



**SINAI**

Foundation for Human Rights

# Explosive Return

Annual Report  
2021

# Annual Report

## 2021



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# Explosive Return

Monitoring and Documenting report on the human rights abuses that took place in Sinai in the year 2021

***The title of the report was inspired by the suffering of local civilians returning home, after harsh years of forced displacement, following the withdrawal of ISIS from their villages, only to have the dream of return of some of them turned into a nightmare because of the remnants of war and explosive devices that took the lives of civilians, making their return home an “explosive return”.***

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## I. Summarized background: Sinai 2021?

The security situation in the Sinai Peninsula remains grave and the security and military operations still take place on a large scale. The continuous line running between the unrest that took place after the eruption of the January 2011 revolution, passing by the beginning of the war with the armed group “Ansar Bait al-Maqdis” in the summer of 2013, and its intensification after the group pledged allegiance to the Islamic State of Iraq and the Levant (ISIS) in 2014. However, the military operations and attacks by ISIS, which called itself “Sinai Province”, have relatively lessened in 2020, followed by a remarkable decrease in 2021 when it comes to the number and type of attacks by the group. The security campaign also has been through important developments, like several tribe members joining the actual fight against the group, without this being officially announced by the military or the government. This involvement signals the beginning of a new stage of the conflict that could be the beginning of the end of the group.

Nevertheless, this notable decrease that could be seen through the full picture, was punctuated by important adverse events. For example, after Rafah, Sheikh Zuwayed, and Arish were the center of attacks and military operations, the situation reached its peak in Bir al-Abd – west of Arish –, when the group attacked a military camp in Rabea village<sup>[1]</sup>, west of Bir al-Abd, on 21 July 2020. After this attack, the Sinai Province group managed to take control of several villages southwest of Bir al-Abd. Following the Rabea attack and ISIS taking control of the villages, local citizens were forced to evacuate their homes and head toward safer areas, and they did not return till the group retreated from the villages around 70 days later, as the military allowed<sup>[2]</sup> citizens to return to their villages under its supervision, but it did not completely clear the area of explosive devices and objects most likely planted by the group before its retreat, which killed 16 civilians, and injured 18 others during the period between 26 July and 18 November 2020<sup>[3]</sup>.

The Egyptian military had on 9 February 2018 announced the launch of an operation called the Comprehensive Operation “Sinai 2018”<sup>[4]</sup>, through which the military tried to push more (thousands of) soldiers and officers, in an attempt to trap the group. Nevertheless, the military operations – as stated in previous SFHR reports – were marred by grave violations of the rules of the international law regulating military operations (the

1-Details of the attack on »Rabea« camp in Bir al-Abd, Mada Masr, 22 July 2020

<https://www.madamasr.com/ar/2020/07/22/news/تفاصيل-الهجوم-على-ارتكاز-رابعة-في-بي-ا>

2-Sinai Foundation for Human Rights' October report, 20 November 2020 - <https://sinaifhr.org/show/35>

3-“Bir al-Abd’ villages: “ISIS’ explosives and the Egyptian authorities’ negligence cause the fall of new civilian victims - <https://sinaifhr.org/show/27>

4-Statement number (1) regarding the military comprehensive operation Sinai 2018, the official page for the military spokesman for the Egyptian armed forces, 9 February 2018 - <https://fb.watch/dvGagYU17r/?fs=e&s=cl>

International Humanitarian Law), as well as the simplest human rights principles. The inhabitants got stuck between, on the one hand, the grasp of the military and its restraints on movements, supplies, and fuel, and other violations like mass arrests and murder, and on the other, ISIS's continuous attacks that targeted civilians as well as military targets, abducting and killing civilians, and taking advantage of civilian homes and farms.

The situation did not change much by the end of 2021 in its overall image in terms of the continuation of grave violations of the rights of the people of Sinai, but important changes to the scene occurred, showing the decrease in the intensity of the conflict, and the receding of the group's influence. Among these developments – and perhaps the most prominent of which – is the return of some of the displaced and evicted civilians to their lands, despite losing their homes to indiscriminate shelling or during organized house removals by the military.

Recent military and media reports reinforce the signs of a decrease in conflict intensity. For example, the number of Sinai Province combatants decreased to 200 individuals, after an estimate of 800 in 2017, according to Egyptian security sources that recently spoke to Reuters<sup>[5]</sup> news agency. The group also seemed incapable of repairing its hierarchical system, as well as its operational capability which seemed to have considerably diminished during the past years. The group now depends on military tactics avoiding direct clashes with government forces, and most of the group's attacks during the past years were limited to sniping and detonation of explosive devices against machinery or individuals, while its attacks on the economic interests of the military and soft civilian targets increased after the group was able to launch complex attacks and raid several military positions at once in previous years.

Generally, 2021 witnessed only one big attack on positions of government forces, where Zilzal 13 checkpoint in Goura village, south of Sheikh Zuwayed, was subjected to an armed attack on 31 July, which killed 5 soldiers and injured 7 others, according to the statement made by an Egyptian military official to Associated Press<sup>[6]</sup> news agency. This shows a continuous decline during the past years, as 2020 witnessed one similar attack launched by the group on a military camp west of Bir al-Abd, while it executed 4 attacks against military positions in 2019.

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5-Egyptian military consolidates grip on northern Sinai, Reuters, October 20, 2021

<https://www.reuters.com/world/middle-east/egyptian-military-consolidates-grip-northern-sinai-2021-10-20/>

6-Egypt officials say militant attack kills 5 troops in Sinai, Associated Press, August 13, 2021

<https://apnews.com/article/middle-east-africa-egypt-islamic-state-group-8748b7706fda5e52b56eec7bd313664>

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 guns, and they are later interrogated after being transported to security bases<sup>[7]</sup>. Despite the absence of any official announcements regarding the initiative, there are official indicators, like the military spokesman sharing a video<sup>[8]</sup> 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.

This initiative took a dramatic turn in September 2021 when the head of Sinai Province court, Mohamed Said 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 Israel military intelligence center, the Meir Amit Intelligence and Terrorism Information Center<sup>[9]</sup>, 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<sup>[10]</sup>. The Egyptian authorities used al-Qady's surrender to try and encourage 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.

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7-Dislodged from Bir al-Abd, Province of Sinai heads west toward Suez Canal as militants surrender due to hunger, security initiative on eastern front, Mada Masr, 19 January 2021

<https://www.madamasr.com/en/2021/01/19/feature/politics/dislodged-from-bir-al-abd-province-of-sinai-heads-west-toward-suez-canal-as-militants-surrender-due-to-hunger-security-initiative-on-eastern-front/>

8-Video "The Martyr's Story" posted to the Armed Forces Spokesman's official Facebook page, shared on 9 March 2021, date of visit: 10 July 2020 - <https://www.facebook.com/watch/?v=179743007063117>

9-Senior Isis Sinai Province Figure Surrenders Event And Implications, The Meir Amit Intelligence and Terrorism Information Center, 21 September 2021 - <https://www.terrorism-info.org.il/en/senior-isis-sinai-province-figure-surrenders-event-and-implications/>

10-Rawda Mosque attack death toll rises to 305, 27 among whom are children, France24, 25 September 2017 - <https://www.france24.com/ar/20171125-مصر-قتلى-هجوم-مسجد-الروضة-شمال-سيناء-أطفال>



Among the signs of the diminishing of the pace of conflict in 2021, the military spokesman for the Egyptian armed forces only issued two statements regarding the confrontations in Sinai throughout the entire year, where he issued the first statement on 1 August 2021<sup>[11]</sup>, which was the first statement regarding the military operations in Sinai since the one issued in December 2020, saying that the military managed to kill 89 highly dangerous takfiris in areas of operation in North Sinai during the preceding period of time. Days after this statement, and on 12 August, the military spokesman issued his second and final statement during 2021, where he announced the death of 13 takfiris<sup>[12]</sup>. He also announced the murder and injury of 17 soldiers during the military operations.

In a related context, the military spokesman announced<sup>[13]</sup> on 8 November an increase in the number of border guard corps and their power in Rafah. He said that in light of the Egyptian attempts to maintain national security, the joint military commission, based on the coordination meeting with the Israeli side, managed to amend the security agreement to increase the number of border guard crops and their power in the Rafah border area. On his part, the Israeli army military spokesman announced<sup>[14]</sup> that prominent Israeli officers, including the head of the Israeli operations directorate, Major General Oded Basyuk, met with their Egyptian counterparts in the Sinai Peninsula, as part of what is called the agreed activities mechanism, which is a stipulation of the Israeli-Egyptian peace treaty signed in 1979 requiring Israel agrees to any military reinforcements Cairo wants to spread in Sinai. He added that “During a meeting of the committee, an agreement was signed to formalize the deployment of guard troops in the area of Rafah to reinforce the Egyptian military’s security control over the area”, adding that the decision was approved by Israel’s civilian leadership.

The signs of relative security calm did not stop there. Lieutenant General Mohamed Farid, chief of staff of the Egyptian armed forces, visited Sinai twice in 2021, on 29 April

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11-General Command of Military Forces’ statement, official Twitter account for the military spokesman for the Egyptian armed forces, 1 August 2021 - [https://twitter.com/egyarmyspox/status/1421792696734191623?s=21&t=LMDrNbOgn\\_9K\\_ewO90eS\\_A](https://twitter.com/egyarmyspox/status/1421792696734191623?s=21&t=LMDrNbOgn_9K_ewO90eS_A)

12-The armed forces continue their fight against terrorism in central and north Sinai, and succeeds in eliminating 13 takfiris, the official page for the military spokesman for the Egyptian armed forces, 12 August 2021 - <https://www.facebook.com/217455035052153/posts/2412776295520005/?d=n>

13-The increase of the number of border guard and their power in Rafah, the official page for the military spokesman for the Egyptian armed forces, 8 November 2021 - <https://www.facebook.com/217455035052153/posts/pfbid02ysKbULS8sfAejFfQzUw2sNLgX7KRYmf3rzzfbqip4qecj6UsFkp-ZcA6mc3tKfDKUI/?d=n>

14-IDF generals travel to Sinai for rare public meeting with Egyptian army, The Times of Israel, 8 November 2021 - <https://www.timesofisrael.com/idf-generals-travel-to-sinai-for-rare-public-meeting-with-egyptian-army/>

and 28 September<sup>[15]</sup>. During those visits, he inspected the members of the armed forces and police in Arish, Sheikh Zuwayed, and Rafah, to follow up on the security situation and the execution of plans and duties assigned. He also inspected some developmental projects being executed by the military in Sinai.

In the same context, the Russian president, Vladimir Putin, issued a presidential decree<sup>[16]</sup> on 8 July declaring the resumption of direct air traffic between Russian airports and Egyptian tourist cities, and the cancellation of the previous decision prohibiting flights to anywhere in Egypt other than Cairo, which was a decision issued after a Russian civilian plane crashed over North Sinai in 2015.

Regarding the displaced and evicted, in the end of 2021, security authorities allowed the return of displaced civilians to three Sheikh Zuwayed villages years after their forced displacement because of the military operations. The governor of North Sinai stated in a press release<sup>[17]</sup> that within the framework of the state and political leadership's keenness on the return of life to normal in the villages and areas of North Sinai, they offered all kinds of services to the civilians returning to the villages of Thahir, Abu al-Araj, and Abu Rifai in Sheikh Zuwayed, after the armed forces cleared the area of terrorism and the inhabitants could return to their homes.

Despite the fact that the return of some civilians to their homes years after their displacement is a win for the security authorities, the Egyptian government, till the time of publishing this report, has failed to provide basic living essentials to local citizens, as well as showing noticeable failing to purify those freed areas of remnants of the war and explosive devices that led to the death of civilians. The Egyptian government has also till now failed to provide a comprehensive political vision regarding the situation of displaced persons and compensations and aid offered to them, as well as mechanisms and basic features of the return of civilian and financial life in North Sinai to normal. This all points that the return of some displaced persons is a separate link not connected to a clear comprehensive policy. Not only that, during 2021, the Egyptian government continued to launch a new stage of its policy, based on evicting citizens under various

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15-Chief of staff of the armed forces inspects the security situation in North Sinai, Youm7, 28 September 2021:

<https://www.youm7.com/story/2021/9/28/-رئيس-أركان-حرب-القوات-المسلحة-يتفقد-الحالة-الأمنية-بشمال-سيناء/5475971>

16-Confirming «Al Watan's» scoop.. Putin signs decree resuming Russian flights to Egypt, Al Watan, 08 July 2021 - <https://www.elwatannews.com/news/details/5569453>

17-Governor of North Sinai reveals details of return of services to Sheikh Zuwayed villages, 28 November 2021 - <https://www.youm7.com/story/2021/11/28/-محافظ-شمال-سيناء-يكشف-تفاصيل-عودة-الخدمات/5475971>

pretences and justifications. President Abdel Fattah el-Sisi issued decree number 465 for the year 2021<sup>[18]</sup> on 16 October 2021 designating around 542 feddans of land in Arish as Armed Forces public benefit work lands, technically meaning swallowing up more of the area's lands and the imminent displacement of around 20,000 people as part of vague unjust military plans that evacuated North Sinai of thousands of inhabitants in the past few years under a cover of excuses that do not consider the necessary safeguards regarding forced displacement according to the International Human Rights Law.

President el-Sisi announced<sup>[19]</sup> on 25 October 2021 that the state of emergency that had been in effect in the country for years would not be extended and said in a statement on Facebook: "Egypt has become, thanks to its great people and loyal men, an oasis of safety and stability in the area". However, a decree numbered 422 for the year 2021, which was issued on 2 October 2021, before el-Sisi's decree terminating the state of emergency, is considered infinitely prolonging the state of emergency imposed on North Sinai years ago which has not stopped since. Decree 442, which seems to have been proactively issued to render the decree discontinuing the state of emergency useless, is different from previous decrees extending the state of emergency in Sinai, as it gives unprecedented power to the Minister of Defence, and consequently to officers on the ground, practically nullifying all basic civilian rights, like the power to impose curfew, force evictions, seize properties, and ban means of communication and transport<sup>[20]</sup>.

## II. Legal Analysis?

The Sinai Foundation for Human Rights has stated in previous reports that the situation in North Sinai amounts to a non-international armed conflict, as the foundation, and other international organizations like Human Rights Watch, see that the conditions for an armed conflict like stated in the Geneva conventions and their interpretations are clearly present in terms of the severity of the conflict, its extension for years, and the presence of a clear hierarchal leadership structure in ISIS. Despite the Sinai Foundation for Human Rights – as stated in the beginning of the report – seeing a noticeable decline in the intensity of the conflict since 2020, this report in its methodology and categorization is still based on monitoring the abuses committed by the military, the police, and militias working with them on one hand, and on the other, the abuses committed by Sinai Province militants.

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18-Presidential decree number 465 for the year 2021, the official paper, issue 41 bis (a), 16 October 2021: <https://www.cc.gov.eg/i/l/415948.pdf>

19-Egyptian president Abdul Fattah el-Sisi announces ending the state of emergency ongoing since 2017, BBC, 25 October 2021 - <https://www.bbc.com/arabic/middleeast-59045942>

20-Critical presidential decree "infinitely prolongs" the state of emergency in North Sinai - <https://sinaifhr.org/show/102>

With the military continuing to deny independent journalists and observers from entering Sinai, and the difficulty of obtaining information on the ground, it is not easy to reach a final and definitive conclusion on whether the armed conflict as a legal description has fully ended, but it is clear that it is heading that way in terms of the decrease in the intensity of attacks and ISIS's lack of hierarchical consistency.

In all cases, and even if the term armed conflict as a legal description which submits to the International Humanitarian Law formed by the Geneva conventions no longer applies, the crimes ISIS committed are considered organized crimes committed by gangs governments should fight within the framework of the law to preserve citizens' lives, and in this case, it is beneficial for documentation, research, and information authorities to relay the abuses the militants committed that largely affected the lives of the people of Sinai, their safety, and livelihoods.

### **III. Report Methodology**

The Egyptian authorities still prohibit the work of independent media and human rights organizations and their movement inside the Sinai Peninsula almost entirely. In recent years, acquiring reliable information on what happens in Sinai, and even speaking with locals and victims have become harder.

During the period covered by the report (January – December 2021), the Sinai Foundation for Human Rights managed to conduct interviews with 107 local citizens, journalists, some government employees, and local medical institution workers, to record the abuses through the testimonies of affected people. The foundation team also conducted periodical field visits of villages and cities in the area.

The interviews shown in this report cover the abuses that took place mainly during 2021. All testimonies in the report were acquired through face-to-face or remote interviews using communication platforms or different kinds of text messages. The names, personal information, and other information of interviewees were unpublished to ensure their safety from revenge by government forces or militants.

The report also documented the murder of 32 civilians, 7 of whom were children and 3 were women, and the injury of 17 others, 4 of whom were children, at the hands of the conflicting parties. This number of victims is the portion we managed to document.

The foundation also reviewed official statements issued during 2021, including statements made by president Abdel Fattah el-Sisi, the military and Ministry of Interior

spokesmen, the governor of North Sinai, and other officials from different government authorities, but we could not get in direct contact with any government authorities due to the continuous attack on human rights organizations, and considering any independent human rights work or journalism in Sinai to be an “unwelcomed” breach of the state of media blackout imposed on Sinai, which puts the team in danger. The foundation also reviewed written data and videos published by “Sinai Province ” group.

The foundation familiarized itself with brief recommendations included in a 12-page report published by the government-supported National Council for Human Rights. This report was published after the dispatch of a fact-finding mission that visited North Sinai between the period of 31 January and 4 February 2021<sup>[21]</sup>. The council’s report showed, perhaps for the first time, semi-officially, that the number of civilian victims since the beginning of the counter-terrorism operations in North Sinai till the date of publishing was 1836 deaths and 2915 injuries. The report stated, according to the Governor of North Sinai, that the governorate is compensating the victims, and offering full healthcare services in Arish hospitals or arranging for the injured to be treated at military hospitals. It is worth mentioning that the report did not reveal whether the government forces, ISIS, or both sides caused the fall of that number of victims.

The foundation also reviewed a government report released on 27 June 2020 covering efforts exerted by the authorities to compensate those affected by security clashes between conflicting parties in North Sinai during the period between 1 October 2015 and 31 May 2020<sup>[22]</sup>. In addition, the legal study<sup>[23]</sup> titled “Human Rights and the Countering of Terrorist Groups”, prepared by the deputy chief justice of the Court of Cassation, Counselor Adel Maged, in which he discusses the importance of human rights in the “Comprehensive Operation Sinai 2018” was reviewed.

In many cases, Sinai Foundation for Human Rights researchers were able to review medical documents presented to us by victims or ones we exclusively acquired from medical sources to compare victim accounts to official data, as well as photographs and video clips published by the Egyptian military or government or supporting news-

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21-Wael Ali, «Almasry Alyoum» publishes «National Human Rights» report on North Sinai, Almasry Alyoum, 10 February 2021 - <https://www.almasyalyoum.com/news/details/2253991>

22- Madbouly shows report about compensation of the affected by security clashes in North Sinai, State Information Service, 27 June 2020 - <https://sis.gov.eg/Story/205085/>- مذبولي-يستعرض-تقريراً-بشأن-تعويض-المتضررين-من-المواجهات-الأمنية-في-شمال-سيناء?lang=ar

23-Counselor Adel Maged, Human Rights and the Countering of Terrorist Groups, “Studies in Human Rights” Magazine, 11 July 2018 - <https://www.sis.gov.eg/Story/169667/>- هيئة-الاستعلامات-العملية-الشاملة-في-هيئة-الاستعلامات-العملية-الشاملة-في-الالتزام-بحقوق-الإنسان?lang=ar

papers about the situation in Sinai. The foundation also analyzed a number of videos published on different social media platforms that share photos, videos and local commentary from Sinai, in addition to tens of news and analyses articles and social media posts created by activists from Sinai and government officials.

## **IV.**Egyptian police and military abuses

## 1-Possible unlawful killings

Gunshots fired from military checkpoints led to the fall of many civilian victims since the escalation of the armed conflict in Sinai. During the period covered in the report, the foundation documented the murder of 6 civilians in such incidents, including a child and a woman. These abuses usually happen near police and military checkpoints in one of two forms: the first is where soldiers directly and lethally shoot, in most cases without giving prior warning or following any rules regarding shooting at civilians and their vehicles, as the foundation documented cases where lethal shots were fired from checkpoints at civilian targets that seemingly or behaviourally posed no military threat; and the second form is where checkpoints periodically fire random shots with no clashes in the area or any potential military targets, with the aim of securing the vicinity of the checkpoint and confirming that there is no threat, but shooting in such an indiscriminate way led to the fall of hundreds of civilian victims during the time of the armed conflict, also violating the rules governing the use of firearms, according to the principles of the international and African laws<sup>[24]</sup>, however, no investigations or trials against the perpetrators have been recorded, which is another clear violation of local and international laws binding Egypt, including the African Charter on Human Rights which necessitated in its fourth article the protection and safeguarding of the right to life of civilians at all times, including during conflict, as a basic pillar of all rights that is non-derogable. What follows is an overview of some cases documented by the foundation in 2021<sup>[25]</sup>.

### **The first killing: The death of a shepherd in Thahir village**<sup>[26]</sup>

Thahir village is 5 kilometers south of Sheikh Zuwayed, along the road connecting Sheikh Zuwayed and Goura village south of Rafah, North Sinai. Thahir village is one of two villages still inhabited south of the city, despite the displacement of most of their inhabitants. The civilians remaining are estimated to be around 20 families with a total of less than 200 individuals, whose lives go on in the morning and completely stop after maghrib prayer; when the village sky becomes an open space for gunshots and projectiles targeted at anything that moves. According to testimonies made by eyewitnesses interviewed by the Sinai Foundation for Human Rights team, a woman named Dalal Hassan Nasr, 25 years old, lost her life to a potentially unlawful attack documented by the foundation on 15 January 2021, by shots fired from “Hassan” military checkpoint in the village. It is worth mentioning that the foundation documented in its report **“All we want is to live”**<sup>[27]</sup>

24-African Commission on Human and Peoples’ Rights, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials - <https://www.achpr.org/legalinstruments/detail?id=18>

25-The names of victims in this chapter are real.

26-January Human Rights Report, Sinai Foundation for Human Rights, 14 February 2021 - <https://sinaifhr.org/show/61>

27-“All we want is to live”, Sinai Foundation for Human Rights, 23 September 2021 - <https://sinaifhr.org/show/99>



(documenting human rights abuses during 2019 and 2020) the death of three members of the same family by shots fired from the same checkpoint mentioned in this incident.

**The foundation team met with “Moustafa”, an eyewitness from Thahir village, who said:**

*“They shot the girl while she was shepherding by the edge of the village. I don’t know why the soldiers at the “Hassan” ambush specifically shoot the locals when they know about every movement in the village and know all the people there. Dalal was around 25 years old, unmarried, and was a very kind girl who did not get involved in anything. She took her flock to the outskirts of the village everyday so they would feed, and the soldiers knew her and saw her daily. When we learned she was shot, we went to where she was and found her shot in the chest and dead. That day there were no clashes between the military and takfiris. I did not see any militants in the village. This is not the first time the same checkpoint killed peaceful locals. People took her in a car to Sheikh Zuwayed hospital because ambulances have refused to come into the village for years, then her body was transported to Arish hospital, then to Port-Said for the coroner’s office”.*

**The second killing: Killed before his wife and children<sup>[28]</sup>**

The foundation team documented on 25 February 2021 the death of Al-Azhar Institute Sheikh Zuwayed employee, Ahmed Farhan Suliman al-Hamaida, 35 years old, by a gunshot to his head fired by a military force, while he was driving his car with his family.

**The Sinai Foundation for Human Rights met with eyewitnesses and members of the victim’s family to find out details of what happened. “Samih”, an eyewitness who happened to be at the place of the incident on his way home to Sheikh Zuwayed, told us:**

*“Ahmed was driving a small pick-up truck right before noon back toward Sheikh Zuwayed from Arish with his wife and 3 kids. Around 500 meters from Kharouba checkpoint from the direction of Arish, a military security force was on its way back to Sheikh Zuwayed. Citizen vehicles were following theirs in something close to a queue because no one is allowed to drive past the force. What happened was that Ahmed tried to get in front of the rest of civilian cars to drive right behind the force. The soldier on the armored vehicle in the back of the line fired a shot in the air, quickly followed by another shot at the victim’s car. The car stopped, we saw the wife screaming and the children were in a panic. The force did not stop, of course, they kept going like nothing had happened. People got out of their cars and found that the driver, Ahmed Farhan, had been shot in the head and had died immediately. They went to the checkpoint to get the soldiers to get them an ambulance. The ambulance came and took him to Arish hospital, then his body was given to his family who buried*

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28-February Human Rights Report, Sinai Foundation for Human Rights, 10 March 2021 - <https://sinaifhr.org/show/70>

*him in Sheikh Zuwayed. And of course, no accusations were made against anyone, and in official documents, his death was written up as caused by unknown persons, like usual".*

The eyewitness statement shows that the victim's car, even trying to skip ahead of civilian cars to get closer to the military patrol, posed no threat to them. Even if the car had caused concern or suspicion, the soldiers did not follow the escalation of use of force and did not give enough warning before shooting. For example, the woman in the front seat and three children in the back largely negated the existence of any threat that required deadly force to neutralize. Additionally, shots could have been fired at the body or wheels of the car in order to stop it and warn the driver, meaning that there was no cause that justified shooting at the driver with intent to kill. This means that this was an extrajudicial killing that requires investigation and accountability by official authorities to give justice to the victims and punish the perpetrator, which does not happen in Sinai. The similar incidents followed by the Sinai Foundation show that impunity is a behavior always practiced by the Egyptian authorities by writing up the incident against persons unknown without conducting any investigations.

### **The third killing: The death of a civilian employee working among a multi-national peace keeping forces team in Goura airport<sup>[29]</sup>**

Gunshots fired from a checkpoint in the preparatory school in Aqour village in Sheikh Zuwayed on 24 April 2021 led to the death of a young man in his twenties called Abdul-Rahman Ahmed Ali al-Aqour. After the incident, his body was taken to Sheikh Zuwayed general hospital, then to Arish central hospital, then to Port Said to be examined by the coroner for a burial permit.

### **In an interview with the Sinai Foundation, "Hussein", an eyewitness from the village, stated:**

*"Abdul-Rahman Abu-Farha was a service worker with the peace keeping forces in Goura airport. On the day of his death, he was on time off from work and was going home to see his family and have Iftar with them in Ramadan. Abdul-Rahman was married and had two kids. The second day of his time off, as it is known that before leaving the village or coming in you need to take permission from the soldiers at the checkpoint by the preparatory school at the outskirts of the village, he took permission to enter the village at noon. He had only taken a few steps when they shot him. We heard gunshots, and many of the locals went to see what had happened. We found Abdul-Rahman bleeding*

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29-April Human Rights Report, Sinai Foundation for Human Rights, 10 May 2021 - <https://sinaifhr.org/show/87>

*from his chest. People started screaming at the soldiers of the checkpoint. What we understood from the soldiers is that the soldier who approved Abdul-Rahman's request forgot to tell his fellow soldier positioned on top of the school, so he immediately shot Abdul-Rahman, may his soul rest in peace. The same checkpoint had done the same thing before with Nidal Muslim Hassan<sup>[30]</sup>, who they killed about 7 months ago while on his way home after playing football with other young men from the village".*

The witness added:

*"The village people are all known. There are not many of us. Only 15 families, and the rest were displaced. No one goes in or out of the village without their name being recorded at the ambush. There is no need for all the restrictions imposed on the people. The village is surrounded by checkpoints, so it's supposed to be safe. Why undermine people's lives and why are there no consequences for the soldiers who shoot at people? And why would they shoot him in the heart? Why not just in the leg? Even if he was suspicious! If they had held the soldier who shot Nidal accountable, Abdul-Rahman would not have been killed and his kids would not have been orphaned and had their lives changed forever. And the people are of course scared to say who killed them in investigations so they would not get in trouble with the military. They think that saying nothing and getting to bury their child is better than him being held in a morgue for months for an investigation. They also don't have proof that the military killed them, and we all know the fate of those who make accusations against the military".*

The eyewitness report matched what was published by a local Sheikh Zuwayed Facebook page<sup>[31]</sup>, which confirmed the unjustified shooting of the victim by Aqour military checkpoint, killing him.

According to the information the witness revealed in his testimony, this incident seems to fall under the category of extrajudicial killings.

### **The fourth killing: The death of a child in Arish<sup>[32]</sup>**

The Sinai Foundation for Human Rights recorded on 19 May 2021 the murder of Kamil Nasr al-Isawi, 17 years old, after being shot by military forces situated near the Battalion 101 base, which is the Egyptian military base of operations in eastern Sinai.

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30-The foundation documented on 15 September 2020 the death of Nidal Muslim Hassan in an extrajudicial killing published in a report on 25 October 2021 - <https://sinaifhr.org/show/28>

31-Post shared on News of electricity in Sheikh Zuwayed and Rafah Facebook page on 24 April 2021, date of visit 25 April 2021 <https://www.facebook.com/1417509408276062/posts/4600489756644662/?d=n>

32-May Human Rights Report, Sinai Foundation for Human Rights, 22 June 2021 - <https://sinaifhr.org/show/91>

The incident took place in an area considered to be a fortified security square due to the position of Battalion 101 and a series of military and security checkpoints, in addition to its close proximity to Arish airport, North Sinai province building, and a number of government and security bases.

The Sinai Foundation team spoke with “Ahmed”, a local journalist, and “Ramy”, one of the neighborhood locals, to find out what happened. The witnesses stated that Kamil lived with his family in Karama neighborhood, east of Arish. He was a hard-working student at the agricultural secondary school, both studying and working small handiwork jobs to help his family, as he excelled at several simple vocational skills. The witnesses confirmed in their statements that no armed clashes were taking place at the day of the incident, and that the residents did not notice any ISIS militants in the area. They also confirmed that where Kamil was killed was not a military area from which civilians are prohibited, confirming that security forces allow civilians to pass through that area.

Ramy told the foundation team:

*“I personally knew Kamil. He was a man in a child’s body. He had to carry great responsibility from a young age to help his family. His family are very simple people, like all people of Karama neighborhood. He was young, but he worked very hard. He worked in painting houses and moving stones for construction and any other jobs you can think of. The day of the incident, he had breakfast with his mother, told her he was going to work, then left his house at around 12:30 in the afternoon.*

*“30 minutes later, at about one in the afternoon, two young men from the neighborhood were walking near an old, abandoned brick factory very close to Battalion 101. One of the soldiers in a military checkpoint called “Civil Affairs Checkpoint” called on the young men and told them to ask a person in the factory to leave or else they would shoot him. The young men went to the place where the aforementioned person was and found Kamil lying in a pool of his own blood, bleeding from his head. They were shocked by the scene. They screamed and called on the soldier, telling him that the boy was dead. The soldier asked the young men to stay with him and called an ambulance that probably came from Raisa area and arrived quickly. The young men found pieces of iron near Kamil’s body, and it seemed like he had been trying to collect the iron to sell it. The ambulance transferred Kamil’s body to Arish general hospital, then to Port Said for the coroner, then it was returned the next day, and he was buried in his family’s burial grounds in Arish”.*

The local journalist, "Ahmed", stated in his testimony:

*"The factory where Kamil was killed was a subsidiary to Osman Ahmed Osman's company, and it has been shut down for a long time. The factory is an open area, not surrounded by a fence, so you can see inside it clearly. The factory is about 500 meters away from the Battalion 101 base, and the battalion base is surrounded by a high fence with security cameras. Battalion 101 is surrounded by a security area of 200 meters, surrounded by barbed wire, and it is prohibited to get close to that area. It is known among the people of the area that the military allowed inhabitants of the villages of Karama and Amal to pass through the factory as a shortcut to get to Raisa neighborhood, as a way to lessen the suffering the locals had to endure the past years, as taxis and means of public transport were prohibited from going into the neighborhood, as a precaution set by security forces to secure vital security establishments from ISIS attacks."*

He added:

*"By the things the locals found near the boy's body, it seems like he went out to look for some scrap iron in the abandoned brick factory, but the checkpoint personnel were suspicious of him, so they shot him, a single gunshot to his head, specifically the left side of his jaw. The medical report and the hospital doctors' statements say that the bullet went toward the bottom of the base of his skull, which means that it was shot from a high angle. There was great sympathy from the officers at the hospital towards the boy's family, and that really showed in the way they wrote the death report, showing Kamil's total innocence from any crimes against security forces. This means his family would be able to be financially compensated, according to the law. The officers were also very eager to finish the burial permit process quickly to help Kamil's family, but of course the incident was officially reported as Kamil being shot from an unknown source, which is the norm in similar cases."*

*"I believe that the cause of the state of alert the security forces were in that day is that days earlier, a number of ISIS militants snuck into Amal village near the place of the incident and abducted 3 civilians, one of whom was a woman, and killed them. That is considered the first appearance of ISIS in this area in a long time. It seems that the security forces suspected Kamil's behavior because he was sitting on the ground and collecting things. Security forces allow civilians to pass through the area, but I think sitting there is not allowed".*

According to the information given by the eyewitnesses, the area where the child was killed witnessed no armed clashes the day of the incident that could lead the military forces to use deadly force against targets behaving in a way that they could deem sus-

picious. Additionally, the soldiers could have fired warning shots without resulting to aiming at his head.

These incidents rise to the level of extrajudicial killing, and while those actions committed by Egyptian law enforcement forces require immediate investigation, we did not record any such measures taken by the authorities during the period covered by the report, the authorities, instead, deliberately stripped away the victims' rights by writing up the incidents as against persons unknown and ensuring the incidents are not publicized in local media.

The killings committed by security and military forces outside the frame of combat are subject to the basic principles of the United Nations regarding the use of force and firearms, which are strict and binding rules that plainly require that the right to life is to be respected and that deadly weapons are not to be used except when absolutely necessary and damage is to be attempted to be reduced as best as possible.

These principles require governments and law enforcement authorities to introduce as wide a selection of means as possible, and to provide law enforcement officers with various kinds of weapons and ammunition that allow varying use of force and weapons. This should include the introduction of movement-disabling and non-lethal weapons to be used in appropriate cases, as a way of limiting the use of deadly means. Law enforcement officers are also supposed to not use firearms against individuals except in cases of self-defense; to counter danger of death or serious injury against others; to prevent a very dangerous crime that poses a threat to lives; or to capture an individual who is considered to be a threat who fights against the officers, or to prevent his escape, and only if less extreme means are not sufficient. In any way, the deliberate use of deadly firearms is not permitted except when it is in no way avoidable to protect lives. In the circumstances mentioned in the previous principle, law enforcement officers are to identify themselves as such and make a clear warning announcing their intent to use firearms<sup>[33]</sup>, and give enough time for a response to the warning, as long as it does not put them in undue danger and does not put others in danger of death or serious harm, unless it is unsuitable, depending on the circumstances of the incident.

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33-Basic Principles on the Use of Force and Firearms by Law Enforcement Officials – <https://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>



## 2- Indiscriminate land strikes leading to the fall of civilian victims

Several years ago, the environment in the Sinai Peninsula turned dangerous, with civilian lives being in danger every second, and indiscriminate strikes are one of the reasons that led to the fall of many victims and made the area a war zone with no respect for civilians. The International Humanitarian Law requires the distinction between civilians and armed militants, and almost absolutely prohibits attacks on civilians, like mentioned in additional protocol (I) to the Geneva Conventions, 1977, article 51, especially section 4-A : "Indiscriminate attacks are prohibited; those which are not directed at a specific military objective"<sup>[34]</sup>.

The Sinai Foundation for Human Rights managed to document the fall of civilian victims<sup>[35]</sup> to likely-unlawful military land strikes. The attacks documented by the foundation – in the period covered by the report – led to the death of a woman and injury of two other civilians. The foundation team conducted 5 interviews with eyewitnesses and local citizens related to these incidents.

In all of these incidents, neither the military nor the Egyptian authorities took responsibility for the fall of civilian victims, and no committees were formed to investigate what happened. In every case, the victims' families were made by security personnel to sign official documents at the hospitals that state that the injury was caused by "a strike from an unknown source", "random projectile", or "stray bullets". This is achieved by threatening the victim's family with the consequences of accusing the military or with hindering burial procedures of the deceased, which leads the victims' families to agree to signing and recording the incident in official documents as against persons unknown. This repeatedly happened even in the most clear cases where civilians fell due to military strikes, and the Public Prosecutor's office never investigated any of the cases recorded by the foundation.

A former government official who worked in North Sinai between 2012 and 2015 stated in a previous interview with Human Rights watch that the military bombing civilian houses was routine, especially with artillery. He said: *"They launched the artillery, and it fell sometimes 500 meters away from the target. Residents were always scared"*<sup>[36]</sup>.

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34-Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts - <https://www.legal-tools.org/doc/362b83/pdf/>  
<https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/Protocol%20I%20and%20II.pdf>

35-The names of victims in this chapter are real.

In previous interviews conducted by the Sinai Foundation for Human Rights with local residents in 2020, they complained to the interviewers of the psychological effects artillery falling in the vicinity of inhabited areas, the deafening noises they caused, and the shaking of the houses and breaking of windows left behind. A local citizen said: "My children are living in fear. One of them has psychological trauma and cries hard whenever he hears loud noises"<sup>[37]</sup>.

### **Indiscriminate artillery shell kills a woman and injures her daughter in Thahir village south of Sheikh Zuwayed<sup>[38]</sup>**

On 18 March 2021, the Sinai Foundation documented the fall of several artillery shells near Thahir village, around 5 km south of Sheikh Zuwayed, one of them killing a woman named Ghanima Abdullah Swelim, 54 years old, and injuring her daughter, Intisar Eid Salim, 27 years old, from Sawarka tribe. According to two testimonies acquired by the Sinai Foundation for Human Rights, the woman and her daughter were tending to their livestock by their house when the shell hit close to them.

After the shell hit, the locals hurriedly transported them to Sheikh Zuwayed central hospital, then to Arish general hospital, then the mother's body was transported to Port Said so the coroner could determine the cause of death, a journey which took 3 days, so the body could immediately be returned to the village to be buried in the village cemetery where many indiscriminate shelling and shooting victims are buried.

Thahir village is one of the villages south of Sheikh Zuwayed, and according to the Central Agency for Public Mobilization and Statistics' data in mid-2016, it had a population of about 2731, half of whom are women. This number, however, has gradually decreased due to successive waves of displacement, making the current population count 200, according to Sinai Foundation estimation. Indiscriminate shelling and shootings have caused the fall of many civilian victims, which led most families to leave the village. Lack of basic services has also increased the suffering of civilians and caused them to leave. The Sinai Foundation team met with "Elia", an inhabitant of the village. He said:

*"The afternoon of March 18th, shells were falling southwest of the village. We*

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36-Human Rights Watch's report "If You Are Afraid for Your Lives, Leave Sinai!", Human Rights Watch interview with former Egyptian government official via mobile texting, 2017, location withheld: [https://www.hrw.org/report/2019/05/28/if-you-are-afraid-your-lives-leave-sinai/egyptian-security-forces-and-isis#\\_ftn262](https://www.hrw.org/report/2019/05/28/if-you-are-afraid-your-lives-leave-sinai/egyptian-security-forces-and-isis#_ftn262)

37-Sinai Foundation for Human Rights' report: "All we want is to live", interview SFHR conducted with a local citizen in 2020 - <https://sinaifhr.org/show/99>

38-March Human Rights Report, Sinai Foundation for Human Rights, 14 April 2021 - <https://sinaifhr.org/show/79>



*saw smoke after every shell hit. The military were probably targeting Muqataa village and its surroundings, which are uninhabited, but we suddenly heard an explosion about 200 meters or a little further from the corner of the village (the mosque), and we saw smoke. We ran to see what had happened, and we saw that an artillery shell had fallen near a civilian house where an old couple lived with their daughter and her children. The shocking thing was what we saw in front of the house. The old woman had been tending to their livestock with her daughter. We saw the woman on the ground, covered in blood, and the girl was next to her, screaming and bleeding. The children were inside the house, and the old man wasn't there. It was a catastrophe, what could we do? We brought a pickup truck belonging to one of the locals and then informed the checkpoint near the village, so they'd let us out and inform other checkpoints on the way to Sheikh Zuwayed hospital. We took them to the hospital. It was a terrifying sight, especially with 4 children screaming from the shock of seeing their grandmother and mother covered in blood. Some women from the village took the children and tried to calm them down and stop them from seeing their mother and grandmother like that. This has happened in the village before. Men and women are hit by indiscriminate gunshots and shells, and the government says the source is unknown. Only God can compensate those people".*

**Another eyewitness spoke with the Sinai Foundation team, forming a full image of the incident, saying:**

*"The artillery checkpoint by the entrance to Sheikh Zuwayed was firing shells toward the south of the village at that time. This checkpoint is known for being an artillery checkpoint that fires at villages from which people had moved, and the shells sometimes fall on inhabited villages. Some shells even reach further than 20 kilometers..."*

### **Indiscriminate shell hitting a civilian in Sheikh Zuwayed<sup>[39]</sup>**

On 28 February 2021, the foundation team documented the injury of Hussain Salama Salim Riashat, 33 years old, with a piece of shrapnel due to the fall of an artillery shell near Khansaa preparatory school in Zawaraa village in Sheikh Zuwayed, while he was doing his job as a teacher in the school.

**The Sinai Foundation met with "Aiman", a citizen of the village, who said:**

*"At around 10 in the morning, we heard a loud thud and saw smoke coming from an olive farm about 200 meters away from Khansaa preparatory school*

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39-February Human Rights Report, Sinai Foundation for Human Rights, 10 March 2021 - <https://sinaifhr.org/show/70>

*for girls. We learned that a tank shell coming from the direction of a military checkpoint in Goura village had hit the place and exploded and its shrapnel reached the school and hit Mister Hussain Salama in his hand while he was standing in the school yard with colleagues. He was moved to Sheikh Zuwayed hospital. The shrapnel broke his hand. Thank God that was all the damage that was done. There were no girls at the school. These days are the days when the girls are going back to school for their exams, which means that that shell could have caused a massacre”.*

The International Humanitarian Law prohibits intentional targeting of civilians during international and non-international armed conflicts, as well as prohibiting indiscriminate attacks that are not targeted at a specific military target, and it obligates governments to promptly and transparently investigate any such violations. The authorities’ failure to conduct serious and transparent investigations and fairly compensate victims is a legal responsibility on military high command and political leadership if they are aware of such pattern of abuse and do not intervene to stop and prosecute the perpetrators. The conflicting parties are obligated to differentiate between those who take part in hostilities and civilian citizens at all times. The International Court of Justice stated in its advisory opinion on 8 July 1996 that the “principle of distinction” of targets is a “cardinal” principal of the Customary International Law.

### **3- Arbitrary detention, enforced disappearance, and torture in detention centers**

The Sinai Foundation for Human Rights recorded in 2021 the continuation of unlawful arbitrary arrests of civilians by the authorities in Sinai, which is a behaviour usually demonstrated by law enforcement authorities after attacks as part of the policy of group punishment against Sinai locals. They also make these arrests during unannounced search campaigns of neighborhoods and at checkpoints. Also, the long absence of a family member, or not finding them at a certain time could lead to the arbitrary arrest of family members or relatives present at the house at the time.

The foundation documented tens of cases of arbitrary arrest where the victims<sup>[40]</sup> did not know the reason behind their detention or what the charges were. In addition, the Egyptian authorities practice arbitrary detention and enforced disappearances in a strategic manner, under no legal action or judicial supervision, all under inhumane detention circumstances and security practices.

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40-The names of victims in this chapter are real.

In some instances, parliament members from North Sinai criticized the behavior of security forces and intervened on many occasions for the release of detainees and in a few cases, those efforts led to the release of some of them. For example, Rafah parliament representative, Salim Abu-Mraheil, said through his official Facebook page<sup>[41]</sup> on 25 March 2021 that he intervened for the release of more than 15 men and women from Sinai detained by security authorities in North Sinai and Ismailia.



الصفحة الرسمية للنائب سالم ابو مراحيل

25 March 2021 · 🌐

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من خلال المتابعه والتواصل خلال الشهور الماضيه فى اكثر من اتجاه تم وبحمد الله اولا التواصل مع السيد الوزير المحافظ ورئيس مجلس مدينه رفح بخصوص صرف تعويضات الاهالى ووعد سيادته بصرف تعويضات المنازل الى الارقام من أول شهر أبريل ثم مباشرة صرف تعويضات العدادات ثانياً ويعون الله وتوفيقه تم الإفراج عن أكثر من خمسة عشر رجل وسيدته من أماكن الاحتجاز فى محافظة الاسماعيليه وسيناء من اهالى سيناء خلال الايام الماضيه ثالثاً ومن خلال المتابعه مع رئيس مجلس مدينه بئر العبد تم اعاده توصيل الكهرباء الى اهالى رفح والشيخ زويد النازحين هناك رابعاً تم حل مشكله الكهرباء وتركيب محول جديد الى الاهالى فى الاسماعيليه فى تجمع كليو ٧ خامساً تم عقد اجتماع مع الجهات الأمنية المسئولة عن الانفاق والمعدنيات للتسهيل على اهالى سيناء بخصوص الترحيلات وتم الوعد بالتسهيل فى الإجراءات الأمنية سادساً تم تقديم طلب للسيد وزيره التضامن الاجتماعى بخصوص صرف أعانه نقديه الى اهالى رفح وسيناء واعانه الشباب وعوده من تم فصلهم من التضامن الاجتماعى وأخيراً والشكر والتقدير الى كل المسؤولين السابقين المساهمين فى مساعدته وحل مشاكل الاهالى ونطمع معاكم فى المزيد والله الموفق والمستعان

The Sinai Foundation for Human Rights met with a number of ex-detainees and relatives of current detainees, some of whom confirmed that they did not know where their relatives were being detained till a long time after, and others who had been released revealed that they had been faced with different types of mistreatment.

### Asmaa al-Said Mohamed Abdulhady Meshil

The foundation team documented the disappearance of Asmaa al-Said Mohamed Abdulhady, 25 years old, a pharmacist in Arish, after a police force from the second station in Arish, arrested her and subjected her to enforced disappearance twice, once at the beginning of her incarceration and a second time after her release was ordered by the court. Asmaa's family tried to look for her in every detention center in North Sinai, but their attempts failed and they did not manage to find her whereabouts, as the Ministry of Interior denied Asmaa's arrest. During her unlawful detention, Asmaa was subjected to inhumane treatment and was denied contact with her family and attorney.

The foundation team met with "Wafaa", a relative of Asmaa's, to find out the details of what happened. She said:

*"On 10 May 2021, a police force from the second police station in Arish went to the house and asked about Asmaa and her husband. All questions were*

41-Post shared to PM Salim Abu-Marahel's official Facebook page on 25 March 2021, date of visit 10 July 2021 - [https://www.facebook.com/permalink.php?story\\_fbid=118711570239160&id=100262955417355](https://www.facebook.com/permalink.php?story_fbid=118711570239160&id=100262955417355)

*about her husband who she was divorced from and who already died in 2016. Asmaa got married after him and did not know anything about him any longer. At that time, Asmaa was at work at the pharmacy. Her sister told them where the pharmacy was and they went and arrested Asmaa there. They told her they would ask her a few questions then send her home. She got into an officer's car, and we knew nothing about her for a month after. On 7 June 2021, someone called us and told us that they saw Asmaa at the State Supreme Security Prosecution in Cairo and that she was charged in case 620 for 2021".*

**She added:**

*"(a relative) visited her in Qanater prison around 3 times. They were very restrictive regarding visitation to the point that they sometimes would not allow clothes in and they refused to allow most food. The prosecution kept renewing Asmaa's detention for five months till Cairo Criminal Court that took place in the council chamber decided on her release on 29 November 2021. She was then transferred to the second police station in Arish in preparation for her release, but the station did not execute the order and she disappeared again and the station has denied her presence there ever since, though I am sure she is there because a girl who had been detained with her was released recently and told us that Asmaa is still detained in the station".*

**She said:**

*"I believe the reason Asmaa was arrested is because a relative of ours and her husband joined ISIS a long time ago and we lost all connection with her years ago since she joined the group. Her children suddenly appeared at our door. We did not know what to do with them so we decided that Asmaa would take them to their grandmother's house in Qantara on 7 May 2021. We did not know that was wrong. We thought that they were just children who did nothing wrong so we would take them to their relatives. Asmaa told us when we saw her during visitation that that was the reason she was arrested. Is delivering children to their relatives a crime that deserves all the suffering Asmaa is going through? Some time after, my sister in law escaped ISIS with her husband and older son who remained with her and went to Cairo with her husband and children. When she learned of what had happened to Asmaa and that she had been arrested for delivering her children she went and turned herself in to national security in Cairo, and national security sent a car that took her from Cairo to Arish, then released her and her older son fifty days later, but her son is still in custody. She went to National Security several times after that with her children and told them to arrest her and release Asmaa, but they refused and made her leave".*

Later, on 19 May 2022, Asmaa was released after being subjected to 5 months of enforced disappearance.

### **The enforced disappearance of a minor for 17 months**

On 1 November 2021, the foundation's legal team documented the appearance of Huda Abdelrahman Ali Abdrabbuh, 18 years old, before the Supreme State Security Prosecution after four enforced disappearance periods of close to two and a half years. She and her mother, Sabah Suliman Saleem, were arrested on 19 December 2019 when Huda was still a 16-year-old minor. Huda was subjected to enforced disappearance for 6 months by security services before she was brought before the prosecution in Ismailia on 22 June 2020 for interrogations pending proceedings for case number 1215 for the year 2019, Arish chief administration, for the court to order her release on 27 June 2020.

Security services refrained from executing the release order and she was instead forcibly disappeared for the second time till she appeared before the State Supreme Security Prosecution in Cairo in relation to case number 810 for the year 2019, for the prosecution to order her release on 21 December 2020, but security authorities refused to execute the order and instead subjected her to enforced disappearance for the third time for 4 months after which she appeared before the Ismailia prosecution on 27 April 2021 for interrogations regarding case number 443 for the year 2021. The prosecution decided on Huda's release on 30 April 2021, but the security authorities refused to execute the order and instead subjected her to a fourth period of enforced disappearance which lasted 6 months till she appeared on 1 November 2021 before the Supreme State Security Prosecution in relation to a new case numbered 1935 for the year 2021 where she was charged with joining a terrorist group, which is the same charge she had faced in previous cases where her release was ordered. Every time Huda met the investigators, they ignored her statements regarding her enforced disappearance, and did not fact check her statement on the actual date of her arrest and illegal detention in detention centers that are not suitable with her being a minor. The prosecution decided on Huda's precautionary detention in relation to case number 1935 for the year 2021, and this is still the case at the time of writing this report.

### **Hind Khalil Abdulghany**

A systematic series of abuses to which "Hind Khalil Abdulghany Mohamed", 39 years old, resident of Nakhl town in central Sinai, was subjected was monitored and documented by the foundation team. Security authorities recently refrained from executing the order of the council chamber that took place at the criminal court, second terrorism chamber, on 14 April 2022, ordering her release with precautionary measures and requir-

ing she visits the police station at which she is registered twice a week, on Sundays and Wednesdays, from 3 till 7 PM. The foundation team documented that the authorities in the first police station in Arish mark Hind in official papers as an “evader” of precautionary measures, holding her legally accountable, and relieving the police station of the legal accountability of her enforced disappearance.

Hind had been arrested for the first time on 22 May 2021 while travelling from Arish to Cairo to visit her husband who has been imprisoned in Tora prison since 2004 after what is called the “Taba attacks”. Hind contacted her family before her arrest when she was being searched at a security checkpoint near the Suez Canal ferry in Qantara town east of Sinai, and she told them that she was stopped, searched, and interrogated by security officers and that they told her to wait for the results of the security check. Hind’s family did not expect that she would be detained as they were used to the indiscriminate stopping of civilians while they used the ferry leaving or going to North Sinai for years. However, they were surprised by another call from Hind an hour after the first one, telling them that a national security officer asked her to go with him for investigation, reassuring her that she would not be detained and that she would return home in two hours at the latest. What happened though was that Hind’s phone was switched off an hour later and was not switched back on again.

Hind’s family could not manage to learn anything about their daughter’s fate, as they asked about her in official detention centers near where she was arrested and near her place of residence, because a family member asked about her in the national security base in Arish and was told that no one is detained at national security bases and advised to go to the police station where their place of residence is registered and file a disappearance report, and he was warned not to go near the national security base in Arish again. Hind’s family took all possible legal actions to try and keep her alive, and they learned later from an attorney that Hind appeared before the Ismailia prosecution on 19 June 2021 after a month of enforced disappearance, as she spent the first few days of her detention at the national security base in Ismailia, then was transported to the national security base in Arish till she appeared before the Ismailia prosecution pending case number 424 for the year 2021.

The Ismailia prosecution decided the continuation of Hind’s detainment for four days pending investigation, and according to one of the attorneys who were present during Hind’s interrogation, the prosecution’s questions revolved around her three brothers who were killed in 2017 while fighting alongside ISIS in Sinai. Days after Hind was brought before the Ismailia prosecution, her release was ordered on 23 June 2021, however,



the relevant authorities refused to execute the order. Hind's family learned that she was unofficially detained for four months in the first police station in Arish, then was transferred to an unknown location on 26 October 2021, where she remained subject to enforced disappearance. Hind's family knew nothing about her fate after that, as all official centers at which the family inquired denied Hind's presence, and the family was told by an officer at the first police station - where Hind disappeared for four months - that *"they executed the prosecution's order and she was released from the station, and that they were not responsible for her escape from her family"*.

Hind's family received unofficial information that she was at the Qantara police station in Ismailia, and this information was confirmed by several people who were recently released who said they met her inside the station. Hind's family went to the Qantara police station where Hind's presence was denied, and it was stressed that her name is not on official lists of defendants present at the station. Later on 2 November 2021, the family unofficially learned once more that Hind was transferred for a third time to Abu Suwir police station in Ismailia where she was detained for one day before being transferred and brought before the State Security Prosecution in Cairo on 3 November 2021 with a new arrest report, pending a new case numbered 1935 for the year 2021, charged with joining a terrorist group. The Sinai Foundation learned through an attorney that Hind stated during interrogations before the prosecution that during 6 months of unofficial detention, she was subjected to torture, beating, and electrocution to sensitive parts of her body.

The prosecution decided on her precautionary detention pending the case and she was transferred to Qanater women's prison. 15 days after Hind's appearance before the prosecution, a member of her family visited her, and during the visit, Hind said that she was subject to torture and severe beating during her unlawful detention, and that the interrogations during her torture revolved around one of her relatives and her brothers who were involved with an armed group in Sinai and were killed during the war in 2016 and 2017, and that she was also asked about her husband who had been imprisoned since 2004 in relation to the case known in the media as the Taba attacks. Hind told her interrogators that her husband had not received a sentence till then after the death sentence he had received was overturned, and that he had been in precautionary detention for close to ten years and that he knew nothing about that case, and that she had no relations with any members of armed groups or people who engage in acts of violence.

After 6 months of preventative detention pending the case, on 14 April 2022, Hind's release with precautionary measures was ordered by the council chamber that took place at the criminal court, third terrorism chamber, however, her fate is still unknown as her

family does not know her whereabouts since she received the release order and till this report was written, as the relevant authorities refused to execute the release order and instead detained Hind in an unknown location.

Hind's family asks security authorities to reveal where she is being held, and they call upon the authorities to return her to her four children, as she has been the sole provider for them since their father was arrested in 2004. The family also hold the security authorities accountable for Hind's wellbeing after they learned of her being subjected to torture and inhumane detention conditions.

### **Eid Ahmeed Ahmed Salama**

The foundation's legal team monitored on 16 October 2021 the appearance of Eid Ahmeed Ahmed Salama, 21 years old, before the Supreme State Security Prosecution after two enforced disappearance periods of two and a half years. The prosecution ignored his statements regarding the two enforced disappearance periods and did not mention the actual date of his arrest in official documents, as the defendant appeared before the National Security prosecution with an arrest warrant written on 16 October 2021 when the actual date of his arrest was 10 April 2019 when he was arrested while passing through a security checkpoint on the Sheikh Zuwayed/Arish road then was transferred to the national security center in Arish for 4 days before being transferred to the central prison in Arish where he was incarcerated for two years and three months till he was brought before the Ismailia prosecution on 13 July 2021 which ordered his release.

However, the Ministry of Interior refrained from releasing him and he was once more forcibly disappeared in Arish central prison for 3 months till he was brought before the state security prosecution on 16 October 2021 to be recycled in another case numbered 1935 for the year 2021 where he was charged with knowingly joining a terrorist group. According to an attorney who met with Eid, he denied during interrogations being related to armed groups and said that he worked as a vegetable merchant beside his studies as he is the sole breadwinner for his family due to his father's illness since 2014.

### **Subhi Khamis Subhi Muslim**

The foundation team monitored on 18 October 2021 the appearance of "Subhi Khamis Subhi Muslim", 39 years old, before the Supreme State Security Prosecution after two periods of enforced disappearance for almost two years. The prosecution ignored the defendant's statements regarding the two enforced disappearance periods and did not mention the actual date of his arrest in official documents, as the defendant appeared before the state security prosecution with an arrest warrant written on 18 October 2021 when the actual date of his arrest was 28 September 2019.



He was arrested in Arish and remained detained by national security in Arish for 14 months till he appeared before the general prosecution in Ismailia in November 2020 and remained detained in relation to the case till his release was ordered by the prosecution in January 2020, however, the Ministry of Interior refrained from carrying out the release order and Subhi was forcibly disappeared for a second time for 3 months in the second police station in Arish, then for 6 months in Ismailia security teams camp till he was recycled and brought before the State Security Prosecution in Cairo on 18 October 2021 in relation to a new case numbered 1935 for the year 2021 where he was charged with knowingly joining a terrorist group.

### **Musbah Farhan Subhi Salim**

The foundation's legal team documented on 30 October 2021 the appearance of "Musbah Farhan Subhi Salim", 36 years old, before the Supreme State Security Prosecution after being forcibly disappeared for two periods of almost nine months. The prosecution ignored the defendant's statements regarding the two enforced disappearance periods and did not mention the actual date of his arrest in official documents, as the defendant told the prosecution that the actual date of his arrest was 27 January 2020 when he was arrested near his home in Arish by security forces from the second police station of Arish where he remained detained for 5 months till he appeared before the general prosecution in Ismailia on 23 June 2020 for the prosecution to order his release on 27 June 2020. However, the Ministry of Interior refrained from executing the release order and Musbah was forcibly disappeared a second time by national security for 4 months before being recycled and brought before the State Security Prosecution on 30 October 2021 in relation to a new case numbered 1935 for the year 2021 where he was charged with knowingly joining a terrorist group.

### **I do not know why I am here**

On 4 November 2021, the foundation's legal team documented the appearance of "Maliha Selmy Mashhour Salama", 27 years old, before the Supreme State Security Prosecution after a forced disappearance period of two months. She was arrested at a military checkpoint on the Qantara/Arish highway on 12 May 2021 and was brought before the military prosecution in Ismailia on the same day. The prosecution ordered her release 3 months after her arrest, however, security services did not execute the release order, and she was instead forcibly disappeared in the first police station of Arish for two months until she was brought before the Supreme State Security Prosecution on 4 November 2021 in relation to a new case numbered 1935 where she was charged with joining a terrorist group.

According to an attorney who was present during some of her interrogation before the Supreme State Security Prosecution in Cairo, Maliha said: "My father and my brother are

## **4- Terrorization, torture, mistreatment, and arbitrary detention of relatives of wanted persons**

The Sinai Foundation for Human Rights documented the continuation of unlawful arbitrary arrests in a pattern of abuse practiced by security authorities towards the people of North Sinai in order to expand the circle of suspicion or as leverage against wanted elements by taking a family member as hostage with no legal justification to pressure their wanted relatives into turning themselves in.

During the period covered by the report, the foundation documented the arrest of several women who were threatened by police officers with charges to force them into giving them information. One of the women was also beaten and dragged for information on her mother's whereabouts. The foundation's team also documented tens of arbitrary arrests, including that of minors who were subjected to enforced disappearance to pressure their families into turning themselves in. What follows are testimonies taken down from victims by the Sinai Foundation for Human Rights, and some information has been obscured upon their request and for their safety.

### **Arbitrary detention of two children, their enforced disappearance, and denial of their rights stipulated by the legislator**

The Sinai Foundation for Human Rights recorded on 10 June 2021 the appearance of the children Abdul-Rahman Ibrahim Suliman Zuraiy, 13 years old, and Shady Samy Suliman Zuraiy, 16 years old, before the Supreme State Security Prosecution in Cairo after a period of enforced disappearance that lasted 17 months.

Both children come from one family which lived in Muqataa village south of Sheikh Zuwayed in North Sinai. It was one of the families that moved from south of Sheikh Zuwayed to live in Ras Sedr in South Sinai governorate, due to armed clashes between the Egyptian military and ISIS in the area.

On 23 February 2018, the family was shocked by security forces arresting the two aforementioned children, alongside the arrest of their fathers and grandfather in clear violation of the Egyptian constitution and law number 12 of the 1996 Child Law. After their arrest, the children were held for a week with no legal action, then they were both brought before the public prosecution, which repeatedly renewed their temporary detention for a year and a half without trial. The court later ordered their release on 16 November 2019, but security forces refused to release them despite the court order, and instead kept the children in an unknown location for 11 months, which is a crime of enforced disappearance, according to the Egyptian constitution and law.

Later, on 25 October 2020, the two children were brought before the public prosecution in relation to a new case, and the court renewed their incarceration for two months before ordering their release for the second time on 12 December 2020. The order was again refused to be carried out by security authorities who kept the children for the second time for 6 months after the order of their release till they appeared again on 10 June 2021 before the Supreme State Security Prosecution in Cairo in relation to case number 620 for the year 2021 where they were charged with belonging to a terrorist group, and they were subsequently imprisoned in Tora Istiqbal (reception) prison in Cairo. They are both still in prison till the time of writing this report.

This incident is a violation of a number of rights provided by the Egyptian law, where article 7-bis (b) of the Child Law states that: “The State shall ensure the protection of the life of the child, his safe and secure upbringing away from armed conflicts, and ensure that he shall not engage in any acts of war. Furthermore, the State shall, in cases of emergency, disasters, wars, and armed conflicts, ensure the respect of all his rights, and shall take all necessary measures to prosecute and penalize any person who commits against the child any acts of war crimes, genocide, or crimes against humanity”. The Public Court’s rulings to release the minors were also not carried out, instead, security forces kept the minors in an unknown location for 17 months, and according to Article 54 of the Egyptian Constitution: “Personal freedom is a natural right which is safeguarded and cannot be infringed upon. Except in cases of in flagrante delicto, citizens may only be apprehended, searched, arrested, or have their freedoms restricted by a causal judicial warrant necessitated by an investigation. All those whose freedoms have been restricted shall be immediately informed of the causes therefor, notified of their rights in writing, be allowed to immediately contact their family and lawyer, and be brought before the investigating authority within twenty-four hours of their freedoms having been restricted. Questioning of the person may only begin once his lawyer is present. If he has no lawyer, a lawyer will be appointed for him...”.

### **“Aisha”.. beating and dragging for an officer’s “promotion”**

The foundation team met with “Aisha”<sup>[42]</sup>, resident of Arish, where a police force from (.....) police station arrested her from her house on 16 August 2021. She told us: “They had previously arrested me from my home on 4 August 2019 and detained me for 21 days, I was 6 months pregnant then, because a relative of mine is wanted. I assured them that he had been killed, but they still continued to harass me. After my release, I stayed in constant contact with the police station chief at his request, until he was pro-

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42-Fake name given to a woman living in Arish interviewed by the foundation through text messages on 30 August 2021.

moted and moved from the station, and we lost contact. I started getting back to my life; I thought my problem was solved, till 16 August 2021 at 3 in the afternoon when the chief of detectives (...) from (...) station in Arish came to my home. This is a different station from the one I was previously detained at, and it's not even the one my home address is registered at. The chief of detectives asked me where my mother was, and I told him that she wasn't at my home. He said that they were just at her place and were told that she was visiting me, and I said that she wasn't. They searched the apartment then told me to go with them. They took me to the station, where the officer kept slapping me telling me he wanted to be promoted like (...), so I should give him information about my relatives, and he asked me about people I did not know. He threatened me, saying: 'This time, you won't get out. We're going to slice you up and eat you for dinner'. After they beat me, they dragged me on the floor from inside the station to the car, and they took me with them to go and get my mother. When they didn't find her where I took them, they humiliated me in the street and the officer told me: 'We'll come after two days. If you fear for your and your children's lives, your mother would better be here'. It was a very hard day. They took me in the afternoon and let me go at night".

### **"Wafaa"<sup>[43]</sup>**

The Sinai Foundation team documented the arrest of "Wafaa" on 17 August 2021 while she was crossing the Suez Canal on the Qantara ferry, on her way to Cairo.

**The foundation met a relative of hers to learn the details of what happened.**

**She told us:**

*"Wafaa is 53, and can't handle this. Her husband was arrested in 2014 and she is the one supporting and raising her daughters. She was going to Cairo to visit her brother, but she did not arrive there and her phone was switched off. We called again and again till her phone was switched back on at around 6 in the evening. When we kept calling but she didn't pick up, we realized she'd been arrested because the last time she called us, she was on her way to the ferry and the search on the ferry is very annoying and a lot of the time they keep people there for hours and arrest a lot of people. However, we couldn't do anything before 24 hours were up so we could file a report or send a telegraph. We stopped calling her phone because we didn't want its battery to die. There was no news and we did not know what happened to her, then at 12 AM, we decided to call a lawyer who told us to wait till morning. At 2 AM, she called us and told us she was on her way home. When she arrived, we learned that she'd been kept at the ferry checkpoint all that time. They did not want anything from*

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43-Fake name given to a woman living in Arish interviewed by the foundation through phone calls on 19 August 2021.

*her, they wanted to know about her sister. They then gave back her things and let her go. Wafaa's sister is wanted by the police, what has Wafaa got to do with it all?"*

**"Huda"<sup>[44]</sup>**

Miss Huda from Arish: her home was raided by a police force from (.....) station to arrest her, and when they did not find her, the force headed toward her relatives' home and arrested two of them to pressure her into turning herself in, which is what happened on 18 August 2021.

**The foundation team took Huda's testimony, where she said:**

*"I turned myself in at (.....) police station because I was wanted there and two of my relatives were arrested so I would turn myself in. I did not know why, but I went to the station at around 5 in the evening. I took one of my relatives with me. They made her stay in the police secretaries' room, blindfolded me, and took me to the chief of detectives' office. They asked me about two of my relatives who are wanted, and I told them I didn't know anything about them. The officer yelled at me, and I kept swearing that I did not know. They let me out of the office, and gave me and my relative blank sheets of paper, even though they wanted nothing from her, I only took her with me because I was afraid they would not let me go, they left us outside in the secretaries' office for a while, then asked us to write our names, ID numbers, ages, our husbands' names, and their jobs, then made us hold the sheets like a prison card, and took photos of us holding them. While we were there, we heard women scream in holding cells, banging on the door, asking to use the bathroom. I heard maybe 3 or 4 women, and police secretaries were yelling at them, refusing to let them out, probably because they did not want us to see them. We heard the women's screams till we left at around 8 in the evening".*

These testimonies reveal the hardships faced by the people of North Sinai and the security forces' ongoing violation of binding covenants and laws, as article 9 of the International Covenant on Civil and Political Rights states that: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law". The Egyptian constitution also states in article 54 that "Personal freedom is a natural right" and that "citizens may only be apprehended, searched, arrested, or have their freedoms restricted by a causal judicial warrant necessitated by an investigation. All those whose freedoms have been restricted shall be immediately informed of the causes therefor, notified of their rights in writing, be allowed to immediately contact their family and lawyer".

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44-Fake name given to a woman living in Arish interviewed by the foundation on 1 September 2021.

## 5- Medical negligence and inhumane treatment in prisons

The Egyptian law and the International Humanitarian Law give prisoners or detainees the right to proper medical care and punishes those who prevent a prisoner from enjoying this right. According to article 486 of the Egyptian code of criminal procedure: "If a person sentenced to a freedom-restricting punishment has a life-threatening illness or if execution of the sentence will put the life thereof in jeopardy, execution of the punishment may be postponed", and chapter 1 of article 6 of the International Covenant on Civil and Political Rights states that: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life".

### **The death of a detainee in a detention center due to medical negligence:**

On 5 May 2021, the Sinai Foundation for Human Rights documented the death of the detainee Ehab Yunes Mohamed al-Abd al-Kashif, 50 years old, resident of Arish in North Sinai. He died while detained in Wadi el-Natrun prison due to medical negligence and the prison authorities' failure to provide him with the appropriate medical care. He suffered from several illnesses as complications of diabetes, and his medical state was very bad and required him to be urgently transferred to a hospital to have one of his feet amputated.

According to the information obtained by the Sinai Foundation from the deceased's attorney, Ehab had been arrested in 2014 and was placed in al-Azouli prison<sup>[45]</sup> in the el-Ga-la military base, pending cases:

- 396 for the year 2013 Military Criminal/ Total/ Ismailia. Sentence of 15 years.
- 374 for the year 2014 Military Criminal/ Total/ Ismailia. Sentence of 3 years.
- 183 for the year 2014 Military Criminal/ Total/ Ismailia. Acquittal.

In addition to the ban on military prosecution of civilians by the international law, these three cases were objectively flawed, according to the deceased's attorney, as there were no physical evidence or eyewitness reports recorded in the case files. The court issued its ruling in case 396 for the year 2013 based only on the investigations of military prosecution and intelligence services, and in the other two cases based its ruling on the investigations of the second police station of Arish and of national security.

The Sinai Foundation for Human Rights and other human rights organizations have previously documented the evil and inhumane detention conditions at what is called al-Azouli prison. During his detention in there, Ehab was subjected to multiple violations

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45- The Guardian, Egypt's secret prison: 'disappeared' face torture in Azouli military jail, 22 June 2014 - <https://www.theguardian.com/world/2014/jun/22/disappeared-egyptians-torture-secret-military-prison>

including physical abuse, deprivation of food and exercise, and detention in inhumane conditions before being transferred to Wadi el-Natrun prison to serve out a sentence of 18 years, but he died 6 years into his sentence. It is worth mentioning that his wife died last year after a battle with cancer, leaving behind 3 daughters who have no one to support them.

## **6- Unfair show trials**

The Sinai Foundation for Human Rights monitored during the period covered by the report several abuses through trials that could be described as lacking standards of fair trial where detainees appeared before the court after various periods of enforced disappearance. Some of them were detained by security forces and subjected to enforced disappearance after their release was officially ordered and after exceeding the two years of the maximum legal period of precautionary detention dictated by the law. The foundation also documented various abuses of rights granted by the law to children under 18 years of age.

Additionally, the foundation documented the continuation of detention of arrested persons without permission from the relevant judicial authorities, and in unofficial detention centers which fall under no judicial supervision. The foundation also documented tens of cases where security authorities refused to release individuals after their release was ordered and instead charged them in new cases whose subject matter is the same as the ones where their release was previously ordered.

It is worth mentioning that the investigative body's behavior shows intent to disregard all of these clear abuses and legal violations, as it did not do its duty of initiating criminal proceedings against those who detained the civilians, and did not summon the security force that accompanied the defendants to fact-check their stories saying they were brought from unofficial detention centers where they were subjected to physical and emotional abuse.

Interrogation authorities also continued to use the same charges in new cases despite the defendants' release being ordered in previous cases with the same charges, which is a grave violation of the simplest principles of fair trial and precautionary detention. In many cases monitored by the foundation, the prosecution deliberately prevented the defendants' attorneys from accessing investigation reports and the evidence the prosecution used as a basis for detaining the defendants so the attorneys could refute or comment on them during their defense, and in other cases, refused to allow the attorneys to be presents with their clients during interrogations, and in others, refused to allow defendants to contact their families and attorneys.



### **Group renewal of detention in 15 minutes**

The foundation's legal team documented the Cairo Criminal Court's "third chamber for criminal cases" that took place on 18 August 2021 at the Institute of Police Secretaries, headed by Chancellor Mohamed Abdel Sattar, renewing the detention of 148 defendants who were in pre-trial detention in relation to case number 810 for the year 2019, including 5 individuals who had been released with precautionary measures in the same case. The case includes 14 women, 18 men, and two children from North Sinai, and the charges revolve around knowingly joining a terrorist group and providing it with logistic support.

The court decided to renew the detention of all defendants, including those who had been released with precautionary measures. This decision was not reviewed by the prosecution first, and after it was, the renewal of detention of all defendants was confirmed. Before the start of the session, the court asked the present attorneys to record their names on a sheet of paper to prove their attendance. The chamber head decided to renew the precautionary measures in the case of the aforementioned defendants without hearing their attorneys or looking into the case files. The session ran its course without the attendance of any of the defendants, and the trial panel refused hearing requests or defense from lawyers. It is worth mentioning that the renewal session did not last more than 15 minutes to look into the detention of 148 defendants.

This points to the fact that pretrial detention renewal sessions presented to the third chamber headed by Chancellor Mohamed Abdel Sattar in no way follow the constitution and the criminal procedure law, they are rather borderline hasty arbitrary prosecutions, which makes it safe to say that they are a waste of the rights of defense and fair trial.

### **Recycling**

The foundation's legal team documented on 17 November 2021 the appearance of "Osama Azmy Hassan Mohamed", 31 years old, before the Supreme State Security Prosecution in Cairo in relation to case number 1935 for the year 2021. Osama is a communication engineer, and he resides in Arish. He was charged with joining the Sinai Province group by the prosecution, which he denied during interrogations, and he insisted that the arrest date stated in the arrest warrant is incorrect and that the Ministry of Interior refrained from releasing him after he finished a five-year prison sentence in another case. The prosecution disregarded his statement regarding his forced disappearance and did not fact-check it.

Osama mentioned before the prosecution during interrogations that a force from the first police station in Arish arrested him on 1 November 2014 and he was detained in the national security base in Arish. There, he learned that he was being charged in case



423 for the year 2013, publicly known as Ansar Bait al-Maqdis case since May 2014. A week later, he was brought before the Cairo criminal court held in the Institute of Police Secretaries. The case remained under deliberation till the court ordered on 2 March 2020 the imprisonment of the defendant for five years and probation for five years for joining a terrorist group. According to this ruling, the defendant finished his full sentence, and the prison administration was to transfer him to the police station where his place of residence is registered to finalize his release procedures. However, the defendant remained in custody in Tora maximum-security prison for 4 months despite finishing out his sentence.

The prison administration transported Osama on 15 July 2020 from Tora prison in Cairo to the first police station of Arish in preparation for his release. According to Osama's attorney, the first police station of Arish informed him on 27 July 2020 that he would be released, they took his fingerprints and asked him to sign an undertaking to turn himself in to the station on a daily basis for 5 years for the purpose of monitoring. Nonetheless, the station authorities did not release Osama despite finishing all the release procedures and detained him in the station for 55 days after which he was transferred to the national security base in Arish on 23 September 2020.

Osama was forcibly disappeared for almost a full year in inhumane conditions that led to the deterioration of his health and his transfer to Arish general hospital on 20 September 2021 where he was in treatment for 15 days before being transferred back to the national security base in Arish. He was brought before the Supreme State Security Prosecution on 17 November 2021 to be recycled in relation to a new case numbered 1935 for the year 2021. The prosecution charged him with joining the Sinai Province group, which is the same charge for which he served a sentence of 5 years after which he was not released.

### **Government consultant in Morsi's administration**

The foundation's legal team documented on 2 December 2021 the appearance of Hatim Mohamed Ahmed Rashid, 45 years old, before the State Supreme Security Prosecution in Cairo after two months of enforced disappearance only to be recycled back in relation to a new case numbered 2467 for the year 2021 and charged with joining a terrorist group after the prosecution ordered his release for exceeding the maximum period of preventative detention.

Hatim is a resident of Bir al-Abd, who worked as a doctor, and was also a consultant to the Minister of Supply during President Mohamed Morsi's presidency.

Hatim's journey started on 17 January 2017 when he was arrested alongside 5 people

the authorities said were members of the Muslim Brotherhood<sup>[46]</sup> by security forces at a residential apartment in Cairo. Two days after his arrest, he was brought before the public prosecution on 19 January 2017 in relation to case number 145 for the year 2017. He remained in preventive detention for two years until the public prosecution ordered his release on 17 March 2019. However, the security services refrained from executing his release order and subjected him to 4 months of enforced disappearance in the national security base in Ismailia until he was once more brought before the public prosecution on 17 July 2019 for him to be recycled into case number 800 for the year 2019 after the police wrote an official warrant for his arrest with a recent date.

Hatim remained in preventive detention for two more years in relation to case number 800 for the year 2019 before the public prosecution ordered his release on 5 October 2021. He was then transferred to Qantara Gharb (west) police station in preparation for his release but the security services refrained from executing the release order and he was subjected once more to two months of enforced disappearance where he was detained at the Qantara Gharb police station until he was transferred to the national security base in Ismailia on 2 November 2021 to be recycled for the second time in relation to a new case numbered 2467 for the year 2021.

The prosecution confronted the defendant with charges related to flyers and leaflets the police stated in its official arrest warrant were found on him. Hatim absolutely denied these accusations and stressed on the impossibility of the legitimacy of this evidence for he had not been released since 2017, which he demanded the prosecution investigates.

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46-Al-Arabiya.net, arrest of 8 Muslim Brotherhood leaders who were planning operations in Egypt, 18 January 2017 - <https://www.alarabiya.net/arab-and-world/egypt/2017/01/18/-من-قيادات-الإخوان-كانت-تخطط-لعمليات-بمصر>

## 7- Extrajudicial executions

During the period covered by the report, the Sinai Foundation for Human Rights team followed and analyzed all press data coming from the Egyptian ministries of defense and interior related to anti-terrorism in North Sinai. The Ministry of Interior published one statement with a total of three kills, and the Ministry of Defense published two statements during 2021 with a total of 102 kills, and all the data points to the killed being militants who died in clashes with government forces.

A compilation made by the foundation shows a tangible decrease in press releases from the ministries of defense and interior related to anti-terrorism operations in Sinai, and also in the numbers of killed militants included in the statements in 2021 compared to previous years.

In 2021, the Egyptian Ministry of Defense issued (2) press releases with a total of (102) killed persons, while in 2020, it issued (8) press releases with a total of (305) killed persons, and in 2019, it issued (4) press releases with a total of (243) killed persons. While the Egyptian Ministry of Interior issued in 2021 (1) press release with a total of (3) killed persons, while in 2020, it issued (6) press releases with a total of (66) killed persons, and in 2019, it issued (15) press releases with a total of (92) killed persons.

	2019		2020		2021	
	Kills Number	Statements number	Kills Number	Statements number	Kills Number	Statements number
The Egyptian Military	243	4	305	8	102	2
The Ministry of interior	92	15	66	6	3	1
Total	335	19	371	14	105	3

Table (1): 1: Shows the number of press releases issued by the ministries of defense and interior and the number of killed militants during 2019, 2020, and 2021. Source: The Sinai Foundation for Human Rights

Despite the statements made by the spokesmen for the ministries of defense and interior mostly lacking any information on the identities of those killed or where they were targeted in a clear manner, the foundation's team documented in 2021 a cold-blooded execution that was filmed and showcased as a military accomplishment in an official statement, and the team also previously<sup>[47]</sup> documented the presence of fabricated information in several official statements, which poses many questions regarding the integrity of this data.

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47 - "All we want is to live", Sinai Foundation for Human Rights, 23 September 2021 - <https://sinaifhr.org/show/99>

The foundation also documented an extrajudicial execution of two brothers while they were on a farm west of Sinai.

### **Bragging about cold-blooded execution**

On 1 August 2021, the military spokesman for the Egyptian armed forces shared – on his official Facebook page – a statement<sup>[48]</sup> regarding the outcome of military operations in Sinai during a period not specified in the military propaganda video which celebrated the military executing 89 militants during the unspecified period.

Sinai Foundation researchers analyzed the events and photos in the spokesman's statement. The propaganda video displayed several segments the narrator called "qualitative military operations", which showed a soldier shooting a person at close range while he slept in a tent. Another part shows an unarmed man being shot from above while he ran in the desert before falling to the ground. The previous shots show Egyptian military personnel killing two unarmed men with no regard to the law, as it was clear that they were unarmed and posed no direct threat to life or momentary threat to government forces.

Amnesty International said in a statement<sup>[49]</sup> after analysing that same military propaganda video: "The deeply disturbing footage in this Egyptian military propaganda video, which celebrates the armed forces' deliberate cold-blooded killings of two unarmed people clearly not posing a threat to life, offers a glimpse of the shocking crimes committed in the name of countering terrorism in Egypt".

The organization pointed that: "The soldier seen in the video shooting at the man in the tent uses an M4 Carbine with a PEQ Aiming Light and an Advanced Combat Optical Gun-sight, both are American-made", adding that Egypt "with annual military aid amounting to 1.3 billion USD, Egypt is among the largest recipients of military aid from the USA". The release stated that: "The international community including the USA and EU member states must urgently halt the transfer of arms or military equipment where there is a clear risk that these may be used to commit human rights violations".

It is worth mentioning that international human rights organizations had accused the Ministry of Interior and the military several times of committing extrajudicial executions. Among those incidents is when Human Rights Watch issued a statement on 16 March 2017 accusing the Egyptian Ministry of Interior of extrajudicially killing 6 to 10 men in a

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48-Statement by the General Command of the Armed Forces shared on the military spokesman's official page, published on 1 August 2021, date of visit 1 August 2021 - <https://www.facebook.com/EgyArmySpox/posts/364820491916339/>

49-Amnesty International, Egypt: Investigate evidence of extrajudicial executions by Egyptian army in North Sinai, published on 5 August 2021, date of visit 7 August 2021 - <https://www.amnesty.org/en/latest/news/2021/08/egypt-investigate-evidence-of-extrajudicial-executions-by-egyptian-army-in-north-sinai/>

house in Arish, North Sinai, and fabricating a video raiding a house to cover for it<sup>[50]</sup>.

Amnesty International also issued a statement<sup>[51]</sup> on 21 April 2017 accusing the Egyptian military of being responsible for at least seven unlawful killings, including shooting an unarmed man and a 17-year-old child at point-blank, killing them both.

### **The murder of two brothers on their farm west of Sinai**

The Sinai Foundation for Human Rights documented on 19 March 2021 the possible unlawful execution of the two brothers Khaled Mahmoud Hassan Aiad, 22 years old, and Hussam Mahmoud Hassan Aiad, 20 years old, by security forces gunfire during a security campaign on Gilbana village, west of Sinai.

The Sinai Foundation met with an eyewitness who said that he saw the two young men working on their farm south of Gilbana, on 29 March 2021, one day before their bodies were found at the farm with bullet wounds in various parts of their bodies.

An eyewitness added that he saw four military armored vehicles a little before afternoon passing by his farm then stopping far from the side road close to the farms, and soldiers getting out and following the path of a motorbike owned by the brothers who were working on the farm at the time. After some time, he heard heavy gunshots, but he was not sure at the time of what happened and thought that they were warning shots like the ones used by military forces when moving in an open area. The witness added that because of the security and military presence that lasted about an hour and a half, none of the farmers or inhabitants went toward the force fearing shots being fired from time to time.

The witness continued that on the next day, 30 March, he noticed unusual movement of inhabitants at the farm where the brothers worked, and when he went to the farm, he found the two young men shot dead. He said that the military force stopped by the farm on the afternoon of the previous day, showing that they are the ones who killed him, thinking that they were armed (according to the witness's testimony). He added that he saw shell casings he believed belonged to the military at the scene of the incident, and he said he believed that because they had (ARE)<sup>[52]</sup> stamped on the outside of the shell casings, as they are the same bullets he saw while fulfilling his military service.

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50-Egypt: Possible Extrajudicial Killings in Sinai, Human Rights Watch, 16 March 2017 - <https://www.hrw.org/news/2017/03/16/egypt-possible-extrajudicial-killings-sinai>

51-Amnesty International, Egypt: Video of extrajudicial executions offers glimpse of hidden abuses by military in North Sinai, published on 21 April 2017, date of visit 7 August 2021 - <https://www.amnesty.org/ar/latest/news/2017/04/egypt-video-of-extrajudicial-executions-offers-glimpse-of-hidden-abuses-by-the-military-in-north-sinai/>

52-Ammunition made at Egyptian military production factories or made abroad for the military is stamped with the letters ARE, the acronym for the Arab Republic of Egypt.

The witness confirmed that local elders close to the government delivered an apology from the military to the victims' family days after the incident, saying that what happened was an unfortunate mistake, and promising that the government would financially compensate the victims' family.

On the other hand, social media showed great sympathy for the victims' family, and many local citizens shared posts about the two young man and called them martyrs<sup>[53]</sup>, but people<sup>[54]</sup> avoided mentioning the killer like what usually happens every time civilian victims fall to military gunfire, for fear of being branded as opposed to the military, which comes with potential danger.

The eyewitness testimony shows that the brothers, during the short raid during which they are believed to have been killed, posed no threat to the security force, and did not behave in a way that could be seen as dangerous, requiring the use of deadly force, making this incident a possible extrajudicial execution by members of an official force.

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53 Posted on a personal account of a local inhabitant from the victims' family on Facebook on 30 March 2021, date of visit 20 May 2021 - <https://www.facebook.com/100004386281732/posts/1860139350808923/?d=n>

54-Posted on a personal account of a local inhabitant on Facebook on 30 March 2021, date of visit 1 April 2021 -<https://www.facebook.com/groups/50292504777/permalink/10160976342759778/>

## 8- Compensation of victims of military operations and forced displacement

The issue of forced displacement and evacuation has resurfaced with the decrease of the pace of armed clashes in Siani since the beginning of 2021. The voices of victims were raised through social media and in interviews with officials requesting compensations for victims of forced displacement and those affected by the military operations who had to move from their homes and farms in light of the government's failure to give suitable compensations and disregard for the International Humanitarian Law guarantees regarding forced displacement. The authorities have also – even in cases where people were compensated – in many cases given amounts that do not fit the size of the damage.

The governor of North Sinai, Major General Mohamed Abdel-Fadhil Shusha, spoke about this file during a large public meeting in Ismailia on 15 June 2021<sup>[55]</sup>. During the meeting, there were objections by some victims and affected persons to some of what the governor said. According to the governor's statements, there are areas in Sheikh Zuwayed where government committees cannot check and inspect the affected houses because the military prohibited them from going there due to the presence of militants. He also stated that there is a problem compensating farmers in Rafah because of the law setting a life sentence to whoever has a tunnel under their house or farm, adding that among 521 affected cases, there were 62 tunnels in their lands, preventing their compensation.

The governor also spoke about the case of a citizen called "Hajj Saad" in whose land a tunnel was found after he inquired about government compensations, so the prosecution wanted to arrest him, and the government said he intervened to have this let go in exchange for Hajj Saad returning the money he had received as compensation. This law violates the simplest principles of justice, as no person should be punished by prosecution or deprivation of compensation before conducting a transparent and independent investigation to prove criminal liability.

The governor also said that 1156 cases of damages to houses in Sheikh Zuwayed were counted during the last 6 months after the military allowed specialized employees to go into the area and assess the damages, but he added that compensation requests for only 109 cases were made by the affected in light of most affected persons' inability to finish their documents with bureaucratic obstacles in their way and the government's refusal to recognize the locals' ownership of their lands, despite the International Law's clarity in stating that ownership should be based on the history and extended use of the land by the local citizens and not necessarily state-registered property contracts.

55-Sout al-Omma, The governor of North Sinai to the "people of Rafah": the distribution of the first stage of "New Rafah" begins soon, 15 July 2021 - <http://www.soutalomma.com/Article/980101/> - محافظ شمال سيناء - «أهالي رفح» - توزيع المرحلة الأولى - من



The governor also confirmed that damages in multiple areas were monitored, the most prominent of which were 505 houses in the buffer zone, 492 persons in Dawar al-Tank and Abu-Shanar, and 120 houses in Azhar neighborhood in Masoura, Rafah<sup>[56]</sup>. Some of the attendees objected to the governor's words, saying that they had to leave the area before the government committees arrived to inventory their houses<sup>[57]</sup>.

North Sinai governorate also started in mid-September 2021 implementing the cabinet's final decision of giving the families of civilian martyrs and injured in Sinai 100-thousand-pound compensation each, given out based on the decree of distribution, instead of compensating each affected person based on the degree of damage. Family here means father, mother, wife, and children. This decree included 2915 names, and compensations will be given through benefit cards and visas. This is a positive step, despite the absence of an official confession by the military and the government that any civilians fell victim to those military operations, even by mistake, in the military spokesman's statements since 2013, which the Sinai Foundation for Human Rights has pointed out several times before.

The governor of North Sinai, Major General Mohamed Abdel-Fadhil Shusha, showed that the families of martyrs and injured residing outside of North Sinai have the right to go to Nasser Social Bank branches in any other governorate to receive the compensation, or cash it from any ATM. He also pointed out that supporting the association of families of martyrs and injured with 10 laptops to aid the families was approved<sup>[58]</sup>.

Nivine El-Kabbag<sup>[59]</sup>, minister for social solidarity, also announced that president Abdul Fattah el-Sisi increased the compensations for the families of civilian martyrs in terrorist and security operations to 200 thousand pounds, including 100 thousand from the fund for honoring martyrs and families of injured, and for the Ministry of Social Solidarity to raise the amount previously given to the families of martyrs and injured to 100 thousand pounds as well.

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56-Video of part of the governor's statement posted to the group "compensations for Rafah, Sinai" on Facebook, 27 August 2021 - <https://www.facebook.com/100026486423426/videos/270117077987079/>

57-For more on the grave violations and the lack of appropriate compensation and aid the government should offer victims of enforced disappearance, check Human Rights Watch's report with the Sinai Foundation for Human Rights "Egypt: Massive Sinai Demolitions Likely War Crimes"; 17 March 2021 - <https://www.hrw.org/news/2021/03/17/egypt-massive-sinai-demolitions-likely-war-crimes>

58-Al-Masry Al-Youm, the distribution of the first instalment of compensations for the families of martyrs and injured persons in North Sinai, 18 September 2021 <https://www.hrw.org/report/2015/09/22/look-another-homeland/forced-evictions-egypts-rafah>

59-Ahram, The beginning of the third stage of the initiative "Bar Aman/Safe Harbour" and 30 million pounds for financial empowerment in North Sinai, 1 October 2021 - <https://gate.ahram.org.eg/daily/News/203893/136/824969/المدنيين-أسر-الشهداء-المدنيين-توزيعات-توجيهات-رئيسية-زيادة-تعويضات-أسر-الشهداء-المدنيين.aspx>

## **V.**ISIS abuses

## 1- Indiscriminate attacks kill civilians

The period covered by the report witnessed the continued fall of civilian victims to explosive devices and mines in Bir al-Abd, Sheikh Zuwayed, and Rafah<sup>[60]</sup>, as those areas suffered from explosions of explosive devices or foreign bodies most likely planted or left behind by ISIS in streets and houses of the villages after withdrawing from them<sup>[61]</sup>. The Sinai Foundation for Human Rights documented the death of 10 civilians and injury of 11 others by explosive devices during 2021.

It is worth mentioning that the explosion of explosives planted or left behind by the group in the streets and houses of the villages from which the group withdrew is a common pattern of abuse systemically practiced by ISIS.

The 1997 Mine Ban Treaty<sup>[62]</sup> bans the use of such devices that explode by the victim, including locally made devices. All parties of the armed conflict in Sinai are bound by the International Humanitarian Law or the laws of war prohibiting the use of anti-personnel weapons like land mines and explosive devices that do not differentiate between military targets and civilians.

Despite ISIS planting the explosives and its responsibility for these attacks, the Egyptian authorities who regained control of the areas are obligated to protect civilian lives, whether by guiding civilians not to return to the area, or by combing through and completely securing the area before allowing civilians to return, to protect lives. The foundation team monitored<sup>[63]</sup> in many instances the Egyptian authorities' systemic failure to reasonably or even semi-reasonably look and comb through areas to make sure they are free of mines before civilians' return. It was like the military let civilians fall victim to those mines better than possible injuries to military personnel during demining.

### **Explosive device kills civilian and injures others in Tofaha village in Bir al-Abd**

The foundation's team documented on 8 January 2021 the explosion of an explosive device in Tofaha village, south of Bir al-Abd, killing a citizen and injuring three others, after the authorities allowed them to return to their farms and houses over a year after they were displaced from them due to armed clashes between the Egyptian military and ISIS, like stated by an eyewitness and a medical source interviewed by Sinai Foundation researchers.

60-Province of Sinai militants occupy North Sinai villages forcing mass displacement, Mada Masr, 28 July 2020 - <https://www.madamasr.com/en/2020/07/28/feature/politics/province-of-sinai-militants-occupy-north-sinai-villages-forcing-mass-displacement/>

61-Press release: No safe return if the authorities do not fulfil their duty, Sinai Foundation for Human Rights, 11 October 2020 - <https://sinaifhr.org/show/20>

62-Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction - Ottawa Treaty 1997 <https://www.icrc.org/ar/doc/resources/documents/misc/5ntd7w.htm>

63-Press release: No safe return if the authorities do not fulfil their duty, Sinai Foundation for Human Rights, 11 October 2020 - <https://sinaifhr.org/show/20>

According to data acquired by the foundation, the victims are:

- 1-Assaf Omairi Suliman, 38 years old. (deceased) (photo of Assaf)
- 2-Omar Mousa Omaira (injured)
- 3-Mohamed Saqr Omaira (injured)
- 4-Mohamed Ibrahim Omaira (injured)

This incident is identical to the suffering faced by displaced civilians returning to other villages of Bir al-Abd, like Ganayen, Qatia, Iqtiya, and Marih, after displacement because of ISIS's control of their villages, where explosive devices planted by ISIS led to the death and injury of a number of civilians in incidents reported by the Sinai Foundation and published about in previous statements<sup>[64]</sup> and reports<sup>[65]</sup>.

**The foundation team met with "Fahd", a local citizen who witnessed the incident. He said:**

*"The explosion happened in a chicken coop. Assaf, the deceased, and the others who were injured saw the landmine and contacted the military to come and defuse it. Before the military force arrived, Assaf tried to take a photo of the landmine with his cellphone, but he stepped on another landmine when he was taking the photo of the first. The landmine exploded in Assaf and the roof of the coop fell on them. The ambulance got there after around 50 minutes. We followed them to the hospital in our car, and the victims' families caught up with us at Bir al-Abd hospital. The victims' families were furious that the military didn't sweep Tofaha for landmines, letting our people die, like the people of Qatia and Iqtiya months earlier. There were some clashes between people and military soldiers, then the soldiers fired shots in the air to break the people up".*

### **The death and injury of civilians in another incident in Tofaha**

The foundation team documented on 5 March 2021 the death of two children and injury of two others from one family to the explosion of an explosive device in a civilian vehicle in a Tofaha, Bir al-Abd farm. According to the data acquired by the foundation, the victims are:

#### **The killed:**

- Abdul-Rahman Farag Salman, 13 years old.
- Mohamed Suliman Salman, 7 years old.

#### **The injured:**

- Suliman Salman Sulaitin.
- Sulaitin Salman Sulaitin.

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64-Press release: The villages of "Bir al-Abd": "ISIS' explosives and the Egyptian authorities' neglect cause the fall of new civilian victims, Sinai Foundation for Human Rights - <https://sinaifhr.org/show/27>

65-October Human Rights Report, Sinai Foundation for Human Rights, 22 November 2020 - <https://sinaifhr.org/show/35>

**The Sinai Foundation for Human Rights met with “Yasser”, an eyewitness to the incident, who said:**

*“The day prior to the incident, they were in their farm to check on it after a long time of civilians being prohibited from going to Tofaha because of military operations. They stayed there and took the same road home where the accident happened with no problems. The next day, March 5th, while going through the same road they took the previous night, Mr. Sulaitin, Mr. Suliman and two children in the car, an explosive device blew up. It seems like the terrorists planted the device at night to target the military. After the explosion, we learned of the children’s death, Abdul-Rahman Farag Salman and Mohamed Suliman Salman, and the injury of Mr. Suliman and his brother Sulaitin, who were transported to Bir al-Abd general hospital in civilian cars for treatment. The locals gathered by the hospital, some donating blood, and others just to support the family. It was extremely sad. We waited for the burial permits for the kids to be buried at night. It was heart breaking”.*

He added:

*“Takfiris don’t care for people’s lives. Over a month ago, another device exploded in a water tank, killing the driver, in the same place where this device exploded. A day before the two kids were killed, people were at the place of the incident and didn’t see any explosives, which means that the Takfiris planted it at night, knowing well that residents frequent that area to tend to their farms. Takfiris don’t care who uses those roads”.*

This explosion was not the only one. The next day, an explosive device exploded in a tractor between the villages of Qatia and Iqtiya in Bir al-Abd. No casualties were reported, but the tractor was severely damaged.

### **The death of a child and injury of another in another incident in Bir al-Abd**

The Sinai Foundation for Human Rights documented on 4 May 2021 the death of the child Sarah Mohamed Suliman, 7 years old, as a result of an injury she received on 10 April 2021 from the explosion of a foreign object while she was playing with a girl called Amal Suliman Muqeibil, 9 years old, who was also injured.

The explosion happened when the girls were playing in front of the house in Qatia village in Bir al-Abd, where they found a foreign object thought to have been left behind by ISIS following its retreat from the village in early October 2020. The two girls played with the foreign object without realizing how dangerous it was until it exploded. Amal was hit by shrapnel in her eye and was transferred to the university hospital in Ismailia for treatment, while Sarah was hit by shrapnel in various parts of her body and was transported to Bir al-Abd central hospital where she died 25 days after her injury.



Photos circulating on social media for the two girls, Sarah and Amal, victims of the explosion

The foundation team got in contact with “Walid”, a Qatia resident, who said:

*“We are sick and tired of the ongoing bloodbath. It has been 7 months since the Takfiris’ retreat from our village, but still to this day people find explosive devices or foreign objects that explode hurting our children. I don’t know when this nightmare would be over, or when the government would take action to clean the villages instead of waiting for us to find the mines and report them. That’s not my role or my job. The two girls are birds playing. Why does one of them deserve to die and break her family’s hearts, and the other to get a piece of shrapnel in her eye and possibly lose the use of her eye. What did we do to deserve to live in this horror show with catastrophes happening from time to time?”*

Walid added:

*“Since the day we went back to our villages, we’ve been demanding that the government do a sweeping campaign for explosive devices planted by ISIS in our homes, streets, and farms. Till this day, the locals still find explosives and report to the military to come and blow them up. Around 20 civilians from Ganayen, Marih, Qatia, and Iqtiya died because of this, and the government is still very slow to act. I swear, the locals now search their own farms and around their houses for mines to protect their kids. We also warn our kids and teach them not to touch anything strange. We are always living in fear for our children’s lives from such incidents. We need a solution”.*

### **The death of two civilians and injury of another in Hasana town, central Sinai**

The Sinai Foundation for Human Rights documented on 21 June 2021 the death of two civilians and the injury of another by the explosion of an explosive device in a truck they



were riding. The device is thought to have been planted by ISIS near one of the mines related to military financial projects in Sinai.

According to information acquired by the foundation team, the victims are:

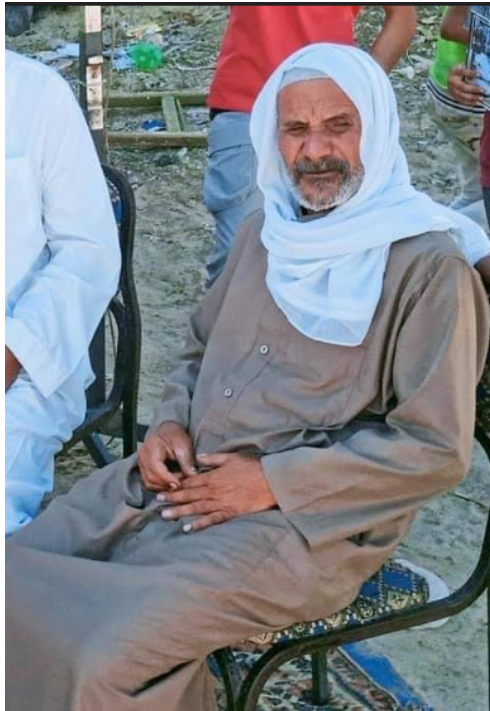
**The deceased:**

Said Ahmed Said Ahmed, 37 years old.

Adel al-Aarag al-Husainy, 55 years old.

**The injured:**

Alaa Galaal Abu-Malik, 28 years old.



Adel al-Aarag al-Husainy



Said Ahmed Said Ahmed

Photos circulating on social media of the victims of the explosion

The foundation team spoke with “Khalil”, an eyewitness to the incident, who said:

*“Said Ahmed is a martyr who died to secure food for his family. Said and I were friends for a long time. He was 37 years old, from upper Egypt, specifically Beni Suef. He left his family and moved to Sinai 25 years ago because chances of a better life are better here. He was married and had two kids aged 10 and 11. Said worked as a microbus driver. He was like any other young man his age; he wasn’t involved in anything. He worked hard to secure an honest living to raise his kids. A week before the incident, he went to Beni Suef and worked at a car wash. A few days after leaving, he called his friends in Arish and told them he couldn’t live in Beni Suef and that he wanted to go back to Sinai and asked them to find him any job. His friends found him a job as a driver at a mine in Maghara where they break rocks. The place was around 80 kilometers away from Arish, in a desert mountain area. Phone coverage in that area is very weak, so he had to walk for about 3 kilometers to get a connection and make a call”.*



He continued:

*"On the day of the incident, Said took 3 people with him in the truck; Hajj Adel al-Husainy, the accountant Alaa Abou-Malik, and a 14-year-old kid who assisted Said at work. They went to call their families and check on them. Said called his wife and asked about his kids and told them he was going home soon. After they were done with their phone calls, they moved exactly two meters then the device exploded and Mr. Adel and Said died, may Allah have mercy on their souls. Alaa, the accountant, was riding in the middle between Mr. Adel and Said. He was severely injured. I saw him in the hospital, bones were protruding out of his legs and his back was broken. The child that was sitting in the back of the truck flew out of the truck when the explosion happened and thank goodness he wasn't hurt. His parents are old and he's their only child".*

### **Anti-personnel exploding device kills a civilian in Bir al-Abd**

The Sinai Foundation for Human Rights documented through a medical source the death of Selmy Suliman Mohamed Suliten, 41 years old, resident of Bir al-Abd who worked as an electricity company employee. He died as a result of the explosion of an anti-personnel explosive device most likely planted by the ISIS-affiliate Sinai Province group members inside an electrical transformer in Tofaha area south of Bir al-Abd to target government forces.

**The foundation team met with "Saleem", a relative of the victim's, to learn the details of what happened. He told us:**

*"Selmy had two wives and 5 daughters. He was an employee at the electricity company. On the day of the incident, he had a shift at 8 in the morning in Tofaha. There was war between terrorists and the military there a while back, and some armed militants are still there in the outskirts of the desert side. They only show up to attack and disappear again. The military allows farmers in the area to water their crops and tend to their lands but with conditions: they are allowed into the area in the morning where they pass through all the checkpoints and are searched multiple times and they work on their farms, and leave Tofaha at 4 in the afternoon. The farmers there complained a lot about how the electrical transformer was not working, and they reported it to the military checkpoint in the area, saying that they cannot water their crops with no electricity, so the checkpoint informed the electricity company, and the company sent some employees, including Selmy, may Allah have mercy on his soul".*

He added:

*"The military checkpoint took the electricity company employees to the transformer and left them to work. There were four employees and one farmer there to assist them. The main cable was broken in two and tied to an explosive*

device we call a personnel device; it's not large and its destructive power isn't strong. They finished working on internal connections, and one of them was sitting on the transformer waiting to be handed the main cable. He told one of the others to hand him the cable, Selmy held the cable with the other man to help him, and once he picked it up, it exploded. The device severed both his legs and one of his arms. The farmers gathered upon hearing the sound and quickly carried him to a pickup truck. The ambulance waited for them on the main road because it is not allowed into Tofaha. Selmy was transported to Bir al-Abd hospital very quickly, and he had 11 blood bags transfused because he'd bled too heavily, and the hospital is far, and the road was blocked by checkpoints. He was in the hospital till 12, and then he died".

### Random indiscriminate attacks injure a child in Sheikh Zuwayed

The Sinai Foundation for Human Rights team documented on 7 December 2021 the injury of the child "Hala Suliman Mohamed Hammad", 8 years old, inhabitant of "Qalawza" neighborhood in Sheikh Zuwayed by shrapnel from an anti-personnel explosive device most likely planted in the neighborhood by ISIS members to target government forces.

Medical sources told the foundation team that the child was injured by shrapnel in multiple spots in her body causing lacerations to the left thigh, right knee, chest, and stomach, after which she was transferred to Sheikh Zuwayed central hospital. The foundation acquired an exclusive photograph of Hala's medical report.

وزارة الصحة والسكان  
قطاع الرعاية العلاجية والعاجلة  
الإدارة العامة للطوارئ

الاسم: هالا سليمان محمد همام  
العمر: 8 سنوات  
الجنس: أنثى  
المرحلة: الطفولة

نموذج تحويل للمستشفيات

To DR: [Signature]  
Designation: [Signature]  
From DR: [Signature]  
Designation: [Signature]

Clinical: [Handwritten text]  
Physical Examination: [Handwritten text]  
Investigation: [Handwritten text]  
Problems / Diagnosis: [Handwritten text]  
Treatment / Procedures done to the patient: [Handwritten text]

Patient's Condition: ☐ Stable ☒ Critical ☐ Conscious

Reason for Referral: ☐ Consultation ☒ Admission ☐ Treatment ☒ Further Investigation ☐ Others (Specify) \_\_\_\_\_

Transportation: ☐ Ambulance ☐ Others (Specify) \_\_\_\_\_

Examination: ☐ Doctor ☐ Nurse ☐ Radiologist ☐ Other \_\_\_\_\_

Documents Sent: ☐ Med. Report ☐ Lab. Result ☐ X-ray ☐ Other \_\_\_\_\_

Time of Departure: ☐ Per. ☐ Am.

Referring Dr's Name: [Signature] Sig: \_\_\_\_\_ Date: / / Stamp: \_\_\_\_\_

Date & Time Received: [Signature] Designation: \_\_\_\_\_ Signature: \_\_\_\_\_

An exclusive copy of the victim's medical report

## 2- The abduction and torture of civilians

The abduction of civilians<sup>[66]</sup> is a widespread recurring pattern of abuse in Sinai. ISIS group is used to abducting civilians and keeping them for long periods of time as part of a strategy it follows with the aim of asserting its dominance, getting ransom money from victims' families, or to interrogate civilians with the claim of their cooperation with security forces. The period covered by the report witnessed the abduction of tens of civilians, some of whom were released after a period of interrogations or after their families paid ransoms, some the group announced killing after some time, and some still have unknown fates till the time of publishing this report. In some cases, the group used psychological and physical torture to get information out of the victims.

In all of these abduction cases, the Egyptian authorities did not exert real effort to get the group to release the abductees, and in some cases documented by the foundation, the Egyptian authorities refused to allow the victims' families to officially report the abductions at police stations.

During the period covered by the report, the Sinai Foundation team documented the group abducting civilians to interrogate them, which later led to the group executing some of the victims. The foundation also documented the group committing random group abductions of civilians to interrogate them, like what happened in Balouza village on 31 August 2021, as well as the abduction of 3 engineers, a worker, and a driver working in the al-Salam canal project in southwest Bir al-Abd by militants who stopped their car and led them to an unknown location.

Most abductions during the period covered in the report happened in Bir al-Abd, Sheikh Zuwayed, and Hasana. All of the abductees have in common being civilians uninvolved in the conflict and not giving up their immunity granted to them by laws of conflict as civilians.

### **The abduction of two civilians in Shallaq village in Sheikh Zuwayed**

The Sinai Foundation for Human Rights documented on 10 January 2021 the abduction of two civilians by Sinai Province group members in the village of Shallaq in Sheikh Zuwayed, North Sinai. Members of the group snuck into the area between the border patrol checkpoint and the Isaaf checkpoint dawn of Tuesday and abducted the following citizens:

Mohamed Salama Masoud Abou-Kharqa, 45 years old

Masoud Ahmed Hassan Masoud Abou-Kharqa, 37 years old

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66-Associated Press, Egyptian officials say IS militants abduct 5 people in Sinai, 8 June 2021 - <https://apnews.com/article/islamic-state-group-africa-middle-east-egypt-786aea08ec7c37258ed8f533f016da7c>

Simultaneous to the abduction, members of the group stole a number of sheep belonging to residents, then led them to an unknown destination south the highway connecting Arish and Sheikh Zuwayed without being stopped at any of the military checkpoints watching the villages and the highway.

The Sinai Foundation for Human Rights met with “Ali” one of the residents of Shallaq, who revealed additional details about the incident and the security conditions in the village, saying:

*“I swear we’re too scared to leave our houses after dark, fearing gunshots coming from the checkpoints, so we all just stay at home with our children till morning. Those who go out at night are the suspicious targets, and despite that, the soldiers only see and restrict the lives of inhabitants but not the tak-firis. It’s impossible! Why do they only control us? ‘Where are you going? Where are you coming from? What are you carrying? From which tribe are you?’”*

*“There are military checkpoints everywhere and in close proximity to each other, and they’re firing gunshots all night. But the Takfiris are able to go through the checkpoints and abduct people and steal our supplies and food without anyone shooting at them. The checkpoints are supposed to protect us!”*

It is worth mentioning that the fate of the two abductees has not been known till the time of writing this report, and the group did not publish any statements regarding them.

### **The abduction of 15 civilians from Amouria village in Bir al-Abd**

On 25.03.2021, the Sinai Foundation team documented the abduction of 15 civilians from Dawaghra tribe in Amouria village east of Bir al-Abd<sup>[67]</sup> by the ISIS-affiliate Sinai Province group with the claim that they are in cooperation with Egyptian security forces. According to the locals’ reports, most of the abductees were related to one another and worked as fishermen. The abductees are:

- |                            |                            |
|----------------------------|----------------------------|
| 1-Mohamed Mughnim Himdan.  | 2-Suliman Mohamed Mughnim. |
| 3-Mousa Mohamed Mughnim.   | 4-Youssef Mohamed Mughnim. |
| 5-Ghuraqid Ghanim Salman.  | 6-Mohamed Ghanim Salman.   |
| 7-Khalil Mughnim Ghuainim. | 8-Salim Ghuraqid Ghanim.   |
| 9-Mahmoud Mohamed Saada.   | 10-Salim Mughnim Ghuainim. |
| 11-Hamid Ahmed Ghuainim.   | 12-Saad Sabah Saada.       |
| 13-Hussain Suailim Farhan. | 14-Ibrahim Suailim Farhan. |
| 15-Farhan Gumaa Asleem.    |                            |

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67-New Al-Araby: “ISIS’ abuses the people of Sinai: 15 abducted and security silence, 3 April 2021 <https://www.alaraby.co.uk/politics/%22داعش%22-يتغول-على-أهالي-سيناء-15-مخطوفاً-وصمت-أمني>

**The Sinai Foundation for Human Rights team met with “Omair”, an inhabitant of Amou-ria village, who said:**

*“Inhabitants were invited to a dinner feast at the home of one of their relatives. Suddenly two Nissan cars arrived, and they had with them motorcycles watching the road from further away. The men were all masked and armed, and some of them had what looked like devices covered in wires. What I heard is that they went inside and held the people inside at gunpoint, then told them all to get into the Nissans one after the other. Some of the Takfiris were binding those who got into the cars with head covers or whatever that could be used as bonds, and telling them to look down and not to raise their heads. They ordered the people to keep their voices down, and threatened women that got out of the surrounding houses because of the noise and told them with Bedouin and Egyptian accents to go into their houses and not look, while pointing their guns at them. They then drove away surrounded by the motorcycles, heading south. The south is a desert beyond the farms. People called to report what had happened, but security forces didn’t even move to see how it all happened”.*

**The foundation team also met with “Suliman”, an eyewitness to the incident, who said:**

*“What happened is a catastrophe. We are not safe at home or on the street. How do Takfiris make it to the middle of the village with their cars and motorcycles and abduct people, and not a single shot is fired at them. Military and police checkpoints are everywhere! Who is responsible for those abducted people? Who will get them back safe and reassure their kids, or just make their families feel like the government is looking for them? If the Takfiris killed the abducted men, do you think the government will react? I don’t think so. They’re not so different from those before them. People die and no one bothers to try and compensate their families”.*

15 days after the incident, the group released 13 of the abducted civilians while the fate of the remaining two remained unknown till the group announced killing Ghuraiqid Ghanim Salman and Hussain Suailim Farhan in June 2021, claiming that they were working with the Egyptian military.

### **The abduction of 3 civilians in Bir al-Abd**

ISIS-affiliate, Sinai Province, group members abducted the Higher Institute of Commercial Sciences student, Ahmed Mahmoud Saleh, 19-year-old member of the Aquila tribe living in Hemeisa village, southwest Bir al-Abd, North Sinai.

According to the information acquired by the Sinai Foundation for Human Rights team, the incident took place near Iqtiya village at around seven in the morning of 12 August 2021, where Ahmed was abducted alongside the owner of the farm where he worked,

Thabit Mesbah al-Haroun. Ahmed's father had also been abducted at the beginning of the year, on 15 February 2021, from "Ard al-Khair" area near Iqtiya village in southwest Bir al-Abd, by a group driving a white four-wheel-drive Toyota. The father was later released on 20 February, 5 days after the abduction.

**The foundation team met with "Eid", one of Ahmed's relatives, to learn the details of what happened. He said:**

*"Ahmed is a student at the Institute of Commercial Sciences in Arish, he's 19. During the summer or when he has free time, he goes to work with his father as a farmer in an area close to Iqtiya called "Ard al-Khair", which is an uninhabited agricultural area, only farmers work there in the morning and go back to their villages at night. The day Ahmed was abducted, a man called "Thabit al-Haroun", the owner of the farm where Ahmed's father worked in Ard al-Khair, passed by Ahmed's home and asked about his father and was told he wasn't home. Al-Haroun told Ahmed to go with him because he had some simple work that needed to be done. Ahmed went with him at 7 in the morning. We waited for him to come home till 8 in the evening, but he didn't. So we went looking for him, asking the farmers, but no one had seen him. We knew nothing about his whereabouts till the next day when internet sites shared that he had been abducted by terrorists. We started asking about Thabit al-Haroun, the farm owner, to know what had happened to Ahmed, and we learned that he too had been abducted alongside his 12-year-old son 3 days before Ahmed was. We then realized that when Thabit al-Haroun came looking for Ahmed's father, he was already being held captive with his son and that the terrorists sent him to get Amm (uncle) Mahmoud and kept his son as leverage, and when Thabit al-Haroun couldn't find Amm Mahmoud at home, he feared for his son if he got back to them empty-handed, so he took Ahmed in his father's place".*

The foundation later learned that the 3 abductees were released on Tuesday 5 September 2021 and that Thabit al-Haroun had to pay the militants a large sum of money as ransom for his release.

### **The abduction of 10 civilians and injury of three others by gunshots in western Sinai**

The Sinai Foundation for Human Rights documented a case of group abduction<sup>[68]</sup> that took place at around 8 PM on 31 August 2021, where the ISIS-affiliate, Sinai Province group attacked a coffee shop in Balouza village in western Bir al-Abd, North Sinai, 120 Kilometers west of Arish. The group surrounded the coffee shop with three vehicles of which about 15 militants armed with light weapons stepped out.

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68-New Al-Araby, "ISIS' injures 3 Egyptians and abducts 5 in an attack on a rest stop in Sinai, 1 September 2021 <https://www.alaraby.co.uk/politics/%22داعش-يصب3--مصريين-ويختطف5--بهجوم-على-استراحة-22> في-سيناء



According to eyewitnesses interviewed by the foundation team, the attack lasted close to 20 minutes, where an armed group stormed the coffee shop while the remaining militants spread out around the place from the back to secure the area. At first, the assailants tried to terrorize people by firing their guns heavily, causing a state of chaos some young civilians tried to use as a distraction to escape for fear of being captured by the group before the militants shot at them and injured three of them. The group then abducted 10 civilians from the ones who were at the coffee shop and forced them into their vehicles and drove off with them to an unknown location. The militants also seized two civilian vehicles during the attack.

The Sinai Foundation for Human Rights acquired from a medical source the information of the three injured civilians who were transferred to Bir al-Abd central hospital for medical aid. The victims are:

- |                                                 |                                     |
|-------------------------------------------------|-------------------------------------|
| 1- Ali Mosoud Ali, 33 years old                 | gunshot to the knee                 |
| 2- Mohamed Nasrallah Suliman, 27 years old      | gunshot to the pelvis               |
| 3- Jabir Hassan Mohamed al-Ghafir, 26 years old | gunshots to the knee and lower back |

**The foundation team also obtained the names of the abducted civilians, and they are:**

- 1- Mohamed Nabil al-Said, 35 years old
- 2- Nasr Eliwa Rashid al-Gindy, 49 years old
- 3- Redallah Hussein Redallah Radwan, 47 years old
- 4- Hany Nasr al-Gindy Rashid, 35 years old
- 5- Salim Ahmed al-Said Salim al-Aqraa, 27 years old
- 6- Omar Mohamed Salim, 18 years old
- 7- Mohamed Salim Abdellatif, 17 years old
- 8- Basil Mohamed Abdullah, 27 years old
- 9- Hussam Hassan Redallah, 23 years old
- 10- Ibrahim Suliman Mheisin, 40 years old

According to eyewitnesses, there were (manadeeb/delegates), civilians working with the military, at the coffee shop which was attacked at the time of the attack, however they managed to escape at the time of arrival of the militants' vehicles. It is thought that the reason behind the attack was ISIS militants' desire to capture the group of delegates who work with the military for attacking two ISIS members a few weeks before that incident, delivering one of them to the military and injuring the other before he managed to escape.

The foundation later documented on 5 September 2021 ISIS releasing 9 of the abducted civilians, and once they reached Hemeisa village, military forces transported them to a checkpoint in Rabea village to be interrogated by military intelligence. When citizens



gathered in front of the camp demanding the release of their children, military officers asked them to go home and promised to release their relatives and drive them home as soon as their investigations were done, which did happen.

It is worth mentioning that Mohamed Nabil is the only civilian remaining in the armed group's custody from the civilian group abducted in Balouza. The group sent his family a message with one of the released civilians claiming that Mohamed was injured and receiving treatment and that he would be released once his health condition improved. The foundation later confirmed that he was released and returned home after recovering from an injury he acquired during the abduction.

**The foundation team met with “Khaled”, a fake name given to an eyewitness to the incident. He said:**

*“The young men were at the coffee shop. These men had nothing to do with the military or ISIS and had nothing to do with what had happened a few weeks before when a military-affiliated group attacked two terrorists. The people of Sinai stopped interfering because when we inform the military of suspicious people, they don't do anything about it. And if the terrorists knew someone reported them, they would slaughter that person. So, people choose safety, and if they see a suspicious person, they let them leave then inform the military. The group who captured the two militants a while back are people who work with the military and get paid. We call them delegates, but the inhabitants are poor people who just want to live peacefully and raise their children”.*

He added:

*“What happened that day was, we suddenly saw three vehicles coming our way. People who thought they were military and got scared ran away, and the people who work with the military also ran away because they thought they were terrorists. The rest stayed where they were because they are not involved with either group and were not scared. When the militants came into the cafe, they ordered everyone inside to come out with them. Some people refused, but when the militants fired at them, everyone else got scared and got into the militants' vehicles. After they left, we called an ambulance, which arrived around 20 minutes after the militants had left”.*

After the Sinai Province group released 9 of the abducted civilians, the foundation met with two of them to learn the details of their suffering during their days in the hands of the group. The foundation publishes in this report a specific part of the released abductees' testimonies upon their request and to ensure their safety.

The foundation team also met with “Saleem”, which is a fake name given to an eyewitness to the incident. He said:

*“I was afraid and didn’t really believe what was happening. It all felt like a dream, but sadly it was the reality we were living; we were held captive by ISIS. The second day when we woke up, we started recognizing each other by voice. We were in sheds next to each other, and if one of us spoke, we would recognize his voice. The first one I recognized through his voice was “Hany” because he was screaming from pain and wasn’t doing well. I then learned “Nasr”, “Redallah”, and the rest were also there”.*

Saleem said:

*“On the next day, they started interrogating us. They took us to a different shed from the one where we were staying, one at a time, and the person interrogating us was a different person from the ones we dealt with during the entire period we were taken. They asked about who from us worked with the military, who from the people of the village worked with the military, and he asked about certain people from the village by name. They made us turn on our phones and they searched them. They looked for photos of us with military personnel or numbers of officers. The one who was interrogated would be brought back to the shed. They moved us from one place to another once or twice a day. When one of us had pain in his eyes due to the blindfold, they took him some distance from the rest and took the blindfold off while he held his head between his legs for a minute or two, then tied him up again and brought him back to the shed. After the interrogations on the third day, they took the shackles off our hands and feet and told us not to try to escape or we’d die. None of us was planning on escaping in the first place; we were terrified”.*

He added:

*“On our sixths and last day there, they did not tell us they were releasing us. They took us after Dhuhr prayer, divided us into groups of two, and made us walk a long distance. They asked us to hide in the middle of some sandburs they had prepared (sandbur is the name of a desert plant) because there was a lot of aircraft that day. Around two hours later, they put us in a car where we were all together in one place for the first time, but without Salim al-Aqraa, Omar Mohamed, and Mohamed Nabil, we did not know where they were and when we asked, they did not answer. The militants told us then that we were going home. They stopped the car at a mountain (desert) area and asked us to get out, then gave back our belongings they took on the first night, except our phones. They gave those of us who had had phones money for them, except Hany who had an old phone, so they gave it back to him. They then told us to walk in that direction and at night we would find streetlights and that is Hemeisa village, and that there is a military camp before the village and not to go into the village that way because the checkpoint would shoot us if we got close”.*

Saleem added:

*"Before we started toward Hemeisa, a scorpion stung one of us in the leg and he screamed and fell on the ground. We tied his leg with a scarf, then carried him for a while so we could leave that place quickly. We started carrying and supporting him one by one. All we cared about was getting out of there as fast as possible. We walked till 01:30 in the morning. When we came close to Hemeisa, the military camp was in front of us and we argued which way to take and our voices got loud, so the camp started heavily shooting at us and other camps started shooting too and we could hear them very close to us. We were so scared that we crawled for a long distance for fear of standing up and being shot, then we hid in an abandoned house".*

He continued:

*"There was an engineer with us who worked at the pipe company. He had been taken before us and was let go when we were. He told Hany to call the emergency service. We wondered how anyone could pick up because there was no signal. But when Hany tried calling, the emergency service in Cairo picked up. We told them we had been abducted by ISIS, and they told us they would transfer the call to Arish. Arish then transferred us to the military checkpoint in Rabea, and when the officer at the checkpoint recognized us and checked our names, he told us they would shoot from the camps and we need to tell them if the gunfire was close by or far away to pinpoint our location, and the gunfire did move from afar till it was very close to us, so the officer told us that they knew our exact location and to wait till morning and not approach the camp till then".*

He added:

*"Once it was morning, we heard soldiers at Hemeisa camp calling us, so we started fearfully approaching them till we reached the camp, and they took us inside and called an ambulance for Basil Mohamed who had been stung by a scorpion. They brought us breakfast then transferred us to Rabea camp where the officer told us that they were following up on us every second and that President al-Sisi was paying attention to every detail, and that aircraft were closing in on the takfiris and that is why they let us go. They then asked us about the details of what happened, and the officer asked us to record videos and said they would not be shown to the media but will be sent to the presidency. They recorded us one by one, asked us to say our names and personal information, and thank the military which freed us. Then we were taken in a big, armored vehicle and taken home to our families, thank god".*

The foundation team also met with “Faisal”, which is a fake name given to an eyewitness to the incident. He said:

*“The militants tied our hands behind our backs and blindfolded us at gunpoint. They then put us in vehicles they had, dividing us in more than one car. I think they took us south on the Shuhat village road, and I could recognize that because of the speedbumps on the road. At that time, there were two other abductees with me in the car, and we thought we were the only ones taken. The next day, we were surprised that there were others, which we knew by their voices because we were blindfolded. We got out of the car and into another one. We drove for about one hour till we reached an area in the desert because when we got out of the car, we walked on sand till we were brought into sheds. They told us to sleep where we were, then they woke us up for Fajr prayer. We prayed with them while blindfolded, they had warned us against trying to remove the blindfolds. In the morning we were transferred to another location and had our hands and feet shackled. All the time I spent there I was thinking of my fate and felt like I would never get out of that place alive. The photos and videos we saw of militants slaughtering and killing people they had abducted were always playing in my mind”.*

The International Humanitarian Law prohibits abductions and enforced disappearances. The United Nations declaration on enforced disappearances, unanimously approved, states that enforced disappearances are a violation of a range of rights, including the right to recognition as a person before the law, the right to liberty and personal security, the right not to be tortured or treated or punished in an inhumane or degrading way, and it also states that they violate the right to life, or pose a serious threat to it. The International Criminal Court also considers it to be “a crime against humanity”.

### 3-Siezing of civilian properties

The group's unjust trespassing on and seizing civilian properties in a recurring pattern of abuse widespread in Sinai, especially during the past three years, as ISIS has recently become used to raiding civilian houses and farms for food or blocking roads to forcefully take civilian vehicles as what they see an easy target. This started after the group lost a big part of its momentum and possibly its funding especially after the fall of the mother group in Syria and Iraq. Additionally, since 2018, after the beginning of the Comprehensive Operation in Sinai, daily life in North Sinai has been subjected to restrictions that obstructed civilians' daily lives, as the amount and kinds of food supplies and goods allowed into the towns and villages of the governorate have been limited, as a security measure taken by the Egyptian authorities, turing the lives of Sinai inhabitants to hell, but it subsequently probably led to restricting the militants access to food. The authorities also imposed the must for prior coordination to bring goods into some areas, leading to a scarcity in food supplies in the area. The military's behavior amounted to group punishment condemned by the international law, and it reflects security failure in targeting the pockets and members of the group without starving thousands of inhabitants. The scarcity of goods was one of the things that showed how the people of Sinai fell victim between the military's hammer and the group militants' anvil.

During the period covered by the report, the Sinai Foundation for Human Rights documented tens of cases of trespassing on civilian properties by the group and published about some of the cases in its monthly reports, using field investigations and interviews with victims.

#### Looting civilian properties in Bir al-Abd

The foundation team documented on 1 January 2021 ISIS militants abducting 9 civilians from a chicken farm<sup>[69]</sup> in Tlul village in Bir al-Abd. The testimonies of two inhabitants showed that the nine civilians were abducted during the militants' robbery of more than 2000 chickens from a community chicken farm, the abductees were farm workers, and the group released them 3 days after the abduction, as the militants used then to transport and unload the chickens, then returned them to an area near Tlul village east of Bir al-Abd.

#### Looting of civilian houses in Sheikh Zuwayed

On 03 January 2021, the people of Kawthar neighborhood in Sheikh Zuwayed started the new year with a pillaging<sup>[70]</sup> of food supplies by Sinai Province militants. They used the fog and bad weather conditions to sneak into the houses on the outskirts of the

69-New Al-Araby, "Sinai Province' steals from civilians after Egyptian military blows, 6 January 2021 - <https://www.alaraby.co.uk/politics/ولاية-سيناء-يسرق-المواطنين-بعد-ضربات-الجيش-المصري>

70-January human rights report, Sinai Foundation for Human Rights, 14 February 2021: <https://sinaifhr.org/upload/2wh9xjdyk6io0w48ow.pdf>

neighborhood at dawn. The foundation met with several local eyewitnesses to find out the details of the incident.

**“Hassan”, a government employee living in Kawthar neighborhood, told us:**

*“Before dawn, I heard loud knocking on a neighbor’s door, an employee as well. Then I heard low voices talking in the dialect used here. I was too scared to go out, and thank God they didn’t come to my house, but I learned from my neighbor that they took his car battery and the batteries of 3 other cars belonging to locals. I also learned that they threatened a man and his wife with guns when they tried to call out to the neighbors. The woman was shocked when she saw the weapons and feared getting killed. Till now her psychological state is not well and she’s still scared”.*

**Another local’s report given by “Raid”, also a government employee living in the neighborhood, revealed a new angle.. He told the Sinai Foundation:**

*“They looted a supermarket owned by a member of al-Aqour family. They broke the door and took everything, then loaded the goods onto a cart belonging to civilians and headed toward Wifaq village in Rafah. They took advantage of the fog that caused difficulty to see, so the checkpoints probably didn’t see them”.*

In another incident documented by the foundation team that took place at the same time as the previous incident, the people of Goura also had their share of looting by Sinai Province militants.

**The foundation met with “Talal”, a local inhabitant of Goura, who said:**

*“Before dawn when the fog was thick, we heard a car near the commerce school on the village’s northern road, then we heard heavy gunfire. We did not learn what happened till the next morning when neighbors told me that the Takfiris broke down a market and took some goods, not a lot. They couldn’t take the flour that was in the provision market, which was about 5 tons, the people’s provision for the new month, because armed men working with the military saw them and shot at them, so they drove away toward Rafah. The people are scared because the village’s northern road is not well secured and it’s easy to sneak through”.*

### **Stealing a civilian vehicle in Jaal area south of Bir al-Abd**

On 17 April 2021, Sinai Province group members seized a pickup truck<sup>[71]</sup> belonging to a merchant who took a turn in a side road in Jaal area to avoid unexplainable disruption at the military checkpoint overseeing the highway and the entrance to Jaal near Bir al-Abd in North Sinai.

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71-April human rights report, Sinai Foundation for Human Rights, 10 May 2021  
<https://sinaifhr.org/show/87>

**We met “Essam”, a pickup truck driver from Arish who witnessed the incident, who said:**

“The driver chose to go around though a side road before the “Jaal” military checkpoint on the highway that stops cars for long periods without reason. The driver wanted to skip that whole ordeal to get to Arish early and deliver his cargo which is spices and herbalist equipment. His bad luck led him to meet armed Takfiris at the bypass, who forced him to stop. Of course, he was terrified. They took his truck with its cargo, gave him his driver’s license and ID card, and let him go. He went to the checkpoint at the entrance of Bir al-Abd to report what had happened, and at the checkpoint, they turned him in to National Security to be investigated. Now he is being detained, and we don’t know how he is doing.

*“The same thing happened to other drivers, but they’re scared of reporting it to National Security so they wouldn’t be accused of having detoured from the official road to deliver cargo to Takfiris. That of course is not possible, as road checkpoints in Bir al-Abd hold back cars for long periods of time for no reason, despite the same cars having been searched in previous checkpoints a few kilometers back and in tunnels and ferries in an exhausting and extensive manner”.*

The pillaging of properties and money belonging to civilians is a crime whose perpetrator should be punished. Additional protocol (II) to the Geneva Conventions, 1977 prohibits said crime. Statute of the International Criminal Court states that pillaging is a “war crime” in international armed conflicts, and according to the part stating that “Pillaging a town or place, even when taken by assault” is a war crime in non-international armed conflicts. The international custom and behavior, and countries that lived through a state of armed conflict show that pillaging is considered to be a crime during any armed conflict.



## 4-Extrajudicial execution

The Sinai Foundation for Human Rights documented cases of civilian execution at the hands of ISIS with the claim of their offering services or information about militant activity to the military. ISIS militants consider services or help offered to security forces as hostilities against them<sup>[72]</sup>, including working in construction projects or factories related to the military, as well as transporting supplies and gas for military personnel at military checkpoints in some volatile regions<sup>[73]</sup>.

Despite those civilians not taking part in any military activities or hostilities, ISIS uses this excuse to target them, claiming that their work is considered involvement in the conflict on the military's side, and sometimes attacks them to spread fear and deter them from helping the military.

It is worth noting that to the International Humanitarian Law, differentiation between two types of inhabitants working with the military can be made as:

### **The first type:**

what inhabitants call the delegates. Those fall under the category of combatants according to the international law because in many instances, they are armed and participate in military operations like searches, arrests, and killings.

### **The second type:**

normal citizens who have no "formal" relationship with the military or government forces, but they try to look out for what they consider their interests, and they might report militant activity to protect their homes, properties, or lives, or they might have financial interests or work at military projects. They have full immunity granted to civilians by the international law.

Also according to the law, even if the Sinai Province group captured a delegate who was proven to work with the military, he is considered a war prisoner and rules of the international law regarding the protection of war prisoners from mistreatment and execution apply to him.

During the period covered by the report, the Sinai Foundation documented several abuses, including the murder of a boy younger than 18 years old<sup>[74]</sup> and the murder of a civil-

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72-Sinai. militants kill seven drivers and set fire to their truck, Russia Today, 10 November 2017 - [https://arabic.rt.com/middle\\_east/909353-%D9%85%D8%B3%D9%84%D8%AD%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B1%D9%8A%D8%B4-%D9%87%D8%AC%D9%85%D8%A7%D8%AA-%D8%B3%D9%8A%D9%86%D8%A7%D8%A1/](https://arabic.rt.com/middle_east/909353-%D9%85%D8%B3%D9%84%D8%AD%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B1%D9%8A%D8%B4-%D9%87%D8%AC%D9%85%D8%A7%D8%AA-%D8%B3%D9%8A%D9%86%D8%A7%D8%A1/)

73-Sinai Foundation for Human Rights, "All we want is to live", interviews conducted by the foundation with a number of local inhabitants between 2019 and 2020 - <https://sinaifhr.org/show/99>

74-The most notable abuses that took place in February in Sinai, Sinai Foundation for Human Rights, 10 March 2021 - <https://sinaifhr.org/show/70>

ian woman uninvolved in the conflict who was killed with her husband who was accused by the group of working with the military. The Sinai Foundation for Human Rights met with a number of North Sinai inhabitants who were witnesses or were related to victims of killings or executions by ISIS. The group openly admitted to some of those crimes through written statements or videos under various claims including working with Egyptian authorities, refusing to listen to the group's orders, or ideological differences.

The Sinai Foundation documented 15 extrajudicial killings of civilians during the period covered by the report, most of which happened in Bir al-Abd, Sheikh Zuwayed, and Hasana<sup>[75]</sup>. All of the victims were not involved in the conflict and did not relinquish their immunity granted to them by laws of conflict as civilians.

### **The father is imprisoned by the military and the son was slaughtered by militants**

On 05 February 2021, the Sinai Foundation for Human Rights team documented a heinous crime in Shallaq village in Sheikh Zuwayed, where the child Ahmed Farrag Suliman Farrag al-Kiky<sup>[76]</sup>, 16 years old, was murdered with the claim that he was in cooperation with security authorities.

The Sinai Foundation met with "Nidal", an inhabitant of the village, who described the horrifying sight of the boy's body:

*"His head was barely attached to his body with a piece of skin. This happened during the night, when members of ISIS snuck in and abducted Ahmed. We found him an hour later, slaughtered and thrown by the village's chicken coop close to the house of the member of the House of Representatives representing North Sinai, Aida al-Sawarka. He was covered in blood and marks caused by maybe a knife. He was tak-*



**AHMED FARAG SOLIMAN AL-KIKI**

*en to a hospital in Sheikh Zuwayed the next morning, and people reported the checkpoint in Shallaq, but no one intervened. People took his body from Sheikh Zuwayed hospital to Arish general hospital then to Port Said to the coroner so they'd get a burial permit after his body was inspected. Ahmed was his mother's only son. He had 3 sisters he took care of. He was the breadwinner of the*

75-Interviews with several locals during 2021.

76-Post written by the journalist Ashraf Swelim on his personal Facebook account on 5 February 2021, date of visit 9 February 2021 - [https://www.facebook.com/permalink.php?story\\_fbid=pfbid0MHUbpWkTyYuxE76z-J9fqXrZpZEBKvrg5TkkEswAjcKzKTv2RpchGQJHu3cSgmcgTI&id=100024427067770](https://www.facebook.com/permalink.php?story_fbid=pfbid0MHUbpWkTyYuxE76z-J9fqXrZpZEBKvrg5TkkEswAjcKzKTv2RpchGQJHu3cSgmcgTI&id=100024427067770)

family. He worked as a guard at the company that's building the new road in Shallaq. His father was arrested by the military around 4 years ago and he hasn't been seen since, no one knows if he's alive or dead. May God bring his mother and sisters peace".

### **Intentional extrajudicial killing of a father and son in Hasana**

The Sinai Foundation for Human Rights documented on 11 March 2021 militants thought to be affiliated with ISIS targeting Salama Swelim Trabin, 40 years old, and his son Abdul-Aziz Salama Swelim al-Kambizy Trabin, 20 years old, in Mashaba compound in Hama village, in Hasana, central Sinai<sup>[77]</sup>. The perpetrators snuck into their house, killed Abdul-Aziz and abducted his father Salama, whose body was found in the outskirts of the village hours later.



Photos circulating on social media of the victims of the extrajudicial killing

The Sinai Foundation got in contact with "Salah", one of the area's inhabitants, who said:

*"The Takfiris got inside the house at dawn. Houses in the area are far from each other. They broke the door and when they saw the young man, Abdul-Aziz, they captured him and pointed guns at him, then forced the women inside a room and locked them in. When Hajj Salama woke up because of the loud noise, the militants killed Abdul-Aziz and tied his father, Salama, up, then took him into a Nissan car and hurried between the mountains. Everyone heard the gunshots and when they saw the car drive away, they went to al-Kambizy house and learned what had happened. People took their cars and tried to follow the Takfiris, but no one could catch up with them. A little bit before afternoon, people found Salama al-Kambizy's body. He'd been shot in the head near the village. The son's body had been taken to the university hospital in Ismailia for the burial permit followed by his father's in the evening".*

Civilian sources revealed to the foundation team that the deceased, Salama Swelim al-Kambizy, was one of the area's elders, and that his late father had been a famous customary judge from Trabin tribe. The sources suggested that the reason behind the targeting and murder might have been due to Salama al-Kambizy's extensive relation-

77-New Al-Araby, "ISIS' kills an Egyptian boy and abducts his father in central Sinai, 11 March 2021 - <https://www.alaraby.co.uk/politics/%22داعش-يقتل-فتى-مصرياً-ويختطف-والده-وسط-سيناء%22>

ship with government authorities as one of the known elders of the area.

The group later claimed responsibility for the attack<sup>[78]</sup>, describing the victims as “sahawat/awakening”, which is the name the group calls civilians who work with the military.

### Intentional extrajudicial killing in Barth

The Sinai Foundation documented on 5 April 2021 armed ISIS militants killing Mohamed Suliman Silmy Abu-Naqiz<sup>[79]</sup> from Trabin tribe, with the claim that he was part of the sahawat movement, which is the name the group gave members of the Sinai Tribal Union supporting the military.

According to a visual recording shared on multiple Twitter accounts by the Sinai Province group on 05 April 2021, the murder of Mohamed Abou-Naqiz was committed by a masked group member in traditional clothes typically worn by the people of Sinai who shot the victim in the head with a Kalashnikov weapon after forcing him to dig his own grave. The group said in its statement regarding the incident that Mohamed had been taken five months earlier, and that he was a sahawat member. The recording did not show the time of the victim’s execution. The victim’s family and the authorities have also not been able to find his body.

**The Sinai Foundation for Human Rights met with “Hassan”, local inhabitant of Barth, who said:**

*About 5 months ago, Mohamed went to make a phone call on top of a big hill people call “Qoz al-Ersal”, somewhere close by Agraa village, to find mobile signal, because signal is very weak in the area. He went alone on a motor-bike. That area is considered a middle ground between takfiris and the Tribal Youth Union. Members of the Tribal Youth Union thought he was a member of ISIS, so they shot at him, but he ran in fear. Since that day, no one’s heard anything about him. He is not a member of either group. He was just in the wrong place, so both groups were suspicious of him. The poor man!”*



A photo taken from a video published by ISIS on April 5, 2021 on social media, documenting the killing of Suliman Abu-Naqiz

### Intentional extrajudicial killing in Bir al-Abd

The Sinai Foundation documented on 11 April 2021 the ISIS-affiliate Sinai Province group admitting in a piece of visual content broadcasted by their news agency, Amaq,

79-April human rights report, Sinai Foundation for Human Rights, 9 May 2021 – <https://sinaifhr.org/show/87>



to killing two citizens, Mohamed Ibrahim Himdan, 22 years old, from Mosafaq village, and Swelim Ahmed Swelim Mansour, 44 years old, from Salmana village, both in Bir al-Abd. The content included scenes where one of the victims dug his own grave and an unmasked member of the group shot him from behind. The second victim was also killed by gunfire. The victims' families have not been able to find their bodies till now. The content revealed two confessions that are likely taken from the victims by force, in which they reveal their cooperation with the military. Many locals pointed to the contradictions in those confessions, and that what the two said is different from what is known about them. And like we mentioned before, even if it was proven that someone is



Photos circulating on social media of the victims

involved in the conflict, becoming a combatant instead of civilian, they can be targeted in accordance with the laws of war, which does not excuse field executions of those individuals when they are captured. Those executions and the degrading and inhumane treatment that precede them are war crimes condemned by the international law.

**Our field team met with “Said”, a local citizen from Dawaghra tribe, who said:**

*“The two martyrs were from our tribe. They had been abducted about 43 days before the Takfiris published the video. Mohamed worked as a fisherman in Bardawil lake. Takfiris abducted him and his father and took them from their car in the middle of the village of Musafaq. My heart broke when I saw him in the video yesterday. I swear he does not know anyone in the military or the police. A very simple guy who did nothing wrong and died for nothing. We still do not know anything about his father, Hajj Ibrahim. As for Swelim, he was taken from his home in Salmana village. Swelim worked as a fish salesman. He had a place where he sold fish, and everyone in the area knew him. I saw him in the video being forced to say those things about driving officers with his car. I swear Swelim did not even own a car! He had a small pickup truck he used to transport the fish, and no officer had ever been in that truck. It’s a disaster I swear. We do not feel safe in our houses, our cars, or even out on the street where people get killed or abducted. Terrorists set up ambushes on the highway then search cars and check people’s ID cards. Police and military*

*checkpoints are also everywhere. This entire situation could make even the most patient person lose their mind".*

In another statement acquired by the foundation team, we spoke to "Sayid", an inhabitant of Sadat village in Bir al-Abd, asking about the reasons behind people's cooperation with security forces, he said:

*"Some young people cooperate with the military for different reasons. Some of them want to serve their country, or for power. But many people choose peace and to stay away from trouble. Many people only deal with security forces mainly for transporting water or delivering food to checkpoints, they cannot refuse to do that. People want to get by, so on their way to their farms or workplaces, they pass by checkpoints and officers sometimes ask them for things, and to avoid conflict, they transport water or food to the checkpoints, but they do not go on any campaigns with the military. The problem is, Takfiris see even transporting water as a reason for murder. They threaten people because they are weak and to spread fear and terror among the people. The military is supposed to secure the villages well. Those on the highway go through many checkpoints, but behind the villages is open space and it's not well-secured".*

Civilians looking to get on with their lives and the reality they live in without participating in fighting or war activities does not turn them into military targets, explaining their targeting or abduction, let alone murder.

### **Intentional extrajudicial killing of a woman in Arish**

The Sinai Foundation documented on 28 April 2021 ISIS militants abducting a woman and two men from their homes. Members of the Sinai-Province group snuck into Amal neighborhood southeast of Arish, less than 3 kilometers away from Battalion 101, which is the headquarters of the anti-terrorism department in North Sinai.

The foundation exclusively acquired the victims' official medical reports from a medical source. ISIS claimed later through al-Nabaa magazine<sup>[80]</sup> on 15 May 2021 the abduction and murder of two men they described as sahawat after raiding their home in southeast Arish, however, the group's story did not mention the woman who was abducted and killed with the men, despite her not being involved in the conflict and not giving up the immunity granted to her by the laws of conflict as a civilian.

According to data acquired by the Sinai Foundation, the victims are:

1-Dawaba Saleem Salim Salman, 40 years old, killed by gunshots that penetrated beneath the neck from the back, bruises under the eye and facial abrasions were

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80-Al-Nabaa magazine, issue 286, page 9, 15 May 2021

also found.

2-Muslim Abdul-Hamid Salman Salim, 28 years old, killed by gunshot to the back of the head, fractures in the skull and abrasions on the hands and legs were also found.

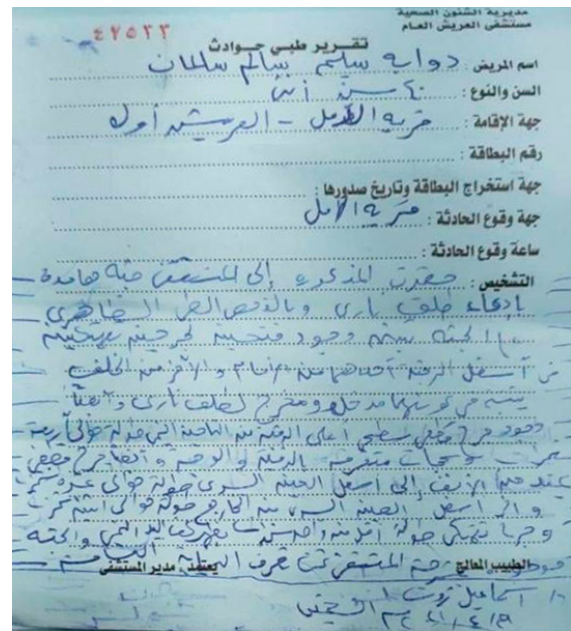
3-Mohamed Alian Salman Saleem, 20 years old, killed by two gunshots to his front side from above, lacerations on his jaw bones were also found.

The Sinai Tribal Union, one of the non-governmental armed groups working with the military in its fight against ISIS, later released a statement mourning the two men, describing them as heroes, in what could be a sign that the two men were in cooperation with the military in its war against ISIS

The Sinai Foundation met with “Selmy”, a member of Tarabin tribe, many of whose members are part of the Sinai Tribal Union, who said:

“At Suhoor time, about 11 armed Takfiris came into the neighborhood. No one knows how they made it into the neighborhood, as it is surrounded by checkpoints. It is strange that no one spotted them because there were many of them. They went to certain houses after spreading out. They were masked, carried machine guns, and wore clothes that resembled that of the military. They went to Mohamed Alian al-Hamrawy’s house, he was from Sawarka tribe, and pulled him outside of the house. Two others went to Muslim Abdul-Hamid Abu-Naqiz’s house and took him and a woman named “Dawaba”, also from Naqizat tribe. They went to two other houses, one of them belonged to a member of Trabin tribe and the other to a member of Malalha tribe and asked about them but they were not home. They threatened the people with guns so they would not speak or make loud noise, then left the same way they came in, spread out, with the abducted among them. The next morning people went to check what had happened. People tried to follow the Takfiris by the eastern end of the village, they found the bodies of all three, shot and dumped not far from the village. People then reported the incident to the security forces, but nothing happened. No one moved to see what happened, and no one cared other than the victims’ families who had earlier moved from the neighborhood and had come back not too long before what happened”.

According to this information, the woman killed by the group was not part of any activity and sided with neither of the conflicting parties, and therefore she is a civilian who has



*An exclusive copy of the victim's medical report*



immunity from conflicting parties and should be protected and unharmed by them. That did not happen in this case, where a civilian whose only fault was being related to one of the fighters who sided with one of the conflicting parties. It is likely that the group killed her to satisfy the desire for revenge and to spread fear in the ranks of civilians.

### **Two extrajudicial killings in Amouria village in Bir al Abd**

In another incident that took place on 31 May 2021, the foundation team documented ISIS posting photographs through Telegram accounts related to the group stating killing Hussein Swelim Farhan, 37 years old, resident of Amouria village in Bir al-Abd, and Ahmed Bady Mubarak, resident of Ezbet Nasir in Qantara Sharq, claiming that they were in cooperation with the military.



*A photo taken from a video published by ISIS on May 31, 2021 on social media, documenting the killing of Hussein Swelim*

### **The foundation met with “Ammar”, a relative of Hussein’s, who said:**

*“Hussein was 37 years old, and he lived in Amouria. He was abducted in late March by 6 ISIS members, along with 14 other civilians from Amouria village. The armed men came into the village and threatened people with guns, and abducted him from his house after Isha prayer in a pick-up truck. After 15 days, 12 of the abductees came home, but takfiris kept Hussein and two others, and 40 days after his abduction, they killed him. Hussein was married and had a son named Salama, he is not 2 years old yet, Hussein was blessed with a son 15 years after his marriage. Hussein had no connection to the military but some of his relatives worked with them”.*

### **The death of a civilian contractor in Rafah**

The Sinai Foundation for Human Rights foundation team documented on 2 December 2021 the abduction of “Saad Mohamed Saad Ghaith”, member of Fawakhria tribe in Ar-ish<sup>[81]</sup> who worked as a contractor in an Egyptian military public construction company in Rafah which suspended its work after its crew was recently subjected to several armed attacks by ISIS members. People found Saad’s body by the side of a road south of Rafah a few hours after the abduction, they also found the bodies of the two soldiers who were with Saad in the car.

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81-December human rights report, Sinai Foundation for Human Rights, 31 January 2022 - <https://sinaifhr.org/show/123>

### The foundation team spoke with a relative of Saad's who told us:

*"Saad was a very peaceful young man whose only crime was working to secure a living. The construction company he worked for worked on a project belonging to the Armed Forces Engineering Authority in Rafah. On the day Saad was abducted, he was in a car belonging to a civilian called "Khalil Ghanim" and in the car was also an engineer officer who supervised the project and a soldier. What we later learned was that the armed militants stopped them south of Rafah and abducted them after they shot at the car because we found five bullet holes in the car's body. On Friday 3 December 2021, residents and the military found Saad's body by the side of a new road south of Rafah".*

Common article 3 of the Geneva conventions stressed on the prohibition of "violence to life and person, in particular murder of all kinds" of civilians and those unable to fight, as well as dedicating special protection to minorities. The African Charter on Human Rights also stated in article 4 that civilians' right to life is to be safeguarded at all times, including during conflict, while the African Commission on Human Rights considered it to be a pillar of all rights that is non-derogable.

## 5- Religious persecution and killing based on religious identity

Religious minorities in Sinai faced several patterns of abuse which increased in frequency after former President Mohamed Morsi was overthrown in July 2013, reaching their peak after ISIS appeared in Sinai in 2014.

The religious persecution of Christians and Sufis makes a prominent pattern of abuse by ISIS in Sinai, be it murder, abduction, detonation of or closing down places of worship, or forced displacement. Successive targeting led Christians in Rafah and Sheikh Zuwayd to move<sup>[82]</sup> to Arish with the outbreak of the armed conflict in 2013, before the increase of intensity of targeting Christians<sup>[83]</sup> by the end of January 2017, which led Christian families to move<sup>[84]</sup> from Arish to cities of the Delta and Suez Canal regions.

Murder and enforced disappearance of Christians cannot be described, whether by standards of the Egyptian law and constitution, or international standards, as anything other than murder based on religious identity committed by an armed group against a homogenously religious group, with the aim of disposing of its members and terrorizing

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82-Ismail al-Iskandarani, Christian panic in North Sinai, al-Akhbar Lebanon, 24 July 2013 - <https://www.al-akhbar.com/Arab/54699>

83-Attacks targeting Christians in Egypt, BBC Arabic, 26 May 2017 - <https://www.bbc.com/arabic/media-40064914>

84-Tens of Christian families flee Arish in Egypt after threats, BBC Arabic, 24 February 2017 - <https://www.bbc.com/arabic/middleeast-39078663>

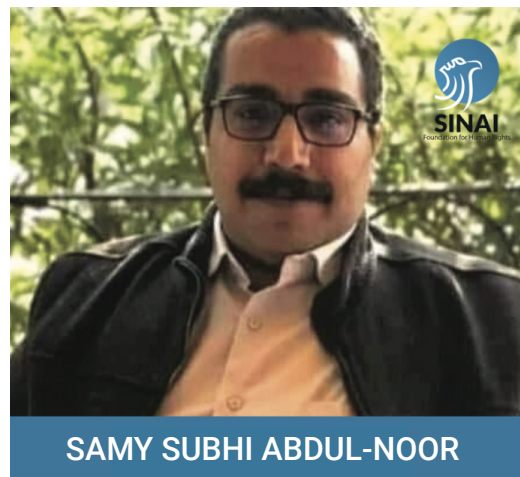
them. These practices cannot be underestimated and considered individual actions or normal criminal behavior.

Sufis have also suffered since the beginning of the conflict from the bombing of shrines<sup>[85]</sup>, grave desecrations, abduction, murder, and prevention from upholding worship rituals, reaching the peak of targeting when ISIS targeted people praying in al-Rawda Mosque in 2017, massacring 305 civilians<sup>[86]</sup>.

According to an eyewitness interviewed by the foundation team, he noticed returning Christian civilians who had moved from Arish in 2017 trying to keep out of sight, and women and girls often wearing head scarfs as not to be differentiated from Muslim women by militants, as women in Arish usually cover their hair with Hijab or wear Niqab, reflecting the terror and discrimination they faced from Sinai Province<sup>[87]</sup>. What follows are some incidents of killing based on religious identity documented by the foundation in 2021.

### Samy Subhi Abdul-Noor

The Sinai Foundation documented armed men thought to be part of the ISIS affiliate group, Sinai Province, killing a Christian citizen called Subhi Samy Abdul-Noor on 03 March 2021. The victim was in his 30s and he was from Husainia in Sharqia governorate, while he was between the two villages of Gilbana and Balouza, western Sinai, to inspect his properties.



SAMY SUBHI ABDUL-NOOR

The Sinai Foundation team met with a farmer living in Gilbana village, who said:

*"There were 4 Takfiris, most of them were young. They were masked and riding motorcycles. They stopped the victim between the villages of Gilbana and Balouza. When they saw him, they stopped him and made him get out of his car after seeing his ID. He begged them but they shot him, and he died at once."*

85-Mohamed Hussein, The details of bombing two shrines in North Sinai.. The locals: Takfiris bombed the two shrines "Shamiaa" and "Sabiha" in "Mazar" cemetery.. Source: 4 similar bombings of different shrines the last of which were "Sheikh Zuwayed" and "Sheikh Hameed" preceded the bombing, Yom7, 9 November 2016 - <https://www.yom7.com/story/2016/11/9/-عناصر-تكفيرية-تفجير-ضريحين-فى-شمال-سيناء-الأهالى-تفصيل-2959924/نسفت>

86-'I was waiting for my bullet': Accounts of the Rawda Mosque attack, Mada Masr, 27 November 2017: <https://www.madamasr.com/en/2017/11/27/feature/politics/i-was-waiting-for-my-bullet-accounts-from-the-rawda-mosque-attack/>

87-Bir al-Abd: ISIS increases religious persecution of Christians in Sinai, the government needs to protect minorities during armed conflict, Sinai Foundation for Human Rights, 18 April 2021 - <https://sinaifhr.org/show/80>

*They took his money and one of them quickly got into the victim's car and drove away in it. They went through sideroads covered by farms, so no one knew where they went".*

This testimony shows that the militants killed Subhi Samy, disregarding the sanctity of his blood and money because he was Christian.

### **Nabil Habashi Salama**

The Sinai Foundation documented on 17 April 2021 ISIS announcing the murder of a Christian civilian called Nabil Habashi Salama, 61 years old, through a video<sup>[88]</sup> shared on accounts related to the group on Twitter. The video also contained threats against all Christians in Egypt, claiming that they cooperated with the Egyptian military. The foundation had documented on 7 November 2020 Nabil's abduction from outside of his house in Ghizlan neighborhood in Bir al-Abd<sup>[89]</sup>. He disappeared for around 160 days before the group announced his murder.

**The foundation met with "Peter", the victim's son who lives in Bir al-Abd, to find the details of what happened. He said:**

*"My father is called Nabil Habashi Salama, 61 years old. He was a merchant, and had a gold jewelry shop. My father was abducted near his house in Ghizlan neighborhood in Bir al-Abd on 7 November 2020 at 8 PM. He was on his way home and 3 unmasked people who looked young and had machine guns stopped him in the middle of the street near his house and forced a small pickup truck to stop, forced the driver out, and forced my dad in the car. When pedestrians tried to help my dad, the armed men fired shots in the air to scare the pedestrians and left with my dad".*

He added:

*"We reported the incident at the Bir al-Abd police station, but sadly the report was written up as against persons unknown. On 04 January 2021, security forces evicted my family from our home and forbade us from returning to the area. We are 5 households from the same family living on the same street as my father. The abductors later contacted us and asked for a 3-million-pound ransom, claiming that it is a "Jizya (tribute) to be paid by Christians, if we paid, my dad goes free, if we didn't, they'd kill him. We don't have that kind of money and can't sell our properties in Bir al-Abd, and we're prohibited from reaching our gold shop. We notified the authorities and they promised to handle it, but*

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88-ISIS execute a Christian and two others in Sinai because they "supported the military", Euronews, 19 April 2021 - <https://arabic.euronews.com/2021/04/19/isis-execute-copt-and-2-others-in-sinai-due-to-supporting-egypt-army>

89-The most notable abuses that took place in November in Sinai, Sinai Foundation for Human Rights, 14 December 2020 - <https://sinaifhr.org//show/48>

*nothing happened. Three months before my father was abducted, around August, a Christian called Bakhit Aziz Lamii was abducted, and the abductors called his family and asked for a large sum of money as ransom, and when the family paid, Lamii was released. When Amm Lamii was released, he told me that my father was incarcerated with him during the last month".*

He continued:

*"My father was abducted because he is a Christian, and he founded "The Church of the Virgin, Anba Karas and St. Abanoub", the only church in Bir al-Abd. I am scared for my father, scared they would kill him. Everything is a haze right now and nothing is clear because the abduction report was closed and written up as against unknown. It's been four months and I don't see real effort by the authorities to find my father. No government authorities contacted me to see what we could do about the ransom the abductors asked for".*

This interview was conducted last March over the phone, before the murder of Nabil Habashi Salama. ISIS shared a video on 17 April 2021 recording the murder of Nabil. Egypt's constitution emphasizes the Right to Life in articles 59 and 60, stating that "Every person has the right to a secure life. The state shall provide security and reassurance for citizens, and all those residing within its territory", and "The human body is inviolable. Any assault, defilement or mutilation thereof is a crime punishable by law".

The International Humanitarian Law offers civilians clear protection from targeting during conflicts, as stated in common Article 3 of the Geneva Conventions "violence to life and person, in particular murder of all kinds" of civilians and persons unable to fight is prohibited. Special protection is also devoted to minorities in several conventions, for example: The United Nations General Assembly declaration prohibits all kinds of intolerance and discrimination based on religion or belief, as freedom of religion and religious belief expression and such are protected and are not to be coerced. The Arab Charter on Human Rights approved by the League of Arab States in 2004 also prohibits depriving any person of their rights based on their race, color, sex, language, religion, political views, or national or social origin.

