



**EGYPT UPR PRE SESSION
ARBITRARY DETENTION
AND ENFORCED
DISAPPEARANCE**

INTRODUCTION

This speech is on behalf of a coalition of 13 Egyptian human right organizations specifically on arbitrary detention, enforced disappearance and torture and other ill-treatment.

Those grave violations persist because they are state policy. They are perpetrated in a systematic and widespread manner.

Egyptian government PR efforts to whitewash its human rights record and circumvent recommendations made by peer States at the 2019 UPR:

- National Strategy for Human Rights, September 2021.
- Presidential call for a “National dialogue”, April 2022.
- Presidential Pardons Committee, April 2022.

INTRODUCTION

Those failed to stop:

- Mass use of arbitrary detention against peaceful dissident and the use of enforced disappearances and torture continued.
- All in the name preservation of national security using the penal code, anti-terror law, cybercrime law, protest and gathering laws.
- The table below summarizes the figures for each type of violation from April 2022 until today, hence covering the period where the Egyptian government pretends improvements have been made.
- These alarming figure and a conservative estimate of the violations and don't include for example disappearances happening in north Sinai or mass arrests of refugees, which will be covered in the next presentations.

DEBUNKING PR

TOPIC	FIGURE				FROM	UNTIL
	Male	Female	Children	Total		
Number of political arrests	7128	237	61	7426	Apr-22	Nov-24
Number of political releases	2788	107	16	2911	Apr-22	Nov-24
Number of presidential pardons	18	0	0	18	Apr-22	Nov-24
Rotation of political prisoners	1741	5	0	1746	Apr-22	Nov-24
Number of journalists arrested	23	11	0	34	Apr-22	Nov-24
Number of journalists released	8	10	0	18	Apr-22	Nov-24
Number of HRDs arrested	4	7	0	11	Apr-22	Nov-24
Number of HRDs released	0	7	0	7	Apr-22	Nov-24
Number of death penalty sentences	1014	81	0	1095	Apr-22	Nov-24
Number of executions	37	0	0	37	Apr-22	Nov-24
Number of enforced disappearances	574	28	17	602	Apr-22	Nov-24
Number of death in custody	131	1	0	132	Apr-22	Nov-24

Source: Egyptian Commission for Rights and Freedoms

ENFORCED DISAPPEARANCES

- The Egyptian National Security Agency, have systematically abducted citizens, holding them incommunicado in premises under its control for extended periods all while denying holding them.
- Victims of these enforced disappearances include activists, journalists, lawyers, and politically active citizens, many of whom were taken solely for exercising their rights to freedom of expression and peaceful assembly.
- Most disappeared then appear with traces of torture in front of State Security Prosecution where they are accused of belonging to a “terror group” and “spreading false information undermining national security” under the draconian 2015 Anti-terrorism law and the 2018 Cybercrime law.
- The Egyptian Prosecution never accused any officer of any wrongdoing for having been involved in an enforced disappearance.

ARBITRARY DETENTION

- Arbitrary detention remains a widespread tool of repression.
- Individuals detained arbitrarily are often held for months or years without charge or trial, or under the guise of pretrial detention that is repeatedly renewed without due process.
- Those arrested are subjected to harsh interrogation techniques, including torture, to extract forced confessions. These practices stand in stark violation of Egypt's Constitution, as well as its international obligations under the International Covenant on Civil and Political Rights.
- No effective measures have been taken to curb these abuses or to prosecute those responsible.
- If adopted, the draft Criminal Procedures Code would undermine the already little fair trial guarantees in the current law, with more concentration of power in the hands of Public Prosecution office and Security agencies. It would legalize violations of the right to fair trial written but violated in the current Criminal Procedures Code.

TORTURE AND OTHER ILL-TREATMENT

- Those who are disappeared or are arbitrarily detained frequently endure torture or other ill-treatment in detention. Torture, including beatings, electric shocks, and prolonged solitary confinement, is regularly employed to silence detainees or punish them for alleged political dissent.
- Detention conditions are often inhumane, with severe overcrowding, poor sanitation, and inadequate access to medical care, leading to deteriorating health and, in some cases, deaths in custody.
- Abusive measures continue by National Security officers in new built prisons, such as medical negligence and banning prisoners from family visit or from privately communicating with their lawyer.
- Limitations on family visits to prisoners introduced at the time of the Corona pandemic continue to be applied until now.
- In 2023, the UN Committee against Torture concluded after its review of Egyptian government report that torture remains widespread and systematic.

SUGGESTED RECOMMENDATIONS

- Release all prisoners detained solely for exercising of their rights to freedom of expression, association or assembly and review all laws imposing restrictions on those rights to bring them in line with the ICCPR.
- Eliminate the abuse of pretrial detention and establish independent judicial oversight to review cases of individuals held without trial.
- Ensure that the judiciary operates independently in processing detention cases and that detainees have immediate access to legal representation.
- Initiate transparent and impartial investigations into all cases of alleged enforced disappearances, torture or other ill-treatment and death in custody, with a clear mandate to hold perpetrators accountable, including high-ranking officials responsible for authorizing or condoning these practices.
- Prohibit incommunicado detention and ensuring that all detainees are promptly presented before a judge.
- Allow independent monitoring of all detention facilities including by human rights organizations.
- Accede to the Optional Protocol to the Convention against Torture.
- Accede the International Convention for the Protection of All Persons from Enforced Disappearance, as previously recommended by several member states.
- Enforce a moratorium on execution in view of the abolition of the death penalty and accede to the Optional Protocol to the International Covenant on Civil and Political Rights.