

The National Initiative to Rebuild the Police: A Police for the Egyptian People

Second Edition – October 2011

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Introduction

While the Egyptian Interior Ministry physically collapsed on 28 January 2011, it had already collapsed in the hearts of 80 million Egyptians. All were convinced that the security apparatus in Egypt acted to serve the Mubarak regime, at the expense of society and citizens. The cause of this collapse can be attributed to the dysfunctional organization of the Interior Ministry, which bound it to the ruling authority in a contemptible relationship embedded in a police state *par excellence*.

It cannot go unnoted that the launch of the 25 January revolution coincided with Egypt's National Police Day, nor that the revolutionary fervor of 28 January led to the utter defeat and retreat of the Egypt's nation-wide Police Department, marking the beginning of the end for the Mubarak regime.

The continued absence of security, months after the revolution, confirms that Egypt's Police Department remains dysfunctional and cannot operate in accordance with the rule of law and respect for human rights. This period has also shown that the revolution is threatened as long as the Interior Ministry preserves its current structure. Limited reforms are not enough; the ministry must be entirely restructured by a radical intervention that transforms its face, its agencies and its *modus operandi*.

Unfortunately, the Interior Ministry has still not elaborated a comprehensive strategy of reform, governed by the rule of law and human rights principles, and establishing a healthy relationship with the Egyptian people. With the exception of a few individual actions undertaken by honorable police officers and personnel, the Ministry's efforts thus far have been limited. The efforts seem to be aimed at restoring the status quo prior to 25 January, rather than changing an ideology rejected by the people and which led to the collapse of the Interior Ministry on 28 January.

The result is a post-revolutionary dilemma: Egypt currently suffers from a security vacuum, yet experiences the same repressive practices whenever the Police Department enters the picture. To address this problem, a group of citizens and civil society advocacy groups formed this independent working group. The working group set out from a paper submitted to the *First Egypt Conference*, held on 7 May 2011, titled "Measures for Restructuring the Interior Ministry," and authored by Police Colonel (Retired) Dr. Mohamed Mahfouz. Over several meetings, interviews and working sessions, we discussed the paper and used it as the foundation to develop an integrated initiative to restore security and rebuild the police within a framework governed by the rule of law and respect for human rights.

This initiative is grounded in the following set of principles:

- *Purification, Accountability and Oversight:*

Purging the Police Department of those involved in crimes will mark an end to the decades-long era of impunity for those that do not comply with the rule of law. It will also help the Egyptian people overcome the grudge they currently bear against police due to years of persistent repression and abuse. Moreover, the establishment of technological, judicial and citizen-based mechanisms to monitor the police will ensure a smooth transition to a security policy that respects the rule of law and human rights.

- *Demilitarizing the Police Department:*

The Police Department's military nature isolates it from society, and can be used by a corrupt regime to intimidate its citizenry. Thus, a set of interventions and measures to preserve the civilian nature of the police is needed.

- *Decentralization:*

A decentralized Police Department is more conducive to addressing the divergent, specific security issues in various regions, and to respond to communities' security demands.

- *Political Administration of the Interior Ministry:*

Currently, the function of the Interior Minister is to implement an executive securitization agenda. As a result, senior security officials are focused on maintaining the status quo, rather than protecting and addressing the demands of society. Having an Interior Minister that is appointed by an elected body, and changing his focus from direct day-to-day implementation to that of shaping policy will bring a broader politically representative vision to the administration of security.

- *Moral Responsibility to Law Enforcement:*

Allowing all police personnel to exercise their right to unionization will enable them to demand a fair minimum wage, maximum work hours and other occupational rights. This will underscore to police personnel the importance of establishing self-imposed ethical and professional standards and encourage a sense of moral responsibility to society.

- *Change, Not Reform:*

This means proceeding from the same assumptions of the revolution when it demanded the fall, rather than the reform of the regime. All security sectors on which the regime relied for its perpetuation must be dealt with using thorough interventions that subvert their structures and mode of operation, ensuring that these sectors change their methods and objectives to operate in the interest of society.

Guided by these principles, the Initiative proposes both imminent and long-term measures:

Imminent Measures

These are the bare minimum, necessary measures that we urge the competent bodies to enact immediately to swiftly restore the security presence to the streets. Based on the aforementioned principles, the measures will enable the Police Department to earn citizens' trust and respect by promoting security while limiting the potential for wrongdoing.

Long-term measures

These include proposals for structural changes and long-term legislative changes, with which we seek to initiate a social dialogue. This debate may be conducted in the framework of academic conferences that address all aspects of the topic, especially since Egypt is home to a number of relevant research centers, such as the National Center for Social and Criminological Research, the Center for Judicial Studies, the Cabinet's Information and Decision-Support Center, the Police Academy and law schools at all Egyptian universities. The goal is to debate these measures and reach a social consensus on them, making them an approved policy for any incoming government.

The following illustrates the details of our proposal to rebuild the police, an initiative motivated by our sense of patriotic responsibility. This is particularly so in light of the clear lack of interest on the part of the Interior Ministry in taking serious steps to restore security, or change its mode of operation. The result is an impression that the ministry has chosen to bide its time only to return to the oppressive status quo. History shows that this wager will inevitably lead to another confrontation between the people and the police in the future, potentially leading to catastrophic consequences for years to come. Thus, the Supreme Council of the Armed Forces and the Cabinet must assume their constitutional responsibility to swiftly restore security *as part of a new police system* that respects the rule of law and human rights and, thus, earns the respect and support of society.

Immediate Measures

Immediate measures can be divided into four sections:

1. Emergency interventions and structural measures.
2. Measures to purge the Police Department of leaders and personnel involved in crimes against the people.

3. Measures for occupational and geographic transfers and shifts (which will make better use of available human resources, improve work conditions for officers and personnel and improve the chances of positive interactions with the citizenry).
4. Measures for oversight, monitoring and social participation.

Each set of measures will be addressed in detail below.

A. Emergency Interventions and Structural Measures

1. *On the General Elections Directorate of the Interior Ministry*

The General Elections Directorate should be abolished, and its functions transferred to the permanent technical secretariat of the Supreme Elections Commission. The law has tasked the Commission with organizing all aspects of elections, including the formation of general committees, polling stations and ballot counting, supervision of the preparation, review and updating of the voter rolls, and the establishment and application of the electoral symbols system. This would limit the role of the Interior Ministry in elections to securing the polling stations via police forces, subject to the supervision of judges heading the polling stations. Additionally steps should be taken to create a national agency for elections and referendums to oversee these tasks in a way that is commensurate with the current democratic moment and existing technology.

2. *On Homeland Security*

The State Security Investigations Department, which has been renamed “Homeland Security Department,” must be separated from the Interior Ministry. Its job is to protect Egyptian national security and thus it must be established as an independent agency or be attached to the existing national security apparatus. The housing of this agency within the Interior Ministry led in the past, and, if unchanged, will lead in the future to:

- Control by the apparatus of all directorates in the ministry, which allows it to direct their operations in accordance with its view of national security, at the expense of citizens’ security, which is the primary mandate of the ministry.
- A lack of clearly defined prerogatives and responsibilities for the agency.
- A lack of parliamentary oversight over agency actions.
- A lack of clarity about and oversight of financial resources allocated to the agency.

Removing State Security from the Interior Ministry will protect the ministry and its primary mission from the hegemony and dominance of the agency while allowing for cooperation between State

Security and the ministry on matters that demand it via official, approved communications between the bodies, each within its defined legal boundaries and each held accountable for its performance and subsequent communications, information and measures taken.

B. Measures to Purge the Security Apparatus of Leaders and Personnel Involved in Crimes Against the People

1. Suspension of Officers and Personnel Under Investigation or Prosecution.

The Interior Ministry should suspend officers and personnel under investigation or prosecution as a precautionary measure pending the completion of the investigation or trial, pursuant to Article 53 of Law 109/1971 of the Police Law.

To emphasize the importance of justice in these trials and to show that the Interior Ministry's role is to support justice, the Interior Ministry should issue clear, explicit, public directives to all ministry sectors, directorates and personnel ordering them to refrain from an action that may influence the course of the trials, such as contacting, directly or indirectly, the families of martyrs, the injured or witnesses to intimidate or entice them. We also ask the minister to set up a dedicated call system to receive citizen complaints in this regard and to deal with these complaints with the utmost seriousness and decisiveness and take deterrent disciplinary measures against those who engage in such practices.

To underscore the importance of the public nature of these trials, the Supreme Judicial Council and the heads of the competent courts should:

- Permit the filming of these historic trial sessions.
- Instruct those responsible for securing the trials to make them accessible to the public, ensuring balanced attendance inside the courtroom to include lawyers, family members, press, and local and international observers.

2. Investigation of the Supreme Police Council (25 January – 6 March 2011)

The Minister of the Interior should suspend members of the Supreme Police Council from duty and refer them to the Supreme Disciplinary Council, along with former interior ministers Habib al-Adli and Mahmoud Wagdi, for questioning regarding their legal responsibility into deaths and injuries, the excessive use of tear gas canisters, water cannons, rubber bullets and live ammunition in confronting peaceful demonstrations on 25 and 28 January, the absence of security, and the opening of prisons and escape of prisoners, as well as their responsibility for the events of 2 February in Tahrir Square (the "Battle of the Camel") and the orders issued to all State Security Investigations

offices to destroy documents and files in violation of the law, and this pursuant to Article 5 of the Police Law.

3. Investigation of Interior Ministry Officials where Deaths or Injuries Occurred.

The Interior Ministry should refer pertinent officials for disciplinary action—including deputy security chiefs, assistant chiefs of public security, directors of criminal investigation directorates in security offices, directors of central security directorates, directors of security forces, and directors of state security investigations directorates and branch offices in all governorates where injuries or deaths occurred during these events. We ask the disciplinary council to conduct an investigation into complicity in (1) the death and injury of demonstrators; (2) the excessive use of tear gas canisters, water cannons, rubber bullets and live ammunition in the face of peaceful demonstrations from 25 to 28 January, and (3) the security vacuum that has prevailed since that time and the opening of prisons and escape of prisoners, pursuant to Article 47, paragraph 2, of the Police Law.

4. Transparency Regarding Snipers

The Public Prosecutor should publish a full report of the fact-finding committee on the Ministry's snipers, and their unlawful execution of protestors. The report should disclose the findings of investigations conducted thus far into this matter. Lawyers involved in cases of those killed and injured during the revolution to move for admission of the report in their cases.

5. Convicted Officers convicted of crimes and sentenced who were later reinstated in the Interior Ministry prior to 25 January 2011

Officers convicted of crimes, and subsequently reinstated after completing their sentences, should be put on inactive duty by the Interior Ministry in the public interest, pursuant to Article 67 of the Police Law.

6. Officers and Personnel Who Violated the Rights of Citizens or Were Involved in Any Type of Corruption.

In June, the Public Prosecutor formed a committee composed of three judges, headed by Judge Mustafa Sharaf al-Din, to investigate all reports of torture in police stations, both before and after the 25 January revolution. However, as things stand, the committee is tasked with investigating only complaints of torture,

The Public Prosecutor should immediately expand the committee's mandate and to include investigation of all other crimes and abuses committed by security officers and personnel in the previous years. The Interior Ministry should support these judicial investigations by issuing

immediate orders to suspend any police officers or personnel who are investigated, pursuant to Article 53 of the Police Law.

The Initiative, in cooperation with concerned advocacy organizations, will collect all available documentation and information on such reports from all sources and submit them to the committee for investigation. We urge citizens with any information on crimes or violations by police officers or personnel, to come forward to any of the concerned advocacy groups, particularly the Egyptian Organization for Human Rights (EOHR).

C. Measures for occupational and geographic transfers and shifts

1. *Transfers Based on Conduct.*

The Interior Ministry should transfer all officers and personnel currently assigned to criminal investigation directorates to “regular” police duty. They should be replaced by those with proven records of good conduct, while instituting intensive training programs.

Criminal investigation officers, with the knowledge of the Interior Ministry, are responsible for the cultivation and promotion of *baltajeya* (thugs) in Egypt. The phenomenon of *baltajeya* is the use of known criminals by investigation officers to engage in illegal activity harmful to the public. In exchange, law enforcement authorities turn a blind eye to their criminals acts, most notably drug trafficking. *Baltajeya* have been used to obtain information and apprehend suspects in low-income neighborhoods and slums, to intimidate citizens during elections and demonstrations, and to smear and attack political dissidents.

Criminal investigation officers are responsible for falsifying elections and providing cover for election rigging. Accompanied by State Security Investigations officers, they are known to make rounds on polling stations coercing polling station heads, through intimidation and threat, into accepting forged ballots and signatures on the voter rolls. They, along with the Central Security Forces, are also responsible for denying entry to voters to polling stations, whether through the use of *baltajeya* or the imposition of a security cordon around the stations.

Investigation officers are responsible for the majority of acts of torture and brutality that suspects face during interrogations. The most common methods include blows to the body and soles of the feet, suspension, whipping, electroshocks. They are also known for extracting false confessions by threatening, detaining or abusing suspects’ relatives.

The perpetuation of these illegitimate practices is one of the most serious obstacles faced in transforming the Interior Ministry into a body that protects and secures its citizens, rather than the regime. They indicate that the Police Department has a deeply entrenched culture of contempt for

the law. They also show a dysfunction in the Criminal Investigations Department that extends to their methods and objectives. Wholesale deference to orders that systematically violate the rule of law is a denial of basic human rights. This must be dealt with forcefully, these practices uprooted from the Egyptian police without hesitation or fear.

2. Transfers Based on Residence

The Interior Ministry should initiate a broad range of transfers, such that personnel are assigned to their governorates and districts of residence where possible. This will improve their work conditions, and draw security personnel closer to the citizens they serve. Bringing in new faces will also help win over doubtful citizens.

3. Reliance on Central Security Recruits for Security Patrols

The Interior Ministry should increase its reliance on Central Security recruits to conduct security patrols. Two-thirds of Central Security recruits should be assigned to public security detail, as a temporary, six-month measure. During this time, they should be deployed in police stations across all governorates to engage in security patrols under the leadership of officers and staff at the Central Security directorates and supervised by police chiefs. The recruits should be under the supervision of the governorate's Security Director for executive, administrative and technical purposes.

D. Measures for oversight, monitoring and participation

1. Emergency Numbers

The Interior Ministry should activate and clearly announce telephone numbers for receiving requests for help and reports of violations. A sufficient number of lines, and personnel, should be allocated to ensure coverage to all governorates and districts. Calls should be recorded, stored in a database, and subject to periodic audits for quality and compliance.

2. Judicial Oversight of Police Actions

Pursuant to Article 22 of the Code of Criminal Procedure, the Public Prosecutor should undertake regular inspections of officers with powers of search seizure, as well as detention. Inspection findings should be published, and tools used for torture or abuse confiscated.

Additionally, the Public Prosecutor should create and publicize a dedicated channel of communication for receiving citizen complaints and reports of violations or abuse. Investigation of valid claims should be prioritized, without putting a burden of proof on the person lodging the complaint.

3. Accountability Enforcement & Establishment

Existing accountability measures for professional misconduct should be enforced, and new mechanisms created where necessary. For example, the Public Prosecutor should enforce accountability measures, pursuant to Articles 22 of the Code of Criminal Procedure and 124 of the Penal Code, where a security vacuum exists due to suspicion of professional misconduct. Additionally, the Interior Ministry should establish and codify mechanisms to hold accountable security officials in any region that witnesses a security vacuum.

4. Public Oversight

The Interior Ministry should create a mechanism allowing civil society representatives (e.g. from the Lawyers Syndicate, Doctors Syndicate, licensed NGOs) to enter police facilities, unannounced at any time, to examine detention facilities and the condition of detainees, and to request and receive information about the same. The Initiative, in cooperation with concerned civil society organizations, will establish dedicated channels to report any violations by police personnel.

5. Citizen Participation

The Initiative calls on Egypt's youth to activate citizen committees to help secure streets, squares, shops, hospitals and places of worship, to organize traffic, and to report violations, in cooperation with existing police forces. We also urge all citizens, to inform the Public Prosecution of violations by police officials in their area. The Public Prosecution should investigate and hold accountable those responsible in light of Article 124 of the Penal Code and Article 22 of the Code of Criminal Procedure.

Long-term Measures

To date, the government has not outlined a plan to rebuild the security apparatus from the ground up. Nor has it outlined a vision for significant reform. The Initiative proposes a set of long-term recommendations, including structural and legislative changes, in part, to initiate an active social debate. One means of moderating this social debate may be to convene academic conferences to discuss all aspects of the topic, particularly since Egypt is home to numerous relevant academic centers, such as the National Center for Social and Criminological Research, the Center for Judicial Studies, the Cabinet's Information and Decision-Support Center, the Police Academy and law schools at all Egyptian universities. The goal is to reach social consensus on these measures as the recommended policy for any incoming government.

A. Redefine the Function of the Police

A radical solution is needed for the Police Department's inflated obsession with preventive security—the prevention of crime before it happens. We recommend the adoption of a set of wide-ranging legislative amendments that clearly define the limits to the security sector's crime prevention role, drawing red lines around unacceptable behavior and establish sufficiently deterrent penalties for those who cross them.

The security apparatus's obsession with preventive security leads to practices that exceed acts of security and protection and expand the scope of suspicion to include a great many people without any logical or reasonable justification. Residents in informal areas around Egypt understand well this obsession with preventive security. It is manifested by the frivolous arrest of citizens for reasons such as not carrying an ID card, walking on a public street late at night, or having been charged previously, irrespective of whether a conviction was obtained. For political dissidents, an excessive concern with political security results in illegal surveillance of calls, internet use, movements and meetings. Regular citizens understand these practices are undue, and foster in them a sense of fear, rather than reassurance, when confronted by the police.

The law enforcement role of the security apparatus involves arresting convicted fugitives, collecting evidence and apprehending criminal suspects. Performance in this role has declined to the extent that prison sentences are issued against convicted persons while they are free on the streets. Performance has been further marred by the security apparatus' usurpation of the investigating role of the Public Prosecution. They are also known to round up large numbers of people after the commission of a serious felony without pursuing appropriate procedures. Once detained, suspects are coerced into give false confessions and information, often times under physical and psychological duress.

These matters lay beyond the purview of the police—the Public Prosecution is the investigating and charging authority competent for charging, releasing, and referring suspects to trial. By contrast, the police do not have jurisdiction over investigations; they merely collect evidence, and they deal with suspects, not defendants.

Thus, there is a clearly dysfunctional understanding of security's crime prevention and law enforcement roles. This can only be addressed through legislative changes that clearly and explicitly emphasize the limits of these roles, draw red lines that cannot be crossed and set deterrent penalties for those who overstep their role, whether in crime prevention or law enforcement.

B. The Position of Interior Minister

We recommend the Interior Ministry be headed by a politician from outside the Police Department. This would promote engagement with security issues from a social and political perspective, while holding the ministry accountable to society's security priorities.

We believe that realizing this demand will improve the fraught relationship between the police and people in Egypt. A political minister will deal with the people from the perspective of a citizen who sees the faults and shortcomings of the security apparatus, and approves solutions sufficient to resolve them. This in contrast to a minister from within the Police Department, who, as an insider in the security establishment, may be unconcerned by various shortcomings since they have become a routine part of security work. A political minister will also bring a broader political vision to security work, going beyond the narrow professional outlook that is biased towards the security establishment rather than society's needs.

What we are asking is not a heretical innovation. Prior to the revolution of 23 July 1952, Egypt's history is filled with interior ministers that were political, and unaffiliated with the security apparatus. In most democracies, it is civilian political ministers who occupy the post of Minister of Interior.

C. Local Police System

We advocate transforming the entirely centralized Police Department into a distributed precinct system, with each governorate maintaining a local police force. A local precinct should be also linked to the office of the Governor. This adds an avenue of accountability, and makes security service improvement a campaign issue for gubernatorial candidates. A distributed precinct system will also help to gear the Police Department toward the service of the community, rather than the central authority. Crimes that exceed the capacities of a local police precinct can be handled by another agency with general jurisdiction throughout the republic.

It is no secret that the entirely centralized command chain of the Police Department subjugated officers to the task of preserving the regime by force until their withdrawal from Tahrir Square on 28 January 2011. It also contributed to their subsequent disappearance from Egyptian streets across the country in the first weeks of the revolution. There is no doubt that local decision-making and accountability will improve the competence of the Police Department and improve officers' relations with the public. It will also enable governorates to pursue a security agenda based on their actual needs, and allow the police to devote themselves to the same. In the existing system, by contrast, the Interior Ministry imposes a security agenda over the whole country, despite the diversity of problems and variations from one region to the next.

The Police Department's centralized command chain is at the root of the most common complaint heard on the Egyptian street today—decreased security presence. The lack of residential stability for police personnel, due to transfers from one governorate to another, is one of the main reasons that few people volunteer for police work. Moreover, officers or other personnel who are transferred to

governorates where they do not reside perform their jobs as ‘visitors,’ rather than members of the community, with a personal stake in security in the area.

Thus, we propose giving serious, comprehensive, consideration to a local police system that is subordinate to the executive body of each governorate, while regulated by the Interior Ministry for administrative and technical matters. This will guarantee the appointment of police officers and personnel in their home governorates, thus encouraging them to achieve security in their home areas, while also instituting all precautionary measures to guarantee that police show no favoritism to their family and friends and their interests.

D. Police Academies and Institutes

We propose the following changes in the police academy geared to instill civil and service-oriented spirit in the Police Department, improve its competence and demilitarize it:

- We recommend changing the course of study in police academies to limit it to graduates of law schools rather than secondary-school graduates. Currently, the course of study in the police academy lasts four years. It should be shortened, and its curriculum limited to skills relevant for police work. The course, and length, of study should be contingent on the field of specialization (e.g. traffic, undercover police, uniformed police, civil guard, etc...). Graduating officers would work in their areas of specialization throughout their career, contributing to a reservoir of cumulative experience in their field. Finally, training programs should also continue after job placement and promotion be made dependent on them.
- We recommend the establishment of several local police academies, on the regional or governorate level. Currently, there is only one police academy in Cairo to host students from governorates all over Egypt. Local academies, and their affiliated institutes, can graduate officers and security personnel to meet the security needs of each region or governorate. This will help to focus the study of skills that suit the nature of security problems in these areas.
- We recommend for the abolition of the closed-campus system of police academies, in order to revive the civil nature of the Police Department. The current militarization of the police academy has played a sizable role in isolating its graduating officers from society. Although it may be necessary to train military cadets in isolation from civil society, the nature of security work demands the opposite—the field of action for security personnel is society, not the battlefield.
- All articles of law that militarize the police academy must be abolished, to pave the way for a civilian education of police personnel. First and foremost is Article 14 of the Police Academy

Law, which states, “Students at the police academy are subject to the Code of Military Justice, and they shall be disciplined and prosecuted before a military court.”

- All discriminatory, unconstitutional policies and procedures should be abolished. Accordingly, we call for the abolition of background checks for admission into the police academy. Better representation of all segments of society in the Interior Ministry will bring the police closer to the society they serve.

E. Improvement of Occupational Conditions

We recommend the adoption of the following set of reforms to improve training, build capacity and provide better occupational conditions for all Police Department personnel:

- Review and amend the wage structure and incentive-pay system for all police officers and personnel. Fair pay, suited to the stature of police personnel, will alleviate the main cause of financial and political corruption in the police. Matters to be prioritized are: the redistribution of wealth within the Police Department by setting a maximum wage and substantially raising low wages; the standardization of wages in accordance with rank and seniority; and the abolition of wage gaps between various directorates, except where they concern objective differences in the nature of the work.
- Establishing a trade union. Defending the rights of Police Department personnel against the Interior Ministry will serve the interest of the entire security process. Unionized police personnel will not be forced to implement orders in violation of the law because they will have representation in the event of inquiries or other forms of pressure by the Interior Ministry. Moreover, it may be difficult to introduce incremental, successive changes to the Police Law in a way that meets the needs of policemen unless this is done through a union that defends their rights and duties. It should be noted that the Constitutional Declaration upholds the freedom of association for any occupational group in society; Article 4 of the declaration states, “Citizens have the right to form associations and establish unions, federations and parties, as described in law.”
- Enfranchisement of the police: Case no. 235/31JY, filed by Dr. Mohamed Mahfouz and cassation attorney Hossam Mahfouz, is currently pending before the Supreme Constitutional Court (SCC), challenging the constitutionality of the ban on police officers and personnel voting in elections. This Initiative leaves the issue of police enfranchisement to the Supreme Constitutional Court.

- Amending Article 71 of the Police Law. Under Article 71, officers above the rank of lieutenant colonel are contract workers, not permanent employees. This is known as “the voluntary promotion system,” wherein Lieutenant Colonels are subject to termination every two years, and Generals each year. The system is a sword held at the throat of officers, forcing them to comply arbitrary or illegal directives or suffer early retirement.
- Abolish Military Trials for Police. Under the current system, police personnel are subject to the Code of Military Justice in connection with professional duties. This means that police personnel may be imprisoned for a lapse at work, instead of facing administrative disciplinary measures. This system is another sword poised at the necks of police to compel to comply with arbitrary systems or illegal directives. It should also be noted that this is in violation of the Constitutional Declaration, which states that the police are a civilian body. Thus its members should be prosecuted before a non-military judge, in accordance with Article 21, with the caveat that their natural judge is a disciplinary committee or a civilian court, not a military tribunal.
- Upholding the principle of non-discrimination in the health and social services provided to police personnel, regardless of rank, while working to make sure that all enjoy a high level of services.
- We urge police officers and personnel to draft a new code of ethics for the Police Department.

F. Improvement of Capacity

We advocate improving the capacity of the Police Department by adopting advanced scientific methods of evidence gathering, analysis and crime-scene processing, and providing training programs for the same. Police failures prior to the revolution can be explained, in part, by a lack of officer familiarity with non-violent policing methods. Upgrading facilities with modern technical equipment can also improve efficiency and ensure oversight over police performance. For example, emergency response vehicles, traffic police vehicles, mobile and permanent checkpoints, sites of engagement with the public and detention facilities in police stations should be outfitted with surveillance cameras, to ensure both protection and oversight of police personnel at all times. All police stations should be outfitted with computers to write and record police reports. We also advocate the organization of conferences, the exchange of expertise and field visits with foreign security bodies and making the most of their experiences through reports given to officers. Visits abroad to other countries should be limited to young officers up to the rank of major.

G. Abolish Cross-Assignment of Armed Forces Conscripts

We recommend the abolition of the system whereby armed forces conscripts are detailed to agencies in the Interior Ministry, limiting affiliation with the Ministry to appointment only. The current system has militarized the police force, in violation of the former Constitution, the Constitutional Declaration, ILO conventions and human rights principles.

- Abolish Minister of Defense Decree 31/1981, which makes the Interior Ministry a military body, permitting the performance of obligatory military service under it.
- Abolish Article 2, paragraph (b), of the Military and National Service Law, which assigns conscripts with the Armed Forces to the Interior Ministry. Second-tier personnel in the Interior Ministry should be limited to policemen who have voluntarily chosen to enter the security profession.

H. Rapid Response & Riot Control

We recommend the replacement of the Security Forces and Central Security divisions with anti-riot and rapid-response units attached to local police districts. Every police station should maintain such units, staffed by police personnel specialized in these tasks. The basic mission of these units should be to accompany local police on the arrest of dangerous persons, raids on known ongoing criminal acts, and the dispersion of large fights. Anti-riot personnel should be trained in securing assemblies and demonstrations, rather than prohibiting or repressing them. Authorization to use force should be strictly limited by amending laws and regulations on the use of force, particularly with respect to the use of firearms. The use of force should be a last resort in cases of dire necessity, and applied proportionately to the risk posed.

I. Organizational Restructuring

Since it was created in 1878 as the Interior Administration, the Interior Ministry has come to oversee certain functions and tasks previously supervised by directorates originating within it. The Ministry of Health, for example, grew out of the Interior Ministry's Public Health Directorate. The same is true of all local governance institutions, including the Ministry of Local Development and the position of governor, originally the Municipalities and Provinces Directorate. There, of course, are many more examples.

As such, we believe that it is time that many of these tasks and functions be transferred from the Interior Ministry to other ministries or, alternatively, assume the form of independent agencies. This will relieve the Interior Ministry of many burdens that are not directly related to its security mission

and have a negative impact on its basic tasks. Below are some examples of the functions and tasks we believe should be moved out of the Interior Ministry:

- Organization of pilgrimage permits (perhaps more suitably attached to the Ministry of Awqaf)
- Civil Status Department (perhaps more suitably attached to the Justice Ministry)
- Issuance of work permits abroad (perhaps more suitably attached to the Ministry of Manpower)
- Passports, Migration and Citizenship Department (perhaps more suitably attached to the Foreign Ministry)
- Prison Authority (perhaps more suitably attached to the Ministry of Justice)
- Medical supervision in detention facilities and prisons (perhaps more suitably attached to the Health Ministry)
- Traffic (perhaps better made into a technical agency with executive bodies subordinate to governorates)
- Election supervision (as noted in the emergency proposals above)

We also recommend a balanced approach that centralizes supervision of security at ports, airports, embassies, customs, and security for the presidential office, parliament and the judiciary, while transferring all other security prerogatives to the local police.

J. Issuance of Licenses & Permits for Civic Activities

We recommend a radical treatment for the entrenched security role in various occupational and civic activities. To cite just a few examples, legislation and regulations on the right to demonstrate and peacefully protest must be amended, security intervention in the media and cultural field must be prohibited, and security approvals required in various government departments must be abolished.

K. Transparency & Oversight

We recommend making the Interior Ministry subject to all forms of financial and administrative oversight, like all other state ministries and agencies, including disclosure of security allocations in the state budget and the spending of these allocations.

L. Dealing with Past Police Crimes

In the emergency measures of this initiative, we asked the Public Prosecutor to task an investigating committee to look into police crimes and abuses in past years, as we are convinced that taking such immediate measures shows the regime's seriousness and credibility in dealing with the issue. Yet,

we also believe that fully addressing past police crimes requires a social dialogue that includes instruments for transitional justice (e.g. investigating committees, trials, compensation funds, institutional reform, etc...). The goals are truth seeking, providing compensation for victims, identifying responsibility for these crimes and adopting measures that will effectively prevent their reoccurrence in the future.

M. Legislative Changes

Based on the foregoing proposals for rebuilding the police, it is necessary to draft a new police law to suit this new outlook. The new law should establish a legislative framework that eliminates all forms of militarization from the police, adopts a system of local policing, abolishes Central Security Forces and State Security Investigations, amends the training system in the police academy and abolishes the Supreme Police Council. There is no longer a need for the Supreme Police Council as the ministry leadership, through a political minister, will be operating under a democratic system monitored by an elected legislature and an independent judiciary.

Necessary legislative changes include a revision of the legal definition of torture to include more forms of intentional physical and psychological harm to detainees, consistent with the definition of torture in international laws and conventions. Broad changes should also be introduced to Chapter 2 of Book 2 of the Penal Code on domestic felonies and misdemeanors harmful to the government and all other articles in the Penal Code dealing with the same topic. These statutes contain flexible legal formulations and vague criminal terms that in effect establish an expansive penal system that permits the creation of a climate of fear and makes Homeland Security stronger than citizens by giving it broad powers that encourage abuse.

N. Changing the Image of the Police

We recommend practical measures to change society's preconceptions and ideas about the police, creating a new image of the police among citizens as a body that respects the rule of law and human rights. Accompanied by tangible progress on all the points noted above, the following are examples of programs that could be instituted:

- Change the name of the Interior Ministry, as it has been linked in citizens' minds with subordination to the regime and repressive practices. We propose the Ministry of Internal Security.
- Rebuild police stations using a new design that divides the stations on the inside with glass partitions, thus eliminating sound-insulated walls or closed rooms and creating an open space that reveals everything happening inside. This will provide a measure of tangible

transparency that will be reflected in citizens' ideas and foster a sense of trust and reassurance.

- Change the uniforms of police officers and personnel, linked in the popular imagination with repressive practices, and design a simple, practical uniform. We suggest blue pants, a dark or light blue shirt and a blue sweater. The design should allow equipment to be carried with ease, and the police ID that bears the name of the officer or policeman should be hung on the shirt pocket or sweater to allow citizens to identify police personnel without asking for identification.

Conclusion

The Initiative sets forth principles and proposes measures at a time when despair and frustration at the continued security vacuum prevails. It realizes that the reforms described herein may appear unrealizable in the view of many citizens who have lowered their expectations as the security vacuum persists since the revolution. Citizens may now be more willing, though perhaps grudgingly, to see the return of security even if it is accompanied by the old violations and abuses. Yet history teaches us that every revolution has its enemies, who are always waiting for the opportunity to turn back the clock. There is no doubt that the ongoing lack of security is one means of exhausting and testing this revolution. Thus, we urge every free Egyptian to reject the return of security along with degrading, despotic powers. The bitterness of past experience has taught us that those who renounce their dignity for security will never receive security having lost their dignity.