



Belady: an Island for Humanity Annual Report on Violations of the Rights of Women and Children in the Republic of Egypt in 2022

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Belady: An Island for Humanity- a Human Rights Organization Supporting Egyptian Women & Children since 2017

Belady aims to dismantle institutionalized violence by documenting the Egyptian regime's violations against women and children and educating national and international society and decision-makers about them. We also pressure and advocate the amendment of legislation that codifies violations while calling upon authorities to implement bypassed laws that would ensure respect for rights and freedoms. Belady provides legal and psychological support and protection for Egyptian women and children who have been detained in political cases.

Executive Summary

On the eleventh anniversary of the 25th January revolution, and the beginning of the ninth year since the takeover of President Abdel Fattah El Sisi in Egypt, Belady publishes an observational report of data on 123 women and 23 children who have been arrested and charged or rotated in political cases in 2022.

This research focuses on the arrest rates, the geographical distribution of those arrested, and the violations against them, whether during the arrest or detention period. The report also includes statistics on the trials that took place in **2022**. It also sheds light on one of the most important cases that emerged during the past year, which is Case No. **95** of **2022**, State Security, known as the "Torture Case of El Salam Police Station". Finally, the report includes a set of recommendations in order to improve the conditions of these women and children, protect them, and reintegrate them into Egyptian society.

Introduction

Today, twelve years have passed since the voices of Egyptians were raised demanding a democratic transition and social justice. However, the Egyptian people have gained nothing but continuous restrictions on public and private rights, freedoms. Like this decade, the year **2022** did not vary from what preceded it in terms of political restriction and the arrest of activists or any citizen who tries to express their opinions outside the political narrative of the Egyptian regime that perches on political life and public space.

Along with the numerous cases and the repetition of these practices, today it has become very common to talk about methods of repression in a manner that the path of those who authorize themselves to oppose the regime became clear and evident. This path includes arrest, detention, complete absence of the conditions for a fair trial, outrageous violations of the universal rights of detainees, and indifference to National laws, including the Egyptian Constitution.

Along with all these practices, the Egyptian people, after their imprisonment, were not spared from oppression and abuse. The year **2022** recorded the most atrocious manifestations of assault from the moment of arrest to the detention place, with its violations, often the first of which is enforced disappearance and after appearing before the prosecution and rotation (holding the prisoners in pretrial detention in a new case- or more- whether after their release or during their detention).¹

In prison, most of the prisoner's rights are usually violated, and the punishment intensifies by retaliation and the use of several methods that this report will cover.



Methodology

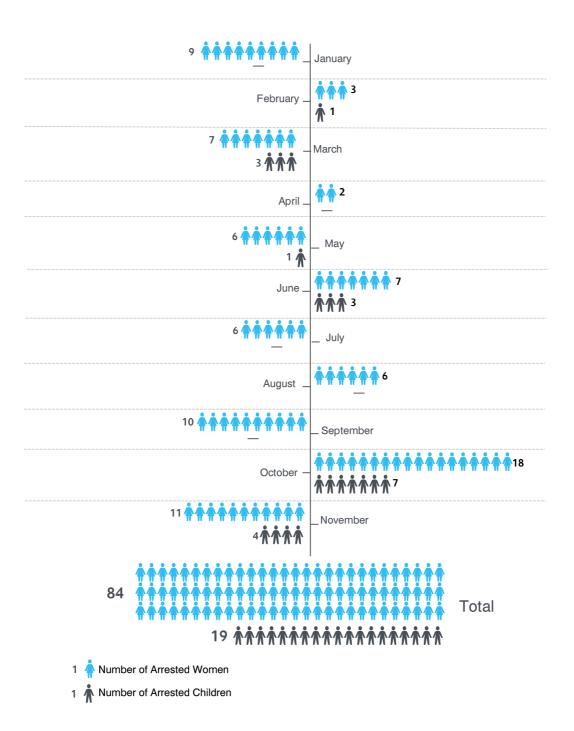
This report is based on observational data on **123** women and **23** children who have been arrested and charged in political cases or rotated after their release in **2022**. Belady has collected this data over twelve months using several methods, including the data of Belady's legal unit, in addition to indirect secondary sources, such as follow-ups on press and news websites, social media, follow-ups on civil society organizations, and observational data. As a reference, Belady relies on documenting violations of the Egyptian constitution and international human rights conventions mentioned in the legal annex to this report.

Results

I.Arrest (women, children)

First, Arrest Rates

Authorities continue to arrest Egyptians because of their opinions, just like the previous years. Prisoners of conscience suffer from unfair trials and detention in very poor conditions. Belady observed **142** cases of arrest of women and children in **2022**. The cases in which the date of arrest is known, are as follows:





The reason for the high rate of arrests of women and children in the months of October and November is due to citizens' calls to demonstrate on November 11th, 2022, in protest against the poor economic and social conditions. Where these demands were met with preemptive security campaigns from the regime, Belady observed the arrest of 18 women and 7 children in October and 11 women and 4 children in November.

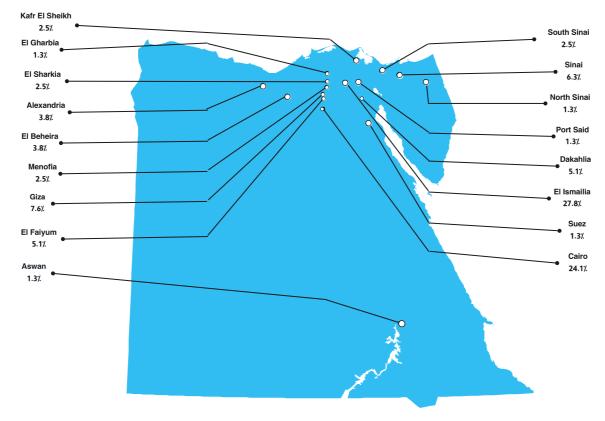
The Egyptian authorities sought to thwart the November 11th demonstrations before they took place, as they hustled to arrest those calling for demonstrations on social media and searched mobile phones in the street. Belady added records related to phones and social media means to 17 children and women who were arrested in October and November of 2022.

It is worth noting that the number of arrest cases is growing compared to **2021**. Belady observed arrest incidents in **2021** against **59** women, and **23** children; **82** arrested people in total, whereas, the number this year reached **142** arrested.

Secondly, Geographical Regions and Arrest Governorates

In this report, the arrest included five Egyptian regions. The Canal region had the most cases at a rate of 43½ (34/79), followed by Cairo at 31.6½ (25/79), then Delta at 11.4½ (9/79), Alexandria at 7.6½ (6/79) and Upper Egypt (Sa'eed) at 6.3½ (6/79). 5/79).

In observing arrest cases by governorate, Belady recorded seventeen governorates, Ismailia topped them at a rate of **27.8**/. (**22**/**79**), while cases were distributed to the rest of the governorates in varying proportions, according to what the map shows.



Third, Charges against Women and Children

Belady observed that the charges of the arrested children and women revolved around three main axes:

- Charges Relating to "Cyber/electronic Crimes": Spreading false news, misusing social media, etc. These charges were brought against 69.8/. (67/96) of women arrested in 2022, as well as 82.6/. (19/23) of children

- Political Charges: Unlawful assembly and possessing printed materials, etc. These charges were brought against 8.3/. (8/96) women in 2022, and

- Terrorism Charges: Joining and financing a terrorist group, etc. These charges were brought against 95.8% (92/96) of women and 100% (23/23) of children arrested in 2022.



Fourth, Violations in Mass Including all Forms of Violence and Mistreatment against

Women and Children

Belady observed a set of violations to which women and children were subjected, whether during arrest or detention, as follows:

Physical violence against 4.1% (6/146) of the sample of this research using many methods, such as severe beating, undressing, and forcing to stand for long durations in interrogation, in addition to other methods of ill-treatment and torture, such as detention in an overcrowded cell that lacks ventilation and denial of exercise.

Perhaps the most prominent example of this is the case of journalist Hala Fahmy Bakhit Diab who was subjected to most of these violations. She was abused and detained in an in-processing ward overcrowded with prisoners and lacking adequate ventilation, in addition to forcing her to sleep on the floor despite the presence of an empty bed on which she could sleep, and forcing her to walk in the ward with bare feet. Moreover, she was denied her right to exercise for an entire month. This comes after her arrest for "using a private Facebook account on the international information network and deliberately publishing false news and data, in addition to the usual charges of joining a terrorist group and incitement to commit terrorism crimes". These charges come as a result of her defense of employees and workers at the National Media Authority 'Maspero' and demanding they receive their financial dues.

Political and institutional violence against 58.2% (85/146) of this research sample by enforced disappearance, arbitrary detention, denial of health care, denial of reading, writing, and accessing the prison library, interrogation in the absence of a lawyer, rotation, and detention with adults for minors. The most prominent example of this is the case of Ms. Maha Hamid Mohamed Hamed Hegazy, whose deliberate health negligence led to her death while she was imprisoned in El Qanater Prison. She was arrested on January 12th, 2022 in case No. 5 of 2022 for joining Tayar El Ummah, spreading false news, and misusing social media. She was subjected to enforced disappearance for six days under mysterious circumstances, although she was suffering from several diseases that require health care, such as hemiplegia, blood pressure, and diabetes.

Psychological violence against **2.1**% (3/146) of the sample of this research by cursing, insulting, and humiliation. **Sexual violence** against one woman through abusive body searches.

Fifth, Enforced Disappearance

The year **2022** did not differ from the previous years in terms of the enforced disappearance of detainees, especially women and children. Belady has observed that **54.8**% (**80**/146,) of arrested women and children (**65** women, **15** children) were forcibly disappeared in **2022**, with an average of **72** days of disappearance per detainee. The maximum period of disappearance during the past year was **185** days. This leaves no room for doubt that the authorities interrogate detainees outside all legal frameworks.

The most prominent example of this is Nihal Hussein Abu El Qasim, aged **36**, a mother of two daughters. She and her husband were arrested on May **21**st, **2019**, where she remained forcibly disappeared until she was brought before the prosecution on December **11**th, **2022**, to be imprisoned in Case No. **2365** of **2022**, Supreme State Security, for joining a terrorist group without opening an investigation into her disappearing or observing the legal timeframe for arrest and presentation to the Public Prosecution. Ms. Hussein remained forcibly disappeared for **1290** days, to be the most disappeared woman prisoner after exceeding the period of Manar Adel Abu El Naga and her child, who disappeared for a period of **714** days. Thus, the political authority confirms that it is able to harm anyone without accountability. As for the children, the situation was not much different. For example, the **16** years old child Khaled Mohamed Gomaa Saleh, charged in Case No. **620** of **2021** State Security, was arrested when he was **13** years old on December **3**rd, **2019** after returning from school. He was illegally detained in El Arish National Security Headquarters. He suffered psychologically after being disappeared for one year, leading him to suffer physical paralysis.

Khaled was transferred to the hospital on March 23rd, 2021. A decision was issued by the State Security Prosecution to detain him there and refer him for trial as soon as he recovers. He remained detained in the hospital from March 23rd, 2021 until he was presented before the State Security Prosecution on September 11th, 2022, after nearly two years before the initial arrest.



II.Statistics on 2022 Trials

The stage of arrest for political reasons often ends in retaliation-based trials, lacking the most basic conditions for a fair trial guaranteed by Egyptian and international law.

First, Information on Detainees Who Were Tried in 2022

Belady observed that 24 minors and 25 women were tried in the backdrop of political cases in 2022. 4.2/. (2/48) of them were brought before the Court of Misdemeanors, while the Criminal Court (Felonies) received the lion's share, as 64.6/. (31/48) of them were brought to trial before it. In addition, 31.3/. (15/48), nearly a third, were brought before the Military Criminal Court.

Perhaps the most prominent trial in 2022 is the trial of Alia Nasr El Din Hassan Nasr Awad, known in the media as "Alia Awad" before the Cairo Criminal Court in Case No. 451 of 2014, Supreme State Security, registered under No. 4459 of 2015, Helwan Felonies, and under No. 321 of 2015 South Cairo.

Ms. Awad is a **37** years old photojournalist, who specifically enjoys photojournalism, and because she is a resident of Helwan, Ms. Awad covers the demonstrations and events that take place in that area, just as she photographed the events of June **30**th, **2013**.

In early September 2014, the security forces raided Ms. Awad's residence and arrested her aunt, found in the residence, to pressure Ms. Awad to surrender. Subsequently, Ms. Awad was taken to the National Security Headquarters and was confronted with a video clip of a group of masked demonstrators. She was forced to admit that she had photographed it and posted it on social media. After more than two years had passed, Ms. Awad was released by the head of the Cairo Criminal Court. He stated that she was released for humanitarian reasons; being the only woman among 214 men and boys. On October 23rd, 2017 (One year after her release date), security forces took her to custody while she was in the trial session. Five days later, she appeared at Helwan Police Station, after which she was transferred to El Qanater Prison in early 2018.

Ms. Awad experienced many health problems and performed many operations during her imprisonment. The last operation needs to be repeated with better techniques, due to her continuous bleeding.

After all these circumstances, and amid loud voices calling for Ms. Awad's release due to her health conditions, her verdict session took place on June **28**th, **2022**, where the Cairo Criminal Court, First Circuit of Terrorism sentenced her to fifteen years. She was charged in Case No. **451** of **2014**, Supreme State Security, known in the media as the "Helwan Brigades" case, for joining a terrorist group and promoting its purposes.

Furthermore, among the cases of **2022** was the verdict against the child Tamer Khaled Abdel Aziz El Hefnawi of five years imprisonment, inclusion on terrorism lists, and five years probation. He was charged on the backdrop of filming a torture clip in a cell at El Salam Police Station. It is worth noting that it was illegal to detain the child Tamer with adults, but the prosecution and the judge did not observe the law, and continued to hold them with adults illegally. He was charged with "joining a terrorist group with knowledge of its purposes and means, funding terrorism, spreading false news on the country's internal situation that would disempower the state, disturb public security, and terrorize people".

Second, Verdicts against Detainees in the Backdrop of Political Cases

Balady observed the acquittal of 45.2% (19/42) among those detainees whose verdicts are known, while 35.7% (15/42) were sentenced to imprisonment from 5 to 15 years and 16.7% (7/42) were sentenced to imprisonment from one to 3 years. Belady recorded one life sentence against Ms. Rehab Nabil Mohamed Mugahid, who is imprisoned in Case No. 95 of 2022 known as the torture case of El Salam Police Station, which we will come to later in great detail in the next section. Finally, Belady recorded that one sentence was reduced before the Court of Appeal, while seven imprisonment sentences were upheld and none was overruled.

Third, Case No. 95 of 2022, State Security, Known as the "Torture Case of El Salam Police Station"

On January 24th, 2022, The Guardian Newspaper, published an article on the torture of detainees in El Salam Police Station by the police, under the title "We're next: Prisoner's secret filming appears to show torture in Cairo Police Station". The article was based on a video clip secretly recorded through a cell door, showing detainees naked from the waist up and suspended from a metal grate by their arms, which were fastened behind their backs.



The Egyptian police denied the incident and claimed that the video was fabricated with the aim of spreading rumors and lies.³ On February **15**th, **2022**, the Public Prosecution issued a statement also denying the veracity of the leaked video, after conducting five days of investigations.

During the five days, on February 6th, 2022, the 36 years old woman Rehab Nabil Mohamed was arrested. Ms. Mugahid is the sister of two defendants charged in one case. She was forcibly disappeared for twenty days, during which she was subjected to severe beatings until she appeared before the Supreme State Security Prosecution on February 27th. This incident revealed that the child Tamer Khaled (17 years old child) was held in pretrial detention at El Salam Police Station with adults. His presence coincided with the filming of the video clip. As a result, he was included in the list of defendants charged in "El Salam Case".

The Public Prosecution announced in its statement that the truth of the incident is that some prisoners smuggled a phone into the police station. This was according to the confessions of the prisoner who had the phone. It added that the "prisoners agreed to film and publish a video showing fabricated beatings and torture after causing the injuries to themselves ... and that they injured themselves with metal pieces with incitement from others inside and outside the country, to cause destabilization, stir up strife, and spread rumors by filming the circulating video.⁴."

Based on the statement of the Public Prosecution, the victims turned into perpetrators, traitors, and participants in a terrorist group. The accusation circle included the rest of the detainees in the same cell and those who received the video outside. The case ended on November **17**th, **2022**, with the appearance of **23** defendants before the Second Circuit of terrorism at the Cairo Criminal Court. The latter sentenced nine defendants to life imprisonment, including Ms. Rehab Nabil Mohamed Mugahed, thirteen others to fifteen years, one defendant to five years, and the inclusion of all defendants on terrorism lists. Based on this incident, we conclude that **2022** represented a new chapter of the authorities' repression of detainees, with the judiciary continuing its bias towards the narratives of the Ministry of Interior without scrutiny, making the police engage in both investigative and prosecutorial functions, thus turning victims into conspirators against state security with the blessing of the judiciary.

Fourth, The Court of Cassation Sentences Seven Children to Five Years

Egyptian courts continue to retaliate against children arrested in the backdrop of political cases, such as those imprisoned in the Rab'a Dispersal Case. The Egyptian authorities arrested the children Amr Yassin Ragheb, Mohamed Habara Eid Mohamed, Abdel Rahman Rabi` Mostafa, Mahmoud Mohamed Ayad, Maghazi Gamal Maghazi Sweilem, Amr Abdel Rahman Ahmed, and Mohamed Ahmad Hamza during the events of Rab'a Sit-in Dispersal. These children were charged in case No. **34150** of **2015** Nasr City Police Station I Felonies, registered under No. **2985** of **2015** East Cairo. On November **15**th, **2020**, after nearly seven years had passed, the court sentenced the children listed in the case to fifteen years imprisonment in absentia. On June **5**th, **2022**, the Egyptian Court of Cassation reduced the sentence to five years imprisonment.



Conclusion and Recommendations

Based on what Belady observed in terms of violations against children and women, we conclude that the Egyptian regime continued its practice of torture and ill-treatment against those arrested for political reasons. Moreover, there is harmony between state institutions starting from police reports, continuing with prosecution charges, and ending with court verdicts. Like the previous years, **2022** witnessed cases of torture, such as the torture case of El Salam Police Station and similar ones raising the concern of public opinion through leaked videos. The state continues to violate vulnerable groups and fails to provide legal protection for them, especially women and children, the subject of this report. It also continues the closure of the public sphere and undermines rights and freedoms as it had done in the previous years.

The throughline throughout the years of the current regime is to confront all political and ideological differences with the security solution. Repression is an inevitable result when the authorities are in the hands of one person or regime. The results of this report, which focused on arrest, trials, and ill-treatment reflect the lack of independence of the Egyptian judiciary and the rest of the state bodies contrary to Egyptian law and international legislation. In reality, the judiciary is almost entirely subservient to the executive authority, inhibiting the path toward building democracy in Egypt. Likewise, we conclude that the state violates its unyielding duty to protect the lives of individuals deprived of their rights, but further directly contributes to the abuse of detainees in various forms that include torture, medical negligence, and deaths in detention places.

Recommendations:

Based on the data mentioned in this report, Belady calls on the Egyptian authorities to expedite:

- Ratification of international treaties related to protecting and guaranteeing human rights,
- Criminalizing enforced disappearance and considering it a form of torture,
- Requiring judges to monitor the legality of arrest procedures and reports before trial,
- Supporting the Child Law with effective monitoring tools,
- Working to establish a transitional justice mechanism based on reviewing the verdicts against detainees, except ones accused of committing real and serious crimes,
- To promote the independence of the authorities and the supremacy of the law to provide effective and real justice, and
- To release prisoners of conscience, while providing mechanisms for their rehabilitation and reintegration into society.

B e l a d y

Legal Annex

This legal annex deals with the legal arsenal that is meant to protect the rights and freedoms of Egyptian citizens, including arrest, the foundations of a fair trial, and the rights of detainees in Egyptian prisons. This annex includes sections from the Egyptian Constitution, international treaties and laws, and finally national laws related to prison regulation.

The Egyptian Constitution

Article 52: All forms of torture are a crime with no statute of limitations

Article 54: Personal freedom is a natural right that 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 their lawyer is present. If he has no lawyer, a lawyer will be appointed for them. Those with disabilities shall be provided all necessary aid, according to procedures stipulated in the law.

Those who have their freedom restricted and others possess the right of recourse before the judiciary. Judgment must be rendered within a week from such recourse, otherwise, the petitioner shall be immediately released.

The law shall regulate preventive detention, its duration, causes, and which cases are eligible for compensation that the state shall discharge for preventative detention or for the execution of a penalty that had been executed by virtue of a judgment that is overruled by a final judgment.

In all cases, the defendant may be brought to criminal trial for crimes that he may be detained for only in the presence of an authorized or appointed lawyer.

Article 55: All those who are apprehended, detained, or have their freedom restricted shall be treated in a way that preserves their dignity. They may not be tortured, terrorized, or coerced. They may not be physically or mentally harmed, or arrested and confined in designated locations that are appropriate according to humanitarian and health standards. The state shall provide means of access for those with disabilities.

Any violation of the above is a crime and the perpetrator shall be punished under the law.

The defendant possesses the right to remain silent. Any statement that is proven to have been given by the detainee under the pressure of any of that which is stated above, or the threat of such, shall be considered null and void.

Article 56: Prison is a house for reform and rehabilitation. Prisons and detention centers shall be subject to judicial oversight. All that which violates the dignity of the person and or endangers their health is forbidden. The law shall regulate the provisions to reform and rehabilitate those who have been convicted and to facilitate a decent life once they are released.

Article 57: Private life is inviolable, safeguarded, and may not be infringed upon.

Telegraph, postal, and electronic correspondence, telephone calls, and other forms of communication are inviolable, their confidentiality is guaranteed and they may only be confiscated, examined, or monitored by causal judicial order, for a limited period, and in cases specified by the law. The state shall protect the rights of citizens to use all forms of public means of communication, which may not be arbitrarily disrupted, stopped, or withheld from citizens, as regulated by the law. **Article 58:** Homes are inviolable. Except in cases of danger, or if a call for help is made, they may not be entered,

searched, monitored, or wiretapped except by causal judicial warrant specifying the place, time, and purpose thereof. All of the above is to be conducted in cases specified by the law, and in the manner prescribed. Upon entering or searching homes, those inside shall be notified and informed of the warrant issued in this regard.

Article 59: 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.



Article 60: The human body is inviolable. Any assault, defilement, or mutilation thereof is a crime punishable by law. Organ trafficking is forbidden, and no medical or scientific experiment may be performed thereon without the documented free consent of the subject, according to the established principles of the medical field as regulated by law.

Article 65: Freedom of thought and opinion is guaranteed.

All individuals have the right to express their opinion through speech, writing, imagery, or any other means of expression and publication.

Article 70: Freedom of press and printing, along with paper, visual, audio, and digital distribution is guaranteed. Egyptianswhether natural or legal persons, public or private- have the right to own and issue newspapers and establish visual, audio, and digital media outlets. Newspapers may be issued once notification is given as regulated by law. The law shall regulate ownership and establishment procedures for visual and radio broadcast stations in addition to online newspapers. Article 71: It is prohibited to censor, confiscate, suspend or shut down Egyptian newspapers and media outlets in any way. Exceptions may be made for limited censorship in times of war or general mobilization. No custodial sanction shall be imposed for crimes committed by way of publication or the public nature thereof. Punishments for crimes connected with

incitement to violence or discrimination amongst citizens, or impugning the honor of individuals are specified by law. **Article 73:** Citizens have the right to organize public meetings, marches, demonstrations, and all forms of peaceful protest, while not carrying weapons of any type, upon providing notification as regulated by law. The right to peaceful, private meetings is guaranteed, without the need for prior notification. Security forces may not attend, monitor, or eavesdrop on such gatherings.

Article 79: Each citizen has the right to healthy, sufficient amounts of food and clean water. The state shall provide food resources to all citizens. It also ensures food sovereignty in a sustainable manner, and guarantees the protection of agricultural biological diversity and types of local plants to preserve the rights of generations.

Article 80: A child is considered to be anyone who has not reached **18** years of age. Children have the right to be named and possess identification papers, have access to free compulsory vaccinations, health, and family care or an alternative, basic nutrition, safe shelter, religious education, and emotional and cognitive development. The state guarantees the rights of children who have disabilities and ensures their rehabilitation and incorporation into society. The state shall care for children and protect them from all forms of violence, abuse, mistreatment, and commercial and sexual exploitation. Every child is entitled to early education in a childhood center until the age of six. It is prohibited to employ children before they reach the age of having completed their primary education, and it is prohibited to employ them in jobs that expose them to risk. The state shall establish a judicial system for child victims and witnesses. No child may be held criminally responsible or detained except in accordance with the law and the time frame specified therein. Legal aid shall be provided to children, and they shall be detained in appropriate locations separate from adult detention centers. The state shall work to achieve children's best interest in all measures taken with regard to them.

International Treaties: International Convention for the Protection of All Persons from Enforced Disappearance

Article 1:

1. No one shall be subjected to enforced disappearance.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification for enforced disappearance.

Article 2:

For the purposes of this Convention, "enforced disappearance" is considered to be the arrest, detention, abduction, or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support, or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.

Article 5:

The widespread or systematic practice of enforced disappearance constitutes a crime against humanity as defined in applicable international law and shall attract the consequences provided for under such applicable international law.



International Treaties: Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment

Article 1:

1. For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

2. This article is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application.

Article 2:

1. Each State Party shall take effective legislative, administrative, judicial, or other measures to prevent acts of torture in any territory under its jurisdiction.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification of torture.

3. An order from a superior officer or a public authority may not be invoked as a justification for torture.

Article 11:

Each State Party shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention, or imprisonment in any territory under its jurisdiction, to prevent any cases of torture.

Article 12:

Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.

Article 13:

Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have their case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of their complaint or any evidence given.

Article 15:

Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.

Article 16:

1. Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman, or degrading treatment or punishment which do not amount to torture as defined in article I, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles **10**, **11**, **12**, and **13** shall apply with the substitution for references to torture of references to other forms of cruel, inhuman, or degrading treatment or punishment.

2. The provisions of this Convention are without prejudice to the provisions of any other international instrument or national law which prohibits cruel, inhuman, or degrading treatment or punishment or which relates to extradition or expulsion.

International Laws: United Nations Standard Minimum Rules for the Treatment of Prisoners Rule 1:

All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman, or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers, and visitors shall be ensured at all times.



Rule 2:

1. The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or any other status. The religious beliefs and moral precepts of prisoners shall be respected.

2. In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings. Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory.

Rule 3: Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

Rule 12:

1. Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.

2. Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the prison. **Rule 14:** In all places where prisoners are required to live or work:

(a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

Rule 15: The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

Rule 16: Adequate bathing and shower installations shall be provided so that every prisoner can, and may be required to, have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

Rule 18:

1. Prisoners shall be required to keep their persons clean, and to this end, they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

2. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be able to shave regularly.

Rule 22:

1. Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality, and well prepared and served.

2. Drinking water shall be available to every prisoner whenever he or she needs it.

Rule 24:

1. The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community and should have access to necessary healthcare services free of charge without discrimination on the grounds of their legal status.

2. Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis, and other infectious diseases, as well as for drug dependence.

Rule 25:

1. Every prison shall have in place a healthcare service tasked with evaluating, promoting, protecting, and improving the physical and mental health of prisoners, paying particular attention to prisoners with special healthcare needs or with health issues that hamper their rehabilitation.

2. The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner



Rule 27:

1. All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care.

2. Clinical decisions may only be taken by the responsible healthcare professionals and may not be overruled or ignored by non-medical prison staff.

Rule 58:

1. Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals:

(a) By corresponding in writing and using, where available, telecommunication, electronic, digital, and other means; and (b) By receiving visits.

2. Where conjugal visits are allowed, this right shall be applied without discrimination, and women prisoners shall be able to exercise this right on an equal basis with men. Procedures shall be in place and premises shall be made available to ensure fair and equal access with due regard to safety and dignity.

International Laws: United Nations Rules for the Treatment of Women Prisoners and Noncustodial Measures for Women Offenders (the Bangkok Rules)

Rule 2:

1. Adequate attention shall be paid to the admission procedures for women and children, due to their particular vulnerability at this time. Newly arrived women prisoners shall be provided with facilities to contact their relatives; access to legal advice; information about prison rules and regulations, the prison regime and where to seek help when in need in a language that they understand; and, in the case of foreign nationals, access to consular representatives as well.

2. Before or on admission, women with caretaking responsibilities for children shall be permitted to make arrangements for those children, including the possibility of a reasonable suspension of detention, taking into account the best interests of the children.

Rule 5: The accommodation of women prisoners shall have facilities and materials required to meet women's specific hygiene needs, including sanitary towels, provided free of charge and a regular supply of water to be made available for the personal care of children and women, in particular women involved in cooking and those who are pregnant, breastfeeding or menstruating.

Rule 7:

- 1. If the existence of sexual abuse or other forms of violence before or during detention is diagnosed, the woman prisoner shall be informed of her right to seek recourse from judicial authorities. The woman prisoner should be fully informed of the procedures and steps involved. If the woman prisoner agrees to take legal action, appropriate staff shall be informed and immediately refer the case to the competent authority for investigation. Prison authorities shall help such women to access legal assistance.
- 2. Whether or not the woman chooses to take legal action, prison authorities shall endeavor to ensure that she has immediate access to specialized psychological support or counseling.
- 3. Specific measures shall be developed to avoid any form of retaliation against those making such reports or taking legal action.

Rule 19: Effective measures shall be taken to ensure that women prisoners' dignity and respect are protected during personal searches, which shall only be carried out by women staff who have been properly trained in appropriate searching methods and in accordance with established procedures.

Egyptian Laws: Law No. 396 for 1956 Concerning the Organization of Prisons

Article 31: The prison administration shall encourage prisoners to read and learn, facilitate study for prisoners who want to pursue their studies, and allow them to take the examinations in the locations where they are held.



Article 38: Subject to the provisions of the Code of Criminal Procedure, each convict shall have the right to correspondence and telephone communication for a fee, and their family may visit them twice a month. All of this is under the control and supervision of the prison administration and in accordance with the controls and procedures specified by the internal regulations.

Pre-trial detainees shall also have this right unless the competent Public Prosecution or the competent investigative judge decides otherwise, in accordance with the procedures specified by the internal regulations.

The prison administration shall treat visitors of prisoners humanely and guarantee them appropriate places to wait and visit. Article 91 bis: Any public employee or any person assigned to a public service who issues orders to commit a person sentenced to be deprived of freedom in places other than the prisons and places specified in articles 1 and 1 bis of this law, shall be punished by imprisonment.

Egyptian Laws: Egyptian Child Law No. 126 of 2008

Article 1: The State shall ensure the protection of childhood and motherhood, the welfare of children, and provide suitable conditions for their appropriate upbringing in all respects, within the framework of freedom and human dignity. Furthermore, the State shall, as a minimum, guarantee the rights of the child, as stated in the Convention of the Rights of the Child and all other relevant international covenants enforced in Egypt.

Article 94: Criminal responsibility shall not apply to the child who has not reached the age of twelve (12) years at the time of committing the crime. Yet, if the child is at or above seven (7) years and below twelve (12) calendar years, and has committed a felony or a misdemeanor, only the Child Court being the competent court, may rule in accordance with any of the measures set forth in Article 101 Items 1, 2, 7, and 8 of this Law.

Appeals against rulings placing a child under institutional care are permissible in accordance with Items 7 and 8 before the Appellate Court concerned with child cases, and in accordance with Article 132 of this Law.

Article 95: Subject to the provisions of Article 111 of this Law, the provisions found in this chapter, shall apply to a child who has not reached the age of eighteen (18) calendar years at the time of committing the crime, or if the child is in an at risk situation.

Article 101: The verdict for a child who has not reached fifteen (15) years of age, in case he commits a crime shall include one of the following interventions:

Reproach/censure

Delivery to parents, guardians, or custodians

Training and rehabilitation

Commitment to certain obligations

Judicial probation

Community service activities that are not harmful to the child's health or mental state. The By-laws shall determine the nature of this work and restrictions thereof.

Placement in a specialized hospital

Placement in a social care institution

Except for confiscation, closing stores, and returning the place to its original state, the child shall not be subjected to any other penalty or intervention stated in any other law.

Article 111: No defendant shall be sentenced to death, life imprisonment, or forced labor if, at the time of committing the crime, he did not reach the age of eighteen (18) years.

Without prejudice to the provision of Article **17** of the Penal Code, if the child who has reached the age of fifteen (**15**) years commits a crime punishable by a death sentence, life imprisonment, or forced labor, he shall be sentenced to

imprisonment. Furthermore, if the crime committed is punishable by imprisonment, he shall be placed in custody for a period not less than three (3) months.

The Court, instead of placing the child in custody, may sentence them with the measure stated in Article **101**, Item **8** of this Law.

However, if the child who has reached fifteen (15) years of age commits a misdemeanor punishable by placing them in custody, the Court may, instead of sentencing the child to the penalty decreed for it, sentence the child to one of the measures set forth in Article 101, Items 5, 6, and 8 of this Law.



Article 112: Children may not be detained, placed in custody, or imprisoned with adults in one place. In detention, it should be observed that children are to be classified according to their age, sex, and nature of their crime. Shall be sentenced to jail for a period not less than three (3) months, and not exceeding two (2) years, and a fine not less than one thousand (1,000) L.E., and not more than five thousand (5,000) Egyptian pounds, or by one of the two penalties, any public official or in charge of a public service who detains, places in custody, or imprisons a child with one or more adults in one place. Article 115: With the exception of the parents, the grandparents, the husband, and the wife, shall be penalized with imprisonment and a fine not exceeding one thousand (1,000) Egyptian pounds, or by one of the two penalties, whoever hides a child who has been sentenced to be delivered to a person or an entity in accordance with the provisions of this Law, or induces the child to run away, or helps them to do that.

