



SINAI
Foundation for Human Rights



Returned to Leave

A new chapter of the Continued Forced Displacement Ordeal of the Indigenous people of Sinai



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Foundation for Human Rights

Sinai Foundation for Human Rights (SFHR)
7 Bell Yard, London, WC2A 2JR, United Kingdom
<https://sinaihr.org/> - info@sinaisfhr.org



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I. Executive Summary

This report presents documentation and legal analysis of the displacement incidents of the local people of Sinai who have just returned to the villages of south Sheikh Zuwied and south and west of Rafah, eastern Sinai, Egypt, years after leaving their houses and their lands due to military operations. The report is based on interviews conducted by the Sinai Foundation for Human Rights, between October 2022 and January 2024, with 42 locals who answered the government and the Northern Sinai governor's calls in the past two years, to return to their lands and promising to provide help once they return.¹

These testimonies unveil a clear contradiction between the official statements encouraging the return of the displaced locals and the reality of the renewed displacement of the returnees. This contradiction has been acknowledged by some official statements, for example, the statement by the Commander of the Second Field army on the 3rd of June 2023, highlighting that the call upon the citizens to return was overhasty considering the armed forces have not accomplished clearing the remnants of war.²

The legal analysis uncovers various state departments' breaches of the constitutional and legal commitments that the consecutive Egyptian governments have ratified, in addition to the obvious contradiction to Egypt's Public International stance rejecting

¹ The Governor of North Sinai conducts an inspection tour of the villages of Sheikh Zuweid in North Sinai, Egyptian TV Channel 1, December 13, 2021: <https://www.youtube.com/watch?v=iaWTppNRTes>

² The Second Field Army is one of the main divisions of the Egyptian army and is specialized in securing the western bank of the Suez Canal and the northeastern part of the Sinai Peninsula, and its headquarters is in the city of Ismailia.



forced displacement policies. This breach is highlighted in the absence of legal guarantees to appeal such decisions, the absence of fair financial and moral compensation, and the lack of transparency in communicating with the displaced residents regarding the time scope of their displacement and the security and living situations in the areas where they were displaced from and their prospect date of return.³

The report includes as well documentation of an attempt to communicate with the Office of Governor of Northern Sinai to obtain an official clarification regarding the testimonies included in the report. The Sinai Foundation for Human Rights sent an official letter to Major General Mohamed Abdel-Fadil Shousha governor of Northern Sinai on the 10th of January 2024, containing some of the questions put forward by the displaced, and the Sinai Foundation has yet to receive any reply from the governorate until the publishing of this report.

The report concludes with several recommendations aiming at the state's compliance with the constitutional and legal guarantees of the rights of the residents of these areas. On top of these recommendations is the necessity of compliance with transparency and the residents' rights in obtaining factual information on the situation in the areas from where they were displaced and the post-war reconstruction plan, the guarantee of fair financial compensation to the displaced locals, and the guarantee of an immediate return to those who would like to return, or to announce clearly that the urgency status and the compelling reasons that led to their initial displacement still exists.

³ Samar Nasr, Egypt rejects all attempts to displace Palestinian residents from their homes in the "Sheikh Jarrah" neighborhood, Al-Ahram Gate, February 17, 2022:
<https://gate.ahram.org.eg/News/3412169.aspx>



II. Background

Mid-2021 witnessed a significant soar in the integration of the local tribal community in the counter-terrorism policies in the Sinai Peninsula. This approach has started upon a request by the Military Intelligence to the leaders of Al-Sawarkah, Al-Tarabin, and Al-Rumailat tribes to create armed groups of these tribes, funded by local businessmen, and trained at military sites in Al-Arish and Bir Al-Abd for what the militants of these tribes called: ‘The cleansing battle’. According to sources among these armed tribal groups, who spoke to Sinai Foundation, the agreement with the Military Intelligence included allowing residents to return to the villages they were displaced from years ago, in Sheikh Zuwied and Rafah outside the buffer zone with Gaza Strip.⁴ The arming and integration policy showed noticeable efficiency in controlling areas that used to be traditional safe havens of armed militants in eastern Sinai for years, despite the fallen tribal members either wounded or killed, the securing of these areas opened the door, in theory, to the return of hundreds of displaced residents to their villages.⁵

In the same context, by the end of 2021 and the beginning of 2022, the security authorities have allowed the return of displaced civilians to several villages of Sheikh Zuwied and two villages of Rafah city after years of forced displacement due to military operations. Northern Sinai governor said in a press release in November 2021, that this return comes among the state’s and the political leadership’s keenness on the return of life to normalcy in all villages and communities of northern Sinai.

⁴ Position paper, “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/154>

⁵ Monitoring report, the most prominent human rights violations in Sinai in June 2022, Sinai Foundation for Human Rights, August 8, 2022: <https://sinaifhr.org/show/144>



The governor instructed to provide all essential utilities and services to the residents returning to Al Thahir, Abu-AlAraj, and Abu-Rifai villages of Sheikh Zuwied ‘after the armed forces had cleansed it from terrorism’ and the return of its residents.⁶ Northern Sinai’s governor had announced in an interview at the beginning of 2022 that all residents of Sheikh Zuwied will be able to return to their homes in 3 months, and the situation will be settled completely within a year.⁷

Despite that, at the time of publishing this report in mid-2024, the actual practices on the ground, documented by the Sinai Foundation, form a breach of this official promise. The residents returned to their areas to find villages other than the ones they were displaced from, the air strikes, the artillery shelling, and the military bulldozers had turned the houses and farms into rubble. The conditions deteriorated in light of the faint governmental support of the post-war reconstruction. It continued to worsen as the military checkpoints in eastern Sinai banned the passage of building materials, the army directed the owners of brick factories to stop working, and warnings were issued to any merchant who stored amounts of cement at their warehouse in eastern Sinai.⁸ This was aligned with visits of engineering committees of the army to areas south of Sheikh Zuwied and western Rafah. According to local residents whom Sinai Foundation had met, the engineers have measured the areas and placed landmarks in several areas, and they spoke to the residents and the armed

⁶ Muhammad Hussein, Governor of North Sinai, reveals the details of the return of services to the villages of Sheikh Zuweid, Youm7, November 28, 2021:

<https://www.youm7.com/story/2021/11/28/%D9%85%D8%AD%D8%A7%D9%81%D8%B8-%D8%B4%D9%85%D8%A7%D9%84-%D8%B3%D9%8A%D9%86%D8%A7%D8%A1-%D9%8A%D9%83%D8%B4%D9%81-%D8%AA%D9%81%D8%A7%D8%B5%D9%8A%D9%84-%D8%B9%D9%88%D8%AF%D8%A9-%D8%A7%D9%84%D8%AE%D8%AF%D9%85%D8%A7%D8%AA-%D9%84%D9%82%D8%B1%D9%89-%D9%85%D8%AF%D9%8A%D9%86%D8%A9-%D8%A7%D9%84%D8%B4%D9%8A%D8%AE/5556646>

⁷ TV interview with the Governor of North Sinai: All the people of Sheikh Zuweid will return to their homes within 3 months, Sada El Balad Channel, January 19, 2022:

<https://www.youtube.com/watch?v=qdiddJ3tiKU>

⁸ These restrictions and more were imposed during the years of armed conflict, but the people were surprised by their return or their continuation.



tribal groups about the state's intent of establishing investment projects in these areas without altering the rights of civilians in remaining in the area.

The most significant escalation occurred between the 24th and the 29th of October 2022, after armed units of the Military Intelligence had ordered the residents of several communities in the vicinity of Rafah and Sheikh Zuwied to leave the areas they returned to only months ago. According to interviews with local residents and field visits conducted by Sinai Foundation's team, the army forced the returnees to evacuate 10 communities, the vast majority of which are still displaced to the time of publishing this report, such as residents of Al Moqataa village, and the Al-Jaraishah community of Al Thahir village. The armed forces have also prevented the return of residents to other villages in southern Sheikh Zuwied and Rafah outside of the buffer zone with Gaza. The forced eviction operations included death threats, detainment, and the burning of temporary shelters for the residents who didn't comply with eviction orders.

The forced eviction operation began on the 24th of October 2022, without specifying reasons other than the phrase "higher orders." The residents were compelled to leave their lands out of fear of army threats, while the Al-Jaraishah family residing in the Nasr neighborhood of Sheikh Zuweid attempted to uphold their lands. The army forces returned to raid the Nasr neighborhood on the 29th of October 2022, and forcibly evicted 60 families of the Al-Jaraishah clan after coercing them into military armored vehicles, transporting them to a remote area near Abu Tawila village.⁹

On the 18th of November 2022, according to local sources from the villages south of Rafah, a meeting took place between the army and 12 government-appointed

⁹ The army forces forcibly evicted 60 families of the Al-Jaraishah clan in Sheikh Zuweid, northeastern Sinai, Sinai Foundation for Human Rights, October 29, 2022:

https://x.com/Sinaifhr/status/1586337516336316417?s=20&t=PzGUPRa4LXZJ4E_8Mh1qRw



tribal elders from Al-Sawarkah tribe, upon an invitation from the Tribal Affairs Office affiliated with Military Intelligence. The meeting was attended by leaders from the Second Field Army and the commander of Al-Zohour camp in Sheikh Zuweid. The meeting resulted in a clear request from the army to the returned residents of villages southern Rafah, including Al-Mehdya, Naga' Shibana, Al-Shallalfah, Al-Mazhlef, Qoz Abu Ra'ad, Abu Zammam Al-Mehdya road, Abu Zammam Al-Moqataa road, and areas east of Al Thahir village, to temporarily evacuate until the army clears the area of explosive war remnants. The same sources added that during the meeting, army officers conveyed a concise message stating that the residents of those areas were not given permission to return to their homelands, And the approval was solely for setting up tents for local tribal fighters, along with the army.

The same sources stated that the residents were not convinced by the reasons conveyed to them by the tribal elders, especially since the youth from these villages, who are involved in the armed tribal groups allied with the army, had previously cleared the villages and their entrances of ERW left by ISIS. Additionally, the residents had started rebuilding their destroyed homes and farms, and they constructed a primary school through community-driven initiatives in the village of Naga' Shibana and it was officially opened by the Ministry of Education in September 2022.¹⁰

¹⁰ Muhammad Hussein, opening of a school built by the self-funding of people of Naga Shabana for basic education in North Sinai, Youm 7, September 28, 2022:

<https://www.youm7.com/story/2022/9/28/%D8%A7%D9%81%D8%AA%D8%AA%D8%A7%D8%AD-%D9%85%D8%AF%D8%B1%D8%B3%D8%A9-%D8%B4%D9%8A%D8%AF%D9%87%D8%A7-%D8%A7%D9%84%D8%A3%D9%87%D8%A7%D9%84%D9%89-%D9%86%D8%AC%D8%B9-%D8%B4%D8%A8%D8%A7%D9%86%D8%A9-%D9%84%D9%84%D8%AA%D8%B9%D9%84%D9%8A%D9%85-%D8%A7%D9%84%D8%A3%D8%B3%D8%A7%D8%B3%D9%89-%D9%81%D9%89-%D8%B4%D9%85%D8%A7%D9%84/5922364>



Several days later, specifically on the 21st of November 2022, the village elders received a phone call from the commander of Al-Zohour camp in Sheikh Zuweid, informing them of the necessity to implement the decision to evacuate the villages of their residents. Additionally, the military checkpoint force "Abu Jehini" prevented the villagers from accessing the road leading to Naga' Shibana and Al-Mehdya. According to an eyewitness, the checkpoint officer directed his speech to some residents of the area, saying, "Those who leave are forbidden to return, and you must evacuate children and women within a maximum period of 24 hours." Following this, the local authorities cut off the electricity supply to the villages, a move considered by local residents, according to local sources, as a practical implementation of the eviction order.

On the same day, following the spread of the eviction order among the residents, hundreds of local residents from the villages of Naga' Shibana, Al-Mehdya, and Al-Shallalfa gathered inside the village of Naga' Shibana in protest against the decision. To verify this, we obtained a video from a local source showing the gathering of residents in the pitch-darkness in the village of Naga' Shibana near the Egyptian border, in protest against the eviction order. One of the participants in the gathering told us, "We have entered into an open peaceful sit-in. We prefer to die in our homeland, rather than leave it. We will not be displaced twice. We left seven years ago because of ISIS persecution and because of the war, and we returned when things calmed down and ISIS ended. Why should we leave again?".¹¹

¹¹ Video of a sit-in by residents of the village of Naga' Shibana, Rafah, Sinai, in protest against army orders to evacuate the village, Sinai Foundation for Human Rights, November 21, 2022:
<https://x.com/Sinaifhr/status/1594790404783624192>



Another eyewitness from the village of Naga' Shibana spoke to us: "After our return, the power supply to Shibana village was restored about two months ago by the provincial executive authorities. The residents spent all their money and savings and worked hard to build and restore their homes, rebuild their lands, and cultivate them. Additionally, the residents donated land to establish a temporary school after the governor's approval. The residents also donated money to build the school, costing 400,000 pounds, and the government didn't contribute a single pound. El-Gora Community Development Association donated 75,000 pounds to the school. The opening of the school was broadcast on television on the Azhari channel, which broadcasts from Cairo on the Nilesat satellite. The opening was attended by Major General Mustafa Mohamed Mustafa, Head of the Central Administration of North Sinai Governorate, Major General Gamal Abdel Nasser, Head of Rafah City Council, representatives from the Ministry of Education, and officials from the Rafah and Sheikh Zuweid education administrations at the beginning of last October. So, our return and reconstruction were approved by the government. Why suddenly do they want to displace us again?".¹²

According to the Mada Masr website, a video circulated on social media featuring a village elder from Naga' Shibana during the sit-in, affirming the close relationship between the people of Sinai and the army. He emphasized that the national partnership between the residents and the state, with its institutions, requires clarity regarding the citizens' lands. He questioned: "Doesn't our history warrant us to be partners in planning the future of this region?" At the same time, he emphasized, "We are with the army and for the national direction, but we are for the land as

¹² Video of the opening of Naga' Shibana Elementary School in North Sinai, Azhari Channel, October 2, 2022:
<https://www.youtube.com/watch?v=YPOeqMnjU44>



well."¹³ Additionally, a voice was heard at the end of the mentioned video of one of the protesters in the rally speaking with another person over the phone. We learned from local sources that the unnamed caller on one end of the call was a resident of Shibana village belonging to the armed tribal groups loyal to the army, while the other end of the call was Major General Mohamed Rabie, commander of the Second Field Army. The local fighter complained during the published part of the call about Colonel Mohamed Fawzi, commander of Al-Zohour camp in Sheikh Zuweid, closing the roads leading to the village and informing the residents with a message stating, "Tomorrow morning, I will enter Najaa Shibana village, and I want it empty." The local fighter addressed Major General Mohamed Rabie, saying, "People are talking about one thing; they don't want to leave. They want neither electricity nor services. I can make everyone leave and go back to their homes right now."¹⁴

According to eyewitnesses who spoke to us and [other testimonies shared by local activists on social media](#), there was a visit on the same night to the sit-in location in Najaa Shibana village by Colonel Mohamed Fawzi, commander of Al-Zohour camp in Sheikh Zuweid, who is the field commander who ordered the villagers to evacuate. Additionally, the protesters received a phone call from Major General Mohamed Rabie, the commander of the Second Field Army. At this time, the army's correspondence came with reassuring messages to the protesters, canceling the eviction order and directly requesting the dispersal of the protest assembly, which occurred as the villagers ended the peaceful assembly that lasted for several hours.

¹³ Concern among the people of Al-Sawarka after orders to evacuate new villages in Rafah, Mada Masr, November 22, 2022: <https://www.madamasr.com/ar/2022/11/22/news/u/%D9%82%D9%84%D9%82-%D8%A8%D9%8A%D9%86-%D8%A3%D8%A8%D9%86%D8%A7%D8%A1-%D8%A7%D9%84%D8%B3%D9%88%D8%A7%D8%B1%D9%83%D8%A9-%D8%A8%D8%B9%D8%AF-%D8%AA%D8%B9%D9%84%D9%8A%D9%85%D8%A7%D8%AA-%D8%A8/>

¹⁴ Video of the residents' meeting in the village of Naga' Shibana, "Al-Moqataa Today" Facebook page, November 21, 2022: https://www.facebook.com/watch/?extid=NS-UNK-UNK-UNK-IOS_GK0T-GK1C&mibextid=2Rb1fB&v=1794846574186614



According to Sinai Foundation's field monitoring, on the 25th of December 2022, the army evacuated its outposts in the villages of Al Moqataa, Al-Mahdiya, and Al-Kharafin, south of Rafah and Sheikh Zuweid. This encouraged some of the displaced locals to return to check on their homes and farms in some of the areas of Rafah and Sheikh Zuweid during the day, then leave by evening, as army patrols prevented them from staying in the area. The army continued to prevent displaced and displaced people from returning to villages such as Al-Kharafin, Al-Wafaq, Al Moqataa, Qoz Abu Ra'ad, and others.

At the beginning of January 2023, calls titled "We Want to Return" were launched and a large number of displaced locals participated demanding permission to return to their areas. These calls were not limited to the displaced residents from the villages of Sheikh Zuweid City but extended to include all villages outside the buffer zone in Rafah City. A significant number of residents responded to these calls, but the military forces often prevented them from reaching the villages of Al-Matla, Al-Husseinat, Sadout, Abu Shennar, Al-Wefaq, Al Moqataa, Al-Kharafin, Qoz Abu Ra'ad, and Qoz Ghanem. The report documented the arrest made by the army forces of Al-Saha camp of civilians who were traveling in 12 cars and managed to reach the village of Qoz Abu Ra'ad on the 8th of January 2023. The civilians and their cars were driven to Al-Saha camp in Rafah and detained for more than 15 hours until they were released later after the intervention of elders and tribal leaders, on the condition that they do not return to Qoz Abu Ra'ad.

On the 5th of August 2023, the Sinai Foundation documented an incident where a military force obligated dozens of families from communities of Al Thahir village, south of Sheikh Zuweid city, to forcibly leave their homes. According to



eyewitnesses, the military forces raided the mentioned communities, threatened the residents with weapons, and detained a group of young men who refused to evacuate their homes, then released them after several hours. They gave the residents an ultimatum to evacuate those areas until the next day, based on "higher orders," and threatened to arrest violators. In response, the residents declared a peaceful sit-in in their areas until they ended it the following morning, after a field leadership visit from the army in Sheikh Zuweid, where the residents were informed that the eviction order was an unintended mistake and asked to end the sit-in and return to their homes.

Continuing the people's movement demanding the right to return, dozens of local residents organized a peaceful protest on the 21st of August 2023, in the village of Al Moqataa, southern Sheikh Zuweid, to appeal to the Egyptian authorities to allow them to return to their homes and lands from which they were forcibly displaced years ago. According to two participants in the protest, the protesters received a phone call from Major General Mohamed Rabie, commander of the Second Field Army, who promised to convey their demands to the political leadership for consideration and to work towards allowing their return to their lands.¹⁵

The people's protests reached their peak on the 25th of August 2023, when thousands of local residents, forcibly displaced from the eastern regions of Sinai, particularly from the Al-Rumailat tribe, gathered to demand authorities to allow them to return to their lands. By the end of the day, protest leaders announced an open sit-in until their demands were met. The protesters set tents as the headquarters

¹⁵ Video of a peaceful assembly by the people of the village of Al-Moqata'a, south of Sheikh Zuweid, Sinai Foundation, August 21, 2023: <https://x.com/Sinaifhr/status/1693682572285391296>



for the sit-in, declared their demands, and extended invitations to the rest of the eastern Sinai residents to join them.¹⁶

The following day, Sinai Foundation observed Egyptian authorities preventing the influx of displaced residents coming from various governorates to join the sit-in. Security checkpoints along the road leading to Sheikh Zuweid City were closed, and individuals carrying personal identification cards indicating residency in Rafah were barred from passing. Concurrently, Major General Mohamed Rabie, commander of the Second Field Army, invited the protest leaders to a meeting to discuss their demands. After an emergency meeting between representatives of the Al-Rumailat tribe's protest camp in Sheikh Zuweid demanding to return to their lands and Major General Mohamed Rabie, commander of the Second Field Army, along with leaders from Military Intelligence and the commander of Battalion 101, which hosted the meeting, held at Saturday, 26th August 2023 in El-Arish city, the protesters decided to suspend the sit-in. The decision to suspend the sit-in came after the protesters received assurances that their demands would be met. Military leaders also requested the protesters to form a committee consisting of ten members representing Al-Rumailat, Al-Sawarkah, and Al-Tarabin tribes to hold another meeting in Cairo with the army leadership to discuss how to meet the demands to the satisfaction of all parties, with a deadline of the 20th October 2023 for the implementation of the protesters' demands. The protest leaders also received assurances that none of the protesters would be arrested or exposed to reprisal measures for their protest activity.¹⁷

¹⁶ Displaced residents of Rafah announce entry into an open sit-in, Sinai Foundation, August 25, 2023: <https://x.com/Sinaifhr/status/1695171735841042696>

¹⁷ Video of the sit-in suspension statement after an emergency meeting between representatives of the sit-in of the Rumailat tribe who were protesting in the city of Sheikh Zuweid to demand the return of their lands and the Commander of the Second Field Army, Sinai Foundation, August 26, 2023: <https://x.com/Sinaifhr/status/1695533583320936744>



On the 23rd of October 2023, hundreds of residents from North Sinai Governorate, belonging to Al-Rumailat and Al-Sawarkah tribes, gathered near the villages of Al-Husseienat and Al-Mahdeya near Rafah city, and the village of Al-Zawaraa south of Sheikh Zuweid city, to once again demand their right to return to their lands. This came after the Egyptian authorities failed to fulfill their promise to allow them to return by the deadline of the 20th of October 2023. According to testimonies and footage obtained by the Sinai Foundation, the military forces used unjustified violence against the protesters, deliberately firing bullets to disperse them, and arrested at least nine of them at Al-Sahah Battalion headquarters, the largest military camp inside Rafah. In addition, security personnel assaulted one of them brutally, after a military vehicle intentionally collided with his car to stop it, resulting in him being injured in the head and fainting.¹⁸

The next morning, on the 24th of October, Sheikh Saber Al-Sayyah Al-Rumailat, one of the prominent tribal figures in Northern Sinai and the leader of the August 2023 sit-in, posted on his Facebook account stating that there had been two attempts to detain him based on orders from the commander of the Second Field Army. The following day, dozens of participants in the protests were arrested by forces from the "Al-Shallaq" checkpoint at the entrance of Sheikh Zuweid City.¹⁹

Following a period of enforced disappearance of peaceful protesters, starting from the 7th of November 2023, 51 of the detainees appeared successively before the

¹⁸ The Egyptian army fires live ammunition to disperse a peaceful demonstration of displaced people protesting demanding the return to their areas near the village of Al-Wefaq, west of Rafah, Sinai Foundation for Human Rights, October 23, 2023:

<https://x.com/Sinaifhr/status/1716547235213635781?s=20>

¹⁹ Joint statement: Authorities must stop security violence against civilians in northeastern Sinai, and allow the displaced to return to their lands, October 25, 2023:

<https://sinaifhr.org//show/232>



military court in Ismailia in case No. 80/ 2023, among them Sheikh Saber Al-Sayyah, leader of the Sit-in of August. They have been referred to the military court by the military prosecution, which charged them with sabotaging military vehicles, showing thuggery, and assembly. Since then, they have been held in pre-trial detention, up to the time of publishing this report.²⁰

It's worth noting that these areas from which residents were evacuated again are all within the "restricted" areas, as designated in President Abdel Fattah Al-Sisi's Decree No. 420 of the year 2021 on the 23rd of September 2021. This decree specified approximately three thousand square kilometers of land in the northeastern of the Sinai Peninsula as border areas subject to stringent restrictions. It encompasses numerous villages, residential settlements, and major cities that still house thousands of residents. According to previous estimates released by the Sinai Foundation for Human Rights, around 40,000 local residents in North Sinai are currently residing in the areas classified as "restricted," placing them under constant threat of forced displacement. Moreover, tens of thousands of civilians displaced from these areas were hopeful of returning home once military operations ceased, but this decree has dashed their hopes of reclaiming their lands.²¹

²⁰ The Military Court renews the detention of 31 Sinai residents, including Sheikh Saber Al-Sayyah, one of the most prominent elders of Sinai, pending Military Case No. 80 of 2023, Sinai Foundation, March 12, 2024:

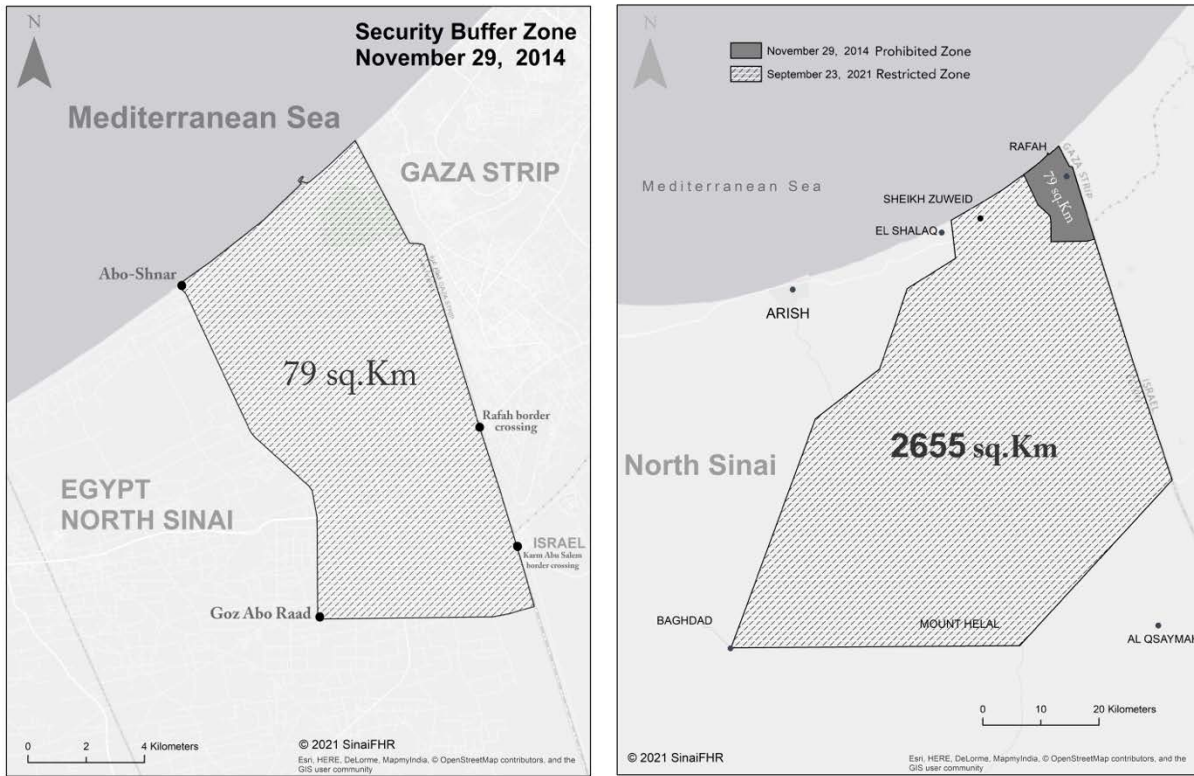
<https://sinaifhr.org//show/351>

²¹ Press release: Critical presidential decree eats up many times as much as the Rafah buffer zone and practically ends the "dream of return," Sinai Foundation, October 26, 2021:

<https://sinaifhr.org//show/108>



An analysis of satellite images conducted by Sinai Foundation for Human Rights in October 2021 revealed that the area specified in Decree 420 covers approximately 2,655 square kilometers. In contrast, the buffer zone in Rafah, which the government began evacuating in 2014 and largely completed by 2018, did not exceed 79 square kilometers.



Human rights reports, especially those issued by Human Rights Watch as well as the Sinai Foundation for Human Rights, documented forced displacement, the demolition of buildings, and the erasing of large-scale farms. Between late 2013 and July 2020, according to human rights reports, the military destroyed at least 12,350 buildings, most of which were homes, with the latest phase occurring in Al-Arish area. Additionally, the military razed, spoiled and blocked access to at least 6,000 hectares (about 14,800 acres) of agricultural land. After 2020, the Egyptian military forces have demolished hundreds of homes and bulldozed thousands of acres of



farmland under the pretext of counterterrorism, particularly in the cities of Rafah, Sheikh Zuweid, and Al-Arish. These operations, which Human Rights Watch have described as war crimes.²²

The Sinai Foundation has estimated that these operations have resulted in the displacement of over 100,000 people, roughly a quarter of the population of Northern Sinai, according to official statistics. This includes all residents of Rafah city, which was completely demolished and served as the starting point for the continuous demolition and forced displacement campaigns since late 2013. Such actions violate Article 8 of the United Nations Declaration on the Rights of Indigenous Peoples, especially the second paragraph (B and C), which prohibits the confiscation of land, forced displacement of populations, or the destruction of their culture.²³

III. Research Methodology

The Egyptian authorities continue to effectively prohibit the work of independent media and human rights organizations within the Sinai Peninsula, with the difficulties facing journalists and rights activists increasing in recent years. On the top of the difficulties list is the challenge to obtain credible information regarding the situation in Sinai, or even simply interviewing local residents and victims of violations.

²² For more, see the Human Rights Watch report: “Massive Sinai Demolitions Likely War Crimes”, March 17, 2021: <https://www.hrw.org/ar/news/2021/03/17/378097#>

²³ Press release, The Climate Conference in Sinai must function as a platform to listen to the grievances of Sinai’s people, September 30, 2022: <https://sinaifhr.org/show/157>



However, during the period covered by the report (October 2022 - January 2024), researchers from Sinai Foundation for Human Rights managed to conduct interviews with 42 local residents from villages and communities in the cities of Sheikh Zuweid and Rafah in eastern Sinai. Some researchers also made periodic field visits to the areas where the displaced persons have evacuated and returned in several cities in Sinai and gatherings of displaced persons in the governorates of Ismailia and Al-Sharqia. During these visits, the team was able to observe the current conditions experienced by recently returned residents to their lands, as well as the economic and social conditions experienced by displaced persons in their areas of displacement.

The researchers adhered to the following standards during the interviews and visits:

- Testimonies in this report were obtained through direct interviews, either face-to-face or remotely via social media platforms and various text messages.
- Witness names and personal data, as well as some other information, were withheld to protect their security and personal safety.

Sinai Foundation also reviewed official statements, both written and spoken, related to the issue of the return of displaced persons during the research period. This includes statements from President Abdel Fattah Al-Sisi, members of the Parliament, and the Egyptian Senate representing the governorate, the governor of North Sinai, and other government officials in North Sinai. The researchers also analyzed relevant presidential decrees published in the Official Gazette.



The researchers analyzed video footage that appeared on various social media platforms that publish local images, videos, and comments from Sinai, as well as dozens of news articles, analytical articles, and social media posts from activists in Sinai.

Sinai Foundation attempted to include the government's perspective in this report by communicating with the Egyptian authorities represented by the governor of North Sinai, but they did not receive any responses at the time of the report's publication. (A copy of the letter addressed to the governor is attached as an annex).

The researchers reviewed brief recommendations included in a 12-page report issued by the National Council for Human Rights. This report was published following a fact-finding mission, which visited North Sinai governorate from the 31st of January to the 4th of February 2021. The Foundation also reviewed a government report issued on the 27th of June 2020, which addressed the efforts made by the authorities to compensate those affected by security confrontations in North Sinai between the 1st of October 2015, and the 31st of May 2020.

The researchers cross-referenced some of the information provided by eyewitnesses and leaked maps with open-source satellite images on Google Earth.



IV. The forcibly displaced and the state's responsibility: Three dilemmas

These recent developments of new and continued forced displacement indicate a regression and retreat from the success previously highlighted by Sinai Foundation in its annual report titled “Explosive Return” which covered the year 2021. The report mentioned that "although the return of some residents to their areas after years of displacement represents a success for the security authorities, the Egyptian government has failed until the time of the report's publication to providing the basic necessities of life for the local population.

Additionally, the return has revealed significant shortcomings in the clearance of these liberated areas from the explosive remnants of war (ERW) that have claimed the lives of civilians. Furthermore, the Egyptian government has so far failed to provide a comprehensive political vision regarding the situation of the displaced and the compensations and assistance provided to them, as well as the mechanisms and basic features needed to restore civilian and economic life in Northern Sinai to its normal state. This indicates that the return of some of the displaced locals is a separate issue not correlated to any clear comprehensive policies."²⁴

The state's failure to fulfill its pledges is highlighted in three main dilemmas facing the newly returned displaced to their villages:

3.1. Deteriorating daily life conditions

Concerning the reality of daily life in the villages and areas to which some residents have returned, Sinai Foundation's monitoring indicates a difficult situation lacking

²⁴ Annual Report 2021 “Explosive Return,” Sinai Foundation, July 25, 2022: <https://sinaifhr.org/show/142>



several essential elements of life in the areas of Rafah and Sheikh Zuweid. This monitoring is supported by testimonies collected by our researchers. Before presenting examples of the testimonies, a brief background can be given on the situation in those areas.

Sheikh Zuweid:

- **The village of Al Thahir (excluding the Al Garayisha community):** A desalination plant for drinking water has been established. Electricity has returned to a large extent to the village. Landline telephone services have resumed. Regarding education, the locals have made efforts to refurbish an old school building to accommodate students after the demolition of both the primary and preparatory schools in the village. However, the school lacks basic facilities like bathrooms and has an asbestos roof.
- **Abu Al Araaj Village:** Basic facilities were not significantly damaged during the war, and the provision of essential services is reasonable. However, the village's health unit is destroyed, while the locals have allocated an old Bedouin house as an alternative headquarters, which operates irregularly.
- **Al-Goura Village:** A desalination plant is currently under construction. Electricity has been connected, but four schools in the village, including the primary, preparatory, secondary, and industrial secondary schools, are closed either due to damage or military use. Additionally, there is a hospital in the village called the Single Day Hospital, which has been closed since 2015 due to military use.
- **Al Kharuba Village:** The desalination plant for drinking water has been reactivated. Electricity service is gradually being restored to the village



areas. The health unit has been renovated after years of closure and damage. In terms of education, the preparatory school building has been maintained after four years of closure due to military use, while the primary school building has been demolished, rebuilt, and reopened at the end of 2023.

- **Al Okour Village:** The health unit in the village is destroyed. The primary school continues to operate, while the preparatory school remains closed for renovation due to its military use for seven years until the military evacuated it on August 10, 2023. Electricity service has resumed functioning well, and the desalination plant for drinking water has been reactivated.

Rafah:

- **Naga' Sheibana Village:** Electricity service has returned to a reasonable extent. A desalination plant for water has been constructed several months ago, and several wells have been dug for agriculture. Most residents rely on Israeli mobile networks for communication, while the Vodafone network is sometimes available but very weak. The locals have rebuilt an old school building relying on community efforts at a cost of 600,000 Egyptian pounds, with the government providing the furniture. This came after the demolition of both the primary and preparatory schools, as well as the Azhar multi-stage school, during military operations. The health unit is destroyed, and the locals have designated a room inside the village's youth center as an alternative base, which currently operates reasonably well.
- **Al Mahdeya:** There are currently about 250 families in the village. There are no services available, and residents rely on Naga' Sheibana Village for electricity, water, education, and healthcare, which is 5 kilometers away. The health unit is destroyed. The primary school is still designated for military use, while the preparatory school was demolished in 2015. Students



from the village commute daily to the community-built school in Naga' Sheibana. Additionally, the locals have connected electricity wires from nearby Sheibana communities to the Mahdeya Village.

The testimonies conducted by Sinai Foundation, reveal that the state has not provided the minimum necessities of life for returnees, nor has it undertaken reconstruction efforts, or compensated all affected families sufficiently to enable them to start their lives anew and guarantees a minimum level of dignity and livelihood. In this regard, we provide some testimonies we have collected, describing the situation of villages after the return of residents:

In response to our question ("Has the government carried out any repairs or renovations to the village?"), Fahd (code name) from the residents of the Al-Thahir village's Al-Jaraisha community, who managed to return to his village in mid-2022 after displacement in 2014, before being forcibly displaced by the Egyptian army forces in October 2022:

"By God, there wasn't even water. We used to bring tanks, fill them, and walk long distances or ride vehicles just to fetch water from places with facilities. The electricity company brought us the poles, but they didn't install them, and the locals are still raising funds to install them. When we returned, we found no intact house; everything was demolished. Despite that, when people spoke up, the leaders told them the



government would renovate. Renovate what? There were no houses to renovate!

We returned to find the neighborhood destroyed; there wasn't a single wall standing, everything was demolished. The people accepted it and returned, and we didn't ask for ERW cleansing or anything. Even though everyone knows that the extremists leave explosives behind, we said let's clear the area for the children. The tribal leaders assigned the local tribal militants to clear the land of the ERW. So, they took it upon themselves to clear it completely without any equipment, devices, or assistance from the government. Scorpions and snakes had invaded the place; Sinai's nature is desert, and the land can't remain abandoned, let alone be left since 2014 when the last people left in 2015. For ten years, with no inhabitants, we had to live with the scorpions and snakes and not them; they were the landowners, and we were the guests. I spent about 23,000 pounds from my own pocket, just to repair the land and build a hut where I can stay, and God knows how I managed to gather that amount. All I want is a promise from the government that I can return to my land, not to close it off and call it development and investment, with no possibility of return."



3.2: Compensations between vagueness and contradictions:

Attempts by returning citizens to receive compensation, despite years of displacement, face an official ambiguity that requires a firm and clear resolution. Their displacement from their villages is not included in the official definition of displacement for villages in the border areas of Rafah. This is despite the fact that the Egyptian army demolished houses and bulldozed the farms through air strikes and artillery bombardment and at other times through military bulldozers for security reasons, according to the army's official statements.

During an on-video interview in December 2021, during an inspection visit to civilians returning to several communities and villages in Sheikh Zuweid, the Northern Sinai Governor said: "I visited more than one village and community, and God willing, we will fulfill what our people are asking for, especially in terms of compensation for homes and farms." He added, "The main thing needed urgently is water, electricity, and compensation. God willing, all utilities will be available, and we can meet all the needs of our people." When asked about the timeframe for meeting demands, he said, "I can't give a specific deadline, but I promise that it will take a maximum of 6 months".²⁵

Despite these promises, the compensation process can be described at best as slow and unfair. According to the Sinai Foundation, only 40% of the population has received compensation that does not correspond to the extent of their losses, according to the governor's statements confirming their inadequacy. This prompted

²⁵ Muhammad Hussein, Governor of North Sinai: Life will return to all of the villages of "Sheikh Zuweid" within 6 months, Youm7, December 13, 2021:

<https://www.youm7.com/story/2021/12/13/%D9%85%D8%AD%D8%A7%D9%81%D8%B8-%D8%B4%D9%85%D8%A7%D9%84-%D8%B3%D9%8A%D9%86%D8%A7%D8%A1-%D8%B9%D9%88%D8%AF%D8%A9-%D8%A7%D9%84%D8%AD%D9%8A%D8%A7%D8%A9-%D9%84%D9%83%D8%A7%D9%85%D9%84-%D9%82%D8%B1%D9%89-%D8%A7%D9%84%D8%B4%D9%8A%D8%AE-%D8%B2%D9%88%D9%8A%D8%AF-%D8%AE%D9%84%D8%A7%D9%84/5578126>



Ayeda al-Sawarka, a member of parliament, to submit a request for a briefing in December 2022 on the matter.²⁶ Also, residents have repeatedly asked the governor to seek the assistance of experts and rely on Google Earth and local leaders from the region to assess the areas of houses and farms. However, their request has been ignored. The same request was made by MP Ibrahim Abu Sha'ira in a parliamentary session in November 2021 or cleared farms through air strikes and artillery shelling and sometimes with military bulldozers for security reasons, according to army statements.²⁷

Human Rights Watch documented in 2015-2016, as the forced displacement campaign intensified and the city of Rafah was almost completely demolished, that “the government provided families with a small and insufficient one-time cash compensation of 900 Egyptian pounds (118 US dollars) to cover rent for 3 months, during Their search for a new home for themselves and their relatives.” In addition to compensation for demolished homes, it is calculated according to the area of the land on which it was built. The value of compensation ranged between 1,300 Egyptian pounds (170 US dollars at the time) per square meter of the ground floor of each house, and 1,200 Egyptian pounds (157 US dollars) per square meter of each additional floor. Most families said that the compensation was insufficient to purchase properties that matched their previous standard of living, and that the entire process lacked transparency and lacked any independent or judicial mechanism for objection. In the first years of displacement, the government also did not provide any

²⁶Video of a public session of the Egyptian Parliament, in which MP Aida Al-Sawarka submitted a briefing request about the compensation mechanisms, Khaled Al-Atrash's Facebook account, January 1, 2023:

<https://www.facebook.com/watch/?v=687257906187260>

²⁷ Video of a public session of the Egyptian Parliament, in which MP Ibrahim Abu Shaera raised the issue of the compensation, the official page of Representative Ibrahim Abu Shaera on Facebook, October 31, 2021:

<https://www.facebook.com/watch/?v=1069314940563575>



compensation for agricultural lands, even though they were the primary source of livelihood for many of these families.²⁸

The lack of compensation or its almost complete absence for many residents affected by forced displacement, even after years of displacement and the decline of military operations, has been the subject of multiple official complaints. For instance, Fayez Abu Harb, a parliament member published a post on Facebook in November 2021, during which he visited homes at risk of collapse due to military operations, with their compensation estimated at very low amounts. He accused the government committee formed by the governor and chaired by the deputy secretary to the governor of "injustice." Fayez Abu Harb also submitted a request to the chairman of the Egyptian senate chamber in December 2021, describing the compensation as "unfair and unjust" and calling on the Defense and National Security Committee of the Council to conduct a field visit to North Sinai to correct the situation.²⁹

In a meeting with a group of citizens in the village of Al-Mahdeya, south of Rafah, on the 3rd of June 2023, Major General Mohamed Rabie, commander of the Second Field Army, stated that he had already given the green light to the governor of North Sinai since the 30th of December 2022, to begin the process of assessing losses, to conduct inventory of demolished houses and compensations in several areas he did not name. He said: "There were certain areas where the governorate could enter to conduct the inventory, and in other areas where the governorate could not enter to

²⁸ For more, see the Human Rights Watch report: "Look for Another Homeland" Forced Evictions in Egypt's Rafah, September 22, 2015:

<https://www.hrw.org/ar/report/2015/09/22/281494>

²⁹ Mahmoud Khalil, Displaced people return to destruction in Sinai, The New Arab, December 3, 2021:

<https://www.alaraby.co.uk/society/%D9%85%D9%87%D8%AC%D9%91%D8%B1%D9%88%D9%86-%D9%8A%D8%B9%D9%88%D8%AF%D9%88%D9%86-%D8%A5%D9%84%D9%89-%D8%A7%D9%84%D8%AF%D9%85%D8%A7%D8%B1-%D9%81%D9%8A-%D8%B3%D9%8A%D9%86%D8%A7%D8%A1>



conduct the inventory. Today, since the 30th of December, 2022, we told the governor personally that all areas, sir, are ready for your men to enter and conduct the inventory, document the areas, and carry out the compensations for the people, and it has started."

According to the documentation by Sinai Foundation, most of those we spoke to had been forced to leave their lands and homes for the first time in the areas of Sheikh Zuweid and Rafah without receiving any financial compensation, as the pace of counter-terrorism operations increased. For example, Ayesha (code name) explains the reason for his departure from Al-Moqataa village in November 2016:

"I left because of the clashes between ISIS and the army. If I had stayed, I would have been caught in the middle. I didn't receive any compensation and I didn't apply for any because I won't accept compensation for my land and my home, I won't sell them for the world. Why are they displacing us this time? No one told me to leave the first time, I left because of terrorism. I'll return when it's over. Then the governor of North Sinai appeared on all TV channels asking us to return to Sheikh Zuweid, and the army opened all the roads and they filmed us with cameras as if they had achieved something because they cleared the land, even though without the tribal armed groups, the government couldn't have cleared it from terrorism.

I swear by God, as I told you, when we entered the village, almost 50% of the houses were destroyed, and the remaining 50% needed



renovation. Scorpions and snakes had invaded the village, but we, the people of Sinai, know how to deal with these things. When we returned, the government didn't provide any financial support or repairs; they left us dry, without electricity or water, and they told us a committee would come to inspect the place for repairs, but we never saw their faces again.

Despite this, we started rebuilding. If you saw the first farm when we returned, it was in ruins. I fixed it, brought a tractor, plowed the land, spent a lot, removed all the dry olives, and planted almonds. Almonds need water every day, so I fetch water from distant places and irrigate them without any facilities or water reaching the village, and we endured patiently because living in our land is different."

Similarly, Hassan (code name) spoke to Sinai Foundation's team about the reasons for his first departure from Al Thahir village in October 2014:

"There was a war between the army and ISIS, and people didn't know how to live; they weren't safe from the terrorists killing them or attacking their property to hide or steal things to help them survive, nor were they safe from the army's arrests and threats accusing us of collaborating with terrorists. So we left the place. But even if you didn't explicitly tell me to leave, you forced me out of my place because there's no safety, and you're not preventing terrorism



from targeting me and you are letting it be. As a government, you also involve me in the war, stop me at checkpoints for hours, arrest me, or suspect me, and even when you clear an area from terrorism and declare it a safe zone, you don't cleanse it, and people enter and get blown up by terrorists' explosives or get kidnapped, only to find out that terrorists are still there. So the area isn't safe, and it lacks the necessities of life, so people leave. You say you didn't force them out or help them after they left, and they still have no shelter, even though the people are not to blame for what's happening."

3.3: Renewed Forced Displacement:

The most critical challenge facing the returned displaced is the continuous and renewed forced displacement, which is happening now without any objective or obvious military necessity.

A large number of residents of North Sinai have been displaced due to the war on terrorism in recent years, the displacement began in 2014, as a result of military orders to leave their homes or circumstances that made many feel insecure and at risk, with the escalation of terrorist operations and military operations to counter-terrorism. However, the new wave of forced displacement lacks a clear reason that previously justified such departure, especially after the official announcement of stability in security situations compared to the turbulent years before.

This official announcement has taken various forms, most notably the reassurances from many official figures, including the Governor of North Sinai, as previously



mentioned.³⁰ Also, the official media was flooded with coverage of the return of residents to their villages in Sheikh Zuweid after 7 years, considering this return as a practical response to rumors that questioned their return. This celebrated return was coordinated with the army's knowledge and with invitations from the governor, parliamentarians, and tribal leaders at the end of May 2022.³¹

However, recently, official statements have begun to emerge for the first time in a whole year indicating that the main reason for renewed displacement is to clear the villages and towns from explosive remnants of war (ERW). Even the commander of the second field army, Major General Mohamed Rabei, openly admitted in the aforementioned interview that encouraging the return of the displaced to their villages was a fundamental mistake, a responsibility borne by local and military authorities. The Major General said in the same interview, "Yes, I'm the one who encouraged their return. If I had said don't return, no one would have returned. I'm the one who told them to come back. So, did I fulfill my duty before their return? No, I confess before you and before all these people that I should have done what I am doing today before they returned."

According to the interviews Sinai Foundation conducted, these pieces of information mentioned by Major General Mohamed Rabei in his speech were not addressed by any of the military or local civilian leaders when the population was displaced for the second time last year. On the contrary, the interviews indicate that the process of evacuating the residents from the areas they returned to after the security situation

³⁰A TV interview of the Governor of North Sinai at MBC Masr TV, to talk about the return of some of the displaced residents of Sheikh Zuweid to their villages, January 18, 2022:

https://www.youtube.com/watch?v=oa_2iV5v4NE

³¹ After an absence of 7 years, the people of the Abu Rifai community in Sheikh Zuweid return, Egyptian TV Channel 1, November 29, 2021:

<https://www.youtube.com/watch?v=BtjiMyQJ5B8>



improved was coercive, against their will, and without explaining the reasons, even though their return was overseen by the army and with its knowledge as it is the actual authority on the ground.

Fares (code name), a resident of Al-Moqataa village, south of Sheikh Zuweid, told the foundation:

"On the 24th of October, officers from the army came to us and told us to evacuate the area immediately. Naturally, we were shocked. How could we, as locals who participated in the liberation and sacrificed martyrs against ISIS, and did everything for the army... Of course, we feel betrayed. It's like the army used our children in the war against ISIS, and when they expelled ISIS, there was no need for us anymore. The army told us it would be a limited period and we would return. Honestly, during the eviction, they threatened us with airstrikes. Women and children were running scared of the bombing until we reached Abu Tawila village, and the women were running in the streets. When we reached Abu Tawila, we were surprised there were no bombings or anything. The army closed all the roads leading to Al-Moqataa, brought loaders, and blocked them with dirt barriers. On the 27th of October, I drove my car and entered through an open bypass road, went to my land and farm, and kissed the trees and the land. We haven't seen it in seven years because of the circumstances. This is exactly what happened, without exaggeration. We spoke with the governor, officers, and the



head of the city council, and they all say it will be resolved in a week, but they refused to explain".

Mosa'ad (code name), a local resident in Al-Nasr community of Al-Thahir village, Sheikh Zuweid said:

"On the 27th of October, a private car arrived with a military force, telling people to leave the area. We knew this had happened to people around us in Al-Moqataa and Al-Kharafin, but nothing had happened to us in the community. People gathered and stood in their faces, refusing to leave. The officer in charge of the force threatened to shoot them, so people said bury us in the ground. At least here, in our land, we die and are covered by our soil. When the army saw the people's stance, they left and didn't return that day. But we remained anxious because the army had evacuated everyone around us in Al-Moqataa and Al-Kharafin and from many other places. What we feared happened. On the 29th of October, the army came with many armored vehicles and forced people to board them, threatening to shoot anyone who refused to comply because they had higher orders. People had no choice but to leave".



In an interview with Ziad (code name), a local resident in Al-Nasr community, Al-Thahir village, Sheikh Zuweid, he said:

"On the 29th of October, six armored vehicles arrived at the community, where about 60 families were staying. They fired shots while entering the gathering to intimidate people, and then they took around 80 individuals, including 30 children and 25 women, in the armored vehicles, and the rest were young and elderly men. They took them and threw them in a remote area near Abu Tawila village. The people in Abu Tawila sympathized with them, but the army forced them to take the people in pickup trucks to Sheikh Zuweid. I wasn't with them. We sat for four hours not knowing anything about them, and the leaders of the tribal armed groups who assist the army in countering terrorism didn't respond to our calls. When people asked General Rabie, the commander of the Second Field Army, regarding the displacement, they said they didn't know how to reach him. People took transportation and returned to the Al-Garaisha gathering. The officer who saw them again told them they had two hours to leave, but they refused and begged him. When the elderly pleaded with the officer, he gave them until morning. He said if we found anyone here, they would shoot them, and any shelter they find there, would be burnt. People gathered their belongings then, not knowing where to go."



In an interview conducted by the Foundation with Khaled (code name), a local resident of Al-Moqataa village, Sheikh Zuweid, he said:

"On the 24th of October, a military force came to us and told people to leave the place, saying no one had allowed us to return. The locals refused to leave; we've been dreaming for years of the moment to return to our land. The officer threatened to air strike the area in half an hour. It was a terrifying sight; people ran, women carried their children, and everyone was running out of fear. We left the village terrified, not taking any of our belongings, and when some people tried to return to retrieve some things, they found the army had blocked all the roads back with dirt barriers. One of the officers apologized to the people who attempted to return, saying they had higher orders that they had to execute. I felt saddened when I left, and they threatened to arrest me when I objected. The people left feeling helpless and regretful, with nothing they could do."

And, in an interview with Salma (code name), a local resident of Al-Wefaq village, west of Rafah, she said to Sinai Foundation:

"I left Rafah in 2015 due to the war. When Al-Wefaq, Al-Moqataa, Al-Kharafin, Al-Alawiyin, and east of Abu Tawila were liberated, I returned to inspect my land and my cousins' land. The area of Al-Wefaq includes families of Al-Baran, Al-Sulaima, Al-Jaradat, and Al-Alawiyin, all from the Al-Ramailat tribe. Many young men returned with me; we cleaned our land and cultivated it after staying there for



about two months while the war was ongoing against ISIS. We used to go back and forth every day in front of the checkpoints and the army, and nobody objected to our presence. Moreover, the governor asked people to return to their homes after they were liberated from terrorism and promised that all services would return to the area, but it was all talk without implementation. We've been here in Al-Wefaq for exactly four days, specifically since last Tuesday, the 25th of October. A large campaign came from the army and closed all the roads. They had engineers with them, and young men dressed like the land surveyors. They evacuated us from the place and said we were not allowed to return there again, then they placed marks on the ground. After sunset, one of the young men cooperating with the army told us they marked an area of 400 meters in length and 800 meters in width, and they would build a fence around it. It's the new west Rafah area, which means approximately 70% of the area of my villages, Al-Wefaq, Al-Moqataa, and Al-Kharafin. The young man cooperating with the army told us that one of the officers said this area would be an investment zone, but there was no official statement. Why did they agree to let us return, and why did they deceive us? Nobody understands."



In an interview with Rashid (code name), a local resident of Al-Moqataa village, Sheikh Zuweid:

"I'm from Al-Moqataa, from Al-Sawarka tribe. My cousins and I returned from Ismailia when we heard the area was being liberated. We were about 70 to 80 young men, some of us returned with our families. We've been here since July in Al-Moqataa village. Five of us died, and more than 20 were injured. Our only goal was to return to our homes. The state didn't provide us with anything. Our men fought with the army until the area was liberated. The elders and MPs promised us they would talk to the governor to rebuild the school and the health care unit, and they said it would take two years, but we would finally rest on our land. It's better than staying abroad without work, begging for food and drink while we have our own land. About a week ago, a large truck loaded with electricity poles arrived. When the youth spoke to Ibrahim Abu Sha'ira, a member of parliament, after finding a post on his page about this matter, he said he contacted the governor and the electricity company to restore electricity and services one by one to the village, just like in Sheibana and Al-Thahir villages. But on the 24th of October, a pickup truck with an officer from Al-Zohour camp in Sheikh Zuweid arrived. They had an armed and masked group in the trunk. They called us and said we had an hour to leave the place, and they didn't allow us to know why. One of the elderly men from the family told them we returned as others did, and they said there was no return. They ordered us to leave, and we couldn't take our clothes or anything. We went to our relatives in Al-



Thahir, south of Sheikh Zuweid, about 7 kilometers from Al-Moqataa, and spent the night there. We don't know what happened or why they stopped us after months of returning, and why did they bring electricity poles and installed them in the village. The MPs and the elders were blessing our return, and the governor and the army knew, what had happened for them to evacuate us.''

Salah (code name) said in an interview with the foundation, a local resident in Al-Wafaq village, west of Rafah:

"We accepted the worst, but it didn't accept us. Al-Wefaq village has about six families, all belonging to Al-Rumailat tribe. Our men fought against ISIS with the army, and some of them were martyred and others injured so we could return to our lands. We thought the dream of returning was impossible, but when our governmental elders told us to come and fight with the army and liberate our land, and the army promised to return everyone when the land was liberated, we came immediately. We came as young men without our families, and we saw death a thousand times. Every day, young men died or were injured, but we and our brothers from Al-Sawarkah tribe endured and managed to liberate the area. The army knew about our return, and the officers were with us and witnessed it. The village's situation was difficult, and we were sad because the houses were destroyed, but we said it wasn't a problem as long as our land was returned to us. The state didn't help us with anything, neither when we left nor when we returned. We had it bitter while leaving and while returning. When I



returned, my father called me and said I should build a "hut" for me on our land so we could plant barley when it rains, and then olives and almonds when the electricity returns. I indeed built a large "hut" and bought barley for 12,000 pounds, and I plowed and cleaned the land. But then I was surprised by an officer with a large campaign. He came to me and about 12 other families and said we should leave from there without knowing the reason. I left the barley, the "hut," and everything in its place. I don't know what to tell my father who hoped to return and packed his clothes only to find us evacuated again from the land. (He continued with tears in his eyes) I'm afraid my father will die of grief. This situation is harder than when we first left in 2015".

V. Legal Analysis: Displaced in the Name of the Law.

These recent operations of forced displacement of returned displaced persons to their villages in Northern Sinai come after a series of presidential decrees and legislations that establish a pattern and policy of legitimizing military control over most of the lands in Sinai. In addition to the severe restrictions on freedom of movement imposed on the population since the escalation of the conflict in 2013, these decrees and policies undermine any real presence of indigenous populations in Northern and Eastern Sinai, perhaps driving more of them to abandon the area.³²

In October, the President issued Decree No. 442 of 2021, granting the Minister of Defense unprecedented, almost divine powers to impose curfews, evacuate areas, or ban communications and mobility, according to a rigid interpretation of Article 53 of the 2015 Anti-Terrorism Law.

³² For more, Human Rights Watch report entitled "Looming Humanitarian Crisis in Sinai," April 23, 2018: <https://www.hrw.org/ar/news/2018/04/23/egypt-looming-humanitarian-crisis-sinai>



This, seemingly, preempted the lifting of the state of emergency nationwide, a decision he had already issued on the evening of October 25th.³³

Before that, the President issued Decree No. 420 of 2021 amending Decree No. 444 of 2014 regarding "determining the areas adjacent to the borders of the Arab Republic of Egypt and the regulated rules." This added more vast areas to the original decree in 2014 in North Sinai. President Sisi had issued Decree 444 to designate the Rafah area, along with an area of only one-kilometer width along the eastern international border from south Rafah to Taba, as "prohibited" areas, in addition to designating an area of 4 kilometers width as a "restricted" area to the west of the prohibited area.

According to Decree 444, the "prohibited" areas are areas where only the armed forces are allowed to be present, and the presence of vehicles of all kinds, except those belonging to security forces, is prohibited. As for the "restricted" areas, civilians are allowed to be present thereafter obtaining written permission from the military. Decree 444 exempted residents in the restricted areas in the New Valley, Red Sea, and Matrouh Governorates if they were original residents or their ancestors three decades ago. However, Decree 444 or Decree 420 did not make any exceptions for indigenous residents residing in the restricted area in Sinai.

In this context, the amendments introduced in Decree 420 of 2021 expanded the "restricted" area in North Sinai to 2655 square kilometers, meaning that the entire city of Sheikh Zuweid and 11 villages under its jurisdiction, 7 new villages of Rafah, areas south of Al-Arish city, and large parts of Al-Hasana city are all included in the

³³ Press release, Critical presidential decree "perpetuates" state of emergency in North Sinai, Sinai Foundation, October 5, 2021: <https://sinaifhr.org/show/102>



restricted areas. The decree did not provide any exceptions for the villages, cities, and residential areas existing in Northern Sinai. It did not clarify whether the inclusion of these areas as "restricted" would entail any new rules for the residents, who have already been living under strict increasing restrictions on their lives and livelihoods since 2014, raising widespread questions about whether the current forced displacement operations are carried out under the cover of Presidential Decree No. 420 of 2021 in the absence of any official statements from the Egyptian government regarding the nature of the ongoing evictions.

These decisions, in addition to the army and various executive bodies' practices, contradict the texts of the Egyptian Constitution and international human rights conventions ratified by Egyptian governments and considered, according to the Constitution, an integral part of national legislation.

Article 63 of the Egyptian Constitution prohibits arbitrary forced displacement of citizens in all its forms, and violation of this provision constitutes a crime that is not subjected to the statute of limitations. The first paragraph of Article 11 of the International Covenant on Economic, Social, and Cultural Rights considers the "right to housing" as part of the minimum standard of living that cannot be forfeited.

In the same context, General Comment No. 7 of the United Nations Committee on Economic, Social, and Cultural Rights defines forced displacement or eviction as a form of "permanent or temporary removal of individuals, families, and/or local communities from homes and/or lands they occupy, against their will and without providing appropriate forms of legal protection or other forms of protection, and without access to protection."



While the above definition acknowledges that eviction is possible in cases of genuine necessity, it adds a number of guarantees that must be met at both the legal and procedural levels. The first guarantee is the availability of legal protection or access to it, which is not met in our case, considering the issuance of border demarcation and eviction orders based on a mandate from the President to the Minister of Defense under the 2015 Counter-Terrorism Law. Many human rights organizations criticized the mentioned law upon its issuance, especially Article 53, which gives the President unprecedented authority to define a state of necessity or imminent danger in light of a very vague and overly broad definition of terrorist crime. The broadening of definitions and powers in this way severely restricts the legal challenges to these decisions before the courts, given the very narrow margin of interpretation available to judges in this case.

The second batch of guarantees for eviction operations concerns providing a number of procedural conditions, most notably, in our case, providing a sufficient notice period for residents before implementing eviction orders, the necessity of prior extensive consultation with local residents, the need for information about the reasons for the eviction, its duration, timing, and return arrangements, and finally, the necessity for local residents to know the authority responsible for implementing this operation on the ground.

The testimonies in this report reveal that the Egyptian government did not comply with any of the procedural conditions that must be met, especially regarding transparency and providing information to the displaced.



Even what was mentioned by the commander of the Second Field Army that the reason behind the renewed displacement in 2022 as the cleansing of EWR, was not disclosed to the residents upon their displacement but was only mentioned after the escalation of complaints and pleas from these displaced persons, while the essence of the matter is the necessity of sharing this vital information with them before the eviction order and displacement decision.

Finally, international conventions emphasize the need for governments to adhere to measures to compensate for the material and moral damage resulting from forced eviction operations, with fair and prompt compensation for property loss being at the forefront of these measures. The testimonies in this report reveal the government's failure to comply with this condition, especially in light of the vague legal status of the displaced.

Once again, we restate that Sinai Foundation has not received a response to the inquiries addressed to the Governor of Northern Sinai regarding the availability of the previously mentioned guarantees until the issuance of this report.



VI. Recommendations:

- We call on the government, represented by its local governing bodies, especially in North Sinai Governorate, and the armed forces, to adhere to the highest levels of transparency regarding the security and living conditions of the previously evacuated areas. They should provide clear information and data to the displaced population about the status of their villages and cities and the possible timeline for their return home.
- Until the government issues such a clear declaration to the population, all its agencies must refrain immediately from involvement in unconstitutionally forced displacement operations documented in the report.
- The Egyptian government must form an independent committee with full powers, including judges, independent activists, and representatives of the indigenous people of North Sinai to fully examine the compensation file, and invite the displaced people of Sinai to submit objections and then scrutinize those objections and ensure that all the displaced people received sufficient and rewarding compensation that qualifies them for a decent life. These compensations shall include homes, farms and all commercial interests.
- We call on the government to provide all aspects of support: legal, service, and psychological support to the displaced population, or to those who have chosen voluntary return, to address the moral harm they have suffered during the previous years. This includes, in particular, expediting the improvement of healthcare and educational services that have been severely affected by the continued military operations in the area.



VII. Annexes:

Annex 1: Letter to the President of National Authority for Sinai Development and the Governor of North Sinai

10th of January 2024

President of National Authority for Sinai Development
Major General, Governor of North Sinai

I extend my greetings to you with the utmost respect and formality.

Sinai Foundation for Human Rights is privileged to engage in correspondence with your esteemed office, conveying our sincerest wishes for your continued success and prosperity. It is our earnest hope that your esteemed administration, in accordance with the Egyptian government's commitment to fostering dialogue with civil society organizations, will graciously assist us in addressing several pressing inquiries that have arisen during our recent field investigations and interactions with residents of Rafah and Sheikh Zuweid who have been displaced from their homes due to military operations against extremist factions since 2018.

1. On the 19th of January 2022, you made a statement regarding the possibility of the return of displaced persons of Sheikh Zuweid within a stipulated time-frame of three months. As we approach the two-year mark since, has this objective been realized? Testimonies we received suggest that residents are still being barred from returning to their homes in various villages, including



Al-Moqataa, Al-Lefityat, Al-Touma, Al-Zawara'a, Al-Quraya'a, and Al-Sakadra. We respectfully request your esteemed office to shed light on this matter.

2. In the same aforementioned statements, you have highlighted the possibility of displaced individuals returning to villages and communities in the city of Rafah outside the demarcated buffer zone, as per Presidential Decree No. 444 of 2014, within a one-year timeframe. In light of the passage of more than a year since this deadline set by the governor passed, has this objective been achieved? Testimonies we received emphasize ongoing restrictions preventing residents from accessing villages such as Al-Husseienat, Al-Wefaq, Al-Matala, and Al-Kharafin. Your esteemed clarification on this matter would be appreciated.
3. In adherence to principles of transparency and collaboration with civil society organizations, as espoused by the Egyptian government, we kindly request detailed information regarding the timeline and procedures for the resettlement and housing of displaced - forcibly displaced - civilians from Rafah villages. According to statistics published by the Central Agency for Public Mobilization and Statistics in 2017, the number of affected families in Rafah amounted to approximately 16,770 families, out of a total population of 75,537 at the time.
4. Furthermore, we seek clarification on reports indicating that the initial phase of the New Rafah City, inaugurated by the Prime Minister after a six-year development period, is expected to accommodate only 9% of the total



displaced families from Rafah, with approximately 1,400 housing units. We respectfully request confirmation regarding the accuracy of these reports.

5. Additionally, testimonies documented by Sinai Foundation suggest that selective forced displacement of returning civilians occurred in October 2022 in areas such as Al-Jaraisha community of Al-Thahir village in Sheikh Zuweid, as well as communities in Al-Husseienat, Al-Wefaq, Al-Matala, and Haq Al-Hessan, shortly after their return from years of displacement due to military operations, despite the calls by the governor of Northern Sinai on the displaced persons to return and the actual permission of return to villages like Al-Mahdeya and Naga' Shibana in Rafah and villages like Abu-Alaraj, Al Kharuba, and Qabr Omair in Sheikh Zuweid. Given these circumstances, we seek your esteemed clarification on the reasons behind the repeated displacement of residents from these areas since October last year.
6. Sinai Foundation had observed an official statement made by the Governor of North Sinai in December 2021, outlining a commitment to restore services and provide compensation within a maximum period of six months. The Foundation followed with appreciation the efforts partially implementing these promises, as the government constructed desalination plants and put functioning others back in service, as well as the digging of wells and reconnecting electricity networks. On the contrary, it has come to our attention through parliamentary statements and interviews with local residents that significant delays and inadequacies persist in the disbursement of compensation, coupled with severe deficiencies in basic services in some returning villages. We request your esteemed office to address this apparent disparity in testimonies.



7. Despite official assertions regarding the successful eradication of terrorism and the initiation of a comprehensive development strategy in Sinai, evidence suggests continued militarization of civilian facilities such as schools. The utilization of schools as military barracks, including Al-Sheikh Zuweid Primary School, Ahmad Abu Salma School in Sheikh Zuweid, Al Ta'awon Primary School, and Al-Mehdya Primary School in Rafah, in addition to a number of schools in Bir Al-Abd, despite the return of civilians to these areas and the urgent need for normalcy in educational settings. Moreover, Sinai Foundation observed the slow pace of school reconstruction following military operations which may imply that the education sector is not receiving adequate attention from the government, despite its crucial role in community stabilization post-displacement. We respectfully seek clarification on the measures being taken or planned to address this significant issue.

In conclusion, I extend my sincerest respect and appreciation.

Ahmed Salem

Executive Director

Sinai Foundation for Human Rights