

## **Army Shootings of Civilians: A Precarious Precedence, Not to Pass Without Accountability**

### **A Joint Human Rights Report Based on Testimonies by Eyewitnesses**

Cairo, April 10<sup>th</sup>, 2011

The undersigned human rights organizations express their utmost condemnation of the Egyptian army's opening of fire against Egyptian citizens present in Tahrir square and its surrounding areas during the events which took place in the early hours of April 9<sup>th</sup>. As stressed by human rights organizations, the attacks, leading to several deaths and injuries, constitute a dangerous precedence, and should not go unnoticed. An Immediate investigation should name and hold accountable those in charge of giving orders to use firearms and resort to excessive force against demonstrators.

The organizations further stress that the possible intention of the military institution to detain and investigate a number of military personnel who decided to join the civilian protesters on Friday's one million-strong march, this by no means justifies this unprecedented level of violence and shooting against unarmed, peaceful demonstrators, in an operation conducted by the military police forces, army paratroopers, and central security and special operations affiliated with the Ministry of Interior.

The organizations are of the view that the aggressive events of April 9<sup>th</sup> closely resemble the brutal and bloody attacks that were perpetrated by the police forces against demonstrators last January, leading to a number of the Ministry of Interior's high ranks now being held in custody awaiting trial before the criminal courts.

The human rights organizations are requesting the government to clearly and openly announce the real number of casualties whose lives were tolled as a result of this aggression, particularly in light of the information received from some medical sources which indicate that a large number of citizens were killed, although only one casualty has so far been confirmed by the Ministry of Health. According to the head of the Central Department for Intensive Care at the Ministry, the events of April 9<sup>th</sup> resulted in one death and 71 injuries, varying from shoots by firearms, to breathing difficulties, loss of consciousness, sharp drops in blood pressure, scars and bruises. Some independent media quoted medical sources saying that at least two citizens were killed, while other medical sources said the fatalities amount to six people, including a seven-year-old girl who was shot dead.

The organizations further request the release of 42 demonstrators who were arbitrarily arrested by the military police in Tahrir Square yesterday and presented in front of the military prosecution the same day where they faced charges of breaking the curfew and breaching the "prohibition of assembly" which was decreed by the military commander. In this respect, the undersigned organizations lay a strong emphasis on the importance of repealing the decision taken against the referral of these civilian protesters to an imminent military tribunal.

### **How it Started**

Hundreds of thousands of protesters began to assemble in Tahrir Square since early Friday morning 9<sup>th</sup> of April, in the so-called "Purgation Friday" million march, that was calling for stepping up the accountability measures for figures of the previous regime, foremost among them former president Mubarak, in addition to expressing resentment and protest against the military tribunals which are targeting civilians, and the failure to investigate the acts of torture committed by the military police. A number of officers from the armed forces had planned on joining the protesters and declared their support of the revolutionary demands, issuing a statement requesting the dissolution of the Higher Military Council and resignation of its Head; the resignation of the Minister of Defense; and the resignation of Field Marshal Hussein Tantawy, upon the claim of his bias towards ex-president Mubarak, and the generally slow progress in implementing the demands of the Revolution. In addition, in their statement, the officers demanded the establishment of a presidential council made up of civilians and one military figure, the expedition of measures against officials and figures charged with corruption, and finally, the release of all the detainees.

Towards the end of the day, there were eight officers in military uniform, in addition to others dressed as civilians. According to some estimates, 20 officers in total joined the protest.

Most of the demonstrators left the Square during the evening, with the exception of a couple of thousands who announced an open sit-in until the demands are met. They compelled citizens to join them in order to protect the remaining army officers from facing trial because of their position. Meanwhile, some of the protesters also announced that more army officers would join their comrades in solidarity to their position and request the resignation of the army leaders.

According to testimonies of eyewitnesses, one major general from the military police, accompanied by three officers, entered the Square shortly after midnight and headed to the planted area that lies in the center of the Square where the tent of the protesting army officers was pitched. It appeared as though this was an attempt to end their protest or arrest them. Witnesses added that they saw a large number of protesters chase the major general out of the square. He was physically assaulted and sustained bruises.

## **Armed Assault Against Tahrir Square**

At approximately 01:00, the Ministry of Interior central security vehicles started to arrive to the Square from the side of the Egyptian museum. Demonstrators saw armed forces armored vehicles approaching from Kasr el-Eini street. This was the first sign of the forced evacuation plan that was to be jointly implemented by the army and the Ministry of Interior, as represented here by the notorious central security forces. The operation continued until 02:30.

At around 03:00, army and police started to cordon the Square and some army forces in security police uniforms, camouflaged as paratroops, headed towards the circular garden where the majority of protesters were present. A few minutes later the military armored vehicles swiftly entered the Square and both the paratroops and military police steadily opened fire in the air, while at the same time a group of them broke into the sit-in area kicking and beating protesters using cues and gun heels. Ten minutes after this offensive, most of the protesters ran towards Kasr el-Nil bridge (and it was said that the three demonstrating army officers were among them), leaving behind a very small group of protesters holding ground until the army forces managed to take out all the tents and arrest tens of the protesters who were dragged into central security forces vehicles that parked close to the Square. The majority of the protesting army officers were seized and taken to an unknown place.

Human rights organizations managed to obtain footage of the shooting, taken by a reporter for *Al-Jazeera Mubasher* that was capturing live shots from an apartment that overlooks the Square. The video shows some individuals who are seemingly affiliates of the army, wearing military uniform, while violently beating and kicking an injured demonstrator who had fallen down, as stated by the correspondent. The video also shows an ambulance attempting to come close to the injured citizen, but it had to drive away after the soldiers gave it orders to leave without transporting him. However, the human rights organizations cannot validate the footage.

### **Firing at Protesters**

By 04:30 the army succeeded in dispersing the protesters. However, a number of fleeing protesters who ran toward Kasr el-Nil bridge and the Maspero building managed to re-converge close to Talaat Harb Square to head towards Tahrir to look for their fellow demonstrators who decided to stay in the Square. All eyewitnesses said that some forces holding badges of paratroops suddenly appeared at that moment and started firing intensely to the ground and in the air. However, a few minutes later they aimed their fire at the masses of protesters in Tahrir while they were attempting to flee.

Some individuals who took part in the protests stated that they were randomly running in all the streets around Talaat Harb Square, chased by the military police cars that were firing in their direction. Others mentioned that paratroopers were running after them and shooting with their guns. The demonstrators exchanged stone throwing with the central security

forces. It appears to the human rights organizations that most of the casualties and serious injuries occurred during this chase.

### **The Supreme Military Council Denies and Human Rights Organizations Respond**

The multitude of testimonies reviewed by the Egyptian human rights organizations confirm the invalidity of the claims that were presented in the press conference held on the evening of April 9<sup>th</sup> by two members of the military council, namely Major General Adel Emaara, assistant Minister of Defense, and Major General Ismail Etman, Director of Moral Affairs Section at the army. The two speakers claimed that “the elements of the armed forces that were trying to do the evacuation operation did not hold any kind of ammunition, and that they practiced the utmost degree of self-restraint in the light of the commands decreed upon them by the Armed Forces”.

In this very context, human rights organizations stated that a large number of protesters collected immense quantities of firearm shells from the scene . Websites expose tens of still camera shots of protesters carrying bullet shells in their hands. Other activists also photographed pools of blood at the entrance to Tahrir Square from Talaat Harb Street, and close to Huda Shaarawy Street that branches out of Talaat Harb. Moreover, the Ministry of Health issued a report stating that some injuries were due to the shots by firearms. Representatives of human rights organizations met with a hospitalized demonstrator whose arm was seriously injured and clearly proved the bullets shot by the army were not blank, nor shot in the air, as claimed by the Military Council. On the contrary, a number of eyewitnesses and injured persons stated that they heard some armed forces officers shouting warnings that they had received orders to shoot at the protesters while evacuating demonstrators from the Square.

In light of all these testimonies, the Military Council is requested to at least issue a prompt corrective and apologetic statement for the statements of its members who claimed the forces were not armed. Such a statement adds insult to injury for the peaceful protesters.

### **Back to Tahrir Square and Counter Violence**

The demonstrators pursued a running in and out strategy while being cracked down upon by soldiers until 05:30. With the curfew coming to an end (02:00 – 05:00), demonstrators took to the major streets lifting their hands up high and heading towards Tahrir square, shouting that they are civilians who wish to go back to the Square after the end of the curfew time. At this stage, some who were already in the Square threw stones at the soldiers but were banned by the rest of the demonstrators.

When the groups of demonstrators once again managed to enter Tahrir Square at 06:00, they stated that they saw military police forces and central security forces walking out of the Square, while an army pickup truck carrying iron rods and bars and barbed wire arrived in the Square, and army officers started to dig the bars in the ground and surround the central green garden with barbed wire.

This is when eyewitnesses saw some angry individuals in the square begin pulling out iron bars and using them to chase the soldiers out of the garden area. The witnesses added that the soldiers ran toward the truck, yet some anonymous persons surrounded the truck and threw rocks and bars at it, forcing the driver as well as the soldiers to run quickly taking the road to Kasr el Nil bridge. Some individuals in the Square lit up newspapers and put them in the fuel tank of the two trucks, setting them on fire within minutes.

### **Central Security Again**

At around 06:15, Central Security formations appeared near the Egyptian museum and heavily tear-gassed the Square, causing a big number of protesters to lose consciousness before receiving treatment by ambulance vans that entered. The two burning trucks exploded a few minutes later. Following the withdrawal of the central security formations, the protesters progressed in every direction and built barriers at every entrance point using the barbed wire and metal rods left behind by the soldiers.

### **Civilians under Military Prosecution**

The 42 detainees arbitrarily arrested from Tahrir Square were transported to the military prosecution headquarters in Tenth of Ramadan neighborhood, Nasr City, Cairo. The protesters were interrogated and charged with breaking the curfew order, and breaching the assembly prohibition clause that had been decreed by the Military Commander. Some human rights lawyers and members of the Egypt Protesters Defense Front attended the interrogations, where the detainees were ordered to be kept in custody for 15 days. The lawyers learned that the detainees were expected to be presented before a military tribunal in the next few hours.

The lawyers noticed that some of the arrested protesters had bruises and abrasions, while others might have fractures as a result of being subject to assault during the attack on the Square. The deputy military prosecution officer asked the lawyers to bring in some medicine and pain killers to the injured detainees, while he promised that he would allow first aid to those in need.

The human rights organizations emphasize that the claims made by the Military Council members in their press conference on April 9<sup>th</sup> were untrue, as they alleged that the arrested persons were from "the counter revolution," and followers of "one known figure." The organizations also confirm that those allegations were never addressed during the interrogation by the military prosecution.

The lawyers were able to obtain the following list of the 41 arrested:

1. Ramy Gamal Ibrahim
2. Mohamed Ahmed Hossam
3. Mostafa Hamed Abdel Khaleq
4. Emad Atef Al-Din Mohamed

5. Mostafa Alaa El-Din Gabr
6. Mohamed Ibrahim Ibrahim Al-Guindy
7. Mahmoud Gomaa Ahmed Hussein
8. Aaser Hussein Abdel Ghany
9. Salah Shaaban Al-Sayed Mohamed
10. Abdallah Mohamed Afify
11. Essam Ashour Abul Ezz
12. Ahmed Hassan Abdel Ghany
13. Amir Das Bluss (British national)
14. Malsy Aerban (German national)
15. Ahmed Mohamed Ahmed Awadallah
16. Essam Hassab El-Nabi
17. Kamel Abdel Aziz Kamel
18. Mahmoud Saad Abdel Gawaad
19. Hossam Mohamed Sabry
20. Kareem Mohamed Khedr
21. Ahmed Awad Abdel Moneim
22. Hany El-Nuby Ahmed Abdel Halim
23. Negm Mohamed Abdel Meguid
24. Mahmoud Mohamed Al-Sayed Hassan
25. Ashraf Hamada Nasr Hussein
26. Hany Mahmoud Samy Abu Hussein
27. Alaa Lotfy Zakareya Abul Magd
28. Abdel Rahman Mohamed Abdel Rahman
29. Mohamed Mahmoud Moussa Diab
30. Abdel Hamid Shaaban Abdel Hamid
31. Mohamed Ragab Hussein Mohamed
32. Mahmoud Nooy Said Abdel Latif
33. Mohamed Hassan Ismail Moustafa
34. Mohamed Zaki Saad El-Din
35. Taha Mohamed Taha Amer
36. Mostafa Ismail Aly Hasaan
37. Hossam Sadeq Mohamed Salah
38. Khaled Osama Mohamed Soleiman
39. Magdy Mohamed Ahmed Iskandar
40. Jo Albair Boshra
41. Mohamed Ahmed Hamaam

## **Urgent Recommendations**

The Egyptian human rights organizations are calling for the following procedures to be taken promptly:

1. Carry out an urgent, independent, and transparent investigation into the armed and violent assault against the protesters who were present in Tahrir Square and in its surrounding neighborhoods on April 9<sup>th</sup>, and announce the outcomes of this investigation without delay, naming those in charge of giving and implementing the orders to open fire on peaceful unarmed protesters
2. Promptly disclose the actual number of deaths and injuries in the operation, and look into the information received about the rising number of casualties, and the involvement of some hospitals and officials at the Ministry of Health in hiding the real figures.
3. Release the civilians who were arrested from Tahrir Square, repeal the order that was issued to refer them to a military prosecution, and drop the charges against them.
4. Disclose the location in which the detained army are being held and the nature of charges against them, and guarantee that they enjoy all their legal rights in full, including the right to receive visitors and communicate with their lawyers.