



# We need to talk about Egypt: how brutal ‘counter-terrorism’ is failing Egypt and its allies

October 2017

## **We need to talk about Egypt**

### **I. Three waves of terror in Egypt**

### **II. Egypt’s third wave of terror**

### **III. Repression in the name of counter-terrorism**

### **IV. Violence begets violence: the consequences of repression**

### **V. International support for the regime**

### **Epilogue: The case for a different national and international approach**

On 24 July 2013, three weeks after Egypt’s army removed Muslim Brotherhood (MB) member Mohammed Morsi from the presidency, Abdel Fattah el-Sisi, then defence minister, called on the Egyptian people to back the army and the police to fight terrorism across the country.[1] Seen as a way to create a mandate for continued military rule after the coup, this call to fight terror has defined Egypt ever since.

Four years on, widespread repressive tactics by the Egyptian government are more severe than even during President Mubarak’s most desperate years in charge. President Sisi, who has ruled since 2014, has used the terror threat to justify intense repression: sweeping counter-terror (CT) laws to clamp down on dissent, a Stalin-style programme of mass incarceration overseen by military tribunals, widespread ‘assembly-line’ use of torture and extra-judicial killing. Egged on by state-controlled media, the strategy targets not only violent individuals but also journalists and dissenting citizens. In Sinai, Egypt’s hidden war has escalated, in part due to the collective punishment of local communities who have faced aerial bombardment, forced displacement and deprivation of essential services.

Such repression typically foments further conflict and terror attacks.[2] In Egypt, the situation has unquestionably worsened: since 2013, violence by the state and non-state groups has caused the deaths of thousands of Egyptians, including civilians, members of armed groups, police and army personnel. The US, Britain and several other European governments have nevertheless cheered the regime on. For them, the mistaken idea that Egypt’s approach is an effective way to counter ‘terrorism’ is too convenient to challenge openly.

For now it remains highly profitable to sell arms to Egypt and easier to avoid sending signals that could lead to Egypt playing a spoiler role on Western priorities such as Libya, Israel and Palestine, and maritime trade. Yet the regime’s behaviour is as cruel and counter-productive as Yemen’s and Syria’s were in the run-up to their devastating civil wars. It will likely fuel further terror, and could well provoke a deep, intractable crisis in the long term rather than stave off the threat posed by violent groups.

This in-depth article explains what is happening in Egypt and why a better response is needed nationally and internationally to end the bitter cycle of bloodshed.

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### Footnotes

1. Ketchley M (2017), 'How Egypt's generals used street protests to stage a coup', *The Washington Post*, 3 July
2. On correlation between state terror and terror attacks, see: Institute for Economics and Peace (2016), 'Global terrorism index 2016', November. On repression fuelling conflict, see Attree L (2012), 'Issue paper 2: What are the key challenges? What works in addressing them?', *Saferworld*

Header photo: Aftermath of the crackdown by Egyptian security forces on supporters of former president Mohamed Morsi in Rabaa al-Adawiya and Al-Nahda squares after Morsi's removal from power in the 2013 coup. Photo: Mosa'ab Elshamy



# I. Three waves of terror in Egypt

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Since the assassination of President Sadat in October 1981, Egypt has experienced three waves of armed violence and terror attacks. Under Mubarak’s rule, the first wave – ostensibly dominated by the activities of *Al Jama’a Al-Islamiya* in Cairo and Upper Egypt – led to hundreds of deaths, including a large attack on tourists at the Temple of Hatshebsut on 18 November 1997.[3] The second wave centred on *Al-Tawhid wal-Gehad’s* attacks in Sinai following the Western intervention in Iraq, and featured multiple bloody and visible attacks (Taba and Nuwabie in 2004, Sharm El Sheikh in 2005, Dahab in 2006). But it is the third wave that has really captured international attention.[4]

## Mubarak to Morsi

During Mubarak’s 30-year reign, a cocktail of widespread police brutality, state-of-emergency laws, illegitimate elections, minimal freedom of speech, extensive corruption and severe economic marginalisation created a suffocating environment for many Egyptians. As pro-democracy protests swept the Middle East and North Africa (MENA) region, widespread popular demonstrations erupted on 25 January 2011 – on the national ‘police day’. Tens of thousands flooded the streets – in Tahrir Square in Cairo, in Alexandria, Suez, North Sinai, and in other major cities and areas across the country – as the revolution took hold. Eighteen days later, after mass protests across the country, Mubarak resigned and a new era for Egypt began.

The January 25 Revolution led to the country’s first fair multi-candidate presidential elections. Of the 13 contenders, two would advance to the final round: Ahmed Shafik, a former prime minister of the Mubarak era, and Mohammed Morsi, a senior member of the Egyptian MB. The toxic legacy of the Mubarak regime led many revolutionary groups to back Morsi despite some trepidation about his Islamist governing agenda and association with radical views. Seen by many as the lesser of two evils, Morsi won over 51 per cent of the vote to become the first democratically elected president of Egypt.



Mohamed Morsi pictured as early vote counts suggested he would become the first democratically elected president of Egypt, June 2012. Photo: Jonathan Rashad

Morsi's government came to power in a highly polarised environment. Many secular and liberal segments of society were staunchly opposed to his agenda, but a deal struck with key figures from the revolutionary movements – dubbed the Fairmont Agreement – enabled Morsi to garner initial support beyond the Brotherhood. This deal involved the launch of a 'national unity project', forming a 'national salvation government' headed by an independent political figure with representatives from all political forces, and reflecting Egypt's political diversity within the president's team.[5]

For the non-MB elements who enabled Morsi's electoral victory, the Fairmont Agreement was a way to fulfil the promise of the revolution. But as Morsi's government began to disregard these commitments, and as socio-economic progress stalled, the movements and activists who had helped him reach the presidency began to turn on him. Morsi's poisoned chalice grew yet more bitter when a new constitution was forced through under very questionable circumstances. This fuelled massive protests across the country. At this point the Egyptian Army, which had also not relished the prospect of prosecutions for Mubarak-era crimes, decided to step in and remove Morsi from office.

As General Abdel Fattah el-Sisi rose to power, MB supporters organised peaceful sit-ins in Rabaa and Nahda squares in Cairo and Giza as a show of support for Morsi and to protest against what they considered to be an illegal military coup against an elected president. The sit-ins lasted 48 days until on 14 August 2013 the government crushed the protestors.

Reports differ on the number of victims, but sources suggest the army and police's actions caused the deaths of around 900 people.[6] With strong evidence of government forces firing on protesters and using armoured vehicles to mow through crowds, Human Rights Watch believes the Rabaa Massacre could amount to a crime against humanity.

The forced removal of Morsi from office by military coup on 3 July 2013 and the subsequent crackdown on pro-Morsi demonstrators ignited the third wave of violence.

## Footnotes

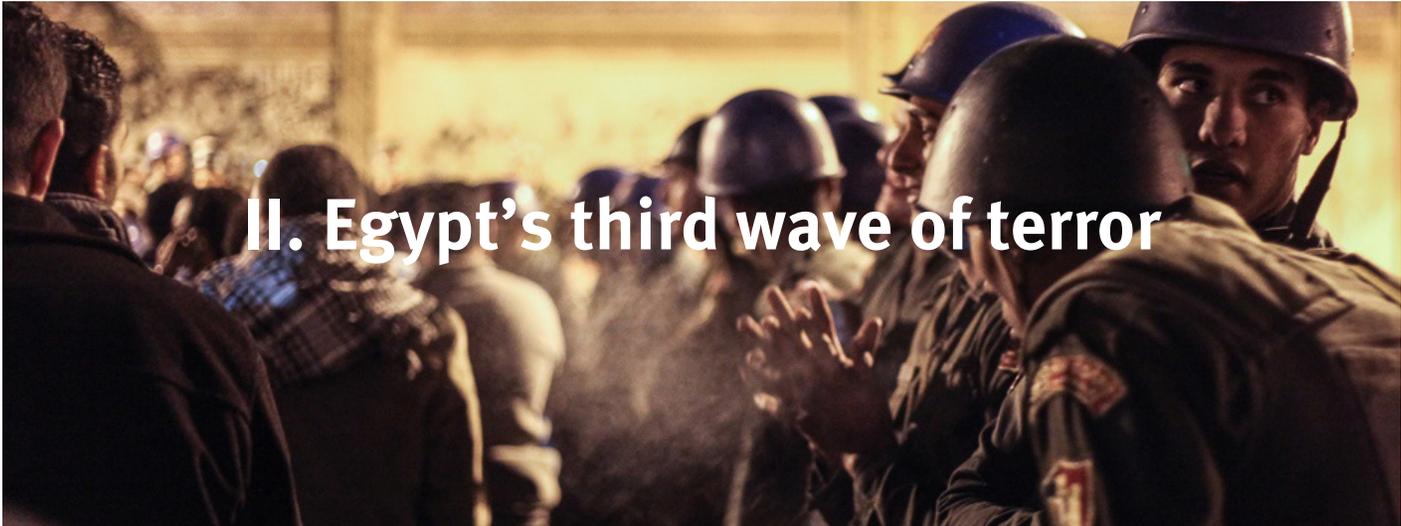
3. Stanford University, 'Mapping Militant Organizations', Al Jama'a Al-Islamiya

4. Taba in 2004, Sharm El Sheikh in 2005, and Dahab in 2006.

5. Shukrallah (2013), 'Once election allies, Egypt's "Fairmont" opposition turn against Morsi', *Ahram Online*, 27 June

6. Four years after the massacre, the final death toll remains unclear. From the first hours following the events the numbers became politicised. MB sources announced that thousands were killed; state and pro-state media offered the lowest estimates. The minimum figure appears to be 632 deaths in the dispersal of the Rabaa sit-in alone, which was the figure given by the pro-government National Human Rights Council in its report. Human Rights Watch reported 904 deaths (817 in Rabaa and 87 in Nahda); the independent initiative to document the revolution (Wiki Thawra) reported 932 deaths in Rabaa alone.

Header photo: Suspected supporters of local militants detained by the Egyptian army during counter-terror operations that according to the army killed 40 people over eight days in July 2017. Photo: Official Facebook page of the Egyptian Army Spokesperson



## II. Egypt's third wave of terror

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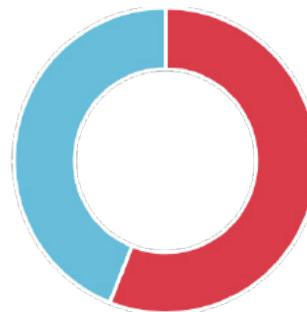
#### Epilogue: The case for a different national and international approach

*"I am saying to all our families in Upper Egypt that it goes against your honour...that someone enters and harms Egypt's people... in your presence. Why aren't Muslims protecting Christians, or dying alongside them?"*

**President Sisi, 7 June 2017, commenting on a terror attack on a bus carrying Egyptian Christians in Mnia Governorate**

Political violence is not new in Egypt, but the latest wave of violence is markedly different in the frequency of attacks and the approach of both violent groups and the government. Although militant groups were active in Egypt outside of the three 'waves', they were largely inert and attacks occurred infrequently. Statistics from the Washington-based Tahrir Institute for Middle East Policy (TIMEP) show a dramatic increase in attacks from July 2013. From January to June 2013, Egypt witnessed 35 attacks (14 in North Sinai); in the latter half of 2013, following the military coup, there were 341. By the end of 2016, the number of attacks since Morsi's removal reached 2,714 – of which 1,511 were in North Sinai. Most attacks in Sinai have been claimed by *Wilayat Sinai* (WS) – an Islamic State affiliate that grew out of the militant group *Ansar Bayt al-Maqdis* (ABM, or 'Supporters of Jerusalem' in English).[7] There were over a thousand casualties reported in North Sinai in both 2015 and 2016 – just under three per day on average.

### Location of attacks by violent groups in Egypt, 2013-2016



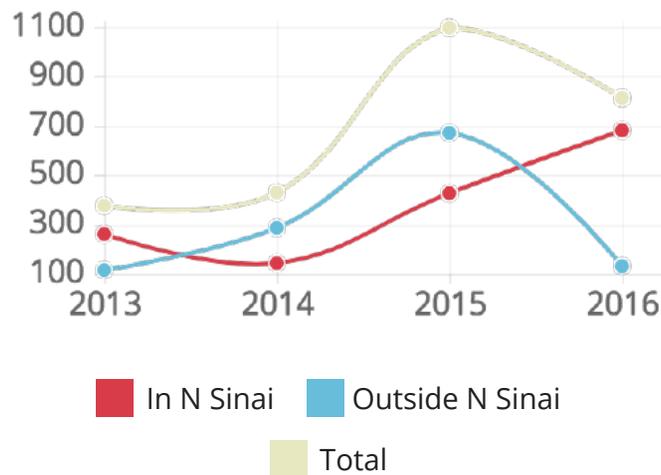
■ In N Sinai ■ Outside N Sinai

(Source: TIMEP)

Unlike the first two waves of terror attacks in Egypt, the current wave has not primarily targeted foreigners, but rather state actors – police, soldiers, judges, security officials, politicians (and more recently Coptic Christians, who are widely perceived to back the Sisi regime). Yet a smaller number of attacks have targeted foreign interests, including: the

*al-Furqan Brigade* attack on ships in the Suez Canal;[8] an attack on the Italian Consulate in July 2015 claimed by Islamic State *Misr* (Egypt);[9] a handful of attacks on tourists and other foreign nationals;[10] rocket, mortar and bomb attacks on or near the Multinational Force and Observers, who oversee the Egypt-Israel Peace Treaty; and most notoriously the killing, claimed by *Wilayat Sinai*, of over 220 people on board a Russian airliner on 31 October 2015.

## Number of attacks by violent groups in Egypt, 2013-2016



(Source: TIMEP)

Importantly, the third wave of violence in Egypt, primarily unleashed by groups from Sinai, has been provoked and fed by repression under the state's heavily militarised CT campaign. [11] This campaign has involved significant violence, mass detention and widespread torture of 'terror' suspects, and has left Egypt, and Sinai in particular, extremely volatile.

## The Sinai conflict and its drivers

North Sinai has long been a hotspot for violence – with its geography, history, society and politics all helping to explain why armed militant groups have arisen there. Communities living in Sinai – predominantly indigenous Bedouins – have been marginalised by successive Egyptian regimes. As a minority in Egypt, Bedouin populations have had unequal access to basic state services, while their nomadic way of life has been adversely affected by the influx of tourism to the region. Discrimination towards communities in Sinai is based on the common accusation that they are not 'real' Egyptians, or that they are traitors who work for Israeli interests. As a result, the central government has treated Sinai's population with a combination of disdain, political exclusion and neglect.

Bordering both Israel and Gaza, and occupied by Israel from 1967 until 1982, Sinai has been caught up in the complex history of Arab-Israeli conflict. Since Egypt's reintegration of the peninsula through the Camp David Accords, the tourist industry has boomed through an array of southern coastal resorts; yet the population has continued to face economic marginalisation and political repression.

Given its neglect by the state, its geographical isolation and proximity to regional conflicts, North Sinai has been an attractive base for Islamist militants for years. But only recently has it become a theatre for violence itself. Tensions rose after attacks on South Sinai tourist resorts from 2004-2006. These led to a hunt for the perpetrators in which "few families in North Sinai were untouched by arrests, harassment, and sentencing *in absentia*".[12] But it was not until the security vacuum following the 2011 uprising that the situation escalated.

Residual grievances in North Sinai had been simmering, and as police melted away following the collapse of Mubarak's government, Bedouin gunmen ransacked police infrastructure. Gas pipelines supplying Israel and Jordan were attacked over a dozen times in the next 18 months

by the nascent ABM,[13] which grew to be the most dangerous violent group in Egypt. Before the 3 July 2013 coup, it was responsible for a number of attacks on Israeli interests, but has since turned its focus explicitly towards the Egyptian police and army – framing its attacks as a response to the bloody massacres perpetrated by the regime.[14] In September 2013, ABM almost assassinated Interior Minister Mohamed Ibrahim in Cairo. A smaller insurgent group, *Ajnad Misr* (Soldiers of Egypt), also emerged in January 2014 and claimed multiple attacks against the police, mainly in Cairo.

One of the biggest attacks on the Egyptian army in years occurred on 24 October 2014, when ABM attacked one of the main military checkpoints, killing 31 Egyptian soldiers and officers. A few months later, in July 2015, more than 15 military and police checkpoints and stations were attacked simultaneously, leading to dozens of deaths on both sides, until the air force intervened to end the violence several hours later. Previous waves of violence in Sinai had never reached this intensity, nor had they been directed so explicitly at the Egyptian state. As the state's indiscriminate response in Sinai and throughout Egypt has gathered pace (see parts three and four), levels of violence in Sinai have only worsened.

## Islamic State: Sisi's enemy or his alibi?

In November 2014, ABM pledged allegiance to Islamic State (ISIS) and changed its name to *Wilayat Sinai* (WS – Sinai Province). This happened shortly after the attack on Karm El Kawadees military checkpoint on 24 October 2014, horrific footage of which was posted and widely viewed on the internet. This technically marked the first attack of an ISIS affiliate in Egypt.

There are questions around the extent to which ABM/WS is part of an international fundamentalist movement as opposed to a home-grown threat driven by domestic factors. It is important to recognise that the group does have a relationship with ISIS. While acknowledging the presence of ISIS fighters in Egypt ("in the high hundreds – up to about 1,000" in number), the United States also recognises the presence in Sinai of a "sizeable Bedouin insurgency". Nonetheless, it views the connection between Sinai militants and ISIS in other countries as a real one.[15]

The growth of violence in Sinai is also connected to the flow of advanced weaponry from raided Libyan storehouses after 2011, some of which has found its way to Gaza while some has remained in North Sinai.

While many dynamics could be argued to have an influence on violence in Sinai, the key factor underlying ABM/WS's intensified, multi-faceted war with the Egyptian state has been the perceived violence of the security forces against certain elements of society. Overt acts like the Rabaa massacre, coupled with covert actions (discussed in section three), have proved a strong recruitment tool for ABM/WS. In addition, the perceived failure of the MB's non-violent approach to achieving change through democratic means has left many disillusioned and pushed some to support more radical methods. These fluid allegiances, together with the ideological similarity between ABM/WS and the MB on some issues, have led to a blurring of the boundaries between legitimate political opposition, civic protest and resistance, and more destructive violent groups whose targets have included not only the state, but also civilians, tourists and foreign interests.

In other words, while the threat posed by ABM/WS is real, it has also allowed President Sisi to frame the country's internal security challenges as a new front in the regional and international war against ISIS, while both taking action that fed support for violence and blurring the lines between fundamentalist militants and his broader political opponents. This blurring has been actively encouraged by Sisi to legitimate his rule while justifying his crackdown on dissent.

## Portraying the Muslim Brotherhood as terrorist

Since Morsi's ouster, there has been growing polarisation between state actors and Sisi supporters on the one hand, and political opponents – including but by no means limited to Islamist groups – on the other. This polarisation has sometimes surfaced in violent confrontation, but remains for the most part latent – submerged beneath a tide of fear and repression.

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## Sisi sets out his intent to destroy the MB in his electoral campaign, May 2014

*Sisi: There will be nothing called the Muslim Brotherhood during my tenure....*

*Interviewer: [The Egyptian voter] knows that he is putting an end to something called the Muslim Brotherhood when he casts his ballot? And is aware that during this candidate's presidency there will not be something called the Muslim Brotherhood?*

*Sisi: Yes. Just like that. [16]*

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Pro-Sisi demonstration in 2014. Photo: Flickr/Sebastian Horndasch

It took the MB eighty years to gain power in Egypt, but when it did, it held it for just one year. Founded in 1928, it has been the largest and most organised opposition party in Egypt for decades, despite being illegal for most of its existence. In the later years of Mubarak's rule, the Brotherhood became a more potent political force, pushing for democratic reform and wider representation in the political system. Yet for many, the MB, an organisation founded upon Islamist governing principles, was a serious threat to pluralism and freedom. The experience of Morsi's rule gave the MB's many ideological opponents the perfect opportunity to unravel its gains and destroy it as an entity.

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With echoes of what Hannah Arendt termed "action as propaganda", since the first days after the coup, Sisi has played up the threat of 'terrorism' in his speeches while pursuing actions that escalate the threat and consequently help to legitimate his stance.

Sisi's policies have been shaped by populist narratives and reactive demands from the regime's support base. In a now infamous address shortly following the removal of Morsi, Sisi made a live televised speech from a graduation ceremony at the naval academy in Alexandria. He urged people to take to the streets and call *en masse* for police and army powers to fight terrorism. This continues to be used to legitimise abusive laws, and as

justification for 'counter-terror' measures in Egypt.

Narratives portraying the MB as anti-Egyptian and as a terrorist group have generated a climate of intense political polarisation, resulting in extreme mistrust and fear among the Egyptian population. This divisive approach has served to justify a witch hunt against the MB and other political opposition, facilitated by large-scale rights abuses and a climate of lawlessness. While the MB is ostensibly non-violent, the crackdown by Sisi's government since Morsi's ouster has increasingly caused divisions within the movement regarding the best means to pursue its goals and defend its existence. As such, authoritarian rule by Sisi has only served to increase divisions and boost the appeal of violent resistance.

When the police headquarters of Daqahliya Governorate was bombed on 24 December 2014, the Egyptian government seized the occasion. Despite ABM/WS publicly claiming responsibility, the government held a press conference and declared the MB a terrorist entity.[17]

Gulf and Western pressure on the Sisi regime may partially explain these actions. The MB's ideological affinity with other Sunni groups such as Hamas was doubtless troubling to the US and Israel. Saudi Arabia designated the Brotherhood a terrorist group in March 2014, seeing its Islamist doctrines as a threat to the monarchy. The United Arab Emirates had similar concerns. In response, 2015 saw a number of attacks in Egypt against the business interests of Sisi's Western and regional allies – including against the American chain Kentucky Fried Chicken, Emirates NBD bank, Etisalat stores, and so on. For the Sisi government, the push by major international partners to suppress the MB was welcome. Yet in Egypt, as witnessed in other countries in the region, military repression in the name of counter-terror has poured fuel on a fire that continues to rage.

## Footnotes

7. Other violent groups in Egypt include *Al-Tawhid Wal Jihad*, *Mujahedeen Shura Council*, *Al Furqan Brigade*, *Ansar Bayt al Maqdis*, *Ansar al Jihad*, *Ajnad Misr* (Soldiers of Egypt) and *Jund al Islam* (Soldiers of Islam). Global Security, 'Wilayat Sinai', checked 31 August 2017

8. Global Security, 'Wilayat Sinai', checked 31 August 2017

9. TIMEP, 'Wilayat Sinai', accessed 31 August 2017

10. For example, the February 2014 ABM attack on a tour bus in Taba, South Sinai, as well as attacks near the Giza pyramids and in Luxor in June 2015. See: Z Gold (2015), 'Adding the security ingredient: the jihadi threat in the Sinai Peninsula', in S Torelli, *The Return of Egypt: Internal Challenges and Regional Game* (Epoke). Foreign nationals included a Croatian national and a US oil worker. See: TIMEP, 'Wilayat Sinai', accessed 31 August 2017

11. For more details on the Rabaa massacre, see: Human Rights Watch (2014), 'All according to plan: the Rab'a massacre and mass killings of protesters in Egypt', 12 August

12. Z Gold (2015), 'Adding the security ingredient: the jihadi threat in the Sinai Peninsula', in S Torelli, *The Return of Egypt: Internal Challenges and Regional Game* (Epoke)

13. *Ibid*

14. There were a few attacks against the Egyptian state, but they were relatively rare. One such instance was the attack in August 2012, when armed men assaulted a security checkpoint in North Sinai, killing 16 soldiers.

15. "We have seen a connection between the Islamic State in the Sinai and Raqqah.... We have seen communication between the Islamic State in the Sinai and the Islamic State in Libya and elsewhere"- Chair of US Joint Chiefs of Staff General Joe Dunford, cited in Global Security, 'Wilayat Sinai', checked 31 August 2017

16. Loveluck L (2014), 'Sisi says Muslim Brotherhood will not exist under his reign', *The Guardian*, 6 May

17. TIMEP, 'Wilayat Sinai', accessed 31 August 2017

Header photo: Soldiers observe a protest in Itihadeya in 2012 against President Morsi's proposed constitutional referendum. Photo: Flickr/Omar Kamel.



## III. Repression in the name of counter-terrorism

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On 9 April 2017, an ISIS affiliate planted bombs at St George's Church in Tanta and St Mark's Church in Alexandria, killing 45 and injuring 125 others. The Sisi government declared a national state of emergency, ending almost five years (barring a few months in 2013) without one. This state of emergency has granted the Egyptian government further license to pursue CT policies at any price. In the four years since Morsi's removal, the Egyptian government has issued eight specific pieces of legislation and amended old ones on CT issues, blocked more than 432 websites (including recently blocking the Human Rights Watch website after the organisation published a report implicating the government in widespread cases of torture), put approximately 3,000 people on 'terrorism' lists,[18] killed over 3,000 people and made arrests numbering in the tens of thousands. Key threads of Egypt's repressive web of CT measures include its legal foundations, the detention, trial and incarceration system, the reliance on disappearances, torture and extra-judicial killings, and the dismantling of press freedom.

### The legal foundations of repression

The Sisi regime has enacted draconian legislation that gives it extensive powers to persecute citizens for 'terror' offences. Terrorism is now defined very broadly in Egyptian law. According to the Egyptian Initiative for Personal Rights (EIPR) and the Cairo Institute for Human Rights Studies (CIHRS), the new legislation (Law 8/2015):

*"...relies on a broad, vague definition of actions by which individuals or groups may be designated terrorists. Under this definition, human rights defenders, political parties, or development associations and their members can be easily designated as 'terrorist'. Article 1 of the law defines entities and individuals as terrorists for 'infringing the public order, endangering the safety, interests, or security of society, obstructing provisions of the constitution and law, or harming national unity, social peace, or national security.'"*

Such broad terms contravene Supreme Constitutional Court (SCC) rulings on the adoption of ambiguous penal provisions, and give authorities dangerous scope to interpret the law in their own interests.

On the back of Law 8/2015, the Egyptian government issued another CT law as a presidential decree (No 94/2015), the first of its kind, on 15 August 2015. It has been strongly criticised by Egyptian human rights organisations as "another blow to the constitution that erodes the rule of law and establishes an undeclared state of emergency on the pretext of protecting society and national unity and prohibiting the dissemination of ideas advocating violence". [19]

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**...demonstrators protesting in front of government buildings or companies, holding sit-ins or gathering on public roads may face terrorism charges.**

This law expands the scope of criminal acts to a worrying degree by using imprecise language and prohibiting vaguely-worded actions. Article 2(2) criminalises “any conduct committed in furtherance of a terrorist purpose”. [20] According to the law, such purposes include harming the environment and occupying, seizing, or damaging public or private property. As such, demonstrators protesting in front of government buildings or companies, holding sit-ins or gathering on public roads may face terrorism charges. In addition, terms such as infringing “the public order” or “the safety of society” are so general that they offer authorities huge latitude. [21]

Together with the authority granted in Law 8/2015 and Law 91/2015, Presidential Order 136 (2014) – a remnant of Sisi’s first few months as president without a sitting parliament – places all “public and vital facilities” under military jurisdiction. It was extended for five more years in 2016 by presidential decree. Beyond blurring the distinction between civilian and military courts, its second article gives officials power to use the law retroactively, further enabling a repressive state to quell dissent in any form. Together, these laws offer the Sisi government *carte blanche* to pursue the repressive policies that are fuelling widespread violence across Egypt.

### Repression in the name of counter-terrorism: in numbers



Sources: Terrorism-related arrests declared by the MoI: Mada Masr, Almost 12,000 people arrested for terrorism in 2015: Interior Ministry, 30 October 2015. <https://www.madamasr.com/en/2015/10/30/news/u/almost-12000-people-arrested-for-terrorism-in-2015-interior-ministry/>. Number of people listed as ‘terrorists’ by Egyptian courts: Saferworld’s research. Deaths announced by the army: Saferworld’s analysis of official announcements from the Egyptian army.

### Mass criminalisation, detention and military trials

Beyond independent non-governmental research, no official statistics have been provided on the numbers of people listed as ‘terrorists’ since Law 8/2015 entered into force. Court records from February 2015 to July 2017, however, show that at least 2,782 people were put on the ‘terrorism’ list.[22]

According to Human Rights Watch, “Since the 2013 military coup, Egyptian authorities have arrested or charged probably at least 60,000 people”. There are no formal statistics on how many people have been arrested and charged with terror offences since the state declared its ‘war on terror’ in July 2013. However, a rare statement from a senior Ministry of Interior official indicated that in the first nine months of 2015, well over 11,000 people were arrested in the country on terrorism charges. *Wilayat Sinai* is the largest armed violent group in Egypt, and reportedly has only around a thousand members. The huge gap between these two figures conveys how indiscriminately CT laws have been applied to target groups who fall outside the scope of terrorism.

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## Silencing women's groups and NGOs

Among the critical voices silenced by restrictive CT laws are those of women's rights defenders. As Saferworld has previously noted, "Egyptian regimes past and present, through institutions including the police and the military, have committed violence against women in order to intimidate, silence and repress women as members of the opposition (or suspected opposition)".[23] Previous analysis also explained that "as women have challenged existing gender norms through their participation in political activities hitherto seen as the domain of men, security forces appear to have responded by stepping up violence against them".[24] Following a similar logic, albeit with different techniques [25], in the context of increasingly repressive efforts to 'combat terrorism', security and justice institutions have clamped down on a number of activists and movements promoting women's rights and gender equality.

**Azza Soliman**, founder of the Centre for Egyptian Women's Legal Assistance (CEWLA) and a prominent Egyptian feminist and women's rights advocate, was banned from travelling outside of Egypt on 19 November 2016. After issuing an arrest warrant, on 7 December security forces took her from her home for interrogation. She was released that same day on bail pending investigations. Her personal assets as well as those of her group were then frozen on 14 December. [26] Her arrest was attributed to her involvement in a 'foreign funding case' and was described as "a chilling escalation against independent civil society in Egypt [which] unmasks the government's animosity not just to human rights defenders in general, but also to the independent Egyptian feminist movement". [27]

A few months earlier, on 22 March 2016, **Mozn Hassan**, Executive Director of Nazra for Feminist Studies, a prominent Egyptian feminist organisation, was summoned for questioning as a defendant in a foreign funding case. In June 2016 she was banned from travelling, and on 11 January 2017, the Cairo Criminal Court froze her and her organisation's assets. [28]

Cases in which civil society are accused of receiving foreign funding have affected some of "the most credible and independent human rights NGOs in Egypt and the only remaining voices critical of the government". [29] Defendants can face life sentences. Such cases are portrayed as targeting organisations that are "pursuing acts harmful to national interests or destabilising general peace or the country's independence and its unity" [30] – and thus need to be understood as connected to the state's repressive CT strategy.

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Once arrested, suspects in terror cases do not receive fair trials. According to Committee for Justice, an independent human rights organisation based in Geneva, under Presidential Order 136 (2014) over 10,000 civilians were referred to military trials between 30 June 2013 and the end of 2016.[31] In cases for which we have been able to access papers, the prosecutions rely heavily on 'secret' reports by homeland security that in turn depend on 'secret sources'.

## Enforced disappearance, torture and denial of channels for legal redress

Under the new laws and powers, anyone in Egypt can be treated by the security and justice system as a 'terrorist'. Since Magdi Abdel Ghaffar became interior minister in March 2015, Egypt has witnessed an unprecedented surge in enforced disappearance complaints submitted to human rights organisations.

Hundreds of enforced disappearances have occurred in recent years. In many such cases, detainees are only held a week, but others are detained for months – especially those from North Sinai. [32] Victims of enforced disappearances are often taken from their homes at night – others from their work places, on the street or while waiting for a flight or dental appointment. In many cases, the security services misinform the judiciary about the date of arrest to conceal the fact that suspects have been detained without appearance before a public prosecutor well beyond the 48 hours permitted by the constitution.

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## The Damietta Fishermen case [33]

On 11 November 2014, 32 fishermen from Ezbet el-Borg disappeared following media reports of an assault against a naval vessel in the area around midnight. EIPR investigated the incident, interviewing families of the detainees, fellow-fishermen and community leaders. The last contact between the fishermen and their families before the disappearance was at 11.30 pm when the captain of one of four fishing boats called his sister to tell her that naval forces were raiding their vessels.

The morning after the disappearances, official statements by a military spokesperson suggested the raid – in which four boats were destroyed and 32 ‘terrorists’ arrested – was connected to an alleged ‘terrorist act’ (an apparent assault by *Wilayat Sinai* on an Egyptian naval patrol in the vicinity of Damietta).[34] None of the 32 fishermen were referred to the prosecution, in violation of the law of criminal procedures.

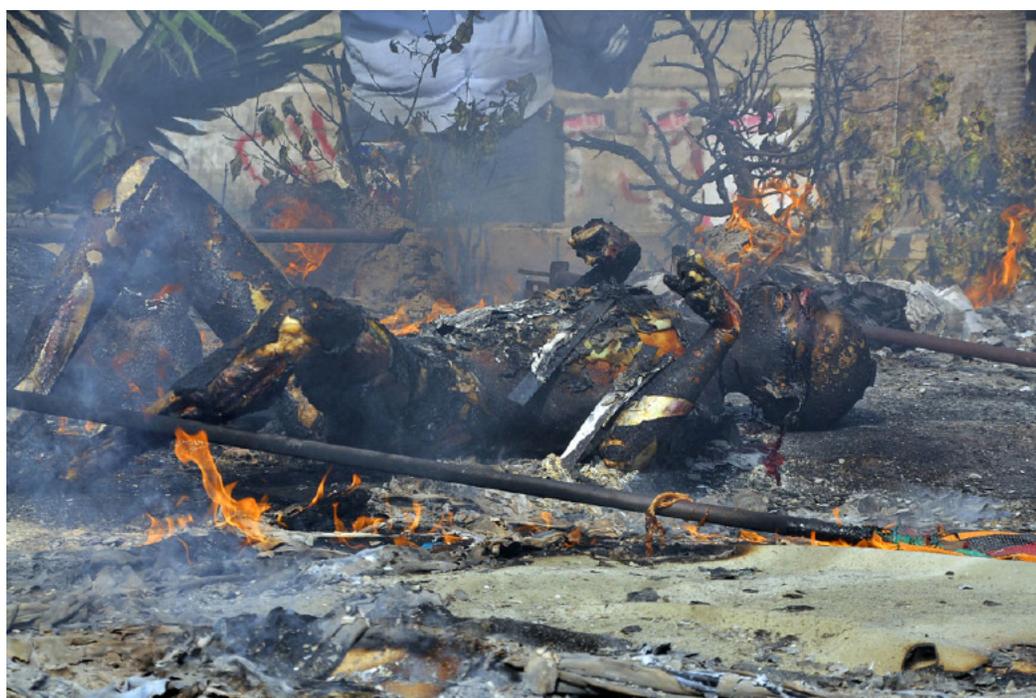
According to EIPR, the fishermen were taken from their vessels by naval forces, blindfolded, hooded and subjected to severe beatings. They were then transferred to the Port Said naval base and then to an undisclosed location where, without any lawyers present, they were illegally interrogated.

Fifteen of the detained fishermen were released without charge five days after their disappearance. Four days later, ten more were released, also without charge. The remaining fishermen were released after spending almost 45 days in detention. The released fishermen couldn’t be reached for interview and reportedly refused to discuss their detention even with their families for fear of reprisals. They were released 200 km from their homes. Several family members and friends claim the released fishermen showed visible signs of severe torture.

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Public prosecutors have generally refused to investigate victims’ complaints about enforced disappearance and torture even in cases where official records detail signs of torture on victims’ bodies. Public prosecutors have further betrayed victims of abuse by conspiring with defence lawyers on specific cases to undermine their prospects for a fair trial, preventing them from contacting their lawyers and families. [35]

## Execution and extra-judicial killing



A burnt corpse near Nahda square, August 2013. Photo: Engy Imad/AFP/Getty Images

Amnesty International estimates that there have been three to four victims of enforced disappearance in Egypt per day since the beginning of 2015. The government denies the claims and, in a typical move to negate criticism, has accused Amnesty and Human Rights Watch of conspiring with the MB. [36] In recent years the situation has worsened: extrajudicial killings, previously only seen in North Sinai, have become frequent in Cairo and many other governorates.

Beyond extra-judicial killings, Egypt has increasingly imposed the death penalty since 2013, when no executions were recorded and 109 people were sentenced to death. According to Amnesty, since then the “number of executions increased from 15 in 2014 to 22 in 2015 and now doubled to reach 44 in 2016. The number of people sentenced to death rose to 509 in 2014 and 538 in 2015 before falling to 237 in 2016”.

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## Testimony of Ahmed El Waleed El Sayed El Shal before the Homeland Security Prosecution:

*“After I was taken, I went to the Mansoura Second Police Station; they blindfolded me and kept slapping us on the face, they electrocuted me and hung me from under the armpits on the door ... they beat my legs ... they kicked me ... someone came and hit my face and after that I went to an officer’s room where they removed my pants and hung me on a piece of wood from my arms and legs before someone came and put a stick in my rectum several times and twisted it. Someone also came and electrocuted my legs and neck, then they removed the blindfold. Then they hung me on the door from below my armpits and when I was later lowered, I felt my hands were paralysed. Afterwards, they took me somewhere I do not know and kept beating me”.[37]*

Ahmed has since been sentenced to death.

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## Dismantling press freedom...

*“As a journalist in a very famous and respected international media agency, I have contacted the army spokesman tens of times without success: in response to every incident and issue the same response is repeated, ‘I don’t have information’. Then he just repeats what has already been published in official press releases.”[38]*

**– International Egypt correspondent, May 2017**

It is growing ever harder for the media to cover ‘terrorism’ independently in Egypt. Even senior journalists can be summoned by military intelligence if they discuss the conduct of the army or military courts in print. The presidential decree pushed through in August 2015 levies fines on journalists if they contradict the authorities’ version of any militant attack. The original draft required prison sentences in such cases, and was only amended following domestic and international outcry. Such affronts to independent journalism further illustrate the Egyptian government’s authoritarian stance on ‘terrorism’.

According to the Association of Freedom of Thought and Expression (AFTE), in May 2017 the Egyptian Government blocked several websites without any official announcement. The country’s official state news agency quoted a high-level security source saying that 21 websites had been blocked but refused to provide further information or justification. From 24 May to 13 September 2017, AFTE documented the blocking of at least 432 websites in addition to the blocking of *Al Araby Al Jadeed’s* website in 2015.

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## Detention of journalists and critics

**Ismail Alexandrani** has researched studies published in numerous international and regional outlets. Specialising in Sinai affairs, Alexandrani has been a journalist fellow at the Wilson Center’s Middle East Program. His critical work on the government’s conduct in Sinai has won multiple awards. While travelling back to Egypt in November 2015, Ismail was arrested in Hurgada Airport. To this day he remains in Tora prison, where he has

been detained for almost two years without trial. His detention contravenes the Egyptian Constitution and illustrates the widespread persecution of journalists and others with dissenting views.

Photojournalist **Omar Abd al-Maqsoud** was arrested at his family home in Mit Ghamr, Daqahliya Governorate, along with his two younger brothers, at dawn on 14 April 2014. They have since languished in prison on fabricated charges of arson despite a lack of evidence and an alibi that placed Omar 80km from the crime scene on the day of the incident. According to EIPR, "The three brothers have been subject to torture and ill treatment by the police since mid-April 2014, when they were first detained in the Mit Ghamr police station. There, police officers pulled out Omar's fingernails and beat him on various parts of his body".

Journalist and researcher **Hossam Bahgat** was questioned by military authorities on 8 November 2015 about articles and investigative reports he had published. A military court ordered that he be kept under arrest, prompting an international outcry in which the UN Secretary-General himself called for his release. Although Hossam was released, numerous journalists and prisoners of conscience have languished in prison for years. Others have been forcibly disappeared, with no information given to their families about their condition or whereabouts.

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## ... with full media support

Beyond shutting down dissenting voices, government conflation of MB membership with terrorism has been aided and abetted by some sections of a willing Egyptian media. Having begun referring to protestors against Morsi's rule as 'honourable citizens', elements of the Egyptian media have maintained a steady campaign exhorting all 'honourable citizens' to report colleagues, neighbours, friends and family with MB links to the security services – regardless of evidence or proof.

Many in the media have endorsed the government's hard line and agitated for repressive policies. Egyptian media channels have called for mass killings of MB members to avenge 'army martyrs'. In April 2017, during the trial for those accused of assassinating Prosecutor General Hisham Barakat, the family of one of the defendants celebrated his marriage through the glass cell where he was being held. This sparked the ire of pro-regime media, as expressed by television personality Ahmed Moussa:[39]

*"An engagement celebration in the court, and the girl is rejoicing with a terrorist – one of the terrorist traitor members of the terrorist Brotherhood. They chant and ululate because there is no one there to stop them... if we had executed these terrorists, we would not have witnessed this scene, which offends every honourable person in this country".[40]*

Such rhetoric is becoming increasingly common from government-allied media. In addition to the crackdown on dissenting journalists, media are giving greater prominence to those who tow the government's divisive, authoritarian line. Inflammatory media behaviour and the regime's repressive approach are working in tandem to reinforce and drive the crackdown on dissent, consolidating President Sisi's power.

## Counter terror in Sinai



Militants in Sinai, September 2012. Photo: Getty images/Mosa'ab Elshamy

Under Sisi's rule, military campaigns in Sinai have largely followed a retaliatory pattern, where "a major jihadi escalation was followed by a massive armed forces deployment".[41] In these heavy-handed operations, "life has been completely interrupted".[42] The state responded to the ABM attack on the Egyptian army that killed 31 soldiers on 24 October 2014 with harsh measures that – in the name of eliminating 'terrorist hotbeds'[43] – inflicted collective punishment on North Sinai's population.

According to the New York Times, government operations in Rafah forcibly displaced up to 10,000 people and destroyed as many as 800 houses,[44] as well as systematically cutting basic services such as water, electricity, internet and mobile lines. Such operations, intended to create a buffer zone along the Gaza border, have led to repeated rounds of forced displacement and the demolition of buildings and farms[45] along a 13.5km stretch of the border.[46] At times, military checkpoints and curfews have also restricted the flow of goods, such as food and medical supplies, into North Sinai – leading local people to complain of shortages and economic hardship.[47]

In addition, indiscriminate artillery and aerial bombardment killed tens of people in villages near south Rafah and Shikh Zuwayed. In one 2014 incident ten members of the same family, "including three children and three women" were killed in Rafah.[48]

Following a large-scale attack on 29 January 2015, Sisi cut short his participation in an African Union summit, and large-scale military operations led to the killing or capture of 173 militants the following month. Yet, in a number of cases, there are allegations that these attacks have been used as smokescreens to hide cases of extrajudicial execution by government security forces. In January 2017, an Amnesty report documented the killing of 10 terror suspects in Al Arish. Although the Interior Ministry claimed they died in a firefight after resisting arrest, local witnesses said that six of the men had been in the National Security Agency's custody for up to three months prior to their deaths.[49] Similarly, in April 2017, Amnesty accused the military of seven more extra-judicial killings during CT operations in North Sinai, based on a video showing the killing of a man and a 17-year-old boy as well as five other corpses.[50] Both were shot unarmed at point blank range. Photos released by the army's spokesperson show some of the same bodies, together with weapons not visible in the leaked video, "to make it appear as if they were fighters killed after an exchange of fire."[51]

The army has made its official spokesman the only channel for information about what is occurring in Sinai. Other accounts have been suppressed, often in brutal fashion. After one activist in Rafah publicly criticised the army for throwing the bodies of victims of extrajudicial

killings in the water, his home was raided, and he was arrested and held for weeks without any legal procedures in the Al Azouly secret military prison.[52]

A further problem in North Sinai is the reliance of the military on some local families to carry out intelligence and other operations. According to Amnesty, this has “created much friction between Sinai tribes related to revenge and retaliation given these non-military armed members [act] outside of the law on many occasions against Sinai residents”.[53]

## Footnotes

18. Saferworld correspondence with experts who did not wish to be named.
19. EIPR and Cairo Institute for Human Rights Studies (2015), ‘Latest counterterrorism law encourages extrajudicial killing and cements impunity’, 26 August
20. *Ibid*
21. *Ibid*
22. Saferworld correspondence with experts who did not wish to be named. ‘At least’ because there may well be cases that have not yet reached the courts.
23. Saferworld (2015), ‘Violence against women in Egypt: Prospects for improving police response’, June, p 13
24. Saferworld (2013), ‘“It’s dangerous to be the first”: Security barriers to women’s public participation in Egypt, Libya, and Yemen’, November, p 13
25. There is little evidence of sexual violence being used by security forces against women accused under terrorism charges.
26. Frontline Defenders, ‘Arrest of Azza Soliman’
27. Mohamed Lotfy of the Egyptian Commission for Rights and Freedoms, as quoted in The Guardian. Michaelson R, The Guardian (2016), ‘Arrest of leading Egyptian feminist Azza Soliman sparks anger’, 7 December
28. Frontline Defenders, ‘Judicial Harassment of Mozn Hassan’
29. Fidh, ‘Background on Case No. 173 – the “foreign funding case” Imminent Risk of Prosecution and Closure’
30. Article 78 of the Penal Code amended by President Sissi in September 2014.
31. The presidential order has been used not only to try new civilian cases in military courts, but also to transfer civilian trials that began between the end of 2013 and October 2014 to military courts.
32. Saferworld correspondence with experts who do not wish to be named.
33. See also: Egyptian Initiative for Personal Rights (2014), ‘Seven fishermen continue to be held incommunicado in violation of the law’, 25 November.
34. See: The Tahrir Institute for Middle East Policy, ‘Wilayat Sinai’, accessed 31 August 2017
35. Interview with a survivor of enforced disappearance, 2015
36. In September 2017, the Egyptian government blocked access to Human Rights Watch after the release of a detailed report on the extent of torture in the country.
37. The testimony of Ahmed El Waleed before the Homeland Security Prosecution, in the official papers of the case. For further analysis, click [here](#)
38. Interview with an international journalist who covers Egypt, May 2017
39. For a detailed discussion on this topic and on how the Sisi regime has gone beyond Egypt’s customary state of emergency, see: Mohyeldeen S (2017), ‘Egypt’s unexceptional state of emergency’, *Arab Reform Initiative*, 10 August
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41. Z Gold (2015), ‘Adding the security ingredient: the Jihadi threat in the Sinai Peninsula’, in S Torelli, *The Return of Egypt: Internal Challenges and Regional Game* (Epoke)
42. Z Gold (2015), ‘North Sinai population continues to sacrifice for Egypt’, TIMEP, 18 May
43. K Fahim, M Thomas (2014) ‘Egypt flattens neighborhoods to create a buffer with Gaza’, *New York Times*, 29 Oct
44. *Ibid*
45. Z Gold, ‘North Sinai Population Continues to Sacrifice for Egypt’, TIMEP, 18 May 2015.
46. Reuters (2014), ‘Sinai buffer zone no solution to militancy in Egypt: Amnesty’, 12 November
47. Amnesty International (2017), ‘Investigate potential extrajudicial execution of North Sinai men’, 23 January
48. M Hashem, ‘Sinai campaign a boon to the Islamic State’, *Carnegie Endowment for International Peace*, 5 December
49. Amnesty International (2017), ‘Investigate potential extrajudicial execution of North Sinai men’, 23 January

41/50. Amnesty International (2017), 'Egypt: video of extrajudicial executions offers glimpse of hidden abuses by military in North Sinai', 21 April

51. *Ibid*

52. Interview with the victim after his release, 2015.

53. Amnesty International (2017), 'Egypt: video of extrajudicial executions offers glimpse of hidden abuses by military in North Sinai', 21 April

Header photo: A lone protestor walks towards security forces shrouded in smoke with a flag promoting inter-religious unity in February 2012. Photo: Flickr/Alisdare Hickson



## IV. Violence begets violence: the consequences of repression

### We need to talk about Egypt

#### I. Three waves of terror in Egypt

#### II. Egypt's third wave of terror

#### III. Repression in the name of counter-terrorism

#### IV. Violence begets violence: the consequences of repression

#### V. International support for the regime

#### Epilogue: The case for a different national and international approach

With some exceptions, political groups in Egypt were generally non-violent before 2013. ABM (and later WS) claimed responsibility for several attacks between the 2011 revolution and July 2013, but almost all targeted infrastructure – particularly pipelines – that were critical to Israeli interests and Egypt-Israel cooperation. However, following the removal of Morsi, this changed dramatically.

The increasing wave of bombings – such as the killing of Prosecutor General Hisham Barakat – and armed attacks in the country suggest that the state's approach is provoking further armed resistance and undermining rather than improving stability. As Amnesty chief Salil Shetty warned in 2014:

*"These are all shortcuts, you are not able to address the underlying issue which is what is happening in the Gaza Strip and how the Muslim Brotherhood and other opposition are being treated.... You can create fortresses and buffer zones but it will come back to bite".[54]*

Political terror by the regime has provided violent groups with an effective tool for recruiting disillusioned individuals. Militant groups can point to incidents like the Rabaa Massacre as an example of what happens to peaceful protestors. ABM has seized upon this sentiment. When it declared allegiance to Islamic State, it specifically condemned the MB's pursuit of non-violent, democratic change: "Shameful peace will do you no good, nor will blasphemous democracy, and you have seen how it has claimed its upholders and their masters". [55]

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## The assassination of Prosecutor General Hisham Barakat

Perhaps the most notorious case in the insurgency in Egypt is the assassination of Prosecutor General Hisham Barakat, who died on 29 June 2015 after a bomb exploded in his car as he travelled to work.

In response, 67 people were charged with his murder, 51 of whom were arrested. Prior to the charges being made public, most of the defendants were victims of enforced disappearance. Of the 67 who were charged, almost all were subject to inhumane treatment and judicial violations. One of the defendants, Ibraheem Sholkamy, a medical student who was 23 at the time, was seized off the street and held incommunicado for almost 40 days, until he was presented at the High State Security Prosecution office in Cairo. His family could barely recognise him as a result of his torture, ill treatment and weight loss.

After about 18 months of investigations and trials, the courts sentenced Ibraheem and 27 others to death and handed life sentences to 31 others. Defence lawyers decried the sentences as 'shocking', arguing that defendants who had nothing to do with the attack were being given life sentences.

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Research published by Arab Reform initiative illustrates how brutalising and demonising non-violent dissent has forced many Egyptians away from democratic, political channels for pursuing change into either bitter silence or supporting violence – whether in Egypt or elsewhere. [56] A field study conducted in Kerdassa city, Giza Governorate in September 2013, collected people’s views on how “they view the terrorism practised by the state, whether in Kerdasa or in other areas, as essentially seeking to drag people into violence”. [57]

As in other contexts, the rise of violence and violent non-state groups may in fact carry distinct advantages for the regime. Saferworld’s analysis of the Syrian civil war (to be published this month) documents the Assad regime’s survival strategy, in which it bolstered fundamentalism in order to portray its efforts as a ‘war on terrorism’ while seeking to destroy the greater threat to its survival: moderate, democratic opposition endowed with international legitimacy.

By pushing non-violent dissent to the extremes in Egypt, Sisi’s regime has been able to play a similar game very effectively, albeit for a similar blood price. The predictably violent reaction to its draconian rule has provided convenient ‘justification’ for its hard-line response – a narrative for deflecting domestic and international criticism of its approach, and a pretext for attaining significant military and diplomatic support. The success of such a strategy of course depends on how principled and clear-sighted the international community has, or has not, been in challenging or rewarding such behaviour.

## Footnotes

54. Reuters (2014), ‘Sinai buffer zone no solution to militancy in Egypt: Amnesty’, 12 November

55. Stanford University, ‘Mapping Militant Organizations’, The Islamic State – Sinai Province, Updated 28 Feb 2016, accessed 31 August 2017

56. Mohyeldeen S (2016), ‘Youth Radicalisation in Egypt and the complicated relationship to violence’, *Arab Reform Initiative*, 29 September pp 4-5.

57. Mohyeldeen S (2013), ‘State terrorism and resistance in Kerdasa – battle zone report’, *Arab Reform Initiative*, September

Header photo: A man grieves over bodies in a makeshift morgue after the Rabaa and Nahda Square massacres, August 2013. Photo: Mosaab El-Shamy/Getty images



## V. International support for the regime

### We need to talk about Egypt

#### I. Three waves of terror in Egypt

#### II. Egypt's third wave of terror

#### III. Repression in the name of counter-terrorism

#### IV. Violence begets violence: the consequences of repression

#### V. International support for the regime

#### Epilogue: The case for a different national and international approach

Egypt has significant leverage over international actors. Other countries need it to cooperate on shared goals, from establishing an anti-ISIS coalition and countering 'irregular migration', to promoting stability in Libya, Israel, Palestine and the wider MENA region. For many nations, Egypt is an important trade partner and purchaser of arms, and it commands large energy reserves. All of this makes international actors reluctant to criticise – and eager to support – Egypt's stance on 'terrorism'. Furthermore, although terror attacks in Egypt have primarily focused on domestic targets and appear to be driven largely by repression, there have been attacks in Egypt targeting tourism, foreign citizens and embassies, international civilian aircraft, Israeli forces and civilians, peacekeepers and international shipping – feeding international concerns over the threat from Egyptian groups.

Even if there have been minor variations in US aid allocations to Egypt in the Obama and Trump eras,[58] international partners have overwhelmingly prioritised supporting the Sisi government to fight terrorism over promoting respect for human rights. That the insurgency in Sinai was becoming more of a threat for Israel likely discouraged the US and other international actors from condemning the government's conduct.

### Political backing

Despite the fact that Sisi's regime has fuelled armed rebellion in disastrous ways, he has made no bones about leveraging influence by portraying his regime as a bulwark against terrorism on the international stage. During a visit to the Oval Office in April 2017, Sisi told President Trump that, "You are standing very strong in counter terrorism field... You will find Egypt and myself always behind you in this – in bringing about an effective strategy in counter terrorism".

Western and non-Western governments alike have responded with glowing affirmations of support for the regime and its CT approach. US President Trump reportedly "praised the Egyptian leader as [a] 'fantastic guy,' declaring that his 'tough approach' had 'gotten the terrorists out'" when the two met at the UN in 2016. Cairo had already been receiving \$1.3 billion per year in US military aid under the Obama administration, so the regime is hopeful that Trump will "reinstate a practice known as cash-flow financing that the Obama administration cut in 2015, which allowed Egypt to buy military hardware on credit as much as a decade in advance".

As previous Saferworld research has argued, under the logic of the 'war on terror' there has been widespread failure by the international community to manage relations with 'partners' effectively, and in particular to challenge or change the behaviour of corrupt, abusive actors effectively. Neglected options include making support conditional, prioritising behaviour change within military assistance and working in greater solidarity with civil society. Recent decisions by the US government to reduce aid by \$96 million and freeze a further \$195 million due to the human rights situation in Egypt is an anomaly in the burgeoning 'special relationship' between the US and Egypt. These cuts, reportedly due to US objections to a controversial law restricting NGOs and to Egypt's trade ties with Pyongyang, are perceived as largely symbolic and in line with wider US aid cuts in the region. Apart from this, military

cooperation between the two countries remains unaffected, with US funds significantly bolstering Sisi's approach.

The UK government has taken a similar line, stating in September 2015 that "with growing instability in the region it [is] more important than ever that the UK cements the already strong ties with Egypt". In August 2015 UK Defence Secretary Michael Fallon said: "Whether British tourists in Tunisia, Egyptian workers in Libya or Egyptian armed forces in North Sinai, both of our nations have experienced evil terrorism inspired or directed by [ISIS]. We will stand together to ensure their ideology of hate is defeated".

In a move described by one commentator as a "fateful gift to Islamic State", Fallon also wrote an article in a semi-official Egyptian newspaper in which he praised Sisi's "vision of a more prosperous, more democratic society" and his "rejection of authoritarianism". When Sisi visited Downing Street in November 2015, in the face of protests and condemnation by human rights groups, Fallon again endorsed the regime's belligerent approach stating that: "The UK is committed to standing shoulder to shoulder with Egypt as we fight for a more secure future for the Middle East".

Although countless analysts have warned Western leaders of the dangers of mistakenly conflating the MB with terrorism, in an August 2017 article in an Egyptian newspaper, Alistair Burt, the UK Minister of State for International Development, argued that the Egyptian and UK governments "must destroy the artery that feeds terrorism", linking this directly to the MB by asserting that throughout the British Government's "observation of the Brotherhood's activities around the world, it became completely clear that this movement uses ambiguity to hide their extremist agenda in Egypt". Peter Osborne suggests that Burt's remarks "are carefully prepared and should be seen as part of a new British strategy towards Egypt and the Arab world".

Clearly, the UK-Egypt relationship is also underpinned not only by the need to cooperate over the stabilisation of Libya but also by significant business ties. According to the UK government: "As Egypt's largest investor, Britain is helping to strengthen Egypt's position against terrorism by supporting a more prosperous society".

The current French Foreign Minister Jean-Yves Le Drian has visited Egypt eight times during three years of Sisi rule, but has not once publicly commented on the worsening human rights situations in Egypt.[59] Le Drian said on 8 June 2017 that he brought from President Macron "a message of support" for unspecified "reforms underway."[60]

Likewise Germany, having refused many times to invite Sisi to visit, finally rolled out the red carpet for him on 3 June 2015.[61] During her visit to Cairo in March 2017, German Chancellor Angela Merkel said that "Egypt is in a very decisive phase economically", and "pledged a total of some 500 million euros (\$526 million) through 2018 in financial aid". Germany went on to sign an agreement with Egypt on curbing 'illegal' migration on 27 August 2017.[62]

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## **Detention and mistreatment of foreign nationals: Omar Hammam and Giulio Regeni**

**Omar Hammam**, an American born in New York to an Egyptian father and American mother, travelled to Egypt for the first time after the 2011 revolution. On his second visit in July 2014, Omar was detained at Cairo Airport by authorities and ordered to remain in Egypt and await permission to travel from the army, even though he did not hold Egyptian ID or official papers.

For the next several months, Omar tried to no avail to leave the country. Despite assurances from National Security officers, he was consistently prevented from leaving. When Omar received an anonymous phone call in February 2015 warning him that his life was at risk, what began as a holiday had become a nightmare.

In the following days, National Security officers visited his family home in Cairo, took Omar and interrogated him at length. When he was released, he went to army headquarters seeking permission to travel. After months of waiting, on 12 March 2015, Omar was given

authorisation, so he booked the next flight. But while waiting to board his flight, Omar disappeared.

The US embassy had no answers for Omar's family as to his whereabouts. After almost two months, unofficial sources confirmed that Omar was being held in the highest security prison in Egypt (the Scorpion Prison in Cairo). For the next 18 months, he was held in inhumane conditions, and reported numerous forms of ill treatment.

National Security officers came for Omar's father in July 2016, and he ended up joining his son in arbitrary detention. Four months later, in November 2016, after considerable pressure, Omar and his father were found innocent on charges of being members of a terrorist organisation. However, 14 other co-defendants in their case were handed prison or death sentences. No evidence was ever presented in their cases, and no rationale ever given for their arrests.

During this ordeal, Omar and his father reported that the US Embassy offered little support. Even though a US citizen was kidnapped and was being held without charge in an Egyptian prison, no official rebuke of the Egyptian government was ever issued. Omar's case is not unique. According to his parents, the US embassy believed that there were almost 20 American citizens in prison in Egypt in 2016.

More troubling is the case of the Italian graduate student **Giulio Regeni**. Regeni was in Egypt researching a politically sensitive topic – a union of street vendors – when he disappeared in January 2016. When his body was found, it revealed that he had died an excruciating and slow death – his neck broken after he had suffered burns, lacerations, and the breaking of several of his bones.

When pressed by the Italian government, the Egyptian authorities – to the highest level – repeatedly denied knowledge of Regeni's abduction, torture and murder. Five 'suspects' in his disappearance, later proven innocent of the charges, were shot dead. Yet three former US government officials confirmed to the *New York Times* that "we had incontrovertible evidence of official Egyptian responsibility".<sup>[63]</sup> In September 2017, a lawyer who had investigated Regeni's case was himself forcibly disappeared and then charged with "managing an illegal group, spreading false news ... [and] cooperating with foreign organisations".

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## Arms deals speak louder than human rights

Despite their rhetorical commitments to advance human rights, the MENA region is a very lucrative arms market for the US, UK and many EU countries. According to Amnesty, despite the indiscriminate force used in Sinai by Egyptian security forces and the media blackout in force:

*"EU states have signed off on transfers of heavy weapons and equipment purportedly to help Egypt's fight against 'terrorism', despite a lack of transparency and human rights guarantees regarding their use".*

From 2006 to 2015, 58 per cent of total UK defence exports (based on orders and contracts signed) went to the Middle East. In 2015, UK defence exports to the Middle East made up over 60 per cent of the UK's £7.7 billion defence export market. Sisi has managed to sign a special security agreement with Germany and has bought weapons, military jets, submarines and aircraft carriers from France, as well as doing defence deals with many other EU countries.

In one deal with France announced in February 2015, Egypt purchased "24 *Rafale* fighter jets, a multi-mission naval frigate and related equipment. Egypt thus became the first international buyer for the *Rafale* jet, which for two decades has failed to find traction on the global market". Then in September 2015, Egypt ordered two *Mistral* helicopter carriers from France in a deal worth €950 million.

After the Rabaa and Nahda massacres, the EU Council decided to "suspend export licenses to Egypt of any equipment which might be used for internal repression and to reassess export licenses of equipment covered by Common Position 2008/944/CFSP and review their security

assistance with Egypt". At the same time, the council decided to continue its assistance because of concerns over the worsening economic situation in the country and its effects on the most marginalised people.

Despite this ruling, 12 out of 28 EU member states "have flouted [this] suspension of arms transfers to Egypt, risking complicity in the wave of unlawful killings, forced disappearances and torture" documented by Amnesty and others. Since coming to power, Sisi has successfully added Russia, the UK and the Czech Republic to the list of 14 other major arms-producing countries that supply Egypt.



On 19 September 2017 President Sisi, speaking at the UN General Assembly, called on international allies to "rectify misconstrued notions which have become an ideological pretext for terrorism" and join Egypt in its "unrelenting battle to eradicate terrorism from its territory". Photo: UN Photo/Cia Pak

## Implications of international support

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**The escalation of repression, political polarisation and violence into a new crisis is unquestionably the most salient threat faced by international actors in the Egyptian theatre, and warrants a recalibration of international engagement in the country to exert diplomatic pressure and social solidarity in favour of constructive, peaceful change"**

International actors engaging with Egypt have mostly steered clear of meaningfully challenging the regime because of the government's significant leverage on a number of issues of international concern. However, backing for the current approach and behaviour of the Sisi regime does not provide any meaningful incentive for it to resolve any of the challenges over which it has influence – whether domestic terrorism, 'illegal' migration or the turbulent situation in Libya.

The failure of the current CT strategy and escalation of the threat serves the regime's interests as long as it leads to greater levels of international political and military support and legitimisation of its repressive tactics. Yet of course such international support is feeding into the state's drive to crush internal dissent. This is causing deep instability and could ultimately lead to a more severe crisis down the road.

way. Yet too often international partners appear unwilling to risk perceived influence and economic gain. Recent Saferworld research has shown the pitfalls of siding with abusive elites in similar contexts – lessons that are rarely heeded and in the case of Egypt will likely be painfully ignored. The consequences of such engagement – and the human cost of any subsequent conflict – has been a recurring experience in multiple countries in the region. Bordering Libya, Sudan, Gaza and Israel, in an ever-changing region, if the current course of action by the Sisi regime holds, the potential for greater faultlines to open up in Egypt and the Sinai region is significant.

The escalation of repression, political polarisation and violence into a new crisis is unquestionably the most salient threat faced by international actors in the Egyptian theatre, and warrants a recalibration of international engagement in the country to exert diplomatic pressure and social solidarity in favour of constructive, peaceful change.

## Footnotes

58. For more details, see: The Tahrir Institute for Middle East Policy (2017), 'Special Briefing: developments in US-Egypt aid relationship', 24 August

59. Le Drian previously held other positions in the French government and has visited Egypt in other roles, including his previous post as defence minister. For more, see: Stork J (2017), 'France under Macron still indulges Egypt's harsh repression', *Human Rights Watch*, 26 June  
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61. Dempsey J (2015), 'Germany welcomes Egypt's Sisi', *Carnegie Europe*, 1 June

62. Daily News Egypt (2017), 'Egypt, Germany sign cooperation agreement in solving illegal migration problem', 27 August

63. Walsh D (2017), 'Why was an Italian graduate student tortured and murdered in Egypt?', *New York Times*, 15 August

Header photo: In 2016, US President Donald Trump dubbed Egypt's President Sisi a 'fantastic guy'. Photo: White House/Shealah Craighead



# Epilogue: The case for a different national and international approach

## **We need to talk about Egypt**

### **I. Three waves of terror in Egypt**

### **II. Egypt's third wave of terror**

### **III. Repression in the name of counter-terrorism**

### **IV. Violence begets violence: the consequences of repression**

### **V. International support for the regime**

### **Epilogue: The case for a different national and international approach**

Experience in other contexts shows that highly authoritarian approaches to 'terror' threats tend to have significant negative impacts on conflict dynamics for several reasons. First, when constructive channels to push for political change are shut down, this can push dissenters towards violent tactics. Second, dissidents can feel impelled to join violent groups in order to protect themselves from torture, arbitrary arrest and extra-judicial killings. And third, the deep anger generated by repressive responses tend to feed support for armed rebellion where options for pursuing it exist.[64]

While it may seem logical to expect a government to change an authoritarian and abusive CT strategy if it proves counter-productive, in many contexts perverse incentives come into play. 'Terrorists' become 'useful enemies'[65] – providing a strong pretext for crackdowns on political opponents, deflecting international criticism and securing international support.

In Egypt's case, as Peter Osborne has argued:

“Western governments, especially Britain's, have sent a fatal message to the Egyptian people. They will be allowed democracy only if they choose governments of which the West approves. That message is a terrible gift to Islamic State as it seeks to recruit the millions of disillusioned supporters of the Muslim Brotherhood”.

In backing Sisi, international actors are once again playing a dangerous game of short-term expediency. The willingness to put energy interests and profits from arms sales ahead of human rights and justice risks undermining both human and international security – and therefore represents a clear failure of judgment and leadership. While it is true that Western countries need to cooperate with Egypt over Libya, Israel and Palestine, the risk is that Egypt feels incentivised to maintain a bargaining chip in Libya by *undermining* Western interests rather than playing a constructive role.

In fact, Egypt has much to lose from any cooling in relations with the West (in terms of investment, trade, arms and political legitimacy). The question for Western partners should thus be how to recalibrate the partnership with Egypt to put in place real incentives and support for a changed approach that can address the deep political grievances and polarisation that have arisen from the bitter struggle for the state and abusive CT efforts.

True friends do not take blood money from a country that is in the process of brutalising its citizens towards new levels of instability. If the *status quo* persists, the situation could easily degenerate into a deeper crisis, with disastrous consequences across an already convulsive MENA region. Elements of the recalibration that is required include:

## Providing fewer arms and less military assistance

For the EU, this means adherence to its existing laws. Similarly, the US needs to consider the impacts of its military assistance and training on Egyptian democracy.

## Pushing for political inclusion and human rights

It is vital to develop a collective strategy for encouraging Egypt to recognise historic lessons about the important role of political inclusion and human rights in achieving peace and stability.

To make progress, authorities need to end the crackdown on opposition actors, and instead pursue dialogue, trust and reconciliation to enable those who are willing to renounce violent methods to find meaningful channels for constructive engagement with Egypt's future.

International actors need to be creative, flexible and robust in maintaining at all costs support for free speech, independent reporting, legal representation and other key pillars of political inclusion and accountability in Egypt. This should mean focusing diplomatic attention on the situation in Egypt and pressing for accountability for human rights abuses, both at international level and through assiduous solidarity with civil society and other change agents inside the country.

As part of the push for progress in Egypt, it will also be important for Western actors to persuade other regional players – applying pressure where needed – to end their unconditional support for Egyptian authoritarianism and promote political reconciliation between the regime and the MB, pointing out the dangers for regional stability if the *status quo* is maintained.

## Promote a different security and justice approach

Egyptian authorities also need to recognise the dangers of overly militarised and indiscriminately violent approaches to CT, and consequently pursue a new approach to security and justice provision. Although violent groups pose a genuine threat that does need to be dealt with, in part by the criminal justice system, Egypt urgently needs to tackle human rights abuses within its security and justice apparatus. Priorities for reform should include a clampdown on military tactics that indiscriminately target or harm civilians, especially in North Sinai. By changing tactics, Egypt can expect to see a tangible decline in those joining violent groups and perpetrating attacks because of resentment of state abuses.

## Footnotes

64. See: Keen D, Attree L (2015) 'Dilemmas of counter-terror, stabilisation and state-building', *Saferworld*

65. See: Keen D (2012), *Useful Enemies*, (Yale University Press)