

# The Egyptian Women in the Spiral of Enforced Disappearance

**August 30th, 2022 - International Day of the Victims of  
Enforced Disappearances**

# The Egyptian Women in the Spiral of Enforced Disappearance

## Belady: an Island for Humanity

### A Human Rights Organization Supporting Women & Children in Egypt since 2017

Belady aims to dismantle institutionalized violence by documenting the Egyptian regime's violations against children, women, and minorities and educating national and international society and decision-makers about them. We also press and advocate the amendment of legislation that codifies violations while calling upon authorities to implement overlooked laws that would ensure respect for rights and freedoms. Belady provides legal and psychological support and protection for Egyptian children and women who have been detained in the backdrop of political cases.

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## Summary

In the context of the International Day of Victims of Enforced Disappearances (August 30), Belady publishes an observational report of data on **449** women and girls who have been forcibly disappeared over a period of nine years (2013-2021).

The Egyptian authorities utilize enforced disappearance against women and girls as a systematic method to instill fear in the minds of anyone who opposes or questions public affairs, and additionally as a tool to place pressure on political opponents.

This report sheds light on the ages and social classifications of women and girls that have been subjected to enforced disappearance. Additionally, there is a discussion on the geographical distribution of those who have been arrested and have faced enforced disappearance, and the violations made against them, whether that occurred during arrest, trial, the period of disappearance, or within detention facilities, including torture and ill-treatment. Furthermore, there is a discussion on the abuse of power in order to keep victims inside of prisons, including the phenomenon of rotation and the persistent renewal of pre-trial and forced detention.

## Introduction

Enforced disappearance is not a crime of the past that has disappeared. Rather, it is an issue that continues to exist and is practiced by governments across the globe. Its practice is increasing in many countries, including Egypt.

Enforced disappearance is utilized by governments to achieve specific goals, including spreading terror within societies. Enforced disappearance affects the disappeared, their families, communities, and the multiplicity of cases and their spread. The fear of enforced disappearance becomes very widespread within the community, leading to resignation from public affairs and acceptance of the status quo.

According to Article 2 of the United Nations Declaration on Protection of All Persons from Enforced Disappearance 47/133 of December 18th, 1992:<sup>1</sup>

‘Enforced disappearance’ is considered to be the arrest, detention, abduction, or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support, or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.

As for Egyptian law, legislation does not address enforced disappearance, nor is it considered as an existing crime.

Similar concepts are criminalized, such as illegal detention and detention outside of designated detention locations. It should be noted that these crimes can occur in conjunction with or without enforced disappearance.

‘Enforced disappearance’ is described as a crime against humanity when committed as part of a widespread or systematic attack on any civilian population. Therefore, it is not subject to statutes of limitations. Additionally, families of victims have the right to seek compensation and demand the truth in connection with the disappearance of their loved ones.<sup>2</sup>

On the International Day of Victims of Enforced Disappearances, Belady chose to take a closer look at the women and girls who are victims of enforced disappearance in Egypt, amidst the persistence of the Egyptian authorities practicing this crime, both with tacit consent or direct orders.

## Research Methodology

This report is based on observational data of 449 women and girls who were forcibly disappeared and whose rights were violated from August 16th, 2013 until December 26th, 2021 (the date of arrest). Belady has collected these data over five years using several tools, including direct and semi-structured interviews, in addition to the use of Belady’s legal unit and indirect secondary sources such as news websites, social media, monitoring of civil society organizations, and observational data.

In analyzing the types of gender-based violence, Belady adopted the following classifications:

**Physical Violence:** Includes the types of assault on the body of a female prisoner through the means of beating, kicking, slapping, electrocution, or cutting hair. This is in addition to other methods of ill-treatment and torture, such as prohibiting exercise, sleep deprivation, forced standing for long periods of time, and inhumane detention conditions, such as insect infestations, smoking, and lack of light and ventilation within cells.

**Sexual Violence:** Assault by touching intimate places on the body of a female prisoner, harassment, threats of rape, undressing, forced virginity tests, humiliation during inspection procedures, pregnancy tests, and forced anal and vaginal examinations.

**Social Violence:** Isolating the prisoner from the outside community.

**Psychological Violence:** Assaulting a prisoner with actions or words that offend her psychologically, such as insults, being forced to witness the torture of another person, torture of her family members, defamation, and imprisonment in a cell with surveillance cameras.

<sup>1</sup> the United Nations Declaration on Protection of All Persons from Enforced Disappearance 47/133 of December 18, 1992

<sup>2</sup> International Day of the Victims of Enforced Disappearances



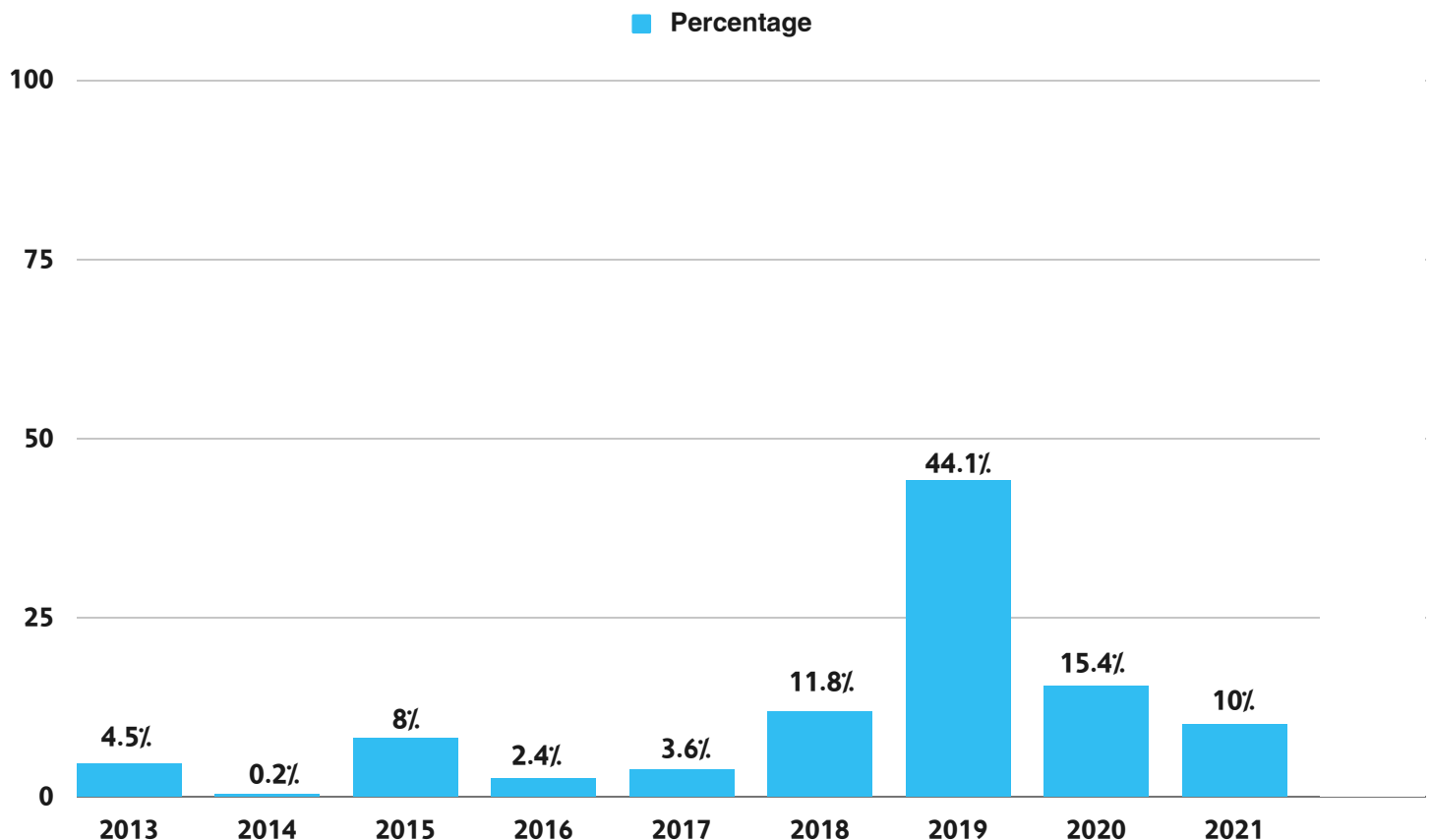
**Political and Institutional Violence:** The prisoner is subjected to violence by authorities and state institutions. This includes practices that make access to rights difficult and oftentimes impossible, such as arbitrary and pre-trial detention, imprisonment with ‘non-political prisoners’, forced confession, denial of healthcare, solitary confinement, interrogation without the presence of a lawyer, prohibition from continuing studies or attending exams, military trial, rotation, and detention in unofficial detention facilities.

Belady assessed the quality and accuracy of the collected data using the triangulation of resources while saving the data and several evaluation check-in points during its entry, codification, and analysis using SPSS<sup>3</sup>.

## Results

### First, a Political Authority That Has Adopted Enforced Disappearance since Its Assumption of Power

During the period between 2013 and 2021, Belady observed the enforced disappearance of those arrested by the Egyptian political authority. The rates of enforced disappearance during the years under study were distributed according to the following graph:



### Second, Enforced Disappearance Is a Violation That Targets All Age and Social Groups

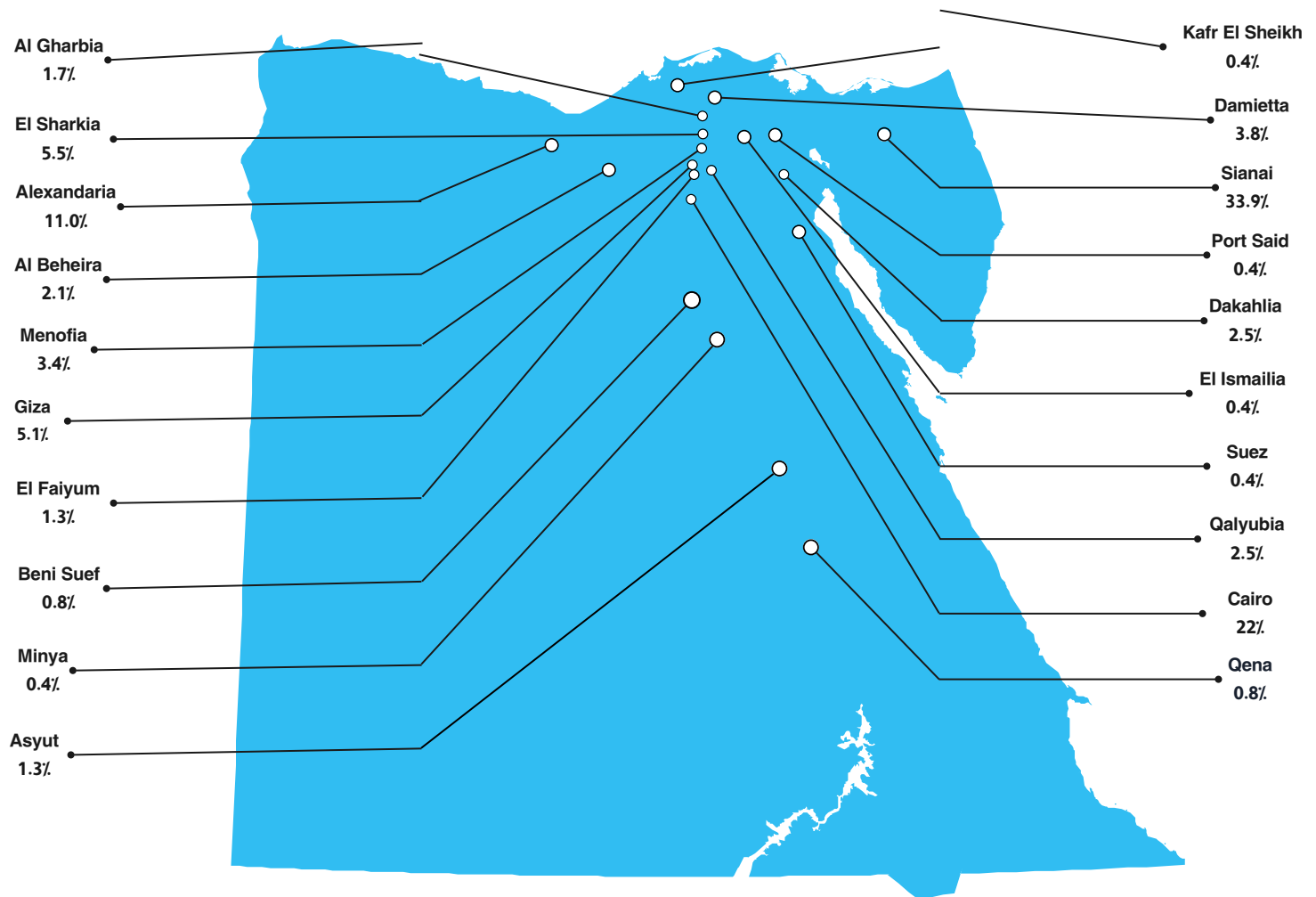
Through this research, Belady observed the exposure of all age groups to enforced disappearance. The percentage of known young women in the age group of 18 to 35 years old topped 52.4%. (88/168), followed by the percentage of middle-aged women from 36 to 68 years old with 35.1%. (59/168). As for minors, the rate of exposure to this violation was 12.5%. (21/168). As for social groups, the rate of those arrested whose activities are determined: students with a percentage

<sup>3</sup> Statistical Package for Social Sciences software, Version 25 (SPSS, Inc, USA)

of 47.1%. (65/138), followed by professions related to the public sphere (professors, journalists, activists, doctors, lawyers, and researchers) with a percentage of 24.6%. (34/138). Finally, the percentage of housewives was 18.1%. (25/138) and workers was 10.1%. (14/138).

### Third, the geographical distribution of those arrested who were subjected to enforced disappearance

Belady recorded, in observing the cases of those arrested and forcibly disappeared, the governorates of their arrest (20 governorates) led by Sinai with a rate of 33.9%. (80/236). The cases were distributed among the rest of the governorates in varying proportions, according to the map.



### Fourth, Arrest Circumstances Involving Many Practices

Belady observed many methods for arresting women and girls with a known location of arrest before their enforced disappearance. On top of the list are the arrests from the house which reached 36.4%. (67/184), followed by the rate of arrests from the street at 25%. (46/184) and arrests from demonstrations at 18.5%. rate (34/184). Arrests from work or school reached 7.1%. (13/184), airport arrests reached 6%. (11/184) and those arrested at police checkpoints reached 5.4%. (10/184). Finally, 1.6%. (3/184) were arrested from detention facilities when visiting a detainee.

### Fifth, Authorities Using Enforced Disappearance as a Form of Punishment

Belady observed the number of days of enforced disappearance, excluding appearance days, to be between one day and 1095 days which is equivalent to a maximum of 3 years, while the number of disappearance days of the detained women was around 33.81 days.

Belady also registered the longest period of enforced disappearance. “Wissal Hamden” is a 31 years old woman and a mother of two whose enforced disappearance started after her arrest on June 21st, 2019. Wissal was kidnapped on her way home from work on 6th October square. All her means of communication were cut off and her mobile phone was turned off. Her family pleaded with the authorities and issued a report to El Azbakeya Police Station in case No. 1453, Al Azbakeya, Administrative. It was referred to the Prosecution in an attempt to reveal where she is being held, yet in vain. Despite El Azbakeya Chief Prosecutor's declaration that ‘Wissal is safe and sound’, the report was kept by the authorities and the family remained unaware of where Wissal is being kept or the reason for her arrest, Wissal has been missing since June 2019 to date.

### Sixth, Verdicts and Charges Directed against Enforced Disappeared Women

Belady observed that the charges directed against forcibly disappeared women varied around verdicts with **terroristic nature** (joining or establishing a terrorist group or gang, or banned group, joining, promoting, or financing an illegal group or aiding it to achieve their goals, etc.), which reached 94.4%. (301/319), in addition to verdicts of **electronic nature** (operating an electronic page, publishing false news, inciting violence on social media, possessing, installing and activating communication radio devices, photographing, sharing a video clip on social media to incite overthrowing the regime, etc.), which reached 59.2%. (189/319). Finally, verdicts of **political nature** (obstructing pedestrian or vehicular traffic, disrupting an officer or an institution from carrying out their duties, demonstrating without permit, inciting demonstrations, striking, organizing or inciting to participate in a strike, attempting to overthrow the regime, etc.) reached 45.8%. (146/319). The number of charges in a single case ranges between one and three charges. What comes as a shock is the fact that some of these verdicts are originally intended to be rights, such as the right to assemble, demonstrate and strike.

For the first instance trials, the charges were foremost all types of imprisonment (imprisonment, aggravated imprisonment, hard labor, imprisonment and a fine, etc.) reaching 68.2%. (30/44), followed by acquittals reaching 15.9%. (7/44). Then, placement in care homes reached 11.4%. ( 5/44), and, finally, death penalty at around 4.5%. (2/44). The period of imprisonment varies around 6 and 216 months (18 years), with an average of 59.37 months (4 years). During the appealing stages, Belady observed sentence reduction in known verdicts at a rate of 43.5%. (10/23) and 7 acquittal verdicts at 30.4%.

### Seventh, Mass Violations Including All Kinds of Violence and Mistreatment Committed against Forcibly Disappeared Women.

Belady has observed a number of violations committed against women and girls whether during the period of their disappearance or detention. These violations were as follows:

- **Physical violence** against 18.5%. (83/449) of women and girls: This estimation was taken from a sample of this research using several methods, such as beating, kicking, slapping, electrocution, and cutting hair. This is in addition to other methods of mistreatment and torture, such as prohibiting them from walking and exercising, sleep deprivation, forced standing for long periods of time, and inhumane detention conditions, such as insect infestations, smoking, and lack of light and ventilation within cells.
- **Sexual violence** against 3.1%. (14/449) of women and girls: This estimation was taken from a sample of this research by physical harassment, touching intimate places of their bodies, (the so-called ‘defilement’ in Egyptian law), harassment, threats of rape, undressing, forced virginity tests, humiliation during inspection procedures, pregnancy tests, and forced anal and vaginal examinations.
- **Social violence** against 2.2%. (10/449) of women and girls: This estimation was taken from a sample of this research by isolating them from the external world and a ban on visits.

- **Psychological violence** against **6.7% (30/449)** of women and girls: This estimation was taken from a sample of this research by verbal abuse, insults, humiliation, degradation, being forced to witness the torture of another person, torture of her family members, defamation, and imprisonment in a cell with surveillance cameras. The most prominent example is the case of the **25-year-old** woman Soumya Maher Hazima who was imprisoned in a narrow and poorly-ventilated solitary cell for more than **9 months**. The cell had no toilet but there was a surveillance camera watching her constantly. This evidently had a negative impact on her psychological state. She could not even remove her veil. During that period, she was prevented from communicating with her relatives and her lawyer, as well as seeing doctors, which led to the deterioration of her health. In addition, she was forcibly disappeared for two months and seven days.
- **Political and institutional violence** against **19.8% (89/449)** women and girls: This estimation was taken from a sample of this research by the continuous renewal of pretrial and arbitrary detention, imprisonment with 'non-political prisoners', forced confession, denial of healthcare, solitary confinement, interrogation without the presence of a lawyer, prohibition from continuing studies or attending exams, military trial, rotation, and detention in unofficial detention facilities. This was clearly illustrated in the case of Hassiba Mahsoub Abd El Majid, who was arrested on November **19th**. She was then forcibly disappeared for **71** days. Later, she appeared before the prosecution on January **30th, 2020** charged with joining a terrorist group. She was imprisoned in case No. **1530** of **2019**, State Security. Although she suffers from a chronic tumor in the womb, permanent bleeding, heart muscle failure, and high blood pressure, she was detained in pre-trial until the court ordered her release on December **13th, 2020**. The following day after she returned home, she was arrested for the second time in case No. **955**. Since then, her pre-trial detention has exceeded three years.

## Conclusion

Egyptian women suffer from a closed political and cultural climate based on the punishment of all those who exercise their rights outside the regime's public sphere within the current Egyptian regime. Enforced disappearance comes at the top of these repressive practices.

Based on what has been mentioned, we can say that the Egyptian regime violates the most fundamental human rights by committing the crime of enforced disappearance, as well as its related abuses. The victim is deprived of the protection of the law for a considerable period of time. She is often subjected to various types of violence, as mentioned in this observational report.

The serious risk of enforced disappearance persists, particularly, with the lack of special mechanisms that would protect victims from being subjected to enforced disappearance and contribute to encouraging the perpetrators of this act of impunity.

Based on all that has been mentioned above, Belady urgently calls upon the Egyptian authorities to:

- Immediately announce the places of detainees and the forcibly disappeared persons
- Release the forcibly disappeared persons and detainees without charges
- Ratify the International Convention for the Protection of Persons from the Crime of Enforced Disappearance and comply with its provisions
- Seriously hold all those involved in committing the crime of enforced disappearance accountable as a crime against humanity and, therefore, not subject to statute of limitations

