that?

After the tenants lost their lands, they became agrarian labourers with no lands, houses or cattle that mean that they lost their agrarian and animal wealth that were sufficient for living in adequate conditions. The unemployed tenants left the village to search for any work opportunity in the cities while the wives are sitting in the houses waiting for the return of their husbands. The land is threatened with wasting after it used to be cultivated with different crops. On the other hand, the tenants have a hope to get back their land once more, especially after the retirement of the minister. Some of the farmers said that they have a new dream to re-cultivate the green land again to live again in adequate living conditions enjoying with safety and suitable work opportunities.

E. The story of one villager

Name: Aly Zidan Aly

Age: 57 years old

Profession: farmer - agrarian labourer

Daily wage: 8-10 LE a day but it is not permanent work that the labourer finds no work but 18 days a month except in period of harvesting estimated with 60 days a year
"see table no. 1"

Land possession: he was owner of two fedens

Number of family member: nine

- Wife: 50 years old - illiterate - not working

- Zidan: 23 years old - agricultural vocational certificate -
Labourer

- Ibrahim: 22 years old - illiterate - labourer

- Shahat: 20 years old - industrial vocational certificate -
Labourer

- Farag: 19 years old - illiterate - applied for military

Service

- Sayeda: 17 years old - illiterate - not working
- Abdel Moula: 14 years old - prep school
- Aisha: 10 years old - primary school

About the kids that are still educating, the expenses for their education are as follows:

Educational expenses:

Abdel Moula: he is in Abaza prep school, 2 km far from the village. The tuition is 33.5 LE. The father pays 5 LE for notebooks, 5 LE for pens, 90 LE of the uniform in addition to 0.50 LE daily for the transportation.

Aisha: she is in Kouta primary school, 150 m far from the home. The father affords 24.5 LE for tuition, 5 LE for notebooks, 3 LE for pens and 70 LE for the uniform bought by her brothers working in Cairo as daily labourers.

Description of their house: the house is consists of four rooms "survey per room is 2.5m*2 m" and a hall "its survey is 2m*4m in addition to a bathroom built outside the house. The house is built with clay while the roof is made of reeds. About eclectic machines, they own a small black and white TV, clothes washer and a small radio set.

In case of sickness: according to the deteriorated conditions of uncle Aly, his family and he are treated by the popular prescriptions. If these traditional ways fail, he goes to the health unit or the public Abshoy hospital that is 57 km far through which he pays 1 LE for transportation. About the health unit, it is 3 km far that works from 8 am to 2 pm for 1.05 LE as fee. After 2 pm, the physician receives the sick people for 5 LE as fee for the private examination. This physician is working in the unit for 15 years because of his relation with Wally's family. When uncle Aly was sick, he went to the unit paying the 1.05 pounds when the physician gave him some aspirins and advised him to buy some expensive medicine but uncle Aly couldn't buy it.

When we asked him about **youth center**, he answered that there is no youth center or club in the village.

Regarding our question about **parties**, he answered that there are no parties. About the Islamic group, they were existent until they were arrested in the mid of seventies. He mentions that the landlords make use of their relationships with the family of the minister of agriculture, Dr. Joseph Wally, to abuse them. He highlights that they practice no political activity because they are weak. About his point of view about parties, he says that the rich and officials give the opposite no opportunity to work. He asserts that he didn't vote through the last elections of the people assembly because when he went to vote, the supporters of Wally ordered him to leave while they offered to give another farmer ten pounds for voting for Wally. Uncle Aly says that the member of the assembly of the village is Ismaeel Sherief Joseph Wally, who doesn't visit the village but during the elections days. He adds that he doesn't hear about elections of local councils and he doesn't know if there are members of the councils in the village or not.

Impacts of law implementation

Uncle Aly is supposed to have no relation with the law. He delivered his plot throughout the

Nasrian era that was semi reclaimed. He spent his life cultivating his lover "land" that provided him with luxury and good. One day, he heard screaming outside the house when he chocked with his son that entered the house telling them that the police will take the land. Then, he shouted, "there is law protecting our right, sit down my son to have your lunch". After that they heard crying and shouting that pushed them to get out the house when one of his neighbours told him that Wally' sons accompanied policemen to evict all farmers from the land. So he walked towards his land when he met a policeman that arrested him to be imprisoned in Abshoy police station where the officer told uncle Aly and other farmers that they were detained to deliver their land to be delivered to their original owners. Therefore, they told the officer that they are the landlords that pushed the officer to insult and order the soldiers to beat and torture them along the 15 days. After that they were released to meet Mr. Mahmoud Wally, the minister's uncle, to undersign the documents for leaving their lands but they refused resulted in their detention once more. Uncle Aly doesn't know what he has to do but presenting complaints and filing lawsuit. But this nightmare isn't solved until now.

The current source of income of uncle Aly: after these terrible incidents, he is fighting for finding permanent work opportunity for his sons and him. But he usually fail to work in other' lands because it is owned by his enemies that refuse to hire him that oblige them to immigrate the village searching for any work opportunities. Uncle Aly survives through the incomes of his three sons that work out the village [both Zidan and Ibrahem work for 8-15 pounds a day for 20-22 days a month & the third son traveled to Libya for six months without sending any amount].

The relation between uncle Aly and the agrarian cooperative: it was very good that he used to take seeds, pesticides and fertilizers in addition to receiving some loans "not more than 75 pounds". But this relation is stopped that the cooperative refused to deal with uncle Aly. When he knew that he has shares in the cooperative, group of farmers and him went to the agricultural administration that promised them to solve their problem and asserted their rights in these shares, they received letters fro the ministry informing them that they had no right in these shares that pushed farmers to file lawsuit.

When we asked uncle Aly about the DACB, he mentioned that he has no relation with the bank at all.

II. el Bieda village

A. *The village profile:*

El Bieda village lies in Monshaa Nasr, el Hussania district, el Sharkeya province. It is a small Izba "smaller than village" whose inhabitants aren't more than five thousand. The village is characterized with clean streets surround by vast green areas. In addition to insufficiency of services of health care, education, transportation, and telephone, there is no school, clinic or pharmacy in the village. In spite of the deterioration of these services, the village used to live in safe conditions regarding possession of land and houses, work opportunities and humane living conditions.

The farmers of el Bieda village received 157 fedens in 1969 to be reclaimed. From that date, cultivating the land became the sole source of income for those farmers and they were issued cards of arable of agrarian possession from the agrarian cooperative. After that, farmers were surprised with decree of releasing the land through the public institution of land reform

for the sake of the public Egyptian association for reclamation and agricultural development in 1976. In 1978, the land was delivered for the public institution for projects of construction and agricultural development. Then, presidential decree no. 141 of 1981 lifted the protection imposed against the claimants of the land and with the collusion of some employees; the land was delivered on papers to the landlords.

The implementation of the land law and the threats to farmers that they would lose their land changed the happiness in which the village lived. This was especially true after the tractors of the government and those claiming possession of the land attacked the village to evict farmers from about 57 fedens. Moreover, persons hired by the landlords, with the assistance of some policemen, attacked farmers' houses and destroyed their materials.

The strange issue was that the cooperatives issued possession cards for the landlords although these cards couldn't be issued for anyone but the land user that were the farmers. Those landlords made use of these cards and forged receipts for loans from the Bank in el Zakazik district. The farmers were obliged to pay off these loans with its interests, although they had not received the money in order to avoid imprisonment or the seizure of their crops and cattle.

B. Law and violence inside the village:

After the inheritors of the claimants obtained a judicial sentence for the eviction of the farmers from an area estimated with 57 fedens, they implemented these sentences using the worst forms of violence and insulting through the police forces that delivered the land to those landlords. Some farmers against whom no judicial sentences were issued had to give up their land under the guardian of the police. The group of farmers that refused delivering the land were arrested by the police, insulted and beaten. Their women were raped in order to force them to leave the land. Some landlords stole the crops cultivated on the land that was turned over and they prevented the farmers from harvesting their crops or even giving farmers any compensation. Other groups of landlords left farmers to collect their crops while the other group destroyed the crops through either burning or using tractors.

After the landlords took possession of the 57 fedens forcibly, they filed minutes against farmers and their kids accusing them with stealing the crops and machines in order to terrify the other farmers to leave the plots before issuance of the judicial sentences. All the accused farmers proved their innocence in these charges with the help of LCHR's lawyers. Some claimants to land made use of their relations with some policemen to receive the land before issuance of the judicial sentences. Further, as an example of the use of violence to evict farmers, on 31/10/2003, about one hundred Bulgarians with the assistance of policemen attacked the village threatening inhabitants with weapons if they resisted or even got out their houses that led to injury of three persons.

According to reports of LCHR, in Oct 2002, the central security forces attacked the village destroying crops in 157 fedens about which farmers and inheritors of Mohamed el Saady el Tahaweey had judicial disputes for more than twenty years. But the security forces violated the law and evicted the farmers from the rented land using various means of violence committed against those poor farmers represented in insulting, beating and the detention of more than one hundred farmers. The tractors of the landlord destroyed the crops "rice and cotton" cultivated in the rented land that caused farmers' losses. The strange thing is that the village is still siege by Bulgarians that terrify families.

Although the prosecution of el Hussania district imprisoned some farmers for fifteen days for completing the investigation about their attacking against policemen using achieving their duties and released the women and children, the police station didn't implement the release decision but it torture and beat them. The families mentioned that the policemen assisted the landlord because of his relative that worked as a head of security department in one of the provinces in the Upper Egypt. This scene of attacking organized by the police forces was repeated on the 1st of October resulted in destroying the crops, wasting the land, killing cattle and destroying houses in addition to detention of more than 100 farmer with no concern with the law or farmers' humanity.

C. El Bieda village today:

After farmers were evicted from the land by force, they told us that their professions became farmers without lands that is considered as a real catastrophe for them that the land is the source of agriculture and safety. It means that without land they had no home especially that most of those farmers are old that couldn't work with other professions. Therefore, their kids work as daily labourers to afford living expenses of their families. The family that comprises one son "daily labourer" obtain 1000 LE a year that make them living in poverty that pushed families to release their kids from education because they couldn't afford the school tuitions.

About the sons that were close for marriage, they are obliged to postpone their marriage. About girls, they become heavy burden that families want to get rid of through the first proposal of marriage that means spreading the phenomenon of early marriage and not sending girls to school.

The living conditions in el Bieda village become deteriorated because of deacing expenditures for food, cloth, education and health that impact negatively the social relationships inside the village accompanied by increasing cases of quarrelling between neighbours and robbery. Moreover, violence committed against women is increased represented in beating wives in addition to spreading the phenomenon of insulting husbands by wives because of deficiency of financial resources.

The story of one villager; "Uncle Wahdan"

Before law implementation:

Uncle Wahdan is 68 years old. He has a 1- member family that consists of his wife, six kids and their wives and his grandsons. The family lives in one house inherited from the family ancestors for which they pay no rental. Before the law, the family owned two rented fedens and 14 kirats. They used to cultivate what they need for food "in winter; 1/4 of the area: barsem for feeding their animals - 2 fedens: wheat & in summer; the whole area: corn". About animal possession, uncle Wahdan loaned four cows and two buffalos from the DACB in addition to their female donkey that they have bred for fifteen years. About the family income before the law implementation, it was about 19280 LE/year earned through selling vegetables, cows, buffalos and goats in addition to the products that they save for eating as wheat, corn, cheese, fats, etc.

The family of Uncle Wahdan had heard about the land law since 1992 through their following up for the discussions of the people assembly in the TV but they paid no attention. In 1995, the inhabitants in the village began to talk about the law revealing their unbelieving

of its implementation. In Oct 1997, uncle Wahdan was surprised with the landlords evicting tenants from the land or raising the rental. The landlords tortured the tenants till they were evicted forcibly. The landlord wasn't patient enough to leave uncle Wahdan harvesting his crops. When uncle Wahdan insisted on harvesting the crops, the police detained him for five days threatening him with imprisonment. Moreover, one of uncle Wahdan's sons was arrested also that obliged uncle Wahdan to leave the land. He presented many complaints before the officials but nothing was changed.

After eviction.

The living conditions of the family become completely different that the sons are searching for work opportunities in others lands, the opportunity of loaning animals from the bank was lost, and the family is obliged to sell their cattle instead of one cow and a donkey to pay of their debt for the bank. The price of the cultivation staff is increased crazily that uncle Wahdan satisfies his needs from the black market. The percentage of cultivating vegetables and beans specialized for sale increases in addition to cultivating wheat for family food. The family depends mainly on the pension of the father estimated with 79 LE/month in addition to 2400 LE/year of the wage of his son working in quarries in Helwan.

The family suffers from economic problems represented in insufficiency of income for satisfying their basic needs; moreover, uncle Wahdan has three daughters in the marriage age for their marriage he has no money. The youth in the village immigrate to Cairo searching for any work opportunity resulted in delaying of marriage. In addition, the wife of uncle Wahdan is so sick whose treatments needs more money especially that the village lacks for existence of hospitals or clinics.

Uncle Wahdan as farmers in the village have sole hope represented in finding work opportunities for their sons or receiving the alternative land applying for the government's promises.

The story of another villager; "Uncle Ayob"

Uncle Ayob has a family that consists of six persons "the wife and five kids". They live in el Bieda village in one-floor house that consists of six rooms satisfied for his sons and their wives and kids. Their house is the only one built with concrete and red bricks but the infrastructure supplied to the house is very poor represented in one pipe that supplies them with the polluted underground water.

Family's land possession before the law implementation

They owned two fedens of the reform lands rented secretly from the landlord since 1961. The sons used to cultivate the land for affording their living expenses in addition to working with daily wages sometimes. Uncle Ayob made use of loans of DACB for cultivating the land in addition to the role of the agrarian cooperative that provides him with seeds, fertilizers, pesticides and machines. Uncle Ayob heard about the law in 1992 through the radio and neighbors. In 1997, the landlord persisted in evicting uncle Ayob from the land refusing the options offered by uncle Ayob as raising the rental in accordance with the new law. On the other hand, uncle Ayob refused to leave the land until he was imprisoned and tortured many times. When he was released, he found his crop "cotton" was destroyed under the cattle legs so he found no solution but leaving the land to live with his family in hard living conditions.

After eviction, the family's member began to search for work opportunity; therefore,

uncle Ayob cultivates others' lands for receiving half of the crop. But this work wasn't sufficient for satisfying the family basic needs. Therefore, he worked in other lands for receiving daily wage but such work was so hard. About his sons working different professions, Mohamed and Al-Sayed as agrarian labourers, Abyob as concrete carpenter, Reda as volunteer in the army while Mona that learns in the commercial vocational school without work.

These conditions pushed the sons to be financially independents after they used to cooperate in affording living expenses of the whole family. It means that the sixty year father becomes responsible for satisfying the needs of his wife, daughter and son in spite of his old age and deteriorated health conditions. The living conditions of the family are being deteriorated in spite of increasing working hours that pushes the family to decrease their expenses for food and medical treatment especially that the hospital in the village presents no health care. Despite of these trials, uncle Ayob as other farmers couldn't afford the living expenses for his family that the poor farmers couldn't even have the pure drinking water that they depend on the polluted underground water. Moreover, the families suffer from the destructive land as the families called for the canal that was filled for along period. This land becomes a garbage area where rubbish is burnt daily threatening children with fatal diseases because of pollution and insects.

To solve the problems of farmers in these villages, we have to guarantee their returning to their lands, promoting their safe land possession, solving their developmental problems and protecting their rights in public services and humane and adequate life.

III. Main points of the implementation of the agrarian reform law and its impact on human rights

The Land Center provided in the case studies report an overview of the situation of agriculture in Egypt and the manner in which the reform legislation was implemented in general. The following are highlights from the latter part of the report. The unedited English version of the full report is available on the OMCT website.

During the law implementation (1997-8):

The period from the mid of 1997 to the mid of 1998 witnessed the implementation of the law in the Egyptian countryside accompanied with different forms of violations represented in beating, insulting, unreasonable detention, torture, burning crops and dismissing from the houses attached with the arable lands.

Moreover, the state' institutions encouraged the appearance of other forms of violence as some disputes between rich landlords against the poor farmers. In some areas, the landlords agreed with the police forces to oblige tenants to leave their plots without any compensation. This led to absence of trust between the state' institutions and farmers and proved that the new agricultural policies were implemented for the sake of large-scale of landlords with no concern for the tenants' benefits in Egypt.

“The security forces imposed conditions adjustment by force against tenants that refused leaving the land. Therefore, the officials obliged some tenants to undersign papers with delivering the land. The security forces organized collective campaigns against villages that refused delivering the land "collective detention and arresting women and old people to

oblige their families to deliver the land".¹⁷⁹

The security forces applied its plan towards obliging tenants to leave the land gradually. They began with threat then detention and so on, comprising practicing different forms of cruel and inhumane treatment.

Unreasonable detention

“Thousands farmers were detained since the beginning of the law implementation. The landlords asked the police for arresting the tenants in order to be obliged for undersigning the papers of delivering the land.”¹⁸⁰

Obliging tenants to undersign papers of delivering the land

The police detained the tenants and their relatives in police stations in order to oblige them to undersign papers of delivering the land.

Destroying crops

“Some tenants were obliged to harvest their crops before its growth in order to deliver the lands for the landlords. Other group left the crops for the landlords for little money.”¹⁸¹ This is a violation of law of agriculture that defines the end of the agricultural year by harvesting in October.

Depriving farmers from their natural right of suing

The tenants were deprived from their right of suing in order to ask for continuity of the lease relation or receiving adequate compensation for the buildings that the tenants established. Instead the tenants were detained to be obliged for abandoning their lands.

Threat with detention decisions

The security forces threatened some tenants with detention applying to detention decrees issued by the ministry of interior that pushed some of those tenants to deliver the lands under the way determined by the landlords.

Transferring farmers and their defendants before state security prosecutions not the specialized prosecutions

The security forces arrested many farmers' defendants and transferred them before the state security prosecutions established under the umbrella of the emergency law. Such practices violate the principle of free expression stipulated by the Egyptian constitutions and international covenants of human rights.

Torture and collective punishment

The security forces terrified complete villages and tortured tenants in police stations. In some cases, the security forces arrested families of tenants to press them to leave the land. LCHR asserts there are more violations committed against tenants in other areas that the Center couldn't monitor or document that required more collective efforts.

¹⁷⁹ Case Study p.17

¹⁸⁰ CS p.17

¹⁸¹ CS p. 18