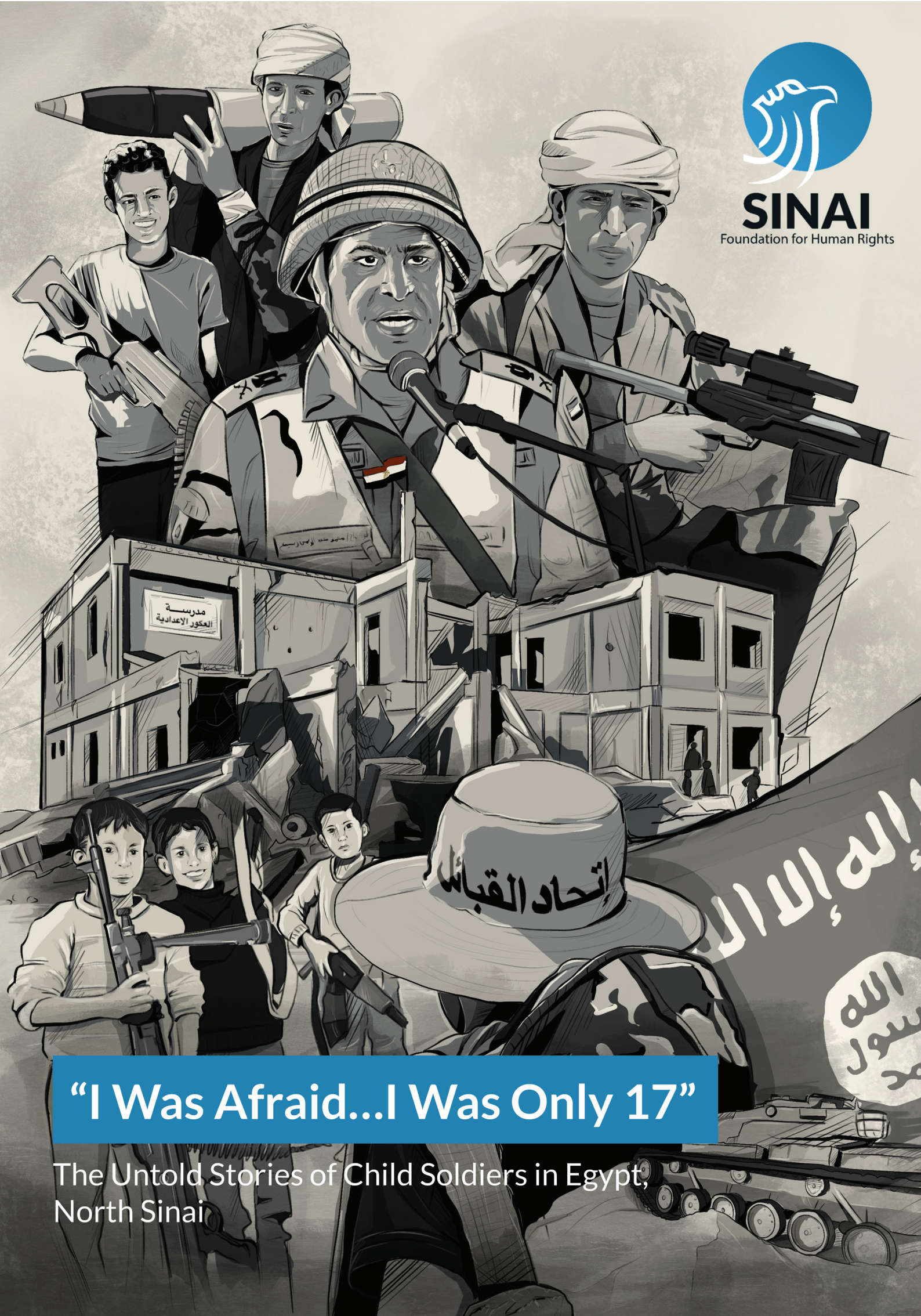




SINAI
Foundation for Human Rights



“I Was Afraid...I Was Only 17”

The Untold Stories of Child Soldiers in Egypt,
North Sinai



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Foundation for Human Rights

“I WAS AFRAID...I WAS ONLY 17”¹

The Untold Stories of Child Soldiers in Egypt, North Sinai

The title is inspired by a child soldier's quote, interviewed by SFHR

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This report has been updated on August 9, 2023: on Page 11: to add the year 2021 as the date on which Mohamed Moussa Zire'e was recruited when he aged 17 and to correct a sentence that falsely stated that he was injured when he was 17.

¹The report has some materials that may be harmful or traumatizing to some audiences.

Executive summary

In 2013, an armed fight erupted between the Egyptian security forces and Wilayat Sina', a local ISIS affiliate, in North Sinai. Over the years, the hostilities between the two parties amounted to a non-international armed conflict that was marked by gross human rights violations against local residents, including extrajudicial killings, enforced disappearances, arbitrary detentions, and attacks on schools, from both parties. Many of these violations amounted to war crimes. The local residents have also lived long years during the conflict lacking access to basic services such as electricity, food, car fuel, education, health care, in addition to irregular cuts of the internet services.

This report documents how the Egyptian armed forces or the pro-government armed militias, which the army increasingly relied on in the past few years, recruited and used children in their conflict with Wilayat Sina'. Between 2013 – 2022, the Egyptian armed forces in North Sinai enlisted children as young as 12, which is most likely a war crime. The armed forces assigned some enlisted children aged 15-18 with tasks such as spying or delivering food supplies, which exposed them to Wilayat Sina'. The Wilayat Sina' group chased these children and brutally killed them later. The Egyptian government failed to prevent its allied militias from recruiting and using children under 18 in hostilities against the Wilayat Sina' group. Some of these children were murdered by Wilayat Sina' after the group discovered their role with the pro-government militias. In one case, the armed forces did involve an enlisted child directly in hostilities against Wilayat Sina'.

Under international law, governments are obliged neither to recruit nor enlist children under the age of 15. They are also obliged to protect children from physical and physiological violence as well as from armed conflicts. The governments should prevent the recruitment of children under 18 by armed groups, and they should ensure the release of those who are found to be recruited.

Sinai Foundation calls on foreign governments to hold Egypt accountable to its international commitments related to enlisting children in armed conflict. Policy makers in the US and western capitals should weigh these actions against foreign aid, especially military aid, to ensure that funds are not complicit in these practices. This reports also calls for a reassessment of counterterrorism efforts and to conduct comprehensive reviews to ensure that such blatant human rights violations and potential war crimes are not upheld under the guise of these efforts.

We also call on the Egyptian government to immediately halt the recruitment as well as the direct or indirect involvement of children in the North Sinai conflict. The government should immobilize any children associated with the pro-government militias fighting along with the army in the region. The United Nations Security Council should refer the non-international armed conflict situation in Egypt's North Sinai to the International Criminal Court to investigate the possible war crimes of enlisting children under 15. The United Nations Committee on the Rights of the Child should extensively question Egypt in its September 2023 review about the involvement of children in the North Sinai conflict.

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Methodology

This report is based on in-depth interviews with 15 relatives of children who were recruited by the Egyptian armed forces or pro-government militias, one member at the pro-government militia in Bir al-Abd, two members at an undefined pro-government militias in Rafah and Sheikh Zuwaid in North Sinai, and one child was enlisted by the Egyptian armed forces. Sinai Foundation for Human Rights interviewed them in person or remotely between late 2022 and early 2023.

Rigorous analysis of visual content mined exclusively by SFHR and open-source social media platforms, helped us build a dataset listing of violations with hard evidence. In one case, we managed to geolocate a school used as a military outpost housed a child soldier recruited within a tribal militia, based on open-source satellite imagery.

The Foundation managed to locate the cases of the children in the first place through their appearance in publicly open-sources, mainly social media photographs or videos, on Facebook and TikTok platforms, which were published by personal accounts of members of pro-government militias or official accounts of these militias or accounts attributed to Wilayat Sina'. The SFHR kept an archive of all these photographs or videos, some of which were removed by their publishers later. In other occasions, the accounts that published these materials were entirely deleted. The organization analyzed all collected videos and photographs and used them as a significant source for corroboration of information given by interviewees. In several cases, the organization was able to review photographs and videos provided by the interviewees themselves.

In writing this report, the organization reviewed dozens of news articles published by local or international media outlets or civil society organizations on the situation in North Sinai. In addition, the organization reviewed official statements by the Egyptian armed forces as well as Facebook posts published by a North Sinai member of Parliament. The organization also conducted extensive reviews of both international humanitarian law and international human rights law.

In this report, Sinai Foundation withheld names of all interviewees for their own safety, in some cases the organization also retracted the names of some children and instead gave them pseudonyms for their own safety as well.

Sinai Foundation for Human Rights sent letters to the the Egyptian Minister of Defense and the National Council for Human Rights on July 4, 2023, with detailed questions that cover all the patterns of abuses documented but received no response (See Appendice I). Any response received after publishing the report will be published on Sinai foundation's website.

International and local legal obligations

Egyptian national law sets 18 as the minimum age for compulsory recruitment in its armed forces.² In compliance to Article 3(2) in the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which Egypt ratified in 2002, the state issued on February 6, 2007, a declaration stating that the minimum age for voluntary recruitment is 16. However, the Egyptian armed forces violated this declaration and kept officially announcing in years 2017,³ 2020,⁴ 2021,⁵ and 2023,⁶ that the minimum age at which it will permit voluntary recruitment is 15.

International humanitarian law prohibits the recruitment and use of children in hostilities. Article 77 of Additional Protocol I to the Geneva Conventions of 12 August 1949, and Article 4 of Additional Protocol II, both ratified by Egypt in 1992, ban the recruitment, including voluntary enlistment, of children below the age of 15 in armed forces, or groups, that are distinct from armed forces of a state (non-state armed groups). The law also obliges conflict parties to not allow the participation of those children in any type of hostilities during non-international armed conflicts.⁷

The Statute of the International Criminal Court includes in its list of war crimes recruiting or enlisting children under the age of 15 into armed forces or groups as well as their direct participation in hostilities during non-international armed conflicts.⁸

Ban of child recruitment and use in hostilities is guaranteed under international human rights law as well. Article 38(3) of the Convention on the Rights of the Child, which Egypt ratified in 1990, prohibits the recruitment, including voluntary enlistment, of children under the age of 15.

²National and Military Service Act, Official Gazette (1980) (amended 2014).

³"Al-Qawat al-Musallahah tu'lan shurut qubul daf'ah jadidah lil-mutatawwi'in wa qasasi al-athar [The Armed Forces Announce Acceptance of a New Batch of Volunteers and Footprint Trackers]," Youm7, August 23, 2017, <https://www.youm7.com/3381035>.

⁴"Qubul daf'ah jadidah min al-mutatawwi'in wa qasasi al-athar lalinadam lil-sufuf al-qawat al-musallahah [Acceptance a New Batch of Volunteers and Footprint Trackers in the Armed Forces]," Facebook, January 19, 2020, <https://www.facebook.com/EgyptArmySpox/posts/pfbid02nWEkpeggjEMvZiMHHkAWkEEgJhscHMnrwvC12YJkVmsAUKdJrfCcfswEhH8W3ussl>.

⁵"Al-Qawat al-Musallahah tu'lan qubul daf'ah jadidah min al-mutatawwi'in wa qasasi al-athar wa al-mujannidin [The Armed Forces Announce Acceptance of a New Batch of Volunteers, Footprint Trackers, and Conscripts]," Al-Masry Al-Youm, April 18, 2021, <https://www.almasryalyoum.com/news/details/2287693>.

⁶"Alqwat AlMoslha Toalen Alshoorot Wa Almostandat Almatloba Lqobol Almotatoeen Wa Qasasy Alasr [The Armed Forces Announce the Eligibility Criteria and Required Documents to Accept Volunteers and Footprint Trackers]," Cairo 24, March 13, 2023, <https://www.cairo24.com/1764216>.

⁷"Alqwat AlMoslha Toalen Alshoorot Wa Almostandat Almatloba Lqobol Almotatoeen Wa Qasasy Alasr [The Armed Forces Announce the Eligibility Criteria and Required Documents to Accept Volunteers and Footprint Trackers]," Cairo 24, March 13, 2023, <https://www.cairo24.com/1764216>.

"Protocol 1 Additional to the Geneva Conventions of 12 August 1949," Office of the United Nations High Commissioner for Human Rights, adopted June 8, 1977, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and->; "Protocol 2 Additional to the Geneva Conventions of 12 August 1949," Office of the United Nations High Commissioner for Human Rights, adopted June 8, 1977, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and-0>.

⁸"Rome Statute of the International Criminal Court," International Criminal Court, issued July 17, 1998, <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>.

The convention under Article 38 (2) obliges the states also to ensure that children under the age of 15 do not take a 'direct part' in hostilities. Under Article 38(4), the state parties should take all feasible measures to ensure protection and care of children affected by an armed conflict.⁹

In Article 3 the convention establishes that in all acts concerning children, undertaken by any state institution, the best interests of the child shall be a primary consideration. In General Comment No. 14 (2013) by Committee on the Rights of the Children, the committee interprets that assessment of the child's best interests must include consideration of the child's safety, that is, the right of the child to protection against all forms of physical or mental violence as well as protection against armed conflict.¹⁰

The notion of taking a 'direct part' in hostilities is not defined in both international humanitarian law and international human rights law.¹¹ Paris Principles, which is not ratified by Egypt, states that the association of a child with an armed force or group does not refer only to children who are taking direct part in hostilities but include children under 18 who have been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes.¹² The ICRC Interpretive Guidance concludes that the direct participation is limited to acts that adversely affect military operations or military capacity of a party to an armed conflict or, alternatively, to inflict death, injury, or destruction on persons or objects protected against direct attack.¹³

Additional commitments regarding child recruitment for both states and armed groups come under Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Articles 1 and 2 in the protocol prohibit the states from allowing members of their armed forces who have not reached the age of 18 to take a direct part in hostilities or compulsorily recruiting them.

Under Article 4 non-state armed groups should not recruit or use in hostilities children under the age of 18 years. The same article obliges the states to take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices. Under Article 6 the states should ensure that persons within their jurisdiction recruited or used in hostilities contrary to the protocol are demobilized or otherwise released from service.¹⁴

⁹"Convention on the Rights of the Child," Office of the United Nations High Commissioner for Human Rights, adopted November 20, 1989, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

¹⁰"General Comment No. 14: The Right of the Child to Have His or Her Best Interests Taken as a Primary Consideration (Article 3, Paragraph 1)," Committee on the Rights of the Child, May 29, 2013, https://www2.ohchr.org/english/bodies/crc/docs/gc/crc_c_g-c_14_eng.pdf.

¹¹Since Egypt is not a party state to Paris Principles, this report adopts the definition of 'Direct Participation in Hostilities' as it is interpreted by ICRC Interpretive Guide.

¹²The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups," UNICEF, issued February 2007, <https://www.unicef.org/mali/media/1561/file/ParisPrinciples.pdf>.

¹³International Committee of the Red Cross (ICRC), "Customary International Humanitarian Law: Volume I: Rules," May 2009, <https://www.icrc.org/en/doc/assets/files/other/icrc-002-0990.pdf>.

¹⁴"Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict," Office of the United Nations High Commissioner for Human Rights, adopted May 25, 2000, <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-involvement-children>.

The non-international armed conflict in North Sinai and the role of pro-government militias

In 2012, Ansar Bayt al-Maqdis, a radical armed group, declared its existence in North Sinai governorate, north-eastern Egypt. In August 2012 unknown armed men killed 16 Egyptian soldiers in an attack targeted an Egyptian army checkpoint in Rafah city,¹⁵ Egypt's eastern border with the Gaza Strip, located in North Sinai. The Egyptian army responded by deploying additional troops to the region, which began the militarization phase in North Sinai.¹⁶ The ousting of Egyptian president Mohamed Morsi, a member at the Muslim Brotherhood Group, by the Egyptian military in July 2013 triggered an armed fight between Egyptian security forces and Ansar Bayt al-Maqdis. The group pledged allegiance to the Islamic State (ISIS) in 2014 after which it changed its name to Wilayat Sina'.¹⁷

The armed clashes between both parties escalated to what likely amounted to a non-international armed conflict.¹⁸ A de-escalation started to be observed by 2021. During long years of conflict, the Egyptian armed forces, and police as well as Wilayat Sina' committed several violations of international humanitarian law, some of which may amount to war crimes.¹⁹

The military operations of Egyptian security forces were marked by collective punishment against local residents of North Sinai. Security forces carried out systematic arbitrary arrests, enforced disappearances, torture, extrajudicial killings,²⁰ and forced displacement of thousands of residents as well as thousands of homes and farmland had been likely demolished or razed.²¹

North Sinai governorate, which is one of the poorest across the country, witnessed dire humanitarian conditions due to the crippling siege imposed by the state to primarily besiege Wilayat Sina' members.

¹⁵ "Leilat Misriya Hazina ba'da Qatl 16 min Khayr Ajnad al-Ard.. al-Ra'is Yata'ahhad bi al-Saytara al-Kamila 'ala Sina'a.. wal-Dakhiliya: Mujamauat Mutakhassisa Liktifa Malabasat al-Hadith.. wa Adamn "al-Askari": Nuqsam Billah Innana Luminatqimun, [A sad Egyptian night after the killing of 16 of the best soldiers on Earth.. The President pledges full control over Sinai.. Interior Ministry: Specialized groups to investigate the incident.. And 'the military' admin: We swear by God that we are avengers]" Youm7, August 26, 2012, <https://www.youm7.com/750097>.

¹⁶"Egypt Tightens Grip on Sinai," The New York Times, August 10, 2012,

<https://www.nytimes.com/2012/08/11/world/middleeast/egypt-tightens-grip-on-sinai.html>.

¹⁷"Egyptian Militant Group Pledges Loyalty to ISIS," The New York Times, November 10, 2014,

<https://www.nytimes.com/2014/11/11/world/middleeast/egyptian-militant-group-pledges-loyalty-to-isis.html>.

¹⁸Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai": Egyptian Security Forces and ISIS," May 28, 2019, https://www.hrw.org/report/2019/05/28/if-you-are-afraid-your-lives-leave-sinai/egyptian-security-forces-and-isis#_ftn52.

¹⁹Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai."

²⁰Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai."

²¹Human Rights Watch, "Egypt: Massive Sinai Demolitions Likely War Crimes," March 17, 2021, <https://www.hrw>

Authorities imposed for years severe restrictions on movement on people and goods in almost all the governorate, leading to struggle in accessing food supplies, medicine, cooking gas, fuel, and other essential goods.²² Security forces imposed cuts to several essential services such as, drinking water, electricity, and internet.²³ Many children were deprived from education after the Egyptian armed forces transformed schools into military basis or destroyed them in its war against Wilayat Sina'.²⁴

Since 2013, some tribes in North Sinai have been collaborating with the Egyptian army mainly by providing intelligence. Since mid-2015, some of these tribes started to form pro-government militias to support the Egyptian authorities in its war against Wilayat Sina'. One of these militias is Sinai Tribes Union, which was formed in 2015 and until 2020 had limited roles such as providing intelligence to the Egyptian security forces and accompanying these forces in their raids on Wilayat Sina' hideouts.²⁵

Since July 2020, the Egyptian army started to provide weaponry and regular military trainings to some unidentified pro-government militias to defend their villages against Wilayat Sina' attacks, some of these militias were formed by al-Biadya, al-Sama'ana, al-Dawaghra, and al-Akharsa tribes, all based in western Sinai. in mid-2021, the Tribes' Affairs Office at the Egyptian Military and Reconnaissance Agency directly asked tribal leaders of al-Sawrka, al-Trabin, and al-Romilat tribes to enroll members of their tribes in pro-government militias which later received trainings by the army. Since late 2021, other pro-government militias started to conduct sweep operations and fight in armed clashes against Wilayat Sina'. in 2022, pro-government militias formed by al-Sawarka and al-Trabin conducted similar operations in western and southern Rafah and southern Sheikh Zuweid.²⁶

Wilayat Sina' carried out kidnappings as well as extrajudicial killings of both civilians, and security forces members.²⁷

²¹Human Rights Watch, "Egypt: Massive Sinai Demolitions Likely War Crimes," March 17, 2021, <https://www.hrw.org/news/2021/03/17/egypt-massive-sinai-demolitions-likely-war-crimes>.

²²Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai.," Egyptian Front for Human Rights, "Between Death and Besiege," January 4, 2019, <https://egyptianfront.org/2019/05/between-death-and-besiege/>; Egyptian Front for Human Rights, "Hassar la yantahi: Nazarat 'ala athar al-sira'a bayn al-dawla wal-jama'at al-musallah 'ala huquq ahl Sinai khilal 'am 2019 [An Endless Siege: A Look at the Impact of the Conflict between the State and Armed Groups on the Rights of the People of Sinai during 2019]," March 24, 2020, <https://egyptianfront.org/ar/2020/03/nonstop-blockade-ar/>.

²³Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai.," Egyptian Front for Human Rights, "Between Death and Besiege."

²⁴"Egyptian Army Has Turned Sinai Schools into Military Bases, Says Rights Group," The Guardian, March 30, 2023, <https://www.theguardian.com/world/2023/mar/30/egyptian-army-has-turned-sinai-schools-into-military-bases-says-rights-group>.

²⁵"Imminent" end of ISIS in Sinai and a mysterious future The "lesser of two evils" strategy does not maintain stability or rights in the long run," Sinai Foundation for Human Rights, September 26, 2022, <https://sinaifhr.org/show/155>.

²⁶Sinai Foundation for Human Rights, "Imminent" end of ISIS in Sinai and a mysterious future The "lesser of two evils" strategy does not maintain stability or rights in the long run."

²⁷ Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai."

Many of these hostile acts deliberately targeted Coptic Christians families.²⁸ The group initiated many direct attacks in populated areas using improvised explosive devices or planted explosives and mines in these areas, causing death of hundreds, and forced displacement of local residents.²⁹ Schools were also targeted or destroyed by the group.³⁰ In cities and villages which the group controlled for a certain time, the group imposed severe restrictions on women, conducted unfair trials against civilians, and kept local residents in a terror state by setting up regular security checkpoints and security patrols.³¹

Since the beginning of the armed conflict between Egyptian security forces and Wilayat Sina' and until 2021, the death toll of civilians in North Sinai reached 1836, and 2915 were injured, according to a government survey.³² Despite the fade of the armed conflict, Egyptian President al-Sisi issued in 2021 a decree, which has been renewed and in effect until time of writing, giving the Minister of Defense wide powers to impose unexceptional measures in North Sinai without proper oversight. The decree gives powers to impose curfews, carry out forced evictions, seize private property, and disable transportation and communications, which are all measures can be authorized only by the President according to Egypt's constitution.³³

²⁸"Egypt's Christians Flee ISIS Violence." Human Rights Watch, March 13, 2017, <https://www.hrw.org/news/2017/03/13/egypts-christians-flee-isis-violence>.

²⁹ "Monthly Human Rights report: October 2020," Sinai Foundation for Human Rights, November 22, 2020, <https://sinaifhr.org/show/35>.

³⁰ The Guardian, "Egyptian Army Has Turned Sinai Schools into Military Bases, Says Rights Group."

³¹ Human Rights Watch, "If You Are Afraid for Your Lives, Leave Sinai."

³²"Al-Masry Al-Youm tanshur taqreer 'Qawmi Huquq al-Insan' 'an Shamal Sinaa [Al-Masry Al-Youm publishes the report "National Human Rights" about North Sinai," Al-Masry Al-Youm, February 10, 2021, <https://www.almasryalyoum.com/news/details/2253991>.

³³"Qarar Ra'asi Khatir 'Yu'babid" Halat al-Tawarih fi Shamal Sinaa [A dangerous presidential decree "exacerbates" the state of emergency in North Sinai," Sinai Foundation for Human Rights, October 2021, 2021, <https://sinaifhr.org/show/102>.



Incubating factors induced to children recruitment

The long years of conflict created several driving factors that enabled the recruitment and use of children in hostilities by the Egyptian army or the pro-government militias in North Sinai. The most important factor is the deterioration in the economic situation which might have pushed some children to seek generating income for their families. Another factor is the lack of security that marked the years of conflict, during which some children might have felt they needed to participate in protecting the community from Wilayat Sina', particularly in villages of North Sinai. School dropout because of the attacks on the schools by the Egyptian army or Wilayat Sina' served as an enabling factor for child recruitment as well.

As the documented cases show, the Egyptian armed forces as well as the pro-government militias relied on some of these factors created by conflict to recruit children. For instance, they promised some children that if they fought against Wilayat Sina' or at least collaborated with the army, they would return to their villages that they were forcibly displaced from due to lack of security. In other cases they employed the children's desire for revenge on Wilayat Sina' to recruit them. As some of those children attempted to secure income for the family, the army and militias promised them some benefits such as free car fuel shares or food in return for their collaboration. The army and militias used this strategy particularly with children who descend from long marginalized families that did not belong to any of the Sinai tribes. The children found in their collaboration with the army a chance to acquire power and privileges by getting close to army officers.

Egyptian authorities' violations against children during the armed conflict

1) Recruitment and use of children below the age of 15 by Egyptian armed forces

The following three documentations suggest that the Egyptian authorities did enlist, on a less formal basis, three children under the age of 15, which most likely amounts to a war crime that incurs individual criminal responsibility under Protocols I and II of 1977 additional to the Geneva Conventions of 1949.

Officers in al-Zohor military camp in Sheikh Zuweid, a town in North Sinai, informally enlisted Gaser al-Batin in 2013 as young as 12, according to one of his relatives. The family member said that the officers have been assigned Gaser, from when he was 12 until he reached 16, with spying on as well as monitoring movements of some residents of his neighborhood in Sheikh Zuweid. When he reached 16, the officers started to charge him with delivering food supplies to military pillars in North Sinai using his private car. In return for these services, Gasser was receiving a nominal salary and free fuel shares for his car or some food for him and his family, the family member added.

The family member said that on November 11, 2019, when Gaser was aged 18, he died on his way to deliver food supplies to a security checkpoint in al-Hosinat, located between Sheikh Zuweid and Rafah, after his car exploded by an explosive device that was likely planted by Wilayat Sina'. al-Zohor camp announced mourning after he died and hung a big banner of his picture on a residential building nearby the camp in Sheikh Zuweid. On April 20, 2021, the official Facebook page of Sinai Tribes Union, one of the largest North Sinai pro-government armed groups, published a video of Gaser's funeral with description that he was 'martyred during delivering water to conscripts and state institutions.'³⁴

Officers in al-Zohor camp informally enlisted child Salem Sabah, a resident of Sheikh Zuweid, while he was only 14 in 2016, according to a relative of him. The source said that officers tasked Salem with monitoring movements of suspects to arrest them later, in addition to monitoring Wilayat Sina' suspects' entries to and exits from his village. According to the source, Wilayat Sina' members abducted both Salem and his father and killed them in 2017, when Salem was aged 15.

³⁴ "Al-Shahid al-Shab al-Fidayi / Jaser al-Bateen - min A'ilat al-Sheikh Zowaid w al-dhi istashhad athna' nqhlah al-miyah l al-mujan-deen w mu'asat al-dawla... [Young martyr / Jaser Al-Bateen - from the families of Sheikh Zowaid, who was martyred while transporting water for the recruits and state institutions...]" Facebook video, April 20, 2021, https://www.facebook.com/SinaiTribes.EG/videos/1850159305142647/?_tn_=%2CO.

In September 2017, Wilayat Sina'-attributed social media accounts published photographs as well as video footage of the father's body. In the video footage Wilayat Sina's members also claimed that they killed Salem due to his collaboration with the Egyptian army.³⁵

Officers in al-Saha military camp, in Rafah city, informally enlisted Omar Abo Darb in 2014 when he was 13, they tasked him with monitoring movements of Wilayat Sina' suspects to arrest them, monitoring Wilayat Sina' suspects' entries to and exits from his village, Abo Shanar village in Rafah, and reporting any sights of planting explosive devices by Wilayat Sina' on routes that are usually taken by army vehicles, a member of his extended family told Sinai Foundation. The source said that Omar was abducted by Wilayat Sina' members on November 20, 2017, before they brutally killed him in al-Barth area in Rafah. Wilayat Sina'-attributed social media accounts published photographs showing one member of Wilayat Sina' slaughtering Omar.³⁶ North Sinai member of parliament, Aida al-Sawrka, published a Facebook post on December 5, 2017, confirming that Omar was abducted and slaughtered by Wilayat Sina'.³⁷

The member of Omar's extended family said that the Egyptian government did not compensate Omar's family and refused to issue an official death certificate for him because of the absence of a body.

2) Involving enlisted children under 18 by Egyptian armed forces directly in hostilities

In one case, the Egyptian army accepted the voluntarily enlistment of a child when he was 15 and later when he was 17 the army involved him directly in hostilities against Wilayat Sina', in violation to Article 1 under Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Sinai Foundation spoke remotely with Mohamed Ibrahim,³⁸ born in a village in Bir al-Abd city in North Sinai, who said he started working with the Egyptian army in 2018 after his uncle persuaded him at age 15 that he could participate in other tasks than fighting. His uncle, who was collaborating with the army as well, was charging him with spying tasks to monitor movements of suspects. In 2019, Mohamed said he started to be tasked with delivering food supplies to security checkpoints.

³⁵ Photographs are on file with Sinai Foundation.

³⁶ Photographs are on file with Sinai Foundation. Accessible here: <https://drive.google.com/file/d/1DageO2xiyxOOxUAIi3fr9YI-gJS-eWKdQ/view>.

³⁷ "Hasbi Allah wa ni'm al-Wakeel: Na'zee anfusna awwalan wal-Hajj/ Moosa Muhammad Ali Abudrab fi istishhadi ibnihi (Omar) thabhan 'ala yad tanzeem Wilayat Sinaa ba'd akhttafihi yawm al-jumu'ah min 15 yawm...[God is sufficient for me, and He is the best disposer of affairs: We mourn ourselves first and offer condolences to Hajj/ Moosa Muhammad Ali Abudrab on the martyrdom of his son (Omar), who was brutally slaughtered by the Sinai Province organization after being kidnapped for 15 days since last Friday...]" Facebook, December 5, 2017, <https://shorturl.at/gnA04>.

³⁸ A pseudonym is used for his own safety.

“In 2020, he [referring to his uncle] said I could participate in war. At the beginning I was afraid, I was only 17, but my uncle and an officer trained me with fire arming for almost two months. When I learned I wanted to participate so I quit school,” Mohamed said.

Before he reached 18, Mohamed said that he participated more than once in armed clashes in Akhshen area in the southern part of Bir al-Abd. He said he also participated in sweep operations as well as disassembling explosive devices with the help of other enlisted persons.

3) Allowing recruitment and/or use of children below the age 18 in hostilities by pro-government militias

This section documents nine cases of nine children below 18 were recruited by pro-government militias, whether identified or unidentified, that operate under control of the Egyptian army, even if on a less informal basis. Some of those children did directly participate with joint forces consisting of Egyptian armed forces and the pro-government militias in hostilities against Wilayat Sina', during which one was killed. Others had roles limited to spying, sweep operations, some of which was carried out jointly with members of the Egyptian armed forces, and delivery of food to the Egyptian army ambushes.

The five documentations point out that the Egyptian authorities were most likely aware of the recruitment of those children in an armed group while they are below 18 but did not prevent this recruitment or take any measures to ensure that they were demobilized, in violation to Article 4 under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

A relative of child Ibrahim al-Meniaai told Sinai Foundation that elders of his tribe managed to recruit him into a local pro-government militia fighting with the Egyptian army against Wilayat Sina' in North Sinai. Those elders promised Ibrahim that he alongside his family would return to their village which they were forcibly displaced from in 2015 due to the armed conflict in the region. They also promised him that he would be given a membership card of Gamiet Mujahidin Sina' (Sinai's Fighters Association), which according to the relative would give him a sort of impunity and power.

On May 3, 2022, a video circulated on social media platforms showed Ibrahim injured in his arm and explaining that this injury was due to explosion of landmines took place while he was participating in reconnaissance in North Sinai.³⁹

³⁹ "(Al-Juz' al-Thamin) Abna' Sina' al-Raqm al-Sahih fi Mu'adilat al-Watan [(Part Eight) Sons of Sinai: The Correct Number in the Equation of the Nation]," YouTube video, May 3, 2022, <https://www.youtube.com/watch?v=TO6Cy86E94g&t=265s>.

The relative said that on May 13, 2022, Ibrahim died, when he was 16, in explosion of an explosive device took place during his participation with a joint force consisting of the pro-government militia that recruited him and Egyptian army in combat against Wilayat Sina' in al-Moqata village in Sheikh Zuweid. On May 14, 2022, the official Facebook page of Sinai Tribes Union named Ibrahim as one of its 'fighters and heroes' who died in the 'cleansing battle' and announced that he and other two would have a military funeral organized by the Egyptian army.⁴⁰

According to a member of the same pro-government militia, child Ibrahim al-Hemila was similarly recruited by elders of his tribe into the pro-government militia fighting with the Egyptian army against Wilayat Sina' under the promises of returning with his family to their village which they were forcibly displaced from in 2014 due to the armed conflict, as well as promises of obtaining a membership card of Sinai's Fighters Association.

The armed militia member said that on April 22, 2022, Ibrahim was injured by detonation of an explosive device that took place during his participating with the armed militia and the Egyptian army in a combat against Wilayat Sina' in southern parts of Sheikh Zuweid. On the same day, the official Facebook page of Sinai Tribes Union published Ibrahim's photograph showing him apparently receiving medical treatment, and the text under the photograph said that Ibrahim 'received treatment and insisting to return to fight...along-side the [state] armed forces.'

Under the same promises of his and his family's return to their village after being forcibly displaced in 2015 as well as obtaining membership of Sinai's Fighters Association, elders of child Mohamed Moussa Zire'e tribe recruited him in 2021 when he was 17, into the same unidentified pro-government militia, fighting against Wilayat Sina', according to two relatives of the child. The two said that on May 13, 2022, Mohamed was injured during participation in armed clashes with Wilayat Sina' in al-Moqata village in Sheikh Zuweid.

Sinai Foundation obtained a video from a member in a local pro-government militia, dated to sometime between March and April 2022, showing Mohamed carrying a rifle and a military radio device at a school in Sheikh Zuweid, besides other armed men apparently belonging to the same militia that recruited Mohamed. In the video, an armed man says that they are heading to al-Moaqata village in Sheikh Zuweid to 'clean it from rats [referring to Wilayat Sina' members].' The video also shows a vehicle most likely belongs to the Egyptian army and some civilian pickup trucks.

⁴⁰ "Fi hathihi al-athna' yaqum ahalī Sinā' bi-tashī' shuhadā' ma'arakat al-tat'hīr wa-abtal wa-muqātilī Ittihād Qabā'il Sinā' yatakilluhā janāzah 'askariyah min al-quwwāt al-musallahah [Meanwhile, the people of Sinai are conducting the funeral procession for the martyrs of the cleansing battle, along with the heroes and fighters of the Sinai Tribes Union, accompanied by a military funeral conducted by the armed forces]," Facebook post, May 14, 2022, <https://shorturl.at/pDKNO>.

⁴¹ A pseudonym is used for his own safety.



كل عام والامه الاسلاميه بالف خير
وعيد سعيد علي جميع القراب
والصدقاء ورحمه الله علي الشهداء

Fig.1: Mohamed Moussa Zire'e appeared armed based on Exclusive video in front of Al Okour Joint Preparatory School, and other open source footage.

By examining open source satellite imagery of the school, we can deduce that the school was first used as a military base in between October 2016 and May 2017. Multiple two-storey buildings south of the schools were leveled to the ground around the same time.

Sinai for Human Rights identified multiple modifications and newly-built structures around the school, particularly east and south of the school. One of the buildings east of the school was mounted with two structures that we cannot see in high resolution.

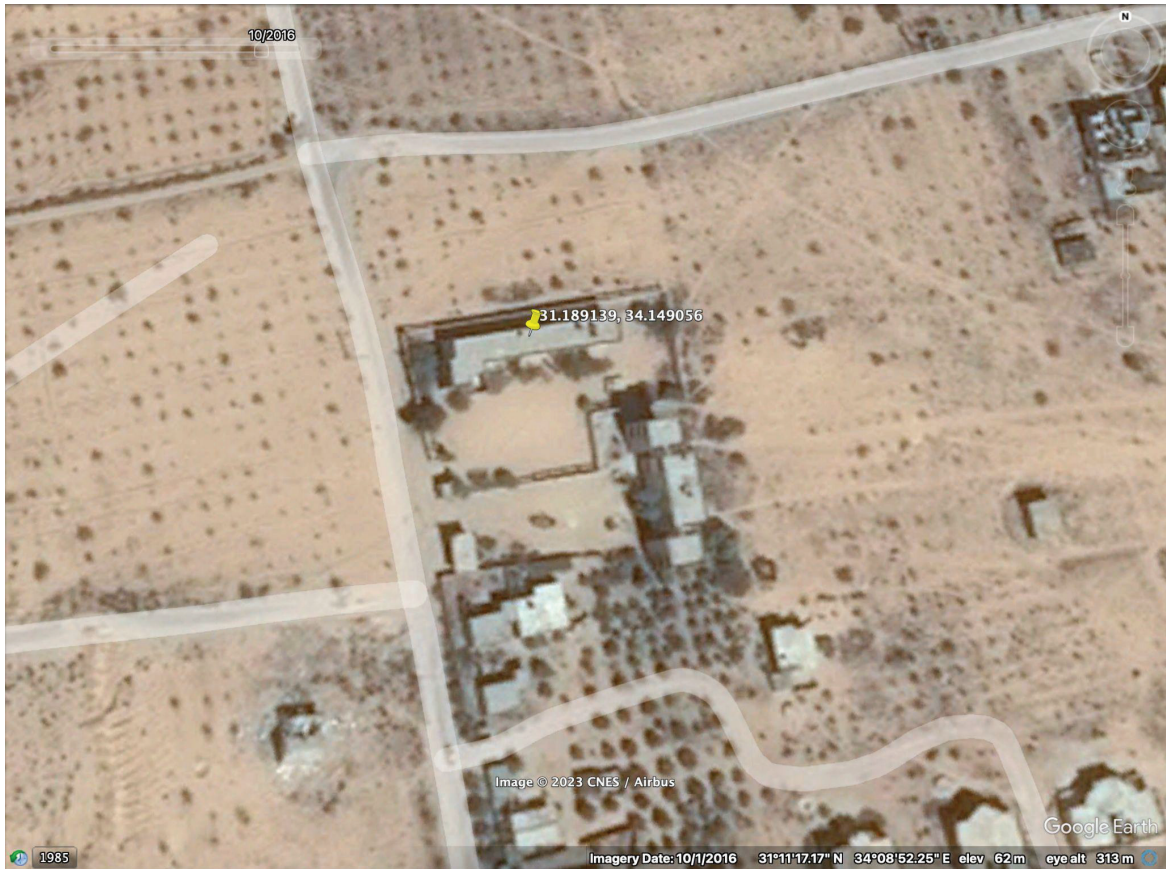


Fig.2:Top: the school before it was used as a military base, bottom: the school under use as a military post showing all modifications.

Not only was the school repurposed as a military base, the two-storey buildings south east of the schools were also leveled. The structures had served prior as residential houses and were adjacent to a small patch of greenery that was subjected to land degradation, a move often made for land degradation by military forces to avoid as vegetation can hinder reconnaissance.

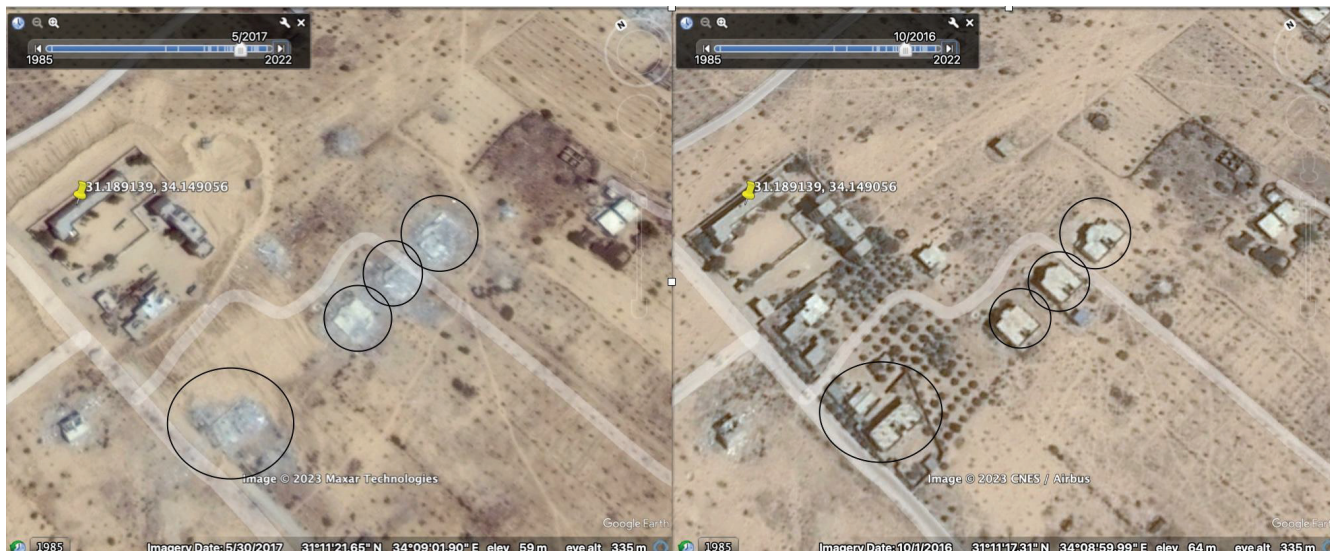


Fig.3: Three two-storey buildings were razed, likely to give the army a good vantage point from the school.

Historical imagery from Google Earth Pro dated July 5, 2019 shows a military vehicle, most likely a tank north of the school, in addition to one more vehicle. Multiple vehicles can be seen parked inside and around the school as we assess more recent imagery. The school remains to serve as a military base to this day and was attacked previously once in 2017 or 2018 according to open source satellite imagery.



Fig.4:At least one military vehicle can be seen outside the school.

Open source footage from 2022 shows the extent of use and circumstances under which the school is functioning as pro-army tribesmen can be seen talking about “killing the rats” as one person said likely referring to the Wilayat Sinai militants.



Fig.5: Geolocation of the school from the video pro-army tribesmen can be seen carrying machine guns.

Another militia member disclosed the recruitment of a second child. He said that the militia recruited Youssef Rashad⁴² in 2021, when he was 16, under the same promises of having the privilege of being close to North Sinai army officers. The militia involved Youssef in tracing footprints, as well as sweep operations searching for Wilayat Sina' members in southern Bir al-Abd, during which he participated directly in armed clashes with Wilayat Sina' members.

A TikTok video was published in January 2022, by a personal account likely belonging to Youssef himself, showed Youssef in a desert area alongside other civilians and two civilian pickup trucks. In the video, Youssef appeared carrying a rifle, and he was wearing what appeared to be the Egyptian army's uniform and sandals on his feet.⁴

In 2021, Sinai Tribes Union recruited child Hassan Fouad,⁴⁴ when he was 16, as well as his adult brother, both joined the armed group to take revenge for their father who was killed by Wilayat Sina' in 2021, according to a relative of both. The relative said that throughout 2022 Hassan participated with Sinai Tribes Union in several joint armed raids with the Egyptian army which targeted Wilayat Sina' hideouts in southern parts of Sheikh Zuweid under what is called between pro-government militias 'cleansing war.'

Child Fares Abo Hasouna was voluntarily recruited in 2015, when he was 16, by the pro-government militia in Sheikh Zuweid that was fighting with the Egyptian army against Wilayat Sina', according to a relative of him. The relative said that the militia tasked him with delivering food supplies to security ambushes in North Sinai, then he was tasked with monitoring movements of suspects to facilitate their arrest.

A relative of Fares told Sinai Foundation that he was abducted by Wilayat Sina' members in 2016 in Abo al-Arag area in southern Sheikh Zuweid while he was delivering food to a security ambushes. Wilayat Sina'-attributed social media accounts published a video in January 2016 showing Fares apparently confessing that he was assisting the Egyptian army in return for a small amount of money and free fuel for his car. At the end of the video, likely a Wilayat Sina' member shot dead Fares.

According to a member in the pro-government Bir al-Abd Tribes Union militia supervised by 'tribes affairs office' in the Military Intelligence and Reconnaissance Agency, the militia recruited child Saeed Farag,⁴⁵ resident of a village in Bir al-Abd, in early 2022, when he was 16. The militia involved Soliman irregularly in sweep operations, during which he was often driving a civilian car, aimed at searching for Wilayat Sina' members in southern Bir al-Abd. The source said that Soliman was also tasked with searching for explosive devices in al-Aokda and al-Risha areas.

⁴² A pseudonym is used for his own safety.

⁴³ Video footage is on file with Sinai Foundation.

⁴⁴ A pseudonym is used for his own safety.

⁴⁵ A pseudonym is used for his own safety.

The same pro-government militia recruited child Saad Salman,⁴⁶ resident of a village in Bir al-Abd, in 2022, when he was 17, under promises of having close relations with North Sinai army officers, from which he would benefit, according to the same source in the militia. Saad participated with the militia in sweep operations searching for Wilayat Sina' members in southern Bir al-Abd as well as search operations for explosive devices, specifically in Akhshen and al-Aokda areas, the source added.

A TikTok video was published in May 2022 by an unidentified account showed Saad alongside other civilians and two individuals in Egyptian army's uniform, likely soldiers, all stationed with civilian pickup trucks at a point in the desert. In the video, an adult man standing next to Mohamed was praising Mohamed's participation and mentioned that they are in al-Aokda area.⁴⁷

4) Exposing enlisted children below 18 in Egyptian armed forces to danger leading to their murder by Wilayat Sina'

This section demonstrates five documentations of five cases of children, between age 15 and 18 who were enlisted into the military. The military did not involve any of the five directly in hostilities, however, they all were captured and murdered by Wilayat Sina' after the group was made aware of their collaboration with the authorities. The authorities failed to protect the five and assigned them with tasks that exposed them to Wilayat Sina' and put them at risk, not taking in consideration that the group has been warning local residents since 2014 that it would chase and kill those who collaborate with the military,⁴⁸ which had already taken place many times.

The five cases suggest that the authorities did not consider the best interests of those children before recruiting them, including by not respecting their right to protection from physical or psychological violence as well as armed conflict, in violation to Article 3 in Convention on the Rights of the Child.

Sinai Foundation found no evidence that any of the five children recruitment were carried out in an official way that shall ensure the maintenance of minimum safeguards set in Article 3(3) under Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in particularly if those five children were fully informed of the duties involved in their military service. The organization also found that there is no evidence that those five went through medical examinations before their enlistment, which Egypt listed as a safeguard for enlistment in its 2023 periodical report to the UN Committee on the Rights of Child.

⁴⁶ A pseudonym is used for his own safety.

⁴⁷ Video footage is on file with Sinai Foundation.

⁴⁸ Sinai Foundation has on file photographs of likely members of Wilayat Sina' disseminating a threatening statement warning local residents of North Sinai that collaboration with the Egyptian armed forces would lead to their murder by members of the group. The foundation has also on file a copy of the statement.

Child Mohamed Ahmed, belongs to al-Sawrka tribe, was enlisted by Egyptian armed forces in 2015, when he was 15, to spy on some Wilayat Sina' suspects in al-Shalaq and Abo Farag areas southwestern Sheikh Zuweid, according to a member of his extended family. The source said that Mohamed did not receive financial compensation for his labor with the army but was motivated by elevation of social status through having connections with army officers in North Sinai.

After two years of working with the Egyptian army, in 2017, Wilayat Sina' members raided Mohamed's family house in al-Shalaq area and questioned the child about his collaboration with the army, which they seemed aware of. Mohamed had to confess, then they brutally slaughtered him in front of his father using a 'scalpel' and took his head with them before leaving. Later his family found the head near al-Sharawi railway crossing in their village.

Mohamed Saqr is another recruited child, an extended family member said that adult persons collaborating with the Egyptian military facilitated his enlistment in 2014, when he was 15. The military used him to spy on some of his relatives who were Wilayat Sina' suspects. Mohamed also did participate while masked in some Egyptian armed forces raids targeting Wilayat Sina' suspects houses, he usually would have monitored those suspects movements and ensured they were at houses at time of the military raids, the source added. In return for his services, a military camp was giving Mohamed free shares of car fuel, in addition he was enjoying facilitations while crossing security checkpoints

According to the extended family member, in 2017, when Mohamed was 18, members at Wilayat Sina' kidnapped him in front of one of his relatives' house in central Sheikh Zuweid, then they escorted him to al-Matala village, western Rafah, where they liquidated him. A resident of al-Matala village said that after they had killed him, members at Wilayat Sina' toured the village for two days with a pickup truck having Mohamed's body on its hood as a lesson.

Hassan Bides, resident of Sheikh Zuweid, is another child who was murdered by Wilayat Sina' due to his collaboration with Egyptian military. According to a relative of him, military officers at al-Zohor enlisted Hassan in 2015, when he was 15, and tasked him with spying on Wilayat Sina' suspects as well as delivering food supplies to security pillars. In return, the camp gave him free shares of car fuel, his collaboration also allowed him to enjoy facilitations while crossing security checkpoints.

In 2018, when Hassan was 20, an adult peer of him who was also collaborating with the military was captured by Wilayat Sina' which extracted from him information on other collaborators, including Hassan. In the same year Wilayat Sina' members kidnapped Hassan at Abo Shanar area, western Rafah, then they shot him dead and threw his body at the coast of Rafah.

Eid Abdoun, resident of Qabr Amir village, western Sheikh Zuweid, was enlisted in 2016, when he was 16, by military officers at al-Zhohor camp, according to a relative of him. The officers tasked him with spying on Wilayat Sina' suspects to facilitate their arrest, monitoring the group suspects' entries to and exits from his village, and reporting any sights of the group members planting explosive devices in routes that military vehicles take.

The relative said that in 2017 Wilayat Sina's members kidnapped Eid and killed him. In September 2017, Wilayat Sina'-attributed social media accounts published photographs of Eid and allegedly other collaborators with the military. One photograph showed Eid with a text 'The apostate Eid Mohamed Eid Abdoun was arrested.'⁴⁹

Child Mohamed Abdullatif, resident of Bir al-Abd, was enlisted by the Egyptian military in 2017, when he was 17, according to one of his family members. The military tasked Mohamed with delivering food supplies to a military checkpoint in Ga'al area southern Bir al-Abd, where Wilayat Sina' was actively targeting military vehicles with explosive devices, and where he also used to work in a farm.

The family member said that on December 15, 2019, was heading to deliver food to the usual checkpoint before he was stopped by a security checkpoint that was set up by Wilayat Sina'. When members of the group stopped him, they were waiting for him, according to what local residents told the family member, then they killed him.

⁴⁹The photographs are on file with Sinai Foundation. Accessible here:

<https://drive.google.com/file/d/15bNkIMF-iTEY9cE9Lq0PpntOP9M6VhXA/view?usp=sharing>.

Recommendations

To the government of Egypt:

- Immediately halt the recruitment, enlistment, and use of children under 18 as combatants or in military support roles that expose them to dangers.
- Prevent any recruitment or enlistment of children under 18 into pro-government militias and ensure the demobilization of those who are currently recruited.
- Investigate and punish those responsible for recruitment of children for combatant or military support roles.
- Provide appropriate assistance to recruited children under 18 to ensure their psychological recovery and their social integration.
- Ratify Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.

● To the United Nations Security Council:

- Refer the non-international armed conflict situation in Egypt's North Sinai to the International Criminal Court to investigate the possible war crimes of enlisting children under 15.
- Urge the Egyptian government to immediately cease all child recruitments and to demobilize all children from their forces and from pro-government militias.
- Ensure that the Security Council Working Group on Children and Armed Conflict closely monitors the recruitment and use of children in hostilities in Egypt's North Sinai and make public reports of its findings.

To the United Nations Committee on the Rights of the Child:

- Ask the government of Egypt in its coming review in September 2023 about the steps it has taken to ensure that the conflict in North Sinai does not involve any children, whether recruited by the state armed forces or pro-government militias or other armed groups such as Wilayat Sina'.
- Ask the government of Egypt in the coming review about the steps it has taken to prevent the pro-government militias in North Sinai from recruiting children and the steps it has taken to demobilize those who are recruited by these groups.
- Urge the government of Egypt to halt recruitment of children in its armed forces in North Sinai, regardless of the nature of the tasks assigned to them.
- Urge the government of Egypt to prevent in the first place any recruitment of children in pro-government militias that operate under the control of the Egyptian army and ensure the demobilization of those who are currently recruited by these groups.

Appendix I: Letter to the Ministry of Defense and President of the National Human Rights Council

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SINAI
Foundation for Human Rights

The Honorable Minister of Defense of Egypt
The Honorable President of the National Human Rights Council
July 4, 2023

Respected Sir, Madam,

Greetings,

Sinai Human Rights Foundation is pleased to address Your Excellencies, wishing you all success and prosperity. We hope for your esteemed cooperation in light of the Egyptian government's approach to engaging with civil society organizations. Through our efforts in gathering testimonies from the residents of North Sinai, we have become aware of a matter that necessitates your attention and clarification. The issue at hand pertains to recruiting children into tribal militias for military operations against extremist groups since 2013. This practice clearly violates the Egyptian Constitution and international treaties to which the Arab Republic of Egypt is a signatory.

1. According to Egyptian national law, the minimum age for compulsory military recruitment is 18 years. In compliance with Article 3(2) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which Egypt ratified in 2002, the state issued a declaration on February 6, 2007, stating that the minimum age for voluntary recruitment is 16 years. However, the Egyptian Armed Forces have consistently declared, in 2017, 2020, 2021, and 2023, that the minimum age for voluntary recruitment is 15 years, contradicting the aforementioned declaration. We kindly request clarification on this matter

2. Sinai Foundation has obtained evidence indicating that the Egyptian authorities, specifically in the camps of Al-Sahah and Al-Zuhur in the cities of Rafah and Sheikh-Zuwaid, have informally recruited three children under the age of 15 for surveillance operations against extremist elements and to transport logistical materials to military bases in dangerous areas. Tragically, these children lost their lives at the hands of terrorist groups. Such actions contradict the First and Second Additional Protocols to the Geneva Conventions of 1977 and their annexes. We seek clarification from Your Excellencies regarding this matter.

3. According to testimonies from relatives of recruited children and compelling evidence gathered by our Sinai Foundation, nine children under 18 have been recruited by pro-government tribal groups operating under the supervision of the Egyptian Army. Some of these children were directly involved in hostile activities against extremist groups, leading to the death of one child and injuries to others. The evidence shows that the Egyptian authorities were likely aware of recruiting these children into armed groups while they were under 18. However, no action was taken to prevent this recruitment or ensure their demobilization, thereby violating Article 4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. We request your clarification on this matter.

4. Despite the President's numerous announcements regarding the success of state apparatuses in eliminating terrorism and initiating a comprehensive development strategy in Sinai, the Sinai Foundation has received substantial evidence indicating the persistent militarization of civilian facilities, such as schools. The military and police continue using several schools, including the Al-Akour and Ahmed Abu Salama Schools in Sheikh-Zuwaid, and the At-Taawun and Al-Mahdia Elementary Schools in Rafah, as military bases. Additionally, several schools in Bir al-Abd are still under military control, despite civilians returning to these areas and the crucial need for children to go to schools, usually given the improved security situation. Furthermore, the reconstruction rate of schools destroyed due to military operations does not reflect education as a top priority for the government, despite its significance in stabilizing the local communities after years of displacement.

We seek clarification on the measures taken or planned to be taken in this critical matter.

Sincerely,

Ahmed Salem

Executive Director of Sinai Foundation for Human Rights