



CONFIDENTIAL

Egypt:
Torture: A Systematic Practice

Seventh Follow-up Report

**Report to the Committee against Torture under article 20 of the
Convention against Torture**

26 October 2015

Table of contents

TABLE OF CONTENTS	2
I. INTRODUCTION	3
II. OBLIGATIONS UNDER THE CONVENTION STILL UNFULFILLED	4
III. DEVELOPMENTS IN EGYPT	5
IV. SYSTEMATIC NATURE OF TORTURE IN EGYPT REMAINS	7
4.1 INSUFFICIENT LEGAL FRAMEWORK	7
4.1.1 <i>The 2014 Constitution</i>	7
4.1.2 <i>Egyptian criminal law and the prohibition of torture</i>	8
4.1.3 <i>Restrictive legislations favoring the practice of torture and ill-treatment</i>	8
V. FORCES IMPLICATED, PLACES WHERE TORTURE IS PRACTICED AND GROUPS TARGETED	9
5.1 TORTURE DUE TO ALLEGED POLITICAL OPINION OR TERRORIST ACTIVITIES AND TO SPREAD FEAR	10
5.2 TORTURE TO EXTRACT CONFESSIONS	12
5.3 WIDESPREAD TORTURE OF MINORS	14
5.4 INHUMAN OR DEGRADING TREATMENT CAUSED BY DENIAL OF MEDICAL TREATMENT AND/OR SEVERE CONDITIONS OF DETENTION	15
5.5 THE ISSUE OF SEXUAL VIOLENCE	17
5.6 PERPETRATORS' IMPUNITY	18
VI. CONCLUSION	19

I. Introduction

In its seventh follow-up report, the Alkarama Foundation ("Alkarama") wishes to provide recent information in order for the Committee against Torture ("Committee") to assess the level of compliance of the Egyptian authorities with the provisions of the Convention against Torture and to keep the Committee informed of the recent developments regarding the practice of torture in Egypt. This report follows our original communication dated March 2012; the first follow-up report dated September 2012 ("First Follow-up Report"), the second follow-up report dated April 2013 ("Second Follow-up Report"), the third follow-up report dated October 2013 ("Third Follow-up Report"), the fourth follow-up report dated April 2014 ("Fourth Follow-up Report"), the fifth follow-up report dated October 2014 ("Fifth Follow-up Report") and our sixth follow-up report dated April 2015 ("Sixth Follow-up Report").

Between our Sixth Follow-up report and the present one, Alkarama has continued to receive cases of torture and ill-treatment by the Egyptian authorities together with persisting violations of Egypt's international obligations among which the right to a fair trial, the right to freedom of expression and the right to peaceful assembly. Our organisation even documented a growing number of violations of right to life across the country. These continuous violations, already highlighted in our previous follow-up reports, have been favoured by the impunity of perpetrators, coupled with the absence of effective remedies for victims of violations. In fact, new legislations enacted over the past months have exacerbated this climate of impunity in the country.

The authorities have nevertheless continued to state that the country was moving forward a greater protection of human rights. For example, the Egyptian President recently declared that Egyptians were enjoying "*unprecedented freedom of expression*"¹ even though the authorities have just pardoned and released 100 individuals who had been arrested and charged under accusations related to freedom of press and of peaceful assembly, including two Al Jazeera journalists,² and that numerous journalists are still imprisoned because of their work.³ In fact, the authorities have deepened the restrictions on freedom of expression by adopting a controversial anti-terrorism law⁴ on which a legal analysis is provided in another part of this report. In fact, the authorities have continued to breach their international obligations since our last follow-up, using the pretext of the fight against terrorism, especially for the past two years. Thus, torture has remained widely and systematically used against all individuals suspected of alleged terrorism crimes but also against peaceful political opponents, women and children.

Instead of taking steps to better prevent the practice of torture and to train their officials accordingly, the authorities have constantly stated that because there was not a Parliament elected since the military coup of July 2013, it had been impossible for them to amend their legislation on torture.⁵ To date, such Parliament has not been elected – elections are currently being held and should end in December 2015 – and meanwhile, the President continues to act as the legislator. Additionally, the authorities continue to assert that they have not "*opted not to apply any exceptional measures while fighting terrorism*"⁶ while the North Sinai region – where multiple violations have been documented, ranging from extrajudicial executions to forced displacement of populations – has been under a state of emergency since October 2014. Finally, three legislations have been adopted last year regarding the fight against terrorism which gave extended powers to the security apparatus.

As a result, the human rights situation has continued to aggravate and a state of impunity prevails for perpetrators of abuses, especially regarding torture. Thus, we strongly believe that the intervention of

¹ Ahram Online, [Egypt's Sisi to CNN: Egypt enjoys unprecedented freedom of expression](#), 28 September 2015.

² The Guardian, [Seven al-Jazeera journalists to request formal pardon from Egyptian president](#), 29 September 2015.

³ Alkarama, [Egypt: Journalist Hassan El Kabany Repeatedly Tortured in Tora Prison](#), 1 October 2015.

⁴ This law was adopted less than two months after the assassination of Egypt's Prosecutor General Hisham Barakat on 29 Junw 2015.

⁵ See for example : Human Rights Council, Working Group on the Universal Periodic Review, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21** Egypt, 22 July 2014, A/HRC/WG.6/20/EGY/1*, para 68.

⁶ Human Rights Council, 28th session, Report of the Working Group on the Universal Periodic Review, Egypt, 24 December 2014, A/HRC/28/16, para 22.

the Committee by means of a confidential inquiry is more than ever necessary so that the authorities acknowledge the need to take effective and swift measures to ensure that the practice of torture is effectively abolished. Despite the fact that a confidential procedure was already undertaken by the Committee between 1991 and 1994, nothing has changed in the past twenty years and torture remains widespread in Egypt.

At the time, the Egyptian authorities expressed their discontent as to the publication of the Committee's publication of its results, giving the pretext that it would "*give a wrong indication to the terrorists groups and their supporters*" and "*encourage the latter to proceed with their terrorist schemes and to defend their criminal members who engage in acts of terrorism by resorting to false accusations of torture.*"⁷ The same rhetoric prevail nowadays in Egypt and in fact, rather than taking this practice as a serious issue, it appears that the authorities turn a blind eye on this practice – if not encourage it to stifle any kind of opposition.

The Muslim Brotherhood continues to be the main targeted group of the authorities' repression. Thousands are still detained and standing trial, hundreds are disappeared while others have been arbitrarily executed. The authorities continue to justify exactions led against this group by the fact that it is a "terrorist entity". Former president Morsi has even been sentenced to death in June 2015 in the Wadi El Natrun prison escape case, along with 105 other defendants.⁸ The authorities have also deferred hundreds of civilians before military courts, under the law n°136 of 2014 for the "*Securing and Protection of Public and Vital Facilities*" which extended the competence of military courts to civilians – as embodied in the Constitution itself – and nearly 300 individuals were sentenced to life in prison in August 2015 by one of these courts.⁹

Furthermore, the recommendations made by the Committee in 1995 to Egypt, namely to reinforce its legal and judicial infrastructure to combat torture; set up an independent investigation machinery; and undertake an investigation into the conduct of police forces, have still not been implemented.¹⁰ Egypt therefore failed to "*inform the Committee within a reasonable delay of the action it takes with regard to the Committee's findings and in response to the Committee's comments or suggestions*", according to Rule 89(2) of the Rules of Procedure.

As we feel that the lack of a follow-up procedure to article 20 confidential inquiries impedes the Committee from reviewing the implementation of its recommendations, we call upon the Committee to initiate a new confidential inquiry with the Egyptian authorities urgently. Indeed, the persistent practice of torture since 1995 and the seriousness of this practice as well as the non-fulfilment of Egypt's obligations under the Convention justify that the systematic character of torture in Egypt be inquired again.

II. Obligations under the Convention still unfulfilled

Egypt ratified the Convention against Torture on 25 June 1986 without reservations, but has not ratified its Optional Protocol (OP-CAT) to date. Nothing indicates that the authorities will ratify it, while the authorities continue to assert that the Sub-Committee on the Prevention of Torture's competence to visit detention centres could be incompatible and create "*complex legal issues*" with the public prosecution's mandate to inspect these centres.¹¹ If the prosecution has this competence, the practice has however shown that visits undertaken by this body are rare and do not lead to effective measures when it is made aware of violations.

⁷ General Assembly, 51st session, Report of the Committee against torture, A/51/44, para. 199.

⁸ The United Nations Working Group on Arbitrary Detention, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment had in May 2015 called upon the authorities to repeal the death sentence, following an urgent appeal from Alkarama. Human Rights Council, 29th session, Communications report of Special Procedures, Communications sent, 1 March to 31 May 2015; Replies received, 1 May to 31 July 2015, 4 September 2015, A/HRC/30/27, p. 19.

⁹ Alkarama, [Egypt: Head of Legal Team Defending Civilians Convicted in Biggest Mass Military Trial Arbitrarily Detained](#), 21 September 2015.

¹⁰ General Assembly, 51st session, Report of the Committee against torture, A/51/44, paras. 221-222.

¹¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review – Egypt, Addendum, 7 June 2010, A/HRC/14/17/Add.1, para. 5.

In spite of the authorities' commitments during its Universal Periodic Review in March 2015 regarding the establishment of an independent prison monitoring system that should have been delegated to the National Council for Human Rights (NCHR), Egypt has failed to adopt such measures. If the NCHR is entitled to visit detention centres, these visits are not conducted in an independent manner. For example, the NCHR visited Al Aqrab prison in late August 2015 and issued a report depicting conditions of detention in a favourable way, which sparked criticism from local organisations and, eventually, from members of the NCHR themselves who deplored the way the visit had been organised.¹²

First, they declared that the visit had only be possible after an authorisation from the Ministry of Interior; second, that not all NCHR members were made aware of the visit; and third, that the prison administration was made aware of their visit prior to their arrival and that officers from the Ministry were present during the visit and filmed discussions between prisoners and members of the Council.¹³ These elements call into question the NCHR's independence vis-à-vis the executive branch and consequently makes their visit's conclusions sterile.

Additionally, Egypt has not made a declaration under article 21 of the Convention for interstate complaints nor accepted the individual complaints procedure under article 22. Finally, the Egyptian authorities have not submitted their fifth periodic report, overdue since June 2004, i.e. for 11 years. They have still not indicated if they had accepted the List of Issues Prior to Reporting procedure and regardless of their decision, the Committee has put a new deadline for submission to 25 June 2016. We reiterate our call to the Committee to send a reminder to the Egyptian authorities so that they submit their fifth periodic report.

The same situation prevails regarding the International Covenant on Civil and Political Rights, ratified by Egypt on 14 January 1982. Indeed, the authorities have still not ratified the Optional Protocol on individual complaints and recently reiterated their rejection regarding the possibility of ratifying the one related to the use of the death penalty.¹⁴ The authorities have also not submitted their fourth State report, overdue since 1 November 2004, i.e. for 11 years.

Regarding country visits and requests sent by Special Procedures of the Human Rights Council, Egypt has agreed to several of them but no date of visits has been scheduled so far. The authorities have nevertheless been unresponsive to several requests, particularly from the Working Group on arbitrary detention, and have still not responded to requests from the Special Rapporteur on the independence of judges and lawyers (last request on 27 March 2014), the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (last reminder in 2014) and the Working Group on Enforced or Involuntary Disappearances (last reminder on 18 September 2013).

On the positive side, the Egyptian authorities collaborated with Special Procedures and particularly with the Working Group on Enforced or Involuntary Disappearances that thanked "*the Government for the high number of replies which demonstrates the Government's commitment to engage with the Working Group and allowed it to clarify some cases*".¹⁵ The Working Group however sent many cases that have still not been clarified yet but for which the six month rule still applies for an answer from the authorities.

III. **Developments in Egypt**

Following our Sixth Follow-up report submitted in April 2015, violations have routinely continued in Egypt without a comprehensible reaction from the authorities to address them. In fact, they have concentrated their efforts on the threat of terrorism, as the country is still regularly shaken by attacks,

¹² Daily News Egypt, [NCHR members criticise latest Aqrab prison visit](#), 2 September 2015.

¹³ Al Arabiya News, [Egypt prisons report: Did human rights council curry favour with govt?](#), 24 September 2015.

¹⁴ Ahram Online, [Egypt objects to proposal at Human Rights Council for abolishing death sentence](#), 3 October 2015.

¹⁵ Human Rights Council, Report of the Working Group on Enforced or Involuntary Disappearances, 30th Session, A/HRC/30/38, 10 August 2015, p.15.

such as the one that killed Hisham Barakat, Egypt's General Prosecutor, on 29 June 2015.¹⁶ While this attack is still under investigations and has been condemned internationally, the authorities have reiterated their will to tackle terrorism by all means and even asserted that justice should be rendered more quickly against alleged terrorists, thus raising questions as to the application of international fair trial rights for these individuals. In fact, President Al Sisi declared that "*the arm of justice is chained by the law. We are not going to wait for this. We are going to amend the law to allow us to implement justice as soon as possible.*"¹⁷

As a consequence, on 16 August 2015, the authorities adopted a new restrictive anti-terrorism law despite calls from the civil society not to enact it.¹⁸ This law, as for the two others adopted in the past months on terrorism, gives a broad definition of a terrorist act while providing immunity for the security apparatus when they use force excessively against alleged terrorists. Additionally, it is only possible to appeal a court's decision once for individuals prosecuted under this law, instead of two appeals normally.

Furthermore, this law specifies that every journalist who would report on terrorist attacks contradicting official statements can possibly be prosecuted for sharing "*false information*" and fined in addition to being banned from exercising his work, in violation of the freedom of the press.¹⁹ Thus, it may be difficult for journalists to report independently on terrorist attacks while the authorities continue to conduct military operations in the North Sinai that have been criticised by international organisations because of their illegality under international law.²⁰

While the authorities launched the second phase of their military operation in this region in October 2015,²¹ they have continued their crackdown on political opponents and particularly against high-profile Muslim Brotherhood members. Thus, while hundreds of individuals have either disappeared²² or have been arrested because of their political affiliations²³ or activism²⁴, former president Mohamed Morsi was sentenced to death along with several members of his staff.²⁵ The Working Group on Arbitrary Detention (WGAD) together with other Special Procedures urged the authorities to repeal the death sentences, but to no avail.²⁶

As highlighted above, the practice of enforced disappearances continues to take place and has reached unprecedented figures. Alkarama estimates that at least 3,000 individuals have disappeared since July 2013. While many have reappeared since – either free or in detention – hundreds of individuals are still enforcedly disappeared. The phenomenon prompted the Working Group on Enforced or Involuntary Disappearances (WGEID), to which Alkarama sent numerous cases of disappearances, to assert that there is "*recent pattern of short-term disappearances*" in Egypt²⁷ and that is was "*extremely concerned given that, between its 104th and 105th sessions, it transmitted to the Government 41 cases under its urgent action procedure.*"²⁸ Furthermore, these individuals, as well as ones who are officially imprisoned, are detained in particularly harsh conditions that have a direct impact on their health state, especially since detainees are often denied medical care. In fact, numerous detainees have died in detention because of a lack of medical care and/or conditions of detention.²⁹

¹⁶ The Guardian, [Egypt's chief prosecutor Hisham Barakat killed by Cairo bomb](#), 29 June 2015.

¹⁷ Ahram Online, [Egypt's Sisi pledges stricter laws after murder of top prosecutor](#), 30 June 2015.

¹⁸ Alkarama, Egypt: Alkarama Denounces Adoption of Restrictive Anti-Terrorism Law, 19 August 2015.

¹⁹ The Telegraph, [Egypt approves anti-terror law to fine journalists for "false" reporting on attacks](#), 17 August 2015.

²⁰ Human Rights Watch, [Egypt: Thousands Evicted in Sinai Demolitions, In Insurgent Fight, Border Families Left to Fend for Themselves](#), 22 September 2015.

²¹ Ahram Online, [Egypt's army begins second stage of operation "Martyr's Right" in North Sinai](#), 8 October 2015.

²² Alkarama, [Egypt: Enforced Disappearances of Two Young Brothers Since 13 September 2015](#), 7 October 2015.

²³ Alkarama, [Egypt: Minor Disappears in Retaliation for Father's Political Affiliations](#), 28 September 2015.

²⁴ Alkarama, [Egypt: Journalist Hassan El Kabany Repeatedly Tortured in Tora Prison](#), 1 October 2015.

²⁵ Alkarama, [Egypt: Cairo Criminal Court Confirms Death Sentence Against Morsi](#), 18 June 2015.

²⁶ Human Rights Council, Communications report of Special Procedures, Communications sent, 1 March to 31 May 2015; Replies received, 1 May to 31 July 2015, A/HRC/30/27, 4 September 2015, p.19.

²⁷ Human Rights Council, Report of the Working Group on Enforced or Involuntary Disappearances, A/HRC/30/38, 10 August 2015, para. 67.

²⁸ WGEID, Communications, cases examined, observations, and other activities conducted by the Working Group on Enforced or Involuntary Disappearances, 105th session (2-6 March 2015), A/HRC/WGEID/105/1, 15 May 2015.

²⁹ Alkarama, [Egypt: Deaths in Detention and Denial of Medical Treatment: the Authorities' Responsibility](#), 23 February 2015.

In addition, the restrictive legislative arsenal enacted by the authorities in the past two years has not been amended and individuals continue to be arrested and charged under law No. 107 of 2013 “*on the Right to Public Meetings, Processions and Peaceful Demonstrations*”, even though there are less peaceful demonstrations now than a year ago. Additionally, the law on public facilities – that we commented in our previous follow-up report – has been implemented and hundreds of individuals were tried before military courts. Thus, in mid-August 2015, Alexandria military court sentenced nearly 500 individuals to years of imprisonment ranging from five to life in prison, *in absentia*.³⁰ We recall that these courts are not independent and impartial enough to try civilians according to the constant jurisprudence of the WGAD.³¹

While the Egyptian President declared ahead of the UN General Assembly in September 2015 that Egyptians experience “*unprecedented freedom of expression [and that] no one in Egypt can bar anyone working in media or journalism or on TV from expressing their views*,” the authorities enacted the new anti-terrorism law described above that restricts freedom of the press while dozens of journalists were arrested and are currently imprisoned for expressing their opinion in independent media.³² These journalists are usually accused of “*spying for foreign entities*” or “*spreading false news*” and can therefore face terrorism-related charges.³³

The Egyptian civil society is also experiencing persisting difficulties to exercise its activities in an independent manner and many activists remain detained or are facing charges,³⁴ including Ms Azza Soliman who was charged for “*unauthorised protest*” and “*breach of security and public order*” after she came to testify to the Public Prosecution regarding the events that led to the extrajudicial killing of Ms El Shabbagh by the security forces in January 2015.³⁵ Hundreds of NGOs allegedly “*affiliated to the Muslim Brotherhood*” have also been closed since July 2013, without due process.³⁶

Regarding the Parliamentary elections that were initially supposed to be held in March 2015, they are currently taking place and will end in December 2015. Many delegations have expressed their will to observe the elections while 5420 individual candidates are running for 448 seats and nine parties or coalition of parties for 120 seats while the president will appoint 28 parliamentarians himself.³⁷ During the first stage of the elections, turnout was particularly low.³⁸

IV. Systematic nature of torture in Egypt remains

4.1 Insufficient legal framework

4.1.1 The 2014 Constitution

The Constitution adopted in February 2014 by referendum remains enforced to date and under article 93 of this Constitution, all international treaties ratified by Egypt are an integral part of its legislation, including therefore the CAT. Moreover, two articles of the new Constitution address the issue of torture:

Article 52

“All forms of torture are a crime with no statute of limitations.”

³⁰ Reuters, [Egypt military court sentences 253 to life in prison in absentia](#), 11 August 2015.

³¹ Alkarama, [Egypt: UN Urges Release of Civilians Tried Before Military Courts for Participating in Demonstration](#), 12 September 2014.

³² Committee to Protect Journalists, [Egypt's imprisonment of journalists is at all-time high](#), 25 June 2015.

³³ Alkarama, [Egypt: Journalist Hassan El Kabany Repeatedly Tortured in Tora Prison](#), 1 October 2015.

³⁴ FIDH, [Egypt: Continued arbitrary detention of Ms. Mahienour El-Massry, Mr. Youssef Shaban and Mr. Loay Mohamed Abdel Rahman](#), 30 September 2015.

³⁵ FIDH, [Egypt: Ongoing judicial harassment of Ms. Azza Soliman](#), 8 October 2015.

³⁶ Daily News Egypt, [434 Muslim Brotherhood NGOs shutdown](#), 8 July 2015.

³⁷ Ahram Online, [5420 individual candidates, 9 lists accepted for Egypt's parliamentary elections](#), 16 September 2015.

³⁸ The Guardian, [Low turnout as Egyptians shun elections designed to shore up Sisi](#), 19 October 2015.

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

While these provisions are positive in the sense that they forbid and criminalise the use of torture and reject confessions obtained under duress, they are not sufficient to correctly address the issue of torture and ill-treatment in Egypt. In fact, the Egyptian authorities have constantly recognised that these articles are not enforceable without an appropriate criminal legislation on torture that would encompass international rules regarding the prohibition of torture and cruel, inhuman and degrading treatment or punishment.³⁹

However, if the Egyptian authorities have accepted different recommendations regarding the adoption of a definition of torture that would meet the requirements of Article 1 of the UNCAT during their last UPR review along with better criminalising the practice of torture and ill-treatment,⁴⁰ they have so far failed to take effective measures in this sense and have impeded individual initiatives in this sense.⁴¹

4.1.2 Egyptian criminal law and the prohibition of torture

It is only by adopting clear and comprehensive laws that legal provisions addressing the issue of torture and ill-treatment in detention in the Constitution can be effectively implemented. Such legislation has however not been adopted yet, and articles 126 and 129 of the Criminal Code that address the issue of torture still fall short of international standards, despite talks regarding their amendments in 2013 (see our Third Follow-up Report). We urge the Committee to send a letter to the Egyptian authorities inviting them to adopt a new legislation on torture and ill-treatment when the new Parliament will be elected.

Additionally, despite numerous assertions from the government according to which the public prosecution effectively investigate reports of torture and ill-treatment, examples are rare while confessions extracted under torture continue to be admitted in court. Thus, Egyptian criminal law still falls short of the country's obligations under international law and particularly under the Convention against torture.

4.1.3 Restrictive legislations favoring the practice of torture and ill-treatment

In addition to the specific articles addressing the issue of torture and ill-treatment in the 2014 Constitution and in the Egyptian Criminal Code underlined above, the Egyptian authorities have adopted in the past two years several laws that can create a breeding ground for abuses by the security apparatus, including torture and ill-treatment.

In our Third Follow-up Report, we underlined the issue of Article 143 of the Criminal Procedure Code. Under this article amended in 2013, an individual who faces the death penalty or life in prison, sentences commonly handed against political opponents in Egypt,⁴² can see his pre-trial detention renewed every 45 days indefinitely. Otherwise, individuals charged with misdemeanors can be remanded in pre-trial detention for six months while those charged with felonies can be detained for

³⁹ General Assembly, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Egypt, A/HRC/WG.6/20/EGY/1, p.16

⁴⁰ Human Rights Council, [Informe del Grupo de Trabajo sobre el Examen Periódico Universal – Egipto, Adición, Observaciones sobre las conclusiones y/o recomendaciones, compromisos voluntarios y respuestas del Estado examinado](#), A/HRC/28/16/Add.1, 2 March 2015 (Spanish version).

⁴¹ Al Monitor, [Egyptian lawyer interrogated for drafting anti-torture law](#), 15 June 2015.

⁴² OHCHR, [Mass death sentences in Egypt a profound disgrace, UN human rights experts says](#), 9 February 2015.

eight months. These particularly long periods of pre-trial detention without appropriate judicial supervision can lead to abuses from officers but can also amount to psychological torture if it happens that the individual arrested remains in detention without trial indefinitely. Thousands of individuals are believed to have been detained or are still detained under this legislation.

As highlighted in our Fourth Follow-Up report, the authorities have adopted a draconian law n°107 of 2013 "*Regulating the Right to Public Gatherings, Processions and Peaceful Protests*" despite calls from the civil society not to adopt it. While the emergency law had been repealed in November 2013, this law gave powers to the security forces that resemble the ones they were entitled with under the state of emergency. This legislation greatly restricts the right to peaceful assembly while authorising the police and security forces to resort to the use of force "*by means proportional to the extent of the danger posed to lives, capital or property*" which have led to several abuses, including ill-treatment of peaceful demonstrators but also violations of the right to life, in impunity.⁴³ In spite of invitations to repeal it during Egypt's last UPR, the authorities have not amended it.

Additionally, the authorities have adopted three new legislations regarding the fight against terrorism that use definitions of terrorism that are particularly vague and that could consequently be used to stifle any kind of dissent, especially since the Muslim Brotherhood was designated a terrorist organisation in 2013. The last anti-terrorism law enacted in August 2015 and highlighted above also gives extraordinary powers to the security forces, which could lead to further abuses while restricting freedom of the press.⁴⁴ The authorities have also widened the jurisdiction of military trials to try civilian for two years, even though these tribunals are not independent and impartial enough to do so. Thus, individuals prosecuted before military courts are at greater risk of being tortured or ill-treated because these courts accept confessions obtained under duress.

These different legislations put together with the relevant ones regarding the prohibition of torture demonstrate that there are several legal vacuums in Egypt that can lead to abuses from the law enforcement, without appropriate remedies for victims.

V. Forces implicated, places where torture is practiced and groups targeted

Torture and ill-treatment has persisted in Egypt in 2015 and remains an issue that concerns not only the law enforcement apparatus but also the judiciary that remains silent to this practice, and the executive that has never clearly opposed it. Political opponents, common law criminals, women, children, human rights defenders, journalists and ultimately, all kinds of citizens can potentially be victims of torture or ill-treatment in Egypt because the authorities have failed to take effective measures to abolish it.

The cases highlighted below show that the practice of torture and ill-treatment is widespread and perpetrated by all security forces – police, intelligence services, military and prison guards –. Similarly, places where torture is practiced are diverse: military bases, State Security and Homeland Security facilities, police stations, prisons but also sometimes courts or prosecution offices. The case of Mr ■■■■■ is illustrative of the practice of torture by all sorts of security forces and in different places of detention.

1. Mr ■■■■■ (■■■■■), ■■■■■-year-old (born on 27 July ■■■■■). He is a freelance journalist and used to live in ■■■■■, ■■■■■, Giza Governorate. He is married and has two children.

On 22 January 2015, at night, several members of the Homeland Security in civilian clothes accompanied by officers of the General Investigations Department raided Mr ■■■■■ home. Without showing an arrest warrant nor explaining the reason for their presence, they searched the house thoroughly and confiscated his computer, three mobile phones and his identification card before arresting him. Then, he was brought to the Security Forces camp in

⁴³ Alkarama, [Egypt: Karim Shama, One Summary Execution Too Many](#), 21 August 2014.

⁴⁴ Alkarama, [Egypt: Alkarama Denounces Adoption of Restrictive Anti-Terrorism Law](#), 19 August 2015.

Sheikh Zayed, 6th of October City, where he was detained *incommunicado* and tortured for two consecutive days to force him to confess crimes but also in retaliation for his work as a journalist.

He reported that he was subjected to repetitive electric shocks on different parts of his body, including his genitals while he was completely naked. He was also regularly beaten up by officers and thrown on the ground, which cause a permanent injury to his knee and his back. Then, without having been authorised to see a doctor and still presenting marks of torture on his body and face, he was brought to the Public Prosecutor's office of 6th of October City. His lawyer and him both asked the prosecution to take action for the torture he had been subjected to, but to no avail.

He was subsequently charged on 24 January with "*spying on behalf of foreign entities and spreading false information*", "*participation in a criminal conspiracy to commit crimes to destabilize the State and its Constitution*", and "*joining an outlawed group*". He has continuously rejected the accusations brought against him and believes that they are the consequence of his work as a journalist critic of the authorities. His detention renewed for 15 days pending investigations, he was brought to Tora high security prison (also named Al Aqrab prison) where he remains detained to date, while no date for his trial has been put forward. In fact, Mr ██████████ has not been brought to a judicial authority to date.

In protest against his conditions of detention – he was not allowed to exercise and to see his family regularly – as well as the absence of investigations into the torture he was subjected to, Mr ██████████ started a hunger strike in mid-February. It however did not lead to any substantive changes and he ended it to preserve his health. Since, he has been kept in Tora prison in particularly harsh conditions and has still not been allowed to see a doctor despite the numerous injuries he continues to suffer from. Additionally, on 20 September 2015, he was again tortured along with other detainees in his cell. It was triggered by the fact that Mr ██████████ told an officer who was visiting the cell that God (Allah) "*was witness of his crime and that he would be judged by him*". Particularly angry, the officer decided to retaliate against all the prisoners of the cell and beat them up with particular violence, targeting their feet in particular. He also confiscated their blankets, thus forcing them to sleep on the floor.

When his wife visited him on 21 September, Mr ██████████ told her what happened and she sent a telegram to the Public Prosecution's headquarters in Cairo to ask for measures to be taken but she has not received an answer to date. She fears that because of his continuous complaints against his conditions of detention, Mr ██████████ might be tortured or ill-treated again or deprived of his rights to visits. He is still detained to date.

5.1 Torture due to alleged political opinion or terrorist activities and to spread fear

The practice of subjecting individuals to torture as an act of reprisals or retaliation has become commonplace in the last couple of years; particularly against real and alleged sympathisers of the Muslim Brotherhood. While thousands of individuals have been tortured after being arrested during peaceful demonstrations in the past two years, the authorities now target specific individuals and come arrest them at home with violence, including against their relatives. These individuals are then detained in police stations or prisons where they are subjected to various forms of torture and often charged with terrorism in addition to being designated as a supporter of the banned Muslim Brotherhood. In these cases, torture is often practiced in order to obtain confessions.

2. Mr ██████████ ██████████ ██████████ ██████████), ██████████ year-old (born on 23 November ██████████ in ██████████, Dakahlia Governorate). He used to work as a photo-journalist at Misr Al Arabia news website and to live on ██████████, Dakahlia Governorate. He is married and holds national ID card n° ██████████

3. Mr [REDACTED] [REDACTED] [REDACTED] (l), [REDACTED] year-old (born on 12 February [REDACTED]). He used to be a [REDACTED] player, holds a bachelor of commerce and used to live on [REDACTED], Dakahlia Governorate. He is single.
4. Mr [REDACTED] [REDACTED] [REDACTED] (l), [REDACTED] year-old (born on 9 September [REDACTED] in [REDACTED] Dakahlia Governorate). He used to be a student in secondary school and to live on [REDACTED], Dakahlia Governorate. He is single.

On 14 April 2015, while the three brothers were at their family's house on [REDACTED] [REDACTED], the building was surrounded by civilian, police and Security Forces cars and subsequently raided by members of the Homeland Security and of the General Investigations Department. Without showing an arrest and search warrant, the officers searched the house and confiscated Mr [REDACTED] [REDACTED] camera, computer as well as his brothers' telephones. Then, they arrested Messrs [REDACTED] and [REDACTED] [REDACTED] and left for an unknown destination. The following day, some officers came back and arrested Mr [REDACTED] [REDACTED] without giving a justification to his arrest.

The latter was brought to Mit Ghamr police department, where [REDACTED] and [REDACTED] [REDACTED] had been detained over the night. There, they were charged by the public prosecutor of Mit Ghamr with "*arson on cars from the presidential campaign of Al Sisi*" and additionally for [REDACTED] [REDACTED] with "*affiliation to a banned group.*" Their detention was thus renewed pending investigations while the three brothers refuted the accusations brought against them. In fact, [REDACTED] [REDACTED] stated that he was on duty in Cairo the day of the alleged arson and that he had no political affiliations whatsoever.

While the three men were detained in the police station, they reported having been tortured by officers. Their fingernails were ripped off; they were kicked on the legs, feet and hands and eventually electrocuted to force them to confess to crimes. On 27 April 2014, they were transferred to El Senbellawein police station, where they were detained with convicted adult criminals before being eventually moved to Gamasa police station on 12 May.

Meanwhile, a judge in Mansoura Criminal Court granted their lawyer's request for a release on bail on two occasions but the public prosecution appealed the decision on both occasions. A court rejected the appeal and ordered the brothers' release on 11 September after the family had paid 15,000 Egyptian pounds. Instead, the three men were kept in detention *incommunicado* by the General Investigations Department and only reappeared on 22 September 2014 and the public prosecution justified their remand in custody by the fact that they had been charged with "*participation to an illegal demonstration in [REDACTED]*", even though the court had requested their release.

Their detentions were renewed and they were surprised to learn on 19 January 2015 that Mansoura Criminal Court had sentenced them to life in prison *in absentia* under the accusations of arson. Their lawyer was not even informed that the court was holding a hearing, did not access all the files and did not hear all the witnesses. Following their sentencing, they were transferred to Mit Salsil prison in Dakahlia, a place notorious for the practice of ill-treatment. There, Mr [REDACTED] [REDACTED] reported having been tortured again: officers beat him up with water pipes, stripped him naked and forced him to crawl on the ground while he was being insulted. In reaction, he launched a hunger strike on 5 July 2015 that he ended on 7 July after the officers guaranteed that he would not be tortured again, but also because he suffers from a heart problem for which he did not receive appropriate medical treatment since his arrest.

Since then, Messrs [REDACTED] and [REDACTED] [REDACTED] have been transferred to Gamasa police station while Mr [REDACTED] [REDACTED] was moved to Dikirnis Juvenile Centre. On 6 September 2015, [REDACTED] and [REDACTED] [REDACTED] were brought to Mit Ghamr Police Department and reported having been subjected to torture again, to the point of fainting under the officers' kicks. Informed of these exactions, the Journalists Union filed a complaint before the General Prosecutor to ask him to open investigations, but to no avail.

[REDACTED] and [REDACTED] have now been brought back to Gamasa police station and the three brothers' retrial is ongoing. Regarding the charges of "*illegal protest*", the two older brothers were initially

sentenced to two years in prison while their younger brother was cleared. The appeals court of Mansoura overturned the sentence for the two brothers on 16 May 2015.

5. Mr [REDACTED] ([REDACTED]), [REDACTED] year-old (born on 1 January [REDACTED]). He is a [REDACTED] teacher and used to live in [REDACTED], Alexandria Governorate. He is married and has children.

On 16 March 2015, Mr [REDACTED] was eating with his family at [REDACTED], a fast-food located near [REDACTED] Alexandria, when members of the Homeland Security wearing civilian clothes entered in the restaurant and started to search it. They eventually came to Mr [REDACTED] table and asked for his ID card, as well as the one of his wife. Then, they confiscated their phones, arrested him and left for an unknown location. Fearing for his fate and unaware of his whereabouts, his wife sent a telegram to the General Prosecutor on 17 March but to no avail.

In fact, Mr [REDACTED] had been brought to the Homeland Security Department of Alexandria where he was detained *incommunicado* for 12 consecutive days during which he was repeatedly tortured and even sexually abused. He reported that officers electrocuted him on different parts of the body and more particularly in the back and chest before asking him to perform diverse sexual acts after being stripped naked and eventually sodomised with a stick. Following this torture, he was not allowed to see a doctor and remained secretly detained until he was brought before the military prosecution, without the assistance of a lawyer, and charged with "*belonging to a terrorist organization*" and "*participation in the bombings of Faisal Islamic Bank of Egypt and Ahli United Bank in Cairo*". It is only after he had been charged that he reappeared in Burj Al Arab prison.

When his lawyer and his wife tried to visit him at the occasion of his hearing, they were threatened by the officers and his wife was even detained for some time before being released, her papers confiscated. In protest, Mr [REDACTED] started a hunger strike that he end a couple of weeks after because the prison personnel had moved him to the criminal section of the prison and that he had not been given medical treatment for his condition – he suffers from Hepatitis C and hypotension. He remains detained to date.

5.2 Torture to extract confessions

As explained in the previous part, torture is mostly practiced with the aim to extract "confessions" since the authorities can use them to justify the arrest and produce evidence for a conviction in court. Of all the cases we have documented, we never received information according to which judges requested investigations into the allegations of torture made by detainees. Security forces in Egypt thus often resort to violence to obtain confessions which will be used in court judicial proceedings, in contravention of its international obligations and of Egypt's Constitution. It is generally during the first days of detention, often *incommunicado*, that victims are tortured before they are even charged by the public prosecution. Individuals have also been accused and later executed for crimes that allegedly happened when they were already in secret detention, which was highlighted in our previous follow-up report.⁴⁵

Egyptian authorities should be reminded that the use of confessions and information through torture in court room proceedings renders the trial unfair. Alkarama has continued to report abuse of Egyptian authorities in this regard.

6. Mr [REDACTED] ([REDACTED]), [REDACTED] year-old (born on 9 December [REDACTED] in Ash Sharqia Governorate). He is a [REDACTED] director and used to live in [REDACTED] Ash Sharqia Governorate. He is married and has children and holds National ID card n° [REDACTED]

On 27 July 2015, several members of the Security Forces and of the Homeland Security raided Mr [REDACTED]'s home. Without giving any justification to their presence, they searched the house and collected his laptop and his mobile phone. Handcuffed and blindfolded, he was

⁴⁵ Alkarama, [Egypt: Authorities Execute 6 Men for Crimes that Occurred After their Arrests](#), 19 May 2015.

brought outside of the house and forced into a civilian car that drove away for an unknown destination. Unaware of his whereabouts, his family sent telegrams to the Public Prosecutor of Zagazig and of Cairo on 28 July 2015, but to no avail.

One month later, his family was called by a lawyer who had seen him inside the public prosecutors' office of 10th of Ramadan City. According to the lawyer, Mr ██████ reported that following his arrest, he had been tortured for 15 consecutive days inside the Homeland Security Headquarters of 10th of Ramadan City. He testified that he was blindfolded, hanged by the feet and the hands for several hours and electrocuted on every part of the body, including his genitals and the two ears, which led him to faint multiple times. Then, he declared that he was brought before the Public Prosecutor of 10th of Ramadan City in the night of 11 August, without the assistance of a lawyer, and charged with "*belonging to a terrorist cell linked to the Muslim Brotherhood*" and "*participation in various acts of sabotage in the Tenth of Ramadan City*", accusations for which he had eventually confessed under torture. In fact, he was forced to sign the confessions in front of the Public Prosecutor under the threat of Homeland Security officers.

Mr ██████ also stated that he asked to see a doctor during the interrogation but that the public prosecutor refused it, even though he had developed diabetes prior to his arrest. According to the information received, Mr ██████ family was finally able to visit him on 18 September 2015 and his lawyer to attend the following public prosecutions' hearings. He remains detained to date.

7. ██████ ██████ ██████ ██████), ██████-year-old (born on 20 March ██████ in Alexandria). He is a journalist and used to work for ██████ and to live in ██████, Alexandria Governorate. He is married and holds National ID n° ██████

On 17 March 2014, around 03:00, several individuals affiliated with the Homeland Security and the security forces raided Mr ██████ home. They ignored the family's questions regarding their presence and started searching the apartment and confiscated Mr ██████ laptop, phone and different papers. Then they arrested Mr ██████ and left for an unknown location. The day after, unaware of his whereabouts, his wife sent a telegram to the General Prosecutor to inquire about his disappearance but she did not receive an answer.

In fact, Mr ██████ who had been brought to the Homeland Security Directorate of Alexandria where, detained *incommunicado*, which is a *prima facie* form of arbitrary detention, later reported having been tortured for two consecutive days. He was beaten up before being subjected to electric shocks on the chest and then sexually abused by officers. His family believes that he was tortured to force him to confess to crimes, but he refused to do so.

Following his secret detention, he was brought to the Public Prosecutor of Alexandria who did not charge him but only renewed his detention. Additionally, Mr ██████ was not granted the right to challenge the lawfulness of his detention and his reports of torture have never been investigated by the authorities.

He was subsequently moved to Burj Al Arab prison on 20 March 2014 where he was detained with convicted criminals. Although he was allowed to see his wife on a weekly basis, he was detained in particularly harsh conditions in a cell that was ill-ventilated and overcrowded, which favored the spread of skin diseases. Despite several requests, he was not allowed to see a doctor and he was even placed in a disciplinary cell on 7 September 2014, for no specific reason. He was detained for three consecutive days in this room of 3*3 meters, along with 12 other detainees. They were deliberately undernourished, insulted and humiliated. They were also prevented from going to the toilets and had to relieve themselves in the cell with no intimate place made available.

Eventually, Mr ██████ learned in mid-February 2015 that the Public Prosecution had been disqualified from the case and that he had been charged under the much criticised Law 136 of 2014 for the "Securing and Protection of Public and Vital Facilities" that allows military courts to try civilians once they are accused of having attacked public facilities. Accused in the case n°382 for 2014, he was referred to Alexandria Military Court and charged by the military

While his ordeal was still ongoing, he was charged by the public prosecutor on 23 February with "affiliation to the Muslim Brotherhood", for "taking part in illegal demonstrations", and "arson". Under the pretext of ongoing investigations, his detention was renewed for 15 days. During his interrogation with the public prosecutor, Mr ██████████ complained about the torture he had been subjected to but the State representative did not take it into consideration and he was not authorised to see a doctor. To the contrary, he was put inside Ataka detention centre which is located inside the police station, with adults, and reported having been tortured again. Since he has been imprisoned there, he has regularly complained to his family about the torture and other ill-treatment he is being subjected to, either by other inmates or by the prison personnel as well as regarding his conditions of detention. To date, he is still detained inside Ataka police station and has not been authorised to see a doctor while his next hearing before a military court is scheduled for 22 October 2015.

5.4 Inhuman or degrading treatment caused by denial of medical treatment and/or severe conditions of detention

Severe conditions of detention can amount to cruel, inhuman and degrading treatment or punishment as they sometimes lack evidence of the intentional purposive element. However, the intentional withholding of medical treatment from persons either injured by state officials or detained amounts to torture, as this had been underlined in the report of the Special Rapporteur on torture on "Applying the torture and ill-treatment protection framework in health-care settings".⁴⁶

Alkarama received credible information from various source indicating a recurrent practice of denial of medical treatment towards detainees from the authorities. The denial of pain treatment and/or torture the victims have been subjected to sometimes lead to the deaths of individuals⁴⁷, such as the case below illustrates it.

- 10.** Mr Mohammed Mohammed Mohammed **Al Fallahgi** (محمد محمد محمد الفلاحجي), 58-year-old at his time of death (born on 21 August 1956 in Damietta). He used to be the Director General of the Education Directorate in Damietta and he was elected as a parliamentarian in 2011. He used to live in the fifth neighbourhood, second quarter of New Damietta city, Damietta Governorate. He was married and had children and used to hold national ID n° 25608211100373.

On 26 August 2013, several Homeland Security officers came to Mr Al Fallahgi's workplace, the Education Directorate of Damietta and proceeded to his arrest, without showing a judicial warrant. He was immediately brought to the second police station in Damietta's old town where he was held in custody for a day before being transferred to the Central Security Forces facilities in Damietta where he remained detained *incommunicado*, until 1 October 2014. He was then transferred to Gamasa high security prison, where he reported having been subjected to psychological torture for 11 consecutive days and was repeatedly denied medical treatment despite having asked for the authorisation to see a doctor.

He was charged in the following days with "constitution of a gang of thugs" but the charges were dismissed by a court decision on 15 January 2014. He was however kept in detention and charged again under accusations of "incitement to murder", "belonging to the Muslim Brotherhood", and "assault on a police station".⁴⁸ The charges were again dropped by the Damietta Criminal Court on 10 February 2015 but the authorities refused to release him, in violation of his fundamental rights and of the ICCPR⁴⁹. He was eventually charged with "incitement to arson against the Islamic centre of Damietta" and the first hearing in this case is scheduled for 26 May 2015.

His family reported that he was not able to sleep because of the pain and that he was in urgent need for hospitalisation. After repetitive calls in this sense, the authorities eventually

⁴⁶ Human Rights Council, [Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez, A/HRC/22/53](#), 1 February 2013 (accessed on 15 October 2014).

⁴⁷ Daily News Egypt, [3rd detainee dies in Matariya police station](#), 28 February 2015.

⁴⁸ Case n°1388 of 2014.

⁴⁹ Article 9 ICCPR.

agreed to bring him to Damietta specialised hospital on 9 March 2015 but the doctors there refused to perform a medical examination. As Mr Al Fallahgi was insisting, they eventually performed an x-ray exam but refused to give him the results and he was moved back to the police station in Damietta where he testified having been detained in deplorable conditions, without a mattress and a duvet, forcing him to sleep on the ground. His family requested that he be hospitalised on several occasions or at the very least that he be brought back to Gamasa prison where the other doctors could help him, but the authorities refused.

Because his health state was continuously deteriorating, the officers ultimately urgently requested his hospitalisation in Damietta specialised hospital and he was admitted there on 8 April 2015. The medical examination showed that he had developed a kidney and a gallbladder inflammation but they continued to refuse to give him medical treatment. He eventually died on 20 May 2015 from a liver failure and a gallbladder inflammation at the hospital.

11. Ms [REDACTED] ([REDACTED]), [REDACTED] years old (born on 28 June [REDACTED] in Saudi Arabia), is of Egyptian nationality. She is a student at the University of Cairo and also a freelance photographer. She used to live [REDACTED] Cairo Governorate. She is single and holds national ID card n° [REDACTED] issued on 22 November 2009.

On 1 June 2015, while she was still recovering from her leg injury – she was shot at the leg while covering a peaceful event in January 2014 - she met with two friends in Chili's, a Tex-Mex restaurant located on the Nile, next to the 6 October Bridge in Cairo. However, she and her two friends [REDACTED] and [REDACTED] vanished after eating at the restaurant. Ms [REDACTED] family later learned that they had in fact been apprehended by members of the Security Forces near the restaurant without having been shown arrests warrants. Forced into a minivan, Ms [REDACTED] later reported they were blindfolded during the whole journey and that her demands to contact her family were refused by the police officers.

Immediately after they realised Ms [REDACTED] disappearance, her relatives started looking for her and went to several police stations in the area to know more about her whereabouts. They were however faced with denial and insulted by the police officers. In order to formalise their searches, her relatives filed a complaint n° [REDACTED] on 3 June before the General Prosecutor of Egypt that remained unanswered.

Her family continued searching for her, to no avail, until they were told by a friend who visited a relative in Al Qanater prison for women that he had seen Ms [REDACTED] there, on 16 June 2015. Consequently, her mother and her sister went to Al Qanater prison but the prison personnel did not let them in. Coincidentally, as they were leaving the premises of the prison, they saw Ms [REDACTED] being dragged out of it by police officers. They reported that she was in particularly bad health and that she had difficulties to walk and that she completely ignored them. They later found out that she was on her way for interrogations by the State Security Prosecutor but the hearing was eventually cancelled and she was sent back to the prison.

Later on that day, several members of the police forces raided Ms [REDACTED] family flat and started searching for personal items, without showing a search warrant or explaining the reason for their presences. They confiscated five computers, including Ms [REDACTED] and then asked for her sister, [REDACTED] who was absent. The officers subsequently decided to stay until she would return. Warned by relatives of the presence of police officers in the apartment, [REDACTED] came back home with a lawyer, to avoid any issues. The officers then told her that she would have to go to the security forces facility in Nasr City for interrogations. She obeyed and was interrogated for several hours until she was freed.

The next morning, her mother and her sister went back to the prison and were finally allowed to see her for the first time since her abduction. They learned from a statement of the Ministry of Interior that Ms [REDACTED] had been charged by the Supreme State Security Prosecutor with "affiliation to the Muslim Brotherhood", "spreading false news inside and outside of Egypt" and "disturbing peace and public order" under case n° [REDACTED] (National Security). The statement also declared that her arrest had been ordered following

investigations and was perfectly legal, without mentioning however that she had been detained for 15 days *incommunicado*; that she was not presented to a prosecutor in due time nor was given the possibility to challenge the lawfulness of her detention.

Before being detained inside Al Qanater prison, Ms ██████ testified having been secretly detained inside the State Security facility in Lazoghly area of Cairo where she was separated from her two friends and remained blindfolded while being regularly threatened by the officers. She was also refused the right to take a shower, was deprived of sleep and was detained in particularly harsh conditions, elements that characterize ill-treatment especially when taking into account her vulnerability.

Additionally, since she has been transferred to Al Qanater prison, she was first detained inside the newcomers' facility, where she experienced breathing problems because of the bad ventilation and the constant smoke of cigarettes inside the cells. She was then moved to the "Muslim Brotherhood" section of the prison, even though she is not affiliated with them, in a cell full of cockroaches and other insects. We consider that these practices and conditions of detention also amount to degrading and cruel treatment.

Since her arrest, her detention has been constantly renewed by the State Security Prosecution and her interrogations postponed for no reasons. In fact, after the assassination of the General Prosecutor in late June, her hearings were postponed indefinitely. Furthermore, given the charges held against her and the fact that her case falls under the State Security Prosecutor's mandate, it is highly probable that she will face a trial before a military court, if she is ever tried. Additionally, Ms ██████ state requires a permanent medical attention and she was undergoing physiotherapy for her leg to treat her injury. As she could not continue it during her detention, she is not able to stand up anymore without the help of other detainees. If she continues to be refused medical care, she could develop a permanent disability. She remains detained to date.

5.5 The issue of sexual violence

Alkarama has documented several cases of sexual violence that reach the threshold of cruel, inhuman or degrading treatment or punishment. The case below, in addition to the ones concerning torture, indicates the extent to which mental and physical violence is engrained in the practice of Egyptian security authorities.

12. Mr ██████ (born on 1 November ██████ in Zagazig). He used to be a student at the ██████, Zagazig University and to live ██████, Ash Sharqia Governorate. He is single and holds national ID card n° ██████

On 5 May 2014, while Mr ██████ was crossing Belbis Street near his home, he was approached by members of the General Investigation – the Criminal Investigation Department of Egypt - linked to Zagazig Second Police Station. The men, accompanied by members of the Homeland Security, had allegedly recognised him and after checking his identity, told him that he was wanted by their services and that he was consequently under arrest. Thus, he was forced into a minibus and brought to the Central Security Forces Camp of Zagazig.

There, he was detained *incommunicado* for five consecutive days in a cell filled of convicted criminals and he reported having been regularly beaten by inmates and officers. He was brought on 10 May 2014 to the Public Prosecutions' office of Zagazig where his detention was renewed for 15 days pending investigations into the case n°9159-2014, under accusations of "*belonging to an outlawed group*", "*participation to illegal demonstrations*", "*violence against the police and the army, destruction of public facilities and possession of explosive and incendiary devices*". Brought back to the Security Forces camp, he continued to experience harassment from the Security Forces especially after his family sent a telegram to the Public Prosecutor of Zagazig on 30 May 2014 regarding the torture he had been subjected to.

even though Mr ██████ was arrested at work. Additionally, he did not take into account his reports according to which he had been tortured while being secretly detained and thus did not investigate them. He has been detained inside Beni Suef Police Station since and no date for his trial has been scheduled so far.

VI. **Conclusion**

In each of Alkarama's follow-up reports since our initial submission in March 2012, our organisation underlined the systematic and widespread practice of torture and ill-treatment in Egypt, in spite of the changing regimes and their respective commitments regarding the abolition of torture – when they do not simply deny its existence. This Seventh Follow-up has shown that the issue of torture is extremely concerning in Egypt, and is worsening.

Thus, we submit that an action from your Committee remains necessary and has never been more appropriate as nothing indicates that the authorities will take effective measures to abolish this practice if the international community remains silent to their widespread violations of their international obligations, including the Convention against Torture.

The Egyptian society is now particularly polarized and we believe that torture and ill-treatment play a great role in the surge of violence in the country. This practice is particularly rooted in the Egyptian security apparatus behaviour and we argue that clear, effective and rigorous measures need to be agreed upon and implemented to reverse the entrenched nature of the problem. We consider that the procedure under article 20 of the CAT is a constructive mechanism that can allow monitoring and promoting human rights in Egypt rather than it being considered a 'punitive' or 'discouraging' exercise.

We therefore urge the members of the Committee to establish that reliable information has been received demonstrating that torture is being systematically practiced in Egypt, and that a confidential inquiry be initiated in the shortest delays.