

Position Paper

Political and Legal Analysis

“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



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Situation Assessment Paper

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Table of Contents

Overview	4
Introduction	6
the history and development of the security and political scene.....	8
The first stage - Focusing on Israel (February 2011 - July 2012).....	8
The second stage - tactical changes and the beginning of the military operation in Sinai (August 2012 - July 2013)	9
The third stage - Changing direction or weapons towards the inside, change in allegiance towards the Islamic State of Iraq and the Levant (ISIS), and the appearance of pro-military tribal groups. (August 2013 - June 2020)	10
The fourth stage- active integration of tribal combatants into security operations (July 2020 till the time of writing this report)	11
A change in the Egyptian military's tactics after integrating tribal combatants into the military operation.....	18
Indications of decline in Sinai Province group's abilities in the fourth stage.....	20
First: Decrease in number of attacks and number of victims	20
Second: Kinds of targets	21
Third: Weakness in leadership, communication, and control	23
Fourth: The surrender of group members and their families through an official government initiative	24
Fifth: Change in confrontation tactics and weak armament	26
Politically and legally categorizing the conflict in the fourth stage	27
1- The legal categorization of the conflict:	27
2- The security categorization of the conflict	29
Conclusion and a look to the future	30
The References	33

**نهاية "وشيكه" لداعش في سيناء ومستقبل عاصم
استراتيجيه "أقل الخسائر أو الدفعه" على المدريين**

Introduction



As it is known, the military operations in Sinai tentatively began after the January 2011 revolution with the rise of security unrest and it remained limited throughout 2012, then the situation absolutely exploded in July 2013 after former President Mohamed Morsi was overthrown by the military. Since then, attacks and counterattacks have gotten intense, and North Sinai turned into a war zone in both the legal and figurative senses of the word, considering the thousands killed and injured among the ranks of civilians, military and police forces, and members of Ansar Bait al-Maqdis group, which became "Sinai Province" after it pledged allegiance to ISIS in 2014. A lot of water - or blood - ran through that region in Egypt for close to a decade, but the accelerating events in the last two years, 2021 and 2022, came with fundamental changes to the scene which seemed like chapters of the same series between 2013 and 2020. The new series contained utterly new scenes that include a substantial decline in the "Sinai Province" group's abilities and attacks. This paper showcases the key question: What happened to start this new scene? What are its most important features? And does ISIS's retreat necessarily mean the return of safety and stability to North Sinai?

Despite this paper coming from the Sinai Foundation for Human Rights, which is essentially and in any case concerned with monitoring and documenting developments and events from a legal perspective whose background is international and local human rights laws, we also decided that it is beneficial - and especially in light of the major media blackout imposed on what goes on in North Sinai - to merge legal and political analyses in one cloth where threads of political analysis and media monitoring join, before moving to legal classification.

The Sinai Foundation for Human Rights and other local and international human rights organizations believe that the situation in North Sinai, since the end of 2013 or 2014, likely amounts to a non-international armed conflict, and therefore, the laws of war, or what is known as the International Humanitarian law apply to it, looking at the severity of the operations in North Sinai, especially since 2014, and their persistence over several years between Egyptian government forces and the "Sinai Province" group which had a leadership hierarchical system clear in complexity and internal organization, as well as incomplete control over some cities and villages of North Sinai.



The armed conflict is not an ethical or political description, instead, it is a legal description that warrants legal consequences on conflicting parties to preserve human life and dignity to the highest possible degree during the conflict, considering exceptional circumstances of war. Humanity reached those laws - most of which are formed per the four General Conventions and their three additional protocols - following World War II after it was proven that war with no laws is a way to death and destruction and undermines the simplest rules of human rights and dignity in the name of war.

Additionally, the rules of the International Human Rights Law that applies in case of peace also apply in cases of war and armed conflict. For example, this includes the rights of imprisoned and arrested civilians. Therefore, states of war and emergency cannot be used as an excuse to subject people to enforced disappearance and detention regardless of the judicial system.

The Sinai Foundation sees that it is beneficial, after almost a decade of the intensifying conflict, to rethink the question of the armed conflict, looking at the relative decrease in military operations and the great and noticeable decline in the "Sinai Province" group's abilities, after many of its members were killed or arrested. In addition to looking into the question of the near future and how the road could be felt out - assuming the end of the armed conflict - regarding redressing grievances, preserving rights, and accomplishing stability. Searching for answers to those questions is the aim of this paper. As mentioned above, answering the legal question is accomplished through a political analysis of the developments of the scene in Sinai during the past two years, to understand what happened, observe what is still happening, and extract recommendations regarding the future.

Overview



Since mid-June 2021, local Egyptian media platforms started monitoring the gradual return of people of North Sinai to areas of Sheikh Zuwayed and surrounding villages.¹ On 19 January 2022, the governor of North Sinai, Major General Mohamed Abdel-Fadhl Shusha, announced that: "People of Sinai affected by terrorist acts have begun returning to their homes in the villages of Sheikh Zuwayed after they were purified of rogue ISIS members."² The return to the Sheikh Zuwayed region can be considered the most prominent victory of the Egyptian government in its continuous operations against armed groups ongoing since 2011. Unlike the claims of victory in official statements regarding marginalization operations which cannot be checked for accuracy by independent sides, the restoration of security and the state government's dedication in an unstable rebel zone, or an area out of central authority is a sign that cannot be ignored in what is known as the "war on terrorism". Simultaneous with that are media reports that point to the increase of operations by armed tribal groups that cooperate in a military or intelligence fashion with military and security forces, perhaps the most important of which groups is the "Sinai Tribes Union" supported by the businessman Ibrahim al-Arjani³, "Lions of Dignity" group, part of Rumailat tribe, and "Sons of Mujahidi Sinai", supervised by the military intelligence's secret service, which includes several groups, one of which belongs to Naqizat clan which in turn branches from Tarabin tribe and is active in eastern Sinai, and another group with the same name active in western Sinai, and Baiadia, Sama'ana, Dawaghra, and Akharsa tribes followed, as well as a group belonging to Sawarka tribe working in the region of villages south of Sheikh Zuwayed between Gora and Abu-araj villages.⁴ This is another sign of the Egyptian authorities' success in convincing and arming tens of young men from the main tribes of Sinai to support the state, and integrating them into the "war on terrorism", regardless of the moral and material motives of the different groups.

This analysis poses questions regarding what changed in the Egyptian security strategies in Sinai, the impact of arming and integrating local irregular combatants in clashes with



the Sinai Province group, what the categorization of the conflict in its current state is, and what the future of the conflict in light of the available givens will be like.

The analysis divides the security and political scene in North Sinai into four main stages based on the kind of aims, conflicting sides, tactics, and role of local citizens, with a focus on the third and fourth stages starting with 2017 till this day, where the local sides play a real role in the fight against the Sinai Province group.

The history and development of the security and political scene

“

The conflict between armed Islamist groups on one side and the Egyptian government on another has lasted since 2011. Despite its persistence to this day, it can be divided into stages based on the announced aims, conflicting sides, their tactics, and the role of local citizens in it.

The first stage - Focusing on Israel (February 2011 - July 2012)

This stage started in 2011 in the wake of the Egyptian uprising against the autocratic president, Muhammad Hosni Mubarak. In this stage, armed groups, most prominently “Ansar Bait al-Maqdis”, used the security vacuum which resulted from the weakness of central authority and the state of public outrage over its practices. In reality, during the events of 2011, the central government largely lost its authority in North Sinai, the outrage of local citizens escalated, and twenty-two security facilities were besieged by local citizens during the protests. This was not necessarily related to any Islamist or non-Islamist political organization⁵ as much as it was based on accumulations from the past and the authorities’ violence against the people of Sinai for years, as well as formal marginalization.⁶

In this stage in 2011, Islamist armed groups took advantage of the situation to direct attacks towards border areas through attacks on Israeli targets, like Eilat⁷, as well as the pipeline transporting natural gas through Sinai, to cut off Egyptian gas supplies to Israel.⁸ In this stage, armed groups depended on hit-and-run tactics and avoided direct confrontations with security and military forces, and they also did not face large-scale trouble with local citizens, as these groups did not present themselves as an authority, imposing their agendas on the local community. They also took advantage of the prior



jihadist Salafi local presence since the establishment of al-Tawhid wal-Jihad group which started its operations in Sinai by bombing Taba and Nuweibaa in 2004.⁹

The second stage - tactical changes and the beginning of the military operation in Sinai (August 2012 - July 2013)

The second stage started with a qualitative change in Egyptian military tactics used in interacting with the crisis and the military's use of tactics of heavy shooting in responding to armed Islamists, whether by using artillery shelling and military aircraft, or military command taking charge of the planning initiative and running the security operation. In August 2012, an Egyptian border point was targeted to steal armored vehicles and execute an attack inside Israeli land. The attack resulted in the death of 16 Egyptian soldiers, as well as the launch of a counter-operation by the Egyptian military in Sinai under the name Eagle 2, where Egyptian military aircraft launched a raid that targeted alleged areas with armed Islamists. Those raids were launched in coordination with the Israeli side to allow Egyptian aircraft to fly above the demilitarized zone per arrangements of the Camp David Accords security protocol.¹⁰ The military's interference, with its main weapons and directly into the operations, was a turning point for more militarization on operational, and tactical levels, as the military, not the police, had the upper hand in managing the conflict and its tools and making the plans for it. However, the pace of the operations remained limited, which can be brought back to factors, among which might be the armed groups' inability to draw more citizens to their ranks back then, as the state's aggression did not escalate to the level it later reached. It is known that the state's aggression in most contexts of unrest and insurgency could be one of the most important reasons for improving armed groups' ability to recruit members from the local surroundings. Among those reasons could also be the political situation back then in North Sinai and in Egypt in general, due to a political operation that promised a democratic transfer - even if incomplete or damaged -, as well as the spread of the Muslim Brotherhood's discourse during President Morsi's rule, as it seemed like the Muslim Brotherhood was victorious in using non-violent

political tools, compared to Jihadist Salafis, as well as considering the two parties' competition on the same recruitment bases of those sympathetic to Islamism in general. Additionally, local citizens' expectations increased as a result of official government promises after the January 2011 revolution to develop Sinai after decades of marginalization which led to an unprecedented willingness to participate in the political process to elect their representatives.¹¹

The third stage - Changing direction or weapons towards the inside, change in allegiance towards the Islamic State of Iraq and the Levant (ISIS), and the appearance of pro-military tribal groups. (August 2013 - June 2020)

After the military's involvement to overthrow President Mohamed Morsi in Cairo, the conflict moved into the stage of open mutiny where the political Islam narrative, based on accomplishing aims and schemes of political Islam groups and parties using mostly non-violent political means, faced a large setback. The increasing oppression of Islamists in the Nile valley and Delta gave Islamist armed groups and organizations a suitable grievance to use and attract more supporters from all areas of Egypt. Due to the background of the situation in North Sinai mentioned above, those groups found a more fertile environment for violence and a large ability to recruit and organize. The military's expansion in its operations in eastern Sinai in a way that did not take the dignity and rights of a large sector of civilians there into consideration, and instead also caused them devastation¹², in addition to historical social and economic grievances, all played a big role in creating a local response to mutiny among the Sinai tribes. This moment formed a turning point in the conflict as armed groups in Sinai revealed more extremist rhetoric labelling the state, its institutions, and members of the military and police as *kuffar* (disbelievers) and announcing turning the armed groups' guns towards the inside of Egypt instead of Israel.¹³

The most prominent development is still when a large sector of the Ansar Bait al-Maqdis group pledged allegiance to the Islamic State of Iraq and the Levant and changed its



name to "Sinai Province". The parent group's advancement and large organizational and logistic abilities gave "Sinai Province" a big incentive to intensify its operations against the military and police as primary targets.¹⁴

In this stage, the group executed several attacks intending to control the land, not just gang war tactics, in an attempt to clone ISIS's experience in Syria and Iraq. The most notable of those attempts was the one to take control of Sheikh Zuwayed in July 2015.¹⁵ This stage was the peak of the group's activity, as it executed its most impactful operations, and its leadership and control seemed very strong for reasons among which was coordination between local group leaders and the parent group in Iraq and Syria. The group's ability to recruit from within the local surrounding also - seemingly - expanded during that period, whether from angry Islamists in the Delta and Nile Valley, or people of Sinai who the military's increasingly brutal operations caused repulsion and fear at the best of circumstances, or anger and a wish to rebel in other instances.¹⁶

Additionally, in this stage, several foreign combatants poured in, bringing with them various combat experiences, as well as offering more connections with transboundary Jihadist movement.¹⁷ The group also acquired more complex weapons in light of unrest and insecurity, specifically weapons smuggled from Libya that reached Egypt after Colonel Muammar Gaddafi's regime collapse, including anti-aircraft missiles.¹⁸ Mainly attacks on military and security targets increased, as well as several on civilians working with the military, as 602 attacks launched by the group were documented between January and September of 2016, for example.¹⁹

In this stage, the group devoted its actual power to the field. According to Human Rights Watch's report which was published in 2019 and covered the period between 2013 and 2019, the group created police that performed security tasks and established "Sharia" courts that imposed the group's ideology, and *hisba* police that imposed their extremist interpretation of Islam on local citizens, as well as ordering women to adhere to a certain dress code and prohibiting listening to music or smoking cigarettes.²⁰ The group also attempted during this stage to enforce its existence on the ground by publicly setting up temporary roadblocks and checkpoints in North Sinai's major cities to flaunt its power and send a message to local citizens, whether to draw them in or



scare them and assert dominance.²¹ Generally, the group attempted to copy the parent group's dominance in Syria and Iraq on the ground, however, its plans to control major cities (like Sheikh Zuwayed) was unsuccessful, and that can be largely attributed to how limited ISIS's influence is in Egypt's Sinai, compared to the size and equipment of combatants of the parent group in Syria and Iraq, in addition to the Egyptian military's superiority in ability and firepower compared to militaries in other areas where the parent group spread. Unlike Syria and Iraq, the Egyptian military has weapon capabilities and leadership cohesion larger than that of militaries in those countries, which allowed it to deal with attacks in this stage - despite sustaining major tactical and strategic losses - without allowing the group full control of any cities of political or military significance, as areas of influence for the group remained under what could be called common control between government forces and the group, especially villages surrounding Rafah, Sheikh Zuwayed, and Bir al-Abd, and areas surrounding Arish and some areas in central Sinai, while the group remained able to execute impactful attacks on cities and vital installations.²²

The conflict between the group and the community gradually escalated. For example, the group targeted women and prohibited them from moving without a companion. It also abducted several women and killed them, claiming that they cooperated with security forces, which was a violation of customary laws in the area.²³ Additionally, the group tightened the reins on local smuggling activities, especially when it came to cigarettes and planting narcotic plants. Citizens were also asked to request permission to farm their lands.²⁴ A number of tribe members and elders were also executed, claiming that they worked with security forces. For example, in April 2015, members of Tarabin tribe attacked the Siani Province bases in southern Sheikh Zuwayed and Arish to avenge the execution of a member of the tribe and one of its elders.²⁵ Small attempts to form armed tribal groups to fight the group began in mid-2015 after an attack by Sinai Province on Barth village market in southern Rafah, home of Tarabin tribe, and then, the "Siani Tribes Union" was formed, most of whose members were members of Tarabin tribe. Its role in the fight, however, remained limited to intel support or accompanying Egyptian military security raids. The ISIS-affiliate group then executed a suicide attack on a security checkpoint established by Tarabin tribe near Rafah in April

2017²⁶, after which the situation escalated in May 2017 when Tarabin tribe, one of the largest tribes in Sinai, declared "war" on the Sinai Province group in a press statement²⁷. This was followed by another statement by Sawarka tribe, announcing its willingness to enter into armed confrontations with the group in Sinai.²⁸ Additionally, military and intelligence authorities had reservations on the military directly and uniformly arming and training these groups.²⁹ Despite the tribesmen's cooperation with security and military forces preceding these escalations, since 2013, their role remained - largely - limited to intelligence cooperation with the military and police, without regularly getting involved in major armed clashes with the group. In July 2015, one of the tribal elders was reported to have said: "The number of Bedouins working with the military as companions in military campaigns reaches 300."³⁰

The situation did not remain the same, though, and it appears that the considerations of political and military leadership in Cairo changed. Perhaps, among the factors that contributed to a change in considerations was the gradual escalation of armed clashes between the group and the Sinai Tribes Union, where those clashes led to the death of several tribe leaders.³¹ This once again led to bringing forth the idea to form an armed tribal group that gradually and increasingly got into clashes with the group during the third stage. The most significant of those groups, known as "Sinai Tribes Union" was based in Barth and Maghara areas, and controlled smuggling routes and logistic support lines from the center of the Sinai Peninsula to its north, consequently affecting the flow of weapons and logistic support to the group. This led the group to establish a new front in western Sinai to reduce pressure for its members in its usual bases in the east. Despite the armed tribal groups' active effect on the efficiency of the "Sinai Province" group's operations and supply lines, the group showed the ability to accommodate the armed tribal groups' involvement in the conflict and managed to maintain a kind of operational momentum. Military authorities also did not largely expand in regularly and effectively arming the tribesmen, and the green light for that did not appear clearly on the ground until the fourth stage which started in July 2020 after the attack on Rabea checkpoint in Bir al-Abd and the deterioration of the security situation there.

The most prominent turning point in the relationship between the tribes and the group might have been the bloody attack on "Bilal" mosque in Rawda village in November



2017, which led to the death of 305 local citizens, most or all of whom were praying at the time, plus 128 who were injured, in what is considered the bloodiest terrorist attack in Egypt's history. It can be argued here that the Sinai Province group itself assisted in ending the grievance storyline it relied upon as the basis for recruitment, since despite the increasing local outrage at violations to their rights by the Egyptian military and increasing grievance among local citizens caused by extreme security policies of oppression, the group reintroduced itself to large sectors of local citizens as the "bigger of two evils" in the ongoing conflict between the group and the Egyptian authorities.

The fourth stage- active integration of tribal combatants into security operations (July 2020 till the time of writing this report)

In previous stages, the group used its power to rally and recruit Sinai tribesmen, taking advantage of the appeal of the *Salafi* discourse to sectors of local citizens, the divide in loyalties between the government and the rebel movement within the tribes, and increasing outrage against government security and economic practices which harmed all people of Sinai. These factors led to an unspecified number of tribesmen - believed to be a few hundred -, in addition to those coming from the Nile Valley, joining the group. (Not to mention some foreign members, most of whom were from Hamas's "rejects" in Gaza). Those who joined the group, however, did not make the majority in those tribes.³²

This recruitment played a role in neutralizing the tribes in the initial stages of the conflict, as family relations between tribes and some members of the group prevented direct confrontation with tribes in the initial stages of the conflict, according to several interviews conducted by the Sinai Foundation team with local citizens in its extensive research. Nevertheless, this unannounced truce fell under the umbrella of the group's "*Daeshi*" behavior and practices and following an extremist approach in dealing with local citizens. The tribes' involvement in armed activities against the group - which gradually started in mid-2017 - played an important role in denying the group the privilege of excelling in knowing the local environment compared with the Egyptian



armed forces, most of whose soldiers and officers are not from Sinai and have no experience with its geography. It also denied the group a large part of its recruitment base due to local citizens' hesitation to get involved in combat against tribes.

This factor coincided with others which weakened the group's ability to initiate. One of these factors was the Egyptian military's coordination with Hamas to regulate borders which were used in smuggling weapons and combatants, as well as establishing a buffer zone on the borders with Gaza Strip, and increasing oversight on Libyan borders which were used as smuggling routes for weapons, in addition to the parent group's (the Islamic State group) defeat in its strongholds in Raqqa and Mosul, which was a severe blow to morale for the group's branches, like the ones in Egypt. In this context, and despite the Egyptian media campaign against Hamas after Morsi was overthrown, the Egyptian side steadily strengthened its security relations with Hamas. Beginning in April 2016, Hamas spread hundreds of its members to stop the flow of Jihadists across the Egyptian borders or the other way around.³³ In 2017, and in light of these efforts, the movement also arrested close to 200 suspected members of the Islamic State group.³⁴ Security cooperation between the Egyptian side and Hamas reached its peak when both sides coordinated together to build a separation wall on the borders between Gaza and Sinai in February 2020.³⁵ Additionally, Egypt coordinated its position with Israel to contain the Jihadist threat. According to testimonies of local citizens and multiple western reports, one of which was in Foreign Policy, Israel provided Egypt with intelligence and aerial military support to trace Sinai Province combatants across Egyptian borders in full coordination with military leadership, in addition to tolerating Egypt's deployment of forces and weapons in areas where militarization is limited according to the Egypt-Israel 1979 peace treaty.³⁶

The group attempted to establish a new front in western Sinai after the situation became tough in its usual strongholds in eastern Sinai after the group was harassed and tens of thousands of civilians were displaced or moved from the east of Sinai to the west, as well as strong restrictions on the movement of people and goods. The group then was forced to move its critical mass to the region of Bir al-Abd, as the Sinai Province group's attack on a military camp in Rabea village in July 2020 and its control over the villages of the "green triangle" for 3 months resembled an official declaration of the



transition of the group's leadership and the larger amount of its members to the west towards Bir al-Abd and south of it, passing through Jabal al-Maghara and its surroundings in central Sinai, reaching some villages geographically situated in North Sinai (as in east of the canal), but administratively following governorates west of the canal like Ismailia, in an attempt to transfer the conflict to the Suez Canal borders. During all of this, the group maintained a low operational momentum in its previous strongholds in eastern Sinai through keeping what seemed like small clusters there.³⁷ The group's repositioning was an attempt to accommodate variables that arose when the military integrated tribal combatants more effectively in its strategy, in addition to its search for funding and supply sources, a large part of which it lost after the parent group fell in Raqqa and Mosul added to the cooperation between Egypt and Hamas that limited the group's reach and prevented the flow of combatants escaping the Gaza Strip toward the group.

Despite the military authorities' reservations on widely arming the tribesmen, a noticeable gradual change started happening in the authorities' beliefs since July 2020 after the group's attack on a military camp in Rabea village in Bir al-Abd, which according to media reports led to the death of 40 and injury of 60 other military personnel, followed by a wide spread of ISIS militants in Bir al-Abd villages, seizing control of them, and targeting local civilians they accused of working with security forces, which led many inhabitants to move from the area. The security deterioration in the area led to the military adopting a new approach that depended on hastily integrating members of tribes and the community into military operations, as members of Biadia, Sama'ana, Dawaghra, and Akharsa tribes in western Sinai were armed to defend their villages against the group's attacks, and to secure the displaced persons' return.³⁸

Despite that fact that, as stated before, the military gradually allowed the formation of supporting armed groups since the beginning of 2017, the qualitative shift that happened after July 2020 was that the military regularly trained those groups in military camps and allowed them to coordinate operations and aerial support as part of military and security operations. The bigger leap, however, happened in mid-2021 after a request from military intelligence, specifically the tribal affairs office, to elders of

Sawarka, Tarabin, and Rumailat tribes to form armed groups from the tribes who were funded by businessmen from the tribes and were trained in military bases in Arish and Bir al-Abd, in what the combatants of those tribes called "the purging battle".³⁹

The last quarter of 2021 witnessed the expansion of the role of the Sinai Tribes Union and pro-military armed groups from Tarabin tribe from accompanying the military during its operations to executing independent sweeps and clashes in villages where the military had never been. The first quarter of 2022 also witnessed combatants from Sawarka and Rumailat tribes executing similar operations in western and southern Rafah and southern Sheikh Zuwayed.⁴⁰

The strategy to integrate tribesmen and the community into the security process of pressuring the group and denying it its areas of influence in southern Rafah and Sheikh Zuwayed, helped the displaced return to those areas, as well as opening the roads leading to them, and the surrender of members of the group.⁴¹

A change in the Egyptian military's tactics after integrating tribal combatants into the military operation



The Egyptian military remained in the stages of conflict preceding the fourth stage, before integrating tribal combatants, using tactics that highly depended on heavy weapons, whether for artillery shelling or air raids, which raised the number of falling civilian victims. Despite the military not completely abandoning these tactics, integrating local combatants played a major role in developing military tactics and reducing indiscriminate targeting as follows:

1. Changes to the military's security proximity:

The military started launching several fortified checkpoints in strategic positions in order to establish a permanent presence in the group's strongholds to protect civilian communities and prevent the group from infiltrating them, with the aim of using new tactics like sieges to starve the villages where Sinai Province group members were stationed and largely cut off their food supply. Despite the fact that this led to group punishment for citizens of some towns and villages in eastern Sinai, especially in the winter and spring of 2018, it led to the surrender of several of the group's combatants, whether in groups or individually.⁴²

2. Depending more on more precise intelligence:

The tribes' participation in the security operation played a role in increasing intelligence around the group's leadership, plans, and intentions, since there are tribal connections between some group members and local combatants, which in turn helped reduce the rate of random targeting and collateral among civilians. These connections also helped launch negotiations to infiltrate the ranks of Jihadist leaders and convince them to surrender by depending on tribal influence.⁴³

3. Depending on forces on the ground instead of shelling from a distance:

Depending on local combatants gave the ability to spread forces on the ground to execute security missions that targeted Jihadists more precisely, which reduced the military's dependence on using scorched earth tactics, heavy weapons, and shelling from a distance, which changed the tactics that were followed in previous stages that were both militarily and strategically wrong.⁴⁴ According to some reports, air raids in 2016 led to the death of 431 people, long-range artillery shelling led to the death of 56 others, and whole villages were heavily shelled, including Touma, Mahdiya, and Muqataa villages.⁴⁵ Despite the military not totally abandoning targeting through air and artillery strikes, it is noted that those tactics decreased substantially and so did the number of civilians who lost their lives to raids. In the period between January 2019 and December 2020, air raids led to the death of 30 civilians and injury of 22 others.⁴⁶

Imposing control on the ground helped deny Sinai Province the land where it gained a presence as a de facto authority in the desert area of Rafah, Sheikh Zuwayed, and Arish. Armed tribal groups increasingly played the biggest role in operations surrounding Rafah and Sheikh Zuwayed. On 18 December 2021, the Sinai Tribes Union website published photographs of an operation executed by tribesmen with military forces in Ajraa area, southern Rafah, against Sinai Province. On 19 December, the official union website published videos showing clashes with two Jihadists also in Ajraa village, leading to the death of alleged armed Islamists.⁴⁷ Other reports pointed to the expansion of armed tribal groups' operations in areas the military had not been for years in southern Rafah.⁴⁸

Indications of decline in Sinai Province group's abilities in the fourth stage of the security and political scene

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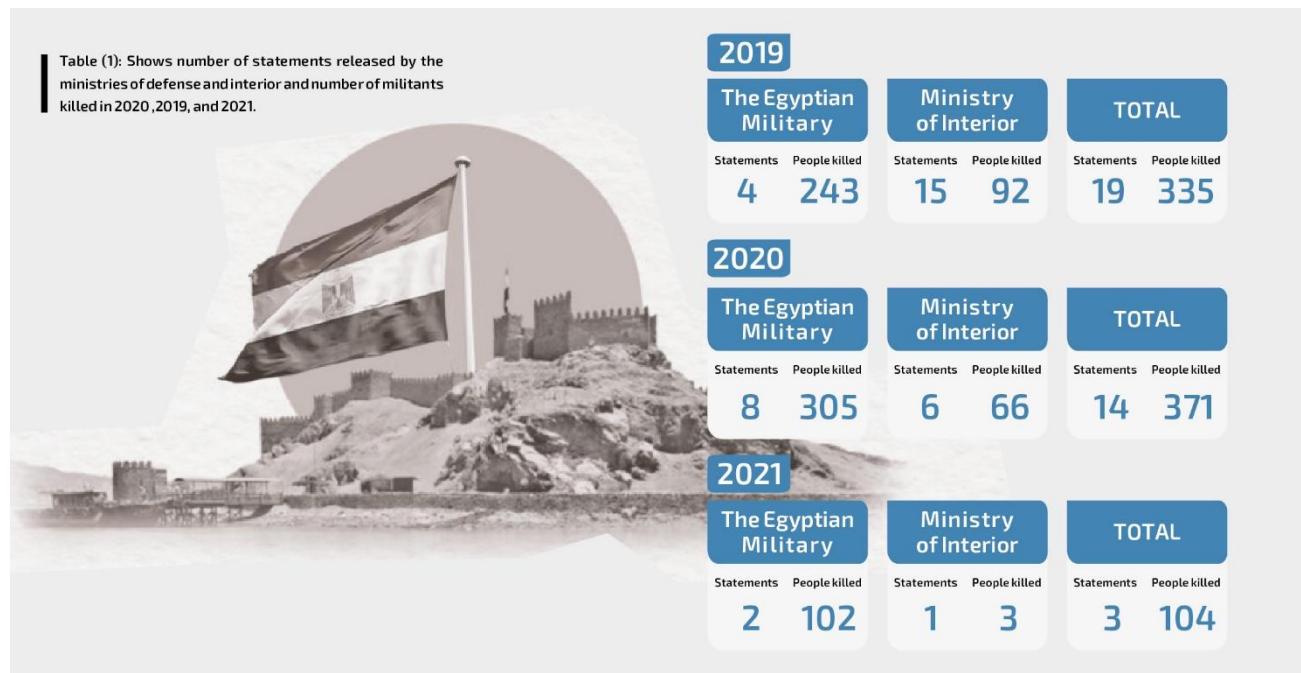
The group's operations in Sinai did not stop, but they changed in the type of aims, amount, and frequency in a way that gives clear indications.

First: Decrease in number of attacks and number of victims

A survey conducted by the Sinai Foundation for Human Rights⁴⁹ shows a tangible decrease in the number of statements released by the ministries of defense and interior regarding anti-terrorism operations in Sinai, as well as number of militants killed in 2021 compared to previous years.

In 2021, The Egyptian Ministry of Defense released (2) statements declaring the death of (102) people, while it released in 2020 (8) statements declaring the death of (305) people and released in 2019 (4) statements declaring the death of (243) people.

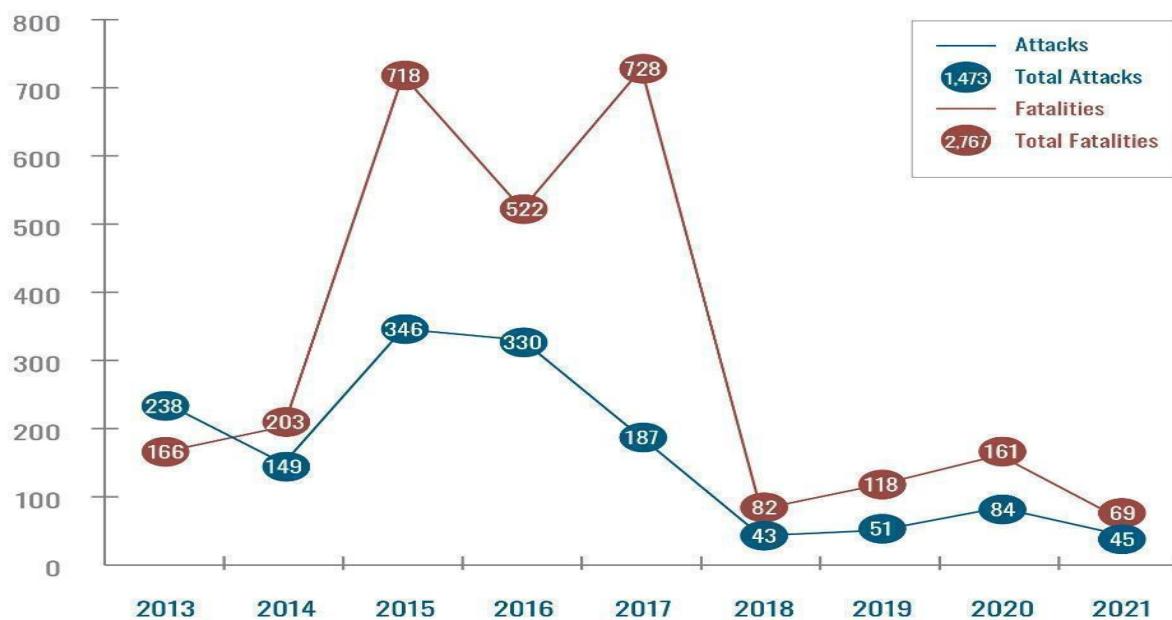
The Egyptian Ministry of Interior released in 2021 (1) statements declaring the death of (3) people, while it released in 2020 (6) statements declaring the death of (66) people and released in 2019 (15) statements declaring the death of (92) people.





Statistics also show a clear pattern of decreasing attacks that might have started in 2017 when attacks dropped to 187, which is a 56.6% less than in 2016 when the group's attacks reached 330. However, the largest drop was noticed with the military operation called (the comprehensive operation), which started in the first quarter of 2018, the year where the group's attacks decreased to 43 attacks and fluctuated around this number till 2021 where 45 attacks took place. Deaths caused by those attacks decreased as well, reaching 69 deaths in 2021, compared to 728 deaths in 2017, according to Global Terrorism Database sources in figure 1.⁵⁰

Terrorist Activity in Sinai, 2013–Oct 2021



Data sources: Global Terrorism Database; Armed Conflict Location & Event Data Project (ACLED)

Second: Kinds of targets

Starting in 2019, the group's tactics changed, and it resulted more to targeting soft targets (mainly civilians working in economic military projects, with security forces, or in civilian and service facilities), compared to hard targets (mainly military and security targets). The Global Research Database GRD monitored an increase in operations targeted at civilians or service facilities in 2019, reaching 16 operations out of 35 executed by the Sinai Province group or executed in Sinai.⁵¹

This number steadily increased in 2021, as that year witnessed a gradual increase in focusing Sinai Province operations on local tribesmen believed to be in cooperation with the armed forces, in exchange with the decrease in attacks against military and security forces. According to the website specializing in Israeli security and intelligence, Max Security Solution, 6% of attacks in January 2021 targeted civilians, followed by 22% in February, 33% in March, 38% in April and 57% in May.⁵²

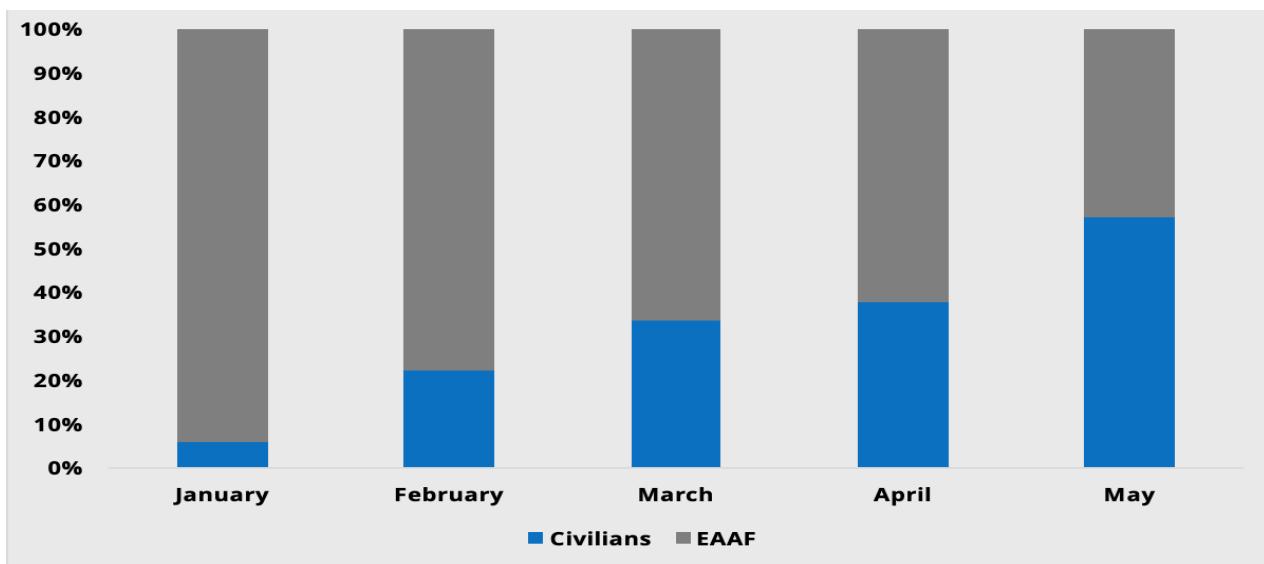


Figure (2): The graph shows the increase in attacks on civilian targets and decrease in attacks against military targets. Civilian targets are shaded in blue. Source Max Security Solutions.

The decrease in the group's ability to target hard targets and increase in rate of targeting soft targets points to a decline in its organizational, operational, and armament abilities in general. As targeting hard and armed targets requires more ability to monitor and plan, and a larger number and organization of weapons, in order to reach the relatively high armament requirements for such targets.

Additionally, the group started depending on tactics that avoided direct clashes with government forces, and most of its attacks during the past years were limited to sniping and detonating anti-machinery and personnel explosive devices, after it was capable of launching complex attacks and raiding several military checkpoints at the same time in previous years.

Generally, 2021 only witnessed one large attack on military checkpoints, where Zilzal 13 checkpoint in Gora village, south of Sheikh Zuwayed, was attacked on 31 July, which led to the death of 5 soldiers and injury of 7 others, according to comments by an



Egyptian military official to Associated Press⁵³, which is an ongoing decrease during previous years, as the year 2020 witnessed one such attack by the group on a military camp west of Bir al-Abd, while it executed 4 attacks on military checkpoints in 2019.⁵⁴

Third: Weakness in leadership, communication, and control

Local tribal irregular groups proved a clear ability to infiltrate the Sinai Province group in order to dismantle its hierarchical leadership. Security authorities' sponsorship, tribal reach and financial inducement were used to pressure members of the group to take down its leaders.

In May 2017, Tarabin tribe announced capturing one of the group's leaders, "Asa'ad el-Amarin", supply and funding official, and 9 of his officers, without engagement, which points to the intelligence infiltration of the group.⁵⁵ And in August 2018, the Sinai Tribes Union presented audio confessions of a Sinai Province official of Palestinian origin known as "Bilal Barhoum" or "Bilal Aldan", after coordination with other members of the group and capture of the official in exchange for a financial reward.⁵⁶

On the front of communication and media abilities, a decrease in amount of media material produced by the Sinai Province group was noticed, as well as a decrease in quality since 2018⁵⁷, which points to a shortage in local staff and weakness in ability to get in contact with cross-border staff like before. In this context, the increase in time the group spends between executing its operations and announcing them on its media platforms can be noticed, which could point to weakness in communication and decrease in human and technical resources. For example, on 6 May 2021, the group claimed responsibility for armed clashes with the military in Gora village, south of Sheikh Zuwayed, over a week after the start of the clashes on 29 April, which is a sign pointing to decrease in communication, control, and leadership, as the group previously broadcast its operations a few hours after they started.⁵⁸ In this context, and according to the Egyptian Armed Forces Spokesman's claims, the military and pro-military groups targeted Sinai Province's media abilities, as devices used by the group for media broadcasts were seized and confiscated, including computers, cameras, and satellite



internet devices. Additionally, media broadcast centers were destroyed, to reduce the group's ability to broadcast its message through media.⁵⁹

Fourth: The surrender of group members and their families through an official government initiative

In 2021, an official initiative under the sponsorship of security authorities, the most prominent of which is the military intelligence service's tribal affairs office, aimed to get ISIS militants to turn themselves in, in exchange for financial benefits and pardon for previous crimes. During the past years, this initiative seemed not to have been effective, despite several members of the group turning themselves in with the help of some tribe leaders who try to convince members of their tribes who are involved with the group to put down their weapons, and they are later interrogated after being transported to security bases.⁶⁰ Despite the absence of any official announcements regarding the initiative, there are official indicators, like the military spokesman sharing a video⁶¹ on 9 March 2021 showing armed group members turning themselves in at a military checkpoint in eastern Sinai, in addition to multiple similar videos and news on social media accounts run by tribes and pro-military groups in Sinai.

However, official and semi-official statements on this initiative came to light. For example, Colonel Gharib Abdel Hafiz, the military spokesman, stated during a television interview on 15 May 2022 that militants who turned themselves in at checkpoints and military units were being provided with shelter and housing after confirming that they are not wanted in connection to any cases. He added that this strategy caused a number of defections from the group in the previous period.⁶²

This initiative took a dramatic turn in September 2021 when the head of Sinai Province court, Mohamed Sa'ad Kamil al-Saidy, known as "Abi-Hamza al-Qady", turned himself in to the authorities, along with his wife and three children, after he acquired what seems to be a pledge to keep him and his family safe. According to a report published by the Israeli military intelligence center, the Meir Amit Intelligence and Terrorism Information Center⁶³, al-Qady is considered the second or third man in the group's leadership hierarchy. According to the Israeli report, al-Qady's most prominent crime

was supervising the execution of the attack on "Bilal" mosque in Rawda village, Bir al-Abd, where 305 worshippers were killed at the end of 2017.⁶⁴ The Egyptian authorities used al-Qady's surrender to try and persuade other fighters to turn themselves in. Security authorities wrote a letter posing as al-Qady where he announces regretting his *fatwa* that led to the murder of others, asking group members to rethink their beliefs, and asking each person thinking of turning themselves in to head to the closest military checkpoint with their arms in the air, raising a white flag, or holding the letter, copies of which aircraft dropped in areas under the group's control, all according to testimonies of eyewitnesses interviewed by the Sinai Foundation for Human Rights.⁶⁵ While this entire initiative poses heavy questions regarding prosecuting people involved with ISIS in grave crimes, the point of mentioning it here is to monitor its role in weakening the group and setting it back.

The suffocating siege on members or the group in eastern Sinai - apparently - contributed to increasing the security initiative's effectiveness, as the rate of surrender of members of the group was noticed to have risen during the first half of 2022. The surrendering members seemed in a very weak physical state, and the Cairo Supreme State Security Prosecution's interrogations of wives of ISIS members who turned themselves in to the military reveal the severity of the effects of the food blockade strategy.⁶⁶

Fifth: Change in confrontation tactics and weak armament

In this stage, sniping and long-distance targeting tactics increased, as well as the use of explosive device and avoiding direct confrontations with the military or suicide missions like in previous stages. This was a sign that the group wanted to protect its members whose numbers were decreasing due to execution, surrender, or arrest. In April 2017, the group published a visual release called "Heart Stunners" documenting sniping Egyptian soldiers in Sinai.⁶⁷

Between February 2021 and 2 April 2022, the media monitored 21 operations by the Sinai Province group, in 9 of which explosive devices were used⁶⁸, and all other



operations were sniping, execution of people working with the military, dropping of drones or civilian killings, in addition to limited clashes.

Photographs of the group celebrating religious Eid and occasions, which the group is careful to share as a proof of existence, show a noticeable decrease in the number of participants during the last three years, which is an indicator of the decrease in the number of members⁶⁹. Recent military and media reports also reinforce the signs of decrease in the intensity of the conflict. For example, the number of Sinai Province combatants has reduced, according to Egyptian security sources that spoke with Reuters in late 2021, to 200 members at the most, after there were around 400 members in 2019 and 800 in 2017.⁷⁰

On 18 April 2021, the group released a video called "Creators of Epics 2", where electronically launched, locally made, shoulder rockets were shown⁷¹, after the group used to use RPGs and Kornets in previous years. The group's increasing dependence on locally made explosive devices is another sign of the decrease in weapon supplies and the group's attempts to cover the shortage resulted from the control of international smuggling routes from Libya from the west or Gaza from the east. The Sinai Tribes Union published on 28 April 2022 photographs on its official "Facebook" page showing a primitive missile base, locally made for close-range missile, found during a raid on Sinai Province members in Muqata village.⁷² Unlike types of weapons used in previous stages, these photographs show a clear decline in the type and size of weaponry of the group.

Politically and legally categorizing the conflict in the fourth stage

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1- The legal categorization of the conflict:

In case of peace, or in cases of security unrest that does not amount to an armed conflict, the International Human Rights Law is applied. As for cases of armed conflict, the International Humanitarian Law (plus lots of reassurances in the International Human Rights Law) is applied. Therefore, it is important for governments to declare their viewpoints and to adhere to reassurances put in place in each case.

The International Humanitarian Law, or what is known as law of armed conflicts, categorizes conflicts into international armed conflicts, which are ones between two or more countries, and non-international armed conflicts, which are ones either between a country and sub-national rebel group, or among those groups themselves. This differentiates between armed conflict on one side, and unrest and sporadic acts of violence that do not reach the degree of ongoing armed conflict on another.⁷³ Both laws state that “an armed conflict exists whenever there is a resort to armed force between States or protracted armed violence between governmental authorities and organized armed groups or between such groups within a State”.⁷⁴ And for a conflict to be described as a non-international armed conflict, it has to meet requirements, among which is: “First, when there is protracted armed violence”, meaning that a certain level of armed violence was reached when it comes to intensity and existence over a period of time, not few days or weeks. And second, for the rebel group to be an organized armed group. Organized group means that it has a specific command structure, internal disciplinary mechanism, logistical capacities like support, supply, providing weapons, inner and outer communication, ability to plan and execute military operations or political agreements, and other organizational matters.⁷⁵

Despite the previous explanations monitoring the decrease in the Sinai Province group’s ability to execute its military operations, the targeting of its command structure,



decrease in its ability to contact the parent group, and deterioration in its media abilities related to outer communication since around 2020, the group still maintains a degree of organization and ability to execute operations targeting soldiers or civilians, and it also has a command structure that seems to still be in contact with the parent group, as in March 2022, the group announced in a video clip pledging allegiance to the Islamic State's new leader (Abu al-Hasan al-Hashimi al-Qurashi). This announcement coincided with coordinated operations executed by the group against the Egyptian military and people working with it, which points to organizational abilities and a noticeable leadership hierarchy.⁷⁶ The group also managed to launch considerable attacks in the second half of 2022 and killed tens of members of the pro-military armed tribal groups and military and police personnel.⁷⁷ Based on that, it can be concluded that the conflict still - likely - keeps its legal categorization as a non-international armed conflict, despite the decline in the Sinai Province group's abilities, and the Islamic State's as a parent group.

It is worth mentioning here that what is more important than holding on to a legal categorization (state of peace or state of war) is for governments to adhere to the law and its assurances, and not try to use the "flexibility" allowed by the International Humanitarian Law in case of war to crush civilians and at the same time evade assurances they should adhere to in case of peace.

In any case, due to the large security restrictions and actively criminalizing journalism and human rights work in Sinai, this analysis is built on the available evidence and information, which could change in the near future, due to the significant decline in the abilities of the only armed group in North Sinai, and if the situation keeps heading the same way, or if developments against the course of events since 2020 arose.



2- The security categorization of the conflict

In counter terrorism and insurgency studies, there is a main distinction between counterinsurgency and counterterrorism, which is the local environment. In counterinsurgency operations, insurgents depend on the support of their cause by a large sector of local civilians, and they try to present it as a "fair" or "acceptable" cause in a way to the community. This local environment in this case is a main base for recruitment and support for the insurgents, unlike in the case of counterterrorism. In attacks that are described as terrorism, opposition armed groups are formed by individuals, separate groups, or cells that do not have wide popular support.⁷⁸ For example, a small - but helpful - comparison between the situation in North Sinai and in Cairo and Delta between 2013 and 2018 can be made. While Cairo and Delta witnessed several violent terrorist attacks, they were scattered incidents by groups that had no popular support and did not have the power to spread their power or control in any cities or villages in Egypt. In the fourth stage of the conflict in North Sinai, the Sinai Province group failed to maintain its local control and lost a large part of it as a result of its practices through which it attempted to copy the parent group's tactics in spreading control and fear on a large scale. The involvement of tribal forces in Sinai into the conflict played a major role in drying a large part of the local recruitment pool. Hence, it can be concluded that the operation in Sinai will keep changing - if the events keep on the same track - from fighting a large-scale insurgency by quite a few local citizens, to a counter-terrorism operation to fight a group of individuals largely isolated from their local environment.

Conclusion and a look to the future



The conflict in the Sinai Peninsula has been through four main stages, ending with the third and fourth stages whose early signs started with the retreat of the Sinai Province group and loss of its local environment on a large scale in the third stage, which specifically started with the escalation of clashes between the group and tribal groups in 2017. Then came the fourth stage where the military started arming and integrating tribesmen and the community into the security operation, using the decline in the group's popularity and increase in conflict between the group and the community. Several factors played different roles in eroding the group's abilities and decline in its power, including transboundary factors like the defeat of the parent group "The Islamic State" in its strongholds, factors related to the Egyptian military's control on weapons and support routes on the borders with Libya on one side and the borders with Gaza after coordinating with Hamas on another, reasons related to integrating local groups in military efforts to face the Sinai Province group, and the appearance of different armed groups from Sinai tribes who are aware of the geographical environment and human and organizational resources of the Sinai Province group, fighting alongside the Egyptian military, helping those efforts gain the ability to target the group on the ground through live communication with citizens and civilians in a way that enabled them to weaken and infiltrate the group and negotiate with the community and integrate it, even if imperfectly, in the efforts to fight violence and isolate the group from its bases for recruitment.

The Sinai Province group's organizational, logistic, and operational abilities largely declined, but it stays in control, till this time - summer of 2022 - of a degree of operational capabilities on the ground, launching attacks, and causing damages. Therefore, we cannot jump to the easy conclusion the Egyptian government is trying to sell that the dangers of the group are completely eradicated like some government official recently said.⁷⁹ As some gaps can be seen in the community integration strategy in the efforts to fight armed violence, and they can be summarized in:



The strategy of integration of tribes and the community did not appear as an original strategy among a larger one aiming to win over the minds and hearts of local civilians, but it depended on mistakes by the Sinai Province group which presented itself as "the bigger evil" in the ongoing conflict with the Egyptian government after it resulted to extremely violent and extremist tactics. Additionally, miliary and tribal forces continued to commit grave violations of the rules of the International Human Rights Law and the International Humanitarian law. And the government largely ignored the local citizens' grievances and pain, whether historical ones or those caused by the crimes and abuses of government forces since 2013. All of this makes the insurgency environment dormant in North Sinai, ready to explode at any moment, if the government did not adopt a real strategy to integrate the community in running the situation in Sinai in general, and admit to the grievances of the people of Sinai, apologize for the horrific abuses committed by military and government forces, and try to make amends through a transitional justice program and fighting marginalization and discrimination policies against the community.



Despite the pro-military armed tribal groups' success in making a difference in favor of the military, the military does not seem to have put any real or meaningful care into learning from mistakes from the recent past, by holding members of those groups accountable and continuously screening them, removing the corrupt members and prosecuting those who commit abuses, and generally training those groups on the rules of the law and moral and legal controls during their involvement in military and security operations. This means that those groups contributed and still do in mistreating citizens and committing grave abuses and crimes. The absence of screening and accountability might create a monster that plays different future roles revolving around the key question: How will those groups deal with citizens (and government forces) after the armed conflict is over and the Sinai Province group is eradicated? and how will tribal feuds and weapons chaos created by the security situation in Sinai affect the complex situation? These are key questions that shape the future of



security and life in North Sinai, but there are no signs the military or authorities care to work them out in a way appropriate to how critical they are.



The absence of presentation of inhabitants' interests in political or security decision-making mechanics, clearly shown - for example - in ongoing home demolitions and forced displacement of inhabitants, once under security pretenses, then under pretense of architectural development and enterprises. Security authorities still interfere to appoint local leaders like government *sheikhs*, instead of allowing the community to elect its natural leaders as representatives who participate in the decision-making process or planning for development projects. This political and economic marginalization leads to isolating local demands from the formulation of political and security decisions, which reproduces the feeling of marginalization among inhabitants, and aids in producing policies that harm the inhabitants on the long run or that are imperfect at best.



It can be said that the strategy to integrate local tribes to fight violence has largely led to drying up the insurgency in the past months, however, the seeds of insurgency are still dormant. Government authorities' use of the "lesser evil" strategy by offering the state as an alternative not as bad as armed groups to local tribes does not seem like an effective strategy in the long run, as any look into the future needs to lean towards dropping marginalization policies and integrating local citizens into the decision-making process and investing in raising the levels of local citizens' satisfaction with government institutions and their representation in them. All in addition to regularly and professionally integrating tribesmen in security and military forces, making people of Sinai a part of regular armed forces and the security system in the region. Moreover, work needs to be done on raising the efficiency of security forces and bettering their strategies in dealing with and holding people accountable for mistakes and crimes.

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44

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⁶² Television interview with the Egyptian military spokesman in "Ala Masouliy" on Sada El Balad channel, 15 May 2022: <https://www.youtube.com/watch?v=S-DEZA0iC98&t=96s>

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⁶⁵ Sinai Foundation for Human Rights - "Explosive Return" .. Annual report on human rights abuses in Sinai 2021 (July 25, 2022). Retrieved August 15, 2022, from <https://sinifhr.org/how/143>

⁶⁶ A series of interviews conducted by the Sinai Foundation with attorneys who were present during a part of those interrogations in July 2021 and April 2022, as some women related to members of the group said that they and their children ate dry bread soaked in water for weeks, and sometimes they could not even find that. The foundation is also working separately on a report researching human rights abuses against those detained women and how unjust their treatment is compared to the preferential treatment some ISIS militants received after their surrender and their safety from punishment.

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44

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⁷⁵ International Committee of the Red Cross, International Humanitarian Law, and the Challenges of Contemporary Armed Conflicts, 31st International Conference of the Red Cross and Red Crescent, 2011, p 8.

⁷⁶ Sinai - Mahmoud Khalil (March 14, 2022). A new setback in the calm in Sinai: "ISIS" targets the military again. The New Arab. Retrieved April 27, 2022, from

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⁷⁷ Most of those attacks, including the fierce "Gilbana" battles, near Suez Canal in mid-August, while this report was almost completed, therefore, the administration wanted to mention those battles without going into detail. For more, you can read: "Gilbana is the last stronghold for "Sinai Province". Are the group's last chapters in Sinai being written?" <https://sinaifhr.org/show/145>

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