



The Comment of Ministry of Interior

**on Twelfth Annual Report of
National Council for Human Rights**

2016/2017





Introduction

Twelfth Annual Report of National Council for Human Rights 2016/2017 has been issued demonstrating human rights state in Egypt according to major criteria including legal development, fundamental rights (right of life, freedom and personal security, right of fair trial, illegal detention) and public freedoms (right of establishing and activating associations, right of peaceful assembly, freedom of opinion and expression), economic and social rights (right of decent living), the council's efforts in receiving and inspecting complaints, efforts of spreading human rights culture and finally cooperation efforts on national, regional and international levels. Report resulted in a group of recommendations in fields of (legislation- civil and political rights- economic and social rights- brackets with priority of care).

Report confirmed that modifying Law of National Council for Human Rights entrenched the independence of the Council as it is considered the national institution concerned with human rights in Egypt, in addition to its authority in adopting cases and complaints and inspecting detention centers.

Report referred to the great challenges because of the type and number of terrorist acts, confirming the role of state in developing anti-terrorism strategy by terrorist groups pursuit outside borders, in addition to exerting much efforts in order to dry the financial and arming sources of terrorism, stopping their training process and preventing terrorist groups from hiding in safe resorts. Report



also referred to the enhanced state efforts to eradicate roots of terrorism through different initiatives for confronting terrorism and extremism.

It is also mentioned in the report that terrorism is the main source of violating right of life which is considered the most sublime human right. That is clear in the continuous development in terrorist groups' capabilities and crime styles that aim at undermining Egyptian State resources through harming national economy.

Report commended State's and Ministry of Interior efforts in stressing on human rights principles in police work; **those efforts are as follows:**

- Egyptian State restored its main role in leading development process and economic planning, as it strongly faced plenty of main problems to support the ability of economic production . It also reinforced service sectors and reconstructed the exhausted structure and protected the extended of agricultural area, controlling the most dangerous informal settlements (in framework of a strategy to end that phenomenon), providing suitable social residence, combating dangerous diseases, increasing efforts of combating corruption and restoring stolen money and assets, providing channels for youth contributions in public affairs through periodic youth conferences and participation in in planning on national levels, continued woman empowerment and taking increased legislative and political measures for combating forms of violence against woman.



Introduction

- NCHR highly appreciates great sacrifice presented by police and army men to protect state and community from terrorist crimes which form the most severe violations of human rights. NCHR also appreciates the President of the Republic's initiative to establish a national council for terrorism and extremism combat as the final of the various initiatives taken in that field.
- Police and Army forces have developed efforts and styles in North Sinai, especially the corridor between Al- Arish town and Rafah border town passing by AL-sheik Zowayed town, where terrorist groups are active.
- People received emergency state by relief as they realized terrorist threats and targeting Muslim and Christian citizens, which results in threatening social peace for the state. No problematic consequences were observed because of emergency case till the time of issuing this Report.
- Report commended the President of the Republic decision in April 2017 by reforming Supreme Committee of legislative reform supervised by Prime Minister to confirm the urgent need for increasing legislative efforts and avoid breakthroughs in previous legislations, especially those related to experience, full specialization and integration of legislations and policies.
- NCHR commended the response of House of Representatives for confronting terrorist assaults challenges on churches. Partial modifications were made on criminal procedures and emergency laws in order to heal slowness of sentencing in cases and achieving justice. The modifications also included modifications



of three laws related to criminal trial; they are modification of some cases and procedures of challenge before Court of Cassation and modifying some provisions of (organizing terrorist entities lists and terrorism combat) laws.

- NCHR confirmed that in a statement that claims on “Kerdasa Massacre” are not true; this is responding to that media news reported by international rights organizations that confessions of accused persons of such crimes were under threat of torture. NCHR performed precise follow up and field research process concerning execution sentences against some terrorists; such process revealed that fair investigation means against them were available. Report also included that there is no longer systematic torture actions in prisons and there are some individual cases in police stations.

Analyzing the Report content, it states that there are many positive points for the sake of Ministry of Interior. It also referred to some negatives that were studied in coordination with specialized departments of MoI. The vision is illustrated in the following pillars.



First Pillar

Penal institutions and prisoners' status

First : Positive aspects

**Second : Notes and recommendations stated in the
Report and responses**

- (1) Overcrowded Prisons**
- (2) Health and social care for prisoners**
- (3) Activating conditional release and amnesty**
- (4) Moving prisoners nearer to their residence**





First Pillar **Penal institutions** **and prisoners' status**

Here we will state positives, negatives and recommendations mentioned in the Report and measure taken by MOI towards them as follows:

First - Positives :

The most prominent positives states in the Report are **the following:**

- NCHR Head declared in a meeting with the Human Rights EU Delegation that there are efforts to release detainees, especially that the NCHR pays attention to detained university students on charge of cases such as demonstrations, in addition to release for health reasons and the old aged.
- NCHR realized health care provided for prisoners during visiting prisons. NCHR also noticed acceptance of MOI for prisoners to be cured on their own expenses in external hospitals upon their request; that happened for some cases including some of terrorist brotherhood group leaders.

Second - Notes and recommendations stated in the Report and responses :

1- Crowded prisons :

- Report stated that prisons crowdedness affected rights of prisoners' relatives' visits to be reduced. Decreasing visits of



prisoners' relatives is also because of fears of any terrorist attacks on prisons. Complaints were about less periods were allocated for walking outside detention rooms in spite of availability of that.

» MOI Procedures: «

- All state organizations are cooperating to solve crowdedness of prisons. MOI exerted many efforts recently to reduce such phenomenon through a comprehensive plan in coordination with specialized departments represented in the following:
- Accrediting a plan for establishing new prisons through fiscal years 2017/2018 and 2018/2019 as follows:

•• Projects under execution through fiscal year 2017/2018:

Sn.	Project	Execution period
1	Establishing Al-Qantara Sharq Prison at Ismailia.	48 months
2	Establishing Fourth stage of Minya Prisons Area (women Prison).	24 months
3	Security establishment at Wadi-Al-Natroon Prisons Area.	24 months
4	Collapsing and reconstructing (B and C) wards at Alexandria Public Prison.	18 months
5	Establishing buildings (walls – visiting rooms-toilets-paintings) at Damanhour Public Prison.	18 months



•• Projects under execution through fiscal year 2018/2019:

Sn.	Project	Execution period
1	Replacing and renewing Desert 2 Prison at Wadi Al-Natroon.	36 months
2	Establishing New HQ of Prisons' Sector at Turah Prisons Area (B)	18 months
3	Establishing New Qena Public Prison	5 years
4	Establishing Second Stage of Maximum Security Prison 2 at Turah	24 months

- Finishing restoration actions and activation of prisons exposed to external armed assaults during 25 January 2011 incidents on 10 Prisons (Abi-Za'bal 1 severe punishment prison , Abi-Za'bal 2 severe punishment prison , Maximum Security Prison at Abi-Za'bal, Military Prison at Abi-Za'bal, annex of Wadi Al-Natroon severe punishment prison, severe punishment prison 440, severe punishment prison 430, Desert Prison 2, Al-Fayyoun Prison). Restoration of new Al-QattaPrison is about being finished.
- Opening and activation of a maximum security prison and a severe punishment prison at Gamasa Prisons' Area.
- Opening and activation of a maximum security prison and a severe punishment prison at Minya Prisons' Area.
- Opening and activation of Maximum Security Prison 2 at Turah Area.
- Total Number of occupied public prisons is (48) all over the country with capacity of (70461) prisoners. The following measures are to be taken:



- Supporting current public prisons by establish new wards at four public prisons with total capacity of (6750) prisoners.
- Taking measures to establish (3) public prisons all over the country with total capacity of (14640) prisoners.

2- Health and social care of prisoners:

- Report referred to prisons crowdedness because of pre-trial detention, but status is better because of providing basic health services, walking and nutrition.

MOI Procedures:

- Allocating medical caravans from Medical Services Sector of MOI with all specializations to visit all prisons for medical examination and taking necessary medical measures.
- Coordination with specialized programs at Ministry of Health (National Program of Combating T.B) to delegate medical caravans for examining prisoners and taking necessary medical measurements.
- Providing all accommodation rooms of prisoners with additional ventilation means (fans and, sometimes, air conditions), as well as installing water refrigerators at accommodation wards and providing cold drinks and ice plates at all cafeterias of prisons.
- Taking all daily protective measure for cleaning and sterilizing accommodation wards, toilets and all facilities of prisoners.
- Allowing prisoners to go outside the prison for 48 hours to visit relatives according to article (18) of Prisons Organization Law No. 396 of 1956.



- Coordination with different state's institutions and civil society organizations to pay the debts of debtors, the matter that resulted in releasing plenty of them.
- Prisons Organization Law No. 396 of 1956 and its Internal Regulation provided rules for granting visits and walking periods for prisons inmates. The sentenced prisoner is allowed for having two visits monthly, one hour each and one weekly visit for pre-trial detainees. All prisoners are granted a daily period of walking for two hours a day, one in the morning and other in the evening.
- Instructions and regulations of prisons are applied to visits without discrimination among prisoners. Prisons inmate are granted exceptional visits during religious and national occasions which are 12 ones, they are (New Hijri year's Day, Christmas, Police Day and 25 January Revolution's Day, Mother's Day, Liberation of Sinai Day, Easter Sunday, Month of Ramadan (two visits), Lesser Bairam's Day, 23 July Revolution's Day, Greater Bairam's Day, 6th October Day, Birth of Prophet Mohamed's Day).
- If any information were provided to security bodies that there some risk to the prisons, visits may be prevented from some dangerous inmates for security reasons; this is executed according to Article (42) of Prisons Organization Law No. 396 of 1956 which provides "visits could be completely or under restrictions according to conditions in specific time for health or security reasons".



- Some terrorist groups members and supporters and their relatives kept on submitting complaints to the public prosecution, NCHR and different media channels claiming that they were prevented from visits or walking periods, especially the time when visits were prevented from some terrorist inmates as they are dangerous.

3- Activating Conditional Release and Amnesty policies:

- NCHR welcome the President of the Republic's initiative of forming an independent committee to examine sentenced youth preparing for their release as a result of Youth National Conference in November 2016.
- Since committee started working, 285 youth were release on two stages; NCHR continues cooperation by receiving requests, examining them and submitting them to the committee.
- NCHR recommended adopting substitute punishments instead of freedom deprivation punishments and increasing Conditional Release and Amnesty policies and health release for critical cases.

» MOI Procedures: »

- For presidential amnesty requests:

- Many presidential amnesty decrees were issued in national and religious occasions. Mr. President also issued many presidential decrees of specific names for amnesty of original punishment or the remaining period and for the annexed punishment. The last



action is amnesty of 502 sentenced persons (with specific names including 25 women) executing the presidential decree No. 288 of 2017 on amnesty from original punishment or annexed punishment. All presidential decrees on such matter are executed.

- Increasing occasions of presidential amnesty (Lesser Bairam's Day, Greater Bairam's Day, 6th October Day, 23rd July Revolution's Day) to be 6 occasions after adding Police and 25th January Revolution's Days and Sinai Liberation's Day.
- Re- submitting sentenced people who were previously refused to be included in amnesty released from 30/6/2013 till now to be re-evaluated in order to finish crowdedness of prisons.
- Coordination with Public Prosecutor and security directorates to activate the President's decree by law No. 49 of 2014 on modification of Article (18/2) of Penal Code, which allows exploiting persons sentenced of simple imprisonment in working outside prison for not more than six months instead of imprisonment punishment; his work would be according to confinements of Criminal Procedures Law unless the sentence stated that he would be deprived from that choice.
- A draft presidential amnesty decree for some sentenced persons on occasion of Sinai Liberation Day on 25/4/2018 with some modifications as follows:
 - Modifying the period of punishment spent to be the third instead of the half for prisoners in order to be considered to be included in amnesty release, on condition that such period should be not less than 4 months instead of six months.



- Cancelling the condition of paying all financial commitment he is sentenced to pay a new article was added that the sentenced person should be examined by the prosecution after release to take necessary measures.

It is worth mentioning that the Supreme Committee of Release is held weekly to consider early release of prisoners included in presidential decrees, in addition to prisoners planned to be released after spending the half of punishment period.

This is a statement of Presidential amnesty decrees in 2016/2017

sn	Decree no.	Occasion
1	1 in 2016	Amnesty for the remaining punishment period for some sentenced on the occasion of police and 25 th January Revolution Day in 2016.
2	126 in 2016	Amnesty for the remaining punishment period for some sentenced on the occasion of Sinai Liberation Day on 25 th April in 2016.
3	311 in 2016	Amnesty for the remaining punishment period for some sentenced on the occasion of Lesser Bairam in year 1437 Hijri and the 64 th Anniversary of 23 rd July 1952.
4	416 in 2016	Amnesty for the remaining punishment period for some sentenced on the occasion of Greater Bairamon 10 th Zul-Hijjain year 1437 Hijri and Armed Forces Day on 6 th October 2016.



sn	Decree no.	Occasion
5	515 in 2016	Amnesty for the original punishment or the remaining period and amnesty for the annexed punishment on (82) sentenced persons (names specified).
6	50 in 2017	Reducing execution punishment on the citizen/ Mohamed Omar Mohamed Hussein in Felony no. 6766 in 2014 (Abou-Teshtfelony Court) to lifetime imprisonment.
7	61 in 2017	Amnesty for the remaining punishment period for some sentenced on the occasion of police and 25 th January Revolution Day in 2017.
8	119 in 2017	Amnesty for the original punishment or the remaining period and amnesty for the annexed punishment on (203) sentenced persons (names specified).
9	167 in 2017	Amnesty for the remaining punishment period for some sentenced on the occasion of Sinai Liberation Day on 25 th April in 2017.
10	280 in 2017	Amnesty for the remaining punishment period for some sentenced on the occasion of Lesser Bairam in year 1438Hijri and the 65 th Anniversary of 23 rd July 1952.
11	288 in 2017	Amnesty for the original punishment or the remaining period and amnesty for the annexed punishment on (502) sentenced persons (names specified).



sn	Decree no.	Occasion
12	427 in 2017	Amnesty for the remaining punishment period for some sentenced on the occasion of Greater Bairam on 10 th Zul-Hijja in year 1438Hijri and Armed Forces Day on 6 th October 2017.

- For Conditional Release Requests:

- Increasing granting conditional release for prisoners according to Articles (52-64) Prisons Organizing Law regulating rules and measures of conditional release, in which Article (52) has been amended by Law no. 6 of 2018 to modify conditional release to be after spending the half punishment period instead of two thirds. Those rules are applied without discrimination on all cases. A committee is formed for examining penalties on prisoners to increase nominated prisoners' number to be included in Conditional release requests.

- For Health Release Requests:

- Activating provisions of Article (36) of Prisons Organizing Law, those cases are examined by forensic medical committees to check that if a prisoner is sick of a disease that endangers his life or causes complete disability. Public Prosecutor is notified with results of that committee to examine suspending punishment execution.

(4) Transferring prisoners nearer to their residence:

- The Council received requests from prisoners to be transferred



to the nearest possible prison to where their families reside, so as to visit them easily.

» MOI Procedures: »

- In response to these requests, humanitarian cases are put into consideration. It should be pointed out though that according to the Law and its regulation, pre-trial detainees are incarcerated in the vicinity of the investigations premises (prosecutors' offices and courts). Prisoners sentenced to aggravated and life imprisonment as well as long-term sentence should be incarcerated in maximum security prisons located only in certain Governorates.
- The Ministry responded to transfer requests submitted from about (1583) prisoners in 2016 and (1039) prisoners in 2017.

It is also worth mentioning that members of the National Council for Human Rights (NCHR) and civil society organizations were frequently invited by MoI to visit prisons in order to make sure that prisoners get the proper welfare. In addition, Public Prosecutors regularly conduct inspection visits to prisons to assure that Laws and regulations are accurately applied.

Inspection visits were done at prisons of (Mazraa', Anbar Al-Mazraa', Tora, Lower Egypt prisons "Borg El Arab – Alexandria – Port Said – Damanhour Male Prison – Zagazig – Gamasa maximum security prison – Gamasa severe punishment prison – Wadi El Natron annex prison – 430 & 440 desert



severe punishment prisons – Al Wadi el Gedid prisons complex “Fayoum, Al Wadi el Gedid, Assyout, El Menya maximum punishment prison, El Menya severe punishment prison”). Inspection proved that the procedures stipulated by Law are properly applied, prisoners situation are incarcerated according to the law, living conditions are suitable and that they get the proper health care. Many prisoners wrote lines of appreciation and gratitude in the prison official records.

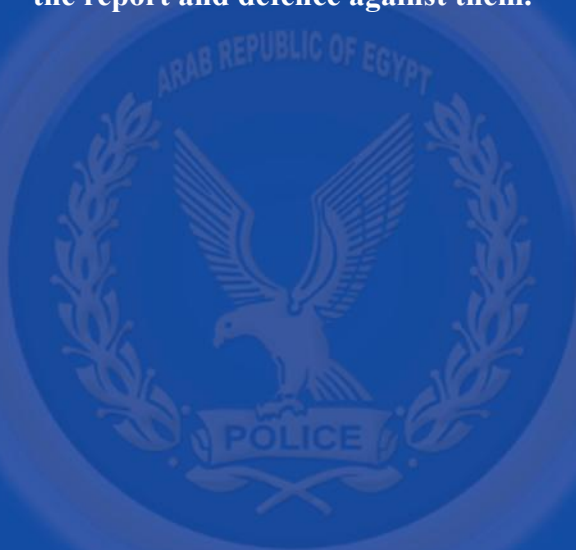


Second Pillar

Forced Disappearance Claims

First : positive aspects.

Second : Remarks and recommendations mentioned in the report and defence against them.





Second Pillar

Forced Disappearance Claims

The report showed that the majority of grievances submitted consisted of claims of forced disappearance. Such grievances included claims of persons being arrested by policemen without informing them or their families of the reason behind arrests, the place where they will be detained or the agency to which these policemen belonged. The report also illustrated that in most of these claims, the location of detention was unofficially identified as one of the National Security Sector offices. The report also added that most detainees were released shortly after being investigated by National Security agents without being sent to the Public Prosecutor's office. But officially, the responses of the agencies do not confirm the accuracy of such claims. Some other cases in which arrested persons disappear for long time until their location is identified and the accusations directed to them by the Public Prosecution are known.

First: positive aspects:

- NCHR dedicated a special attention to forced disappearance claims. A committee was formed to receive such complaints. This committee issued a comprehensive report including all the cases received. After reviewing these complaints, it turned out that the concept (forced disappearance) does not apply to such cases.
- The report also confirmed that many human rights organizations declare incorrect statistics of forced disappearance in Egypt.



Second : Remarks and recommendations mentioned in the report and defence against them:

- Starting from 2016, security agencies continued unlawfully arresting dozens of persons suspected to have links to terrorist organizations without declaring the reasons behind such arrests or where these persons were detained. This led to bringing back accusations of practicing forced disappearance after less than five months passed since this issue was handled through cooperation between NCHR and MOI during the period from December 2015 until March 2016.
- From July 2016 until June 2017, more than a hundred suspects were secretly arrested at times that coincided with terrorist attacks. Most of them remained totally disconnected from their families, and denied any access to lawyers for a period from 10 to 50 days. Later, nearly half of those suspects were released. The rest of them who remained under arrest, were arrested upon warrants issued from the Public Prosecution Authority in order to continue the investigations and register trials. Such practices promote the accusations and claims directed to the State of practicing forced disappearance. Most of the institutions related to the Brotherhood terrorist organization intend to re-direct such accusations against the State on purpose; leading the NCHR to repeatedly request that detainees' families and lawyers be informed of the such arrests, as well as of procedures taken in that regard and whereabouts of their detention.



- Although NCHR puts into consideration the State authorities concerns regarding terrorist threats of assaulting and breaking into investigation and detention premises, it supports the necessity of understanding the danger such practices constitute as the country may be accused of practicing forced disappearance which is a very serious crime according to the International Humanitarian Law and the International Criminal Law.

» MOI Procedures: »

- The competent authorities' inspection proved that forced disappearance claims were insubstantial as the Brotherhood terrorist organization devised a plan that depends on intensifying fake complaints in order to promote forced disappearance claims nationally and internationally with the aim of confusing the competent State authorities and exert media pressures on the Policemen to restrain them from performing their legal and constitutional duties. Most of these claims were linked to terrorists whom arrest procedures were legal and they were imprisoned upon court decisions issued by virtue of legitimate legal proceedings. MoI in cooperation with NCHR clarified their legal status. In addition, some of those claimed to be victims of forced disappearance fled the country to illegally take part in conflict zones abroad and escape security surveillance by constantly changing their residence locations, which makes it harder for authorities to trace their whereabouts.
- All arrests of accused persons and suspects are done in consistency with the Law. All detainees in pre-trial detention



in police stations or prisoners in prisons must be arrested by virtue of a decision issued by the Public Prosecution. MoI never interferes with the judicial process.

- All police stations apply the constitutional and legal procedures that necessitate informing families and lawyers of those who get arrested without delay. Some sensitive cases, when multiple suspects are involved, require that investigations and information collection be confidentially performed.
- **Forced disappearance claims received by MoI during the period from 1/1/2016 till 15/3/2018 are listed as follows:**

Sending Agency	Number of complaints	Responses	Pending examination	Examination percentage
NCHR	606	513	93	84.6%
EOHR	112	82	30	73.2%
NCCM	2	2	0	100%
House of Representatives	41	29	12	70.7%
Total	761	626	135	82.2%

The following part shall illustrate significant claims of forced disappearance that attracted media attention. Such claims reveal the terrorist Brotherhood intentions to distort the image of the Egypt by means of media promotion or filing complaints that incorporate fake claims of the alleged (forced disappearance).



First claim:

- Taking advantage of its mass media and cyber activists, terrorist Brotherhood group claimed that (Amr El-Deeb) was a victim of forced disappearance after being arrested by Egyptian authorities. Later, he appeared in a video titled “Sharia’ protectors” posted by “Wilayat Sinai Organization” (Sinai Province: a terrorist group) on the Internet. In the video he was paying allegiance to this group and the terrorist leader, Abu Bakr Al-Baghdadi.
- It is worth mentioning that (Omar Ibrahim Ramadan Ibrahim) nicknamed as (Omar El-Deeb), born on 3/12/1994, was a student who lived in Cairo 103 Alsabak street hilioplis and was killed during a police raid on a “Wilayat Sinai” terrorist group hideout in Giza Governorate on 10/9/2017 in address: 3 Abd Elaal Ibrahim Abdou Khatab, Lwaa ground Giza. (Supreme State Security Court case in. 79/2017).

Second claim:

- A woman named Nahid Kamal Ibrahim Mahmoud filed a communiqué to Kafr El-Dawar Public Prosecution authority in Al-Behera Governorate. She claimed that her son, Omar El-Sayed Gharib, His date of birth 1/1/2000 student and he lived in Khaled Azzba / Kafr El-Dawar / Behera was arrested by the Police and put into custody in an unknown location.
- It turned out to be that Omar El-Sayed Gharib was sentenced to 10 years imprisonment in absentia in the Criminal Court case n. 15965/2016, for joining a terrorist group. After being



arrested and investigated by the authorities, he confessed of joining the terrorist group. A member of the Brotherhood terrorist group gave him an order to stay in Alexandria Governorate and to incite his mother to file a communiqué claiming that he was a victim of forced disappearance.

Third Claim:

- The “BBC English” satellite channel broadcasted on a documentary claiming that Egypt witnesses deterioration in human rights situation. The documentary also included an interview with Mona Mahmoud Mohamed Ibrahim (mother of a girl named Zobeida Ibrahim Younes), in which she claimed that her daughter was frequently arrested, captured, tortured and sexually raped by Police forces.
- Information collected by security agencies confirmed that such claims were a total fabrication by Mona Mahmoud Mohamed Ibrahim, made in agreement with a man named Azooz Mahgoub Azooz Salem, as she agreed with him to make that interview with the purpose of distorting the image of the State. Legal proceedings were initiated against both of them in the Supreme State Security case n. 477/2018.

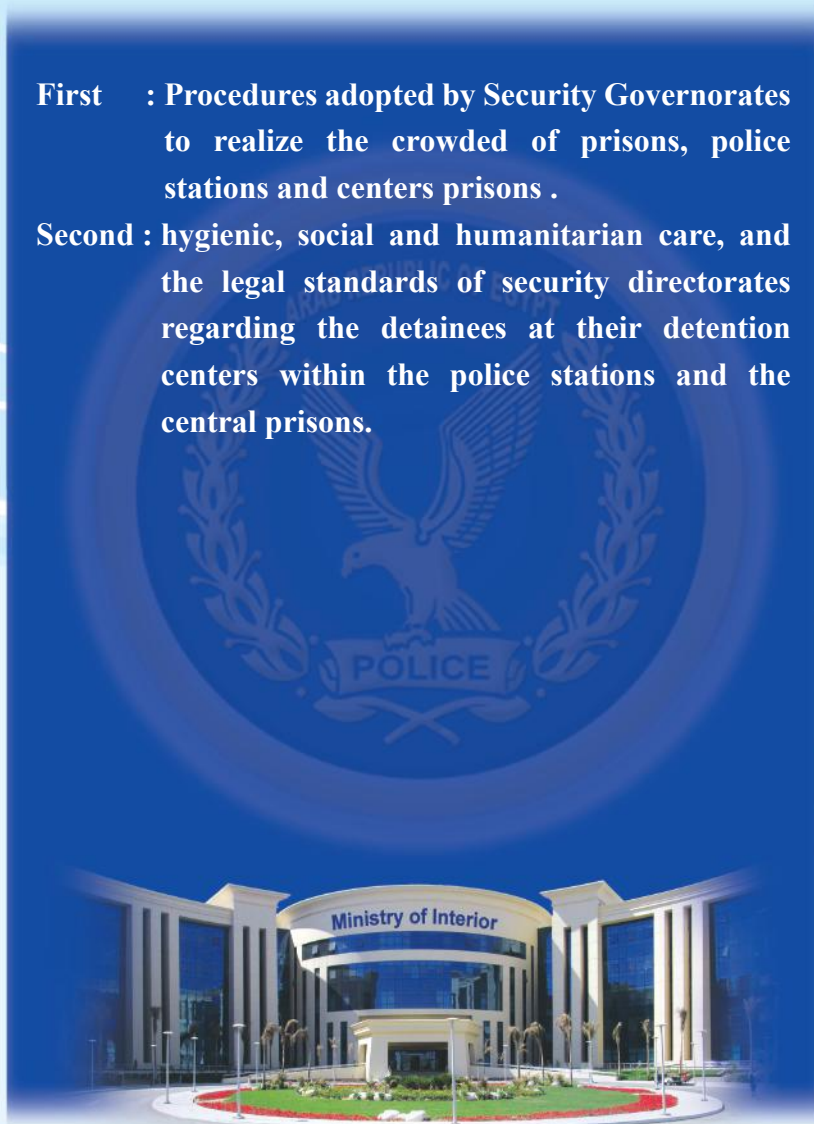


Third Pillar

Remarks concerning detention in Police stations and response to such remarks

First : Procedures adopted by Security Governorates to realize the crowded of prisons, police stations and centers prisons .

Second : hygienic, social and humanitarian care, and the legal standards of security directorates regarding the detainees at their detention centers within the police stations and the central prisons.





Third Pillar

Remarks concerning detention in Police stations and response to such remarks

The NCHR report mentioned some remarks concerning detention in Police stations including **the following**:

- Torture practices in prisons are no longer systematic. Torture in the present time is only practiced in individual cases that occur in some police stations. Perpetrators of torture crimes are brought to justice and presented to trial. NCHR is always keen on practicing its right to conduct random visits to prisons and police stations.
- One of the methods of crime combat is pre-trial detention. Expansion of detaining criminally registered persons provides indirect protection against the increase in rates of crime in general. On the other hand, this can lead to over-crowding of pre-trial detention centers; causing hygiene risks. Although police stations adopted unconventional procedures to deal with any hygiene crisis to avoid deaths that occurred from 2014 and 2015 till the spring of 2016, there is still a need for more procedures to be adopted to deal with the problems of detainees' health deterioration.

» MOI Procedures: »

- Pre-trial detention decisions are taken by the Judicial Authority and MoI do not interfere with that process in anyway. Detainees are provided with all aspects of living, health and preventive



medicine care which results in total prevention of hygiene risks. MoI adopts a number the following procedures to deal with the problem of overcrowded detention centers:

First: Procedures adopted by Security Governorates:

- Inauguration of two central prisons in cities of May 15th and Al-Nahda in Cairo Governorate. In addition, more central prisons were inaugurated in many Governorates, which led to decrease the problem of over crowdedness.
- Expansion in establishing central prisons in many security directorates in coordination with the Governorate authorities or the competent authorities.

Security Directorate	Central Prison	Hygiene Capacity
Cairo	Central Prison of May 15 th City	3600
Cairo	Al-Nahda Central Prison	4000
Giza	Al-Saf Central Prison	750
Gharbya	Zefta Police Center Central Prison	80
Gharbya	Zefta Police Station Central Prison	40
Behera	Security Forces HQ Central Prison	100
Ismailia	Al-Kantra Sharq Central Prison	250
Ismailia	Al-Tal El-Kebeer Police Centre Central Prison	200
Al Wadi el Gedid	Balat Police Centre Central Prison	200



Security Directorate	Central Prison	Hygiene Capacity
Dakahlia	Aga Police Centre Annexed Central Prison	250
Bani Sweif	Beba Police Centre Annexed Central Prison	300

•• The central prisons under implementation:

Entity	Central prison state	Hygienic capacity
Cairo Security	Second phase of the construction of 15 May Prison	1525
Kafr Elsheikh Security	The central prison attached to El-Hamul police district	30
Assiut Security	The central prison within the area of Alqussia police district	140
Sohag Security	The central prison at El-Kawthar quarter	1052
Sohag Security	Building higher floors of the present prison at Dar Essalam district	96
Giza Security	The central prison within the premises of Giza Security forces	2820
Port-Said Security	The central prison at the 1st Police Station of South Port-Said	194



Entity	Central prison state	Hygienic capacity
Fayyum Security	The central prison at the Yussuf Al-Seddiq police district	327
Fayyum Security	Building higher floors of the central prison at Tamia police district	225

- MoI is also taking the appropriate procedures to issue the licenses of the construction of a number of central prisons to pose them.
- In order to rapidly accomplish the projects of establishing the central prisons, a ministerial decision was taken regarding the establishment of a division at all police departments to maintain and follow up the constructions. This division shall be responsible for: setting the directorate's plan of constructions and maintenance in coordination with the concerned bodies in the MoI; following up the issuing procedures of appropriate licensing of police constructions in coordination with the local administration at the governorate level; conducting periodic inspection on all facilities of the directorate; taking appropriate procedures related to maintenance and restoration in accordance with the rules; participating in the procedures of the primary and final reception of all contractors works in coordination with the concerned bodies including the projects of central prisons.
- Security Managers shall, on a daily basis, revise the number of detainees at the police stations and the central prisons in accordance with the capacity of the detention chambers and the



central prisons at their jurisdiction. In case of having almost full capacity, the extra numbers shall be transferred to other detention chambers within other police stations at the same jurisdiction. In addition, coordination shall be made with the prison sector to transfer the extra numbers from the police stations to one of the general prisons once endorsed.

Second : hygienic, social and humanitarian care, and the legal standards of security directorates regarding the detainees at their detention centers within the police stations and the central prisons, throughout several standards including the following:

- The “Internal Regulation of Central Prisons”, issued by a decision taken by the Minister of Interior No. 79/1961 and their amendments, applies to the detention places within the police stations and central prisons.
- The hygienic capacity of the detention places at the police stations is determined based on the notice of the hygienic inspector to whom the police station affiliates, after the inspector views the central detention chambers based on the available areas (this is determined depending on the space needed for each detainee to do his/her normal life activities.
- Coordination shall be made with the hygienic affairs directorate to let the hygienic inspector check the police station to view the chambers of the detention twice every week. The inspector



can also be summoned if necessary. The inspector shall prove the check process in the blotter. He/she shall also supervise the hygienic procedures that ensure the safety of the detainees specially the prevention of epidemics, censoring the validity of food and clothes, observing the cleanliness of the chambers and conducting medical check. The inspector shall write down the details of their ages, medical case, diseases, procedures to be taken and the necessary vaccines.

- The doctor shall check the new detainees and write down the details of their age, medical case and any relevant injury or illness and the necessary procedures. The police station sheriff shall apply all the recommendations of the doctor including offering medications or transportation to external hospital through the legal procedures.
- There shall be detention chambers for men, women and children separately at the station. Children shall not be kept with adults at the same chamber. All chambers shall have toilets.
- Waiting chambers shall be provided for men and women at the police stations. Such chambers shall be determined for the custody of suspects till they show before the investigation authority in offences which do not harm the public security such as unintentional mayhem. The chamber shall be provided with the necessary security elements, toilets and well furnished and.
- All windows of central prisons shall be provided with suction fans for good ventilation in accordance with the number of



detainees, as well as providing a separate electric source from other chambers. An electric generator shall be provided to work when the power goes off. Air conditioners shall also be provided to all chambers.

- All prisoner escorting vehicles shall be reviewed to ensure their consistency with the specifications, including above all suction fans at the ventilation openings. In addition, the hygienic capacity shall be considered.
- Detainees shall be allowed to have their food from outside the station or from the canteen of the station after applying security measures. If they do not want, a dry food meal shall be delivered to them.
- Prisoners shall have a daily sportive session under escort for half an hour in the morning and the afternoon, except on Friday and the first day of any public feast.
- Sociological specialists shall take care of the prisoners at the central prisons. A religious preacher shall meet them twice a week to urge them do the virtue and perform the religious rituals. The convicted people are allowed to have the permitted books, magazines and newspapers to read during their leisure time.
- Facilitating the role of some NGOs that help pay the debts of some prisoners who were convicted in financial debt cases so that they can be released.
- The sheriffs of the police stations as well as the central prisons shall accept the serious oral and/or written complaints from the



prisoners; prove such complaints in a register and notify the prosecution general or competent authorities accordingly.

- No one shall be placed in custody at a police station or central prison without a written warrant signed by the legally authorized authority and stamped with the republic stamp. The person who is detained under these conditions shall be immediately released after the specified duration mentioned in the warrant.
- The sheriffs of police stations shall exist at their work premises to do their work. They shall not proceed out of their work stations unless in necessary cases, or being ordered by the seniors at the directorate level to move out.
- Based on the Law of Procedures article 479, and the instructions of the prosecutor general, the sheriffs of police stations and central prisons shall ask the people sentenced with simple detention, for no more than six months or sentenced with paying fines to be executed by physical compulsion—about their desire whether to replace the penalty with working out of the prison and send it to the prosecution authority to review it.



Fourth Pillar

Receiving and Processing Complaints

First : the right to life

Second : the right to physical safety

Third : Prejudice of the use of Power and illegal detention

Fourth : Abuse of Power

Fifth : violating the sanctity of the dwelling and frightening citizens

Sixth : Treatment of prisoners and other detainees

Seventh : Different types of Release Requests

(1) Medical release requests

(2) Conditioned release requests

(3) Amnesty Requests

Eighth : The right to just and fair trial





Fourth Pillar

Receiving and Revising Complaints

MoI, based on the national approach to enhance the role of citizen service officer at all ministries and governorates concerning receiving complaints, analyzing their reasons and taking the appropriate procedures to solve them—is responsible for analyzing complaints that reach it through its different entities in coordination with the competent MoI bodies.

In 2016-2017, the efforts of analyzing HR complaints either from the NCHR or other entities can be summarized as follows:

Total number of complaints	analyzed	Under analysis	Analysis percentage
103127	84543	18584	81.97%

MoI is also responsible for receiving the citizens who have been violated to show the procedures taken about the complaints proved to be serious and true. MoI takes the disciplinary or legal action towards the police elements involved in such incidents without prejudice to the legal frame of the complaint.

The report included the NCHR efforts in receiving various HR complaints involving a number of MoI complaints mounting to 729 among which 536 were responded. The competent MoI bodies stated that the number of responded complaints mounted to 562 which is the highest percentage among the other ministries. This indicates that the MoI respects and appreciates the NCHR.



First: the right to life:

- During 2016-2017, the NCHR received 3 complaints related to citizens who died at the end of their detention or investigation process. The report mentioned that MoI has responded to one complaint. Two other complaint were not responded as follows:
 - The citizen called: S. G. M. who claimed the death of her brother, citizen: S. G. M. under torture at 2nd Tanta Police Station. The case register is still under investigation until the forensic report is issued on 14 Oct 2016.

» MOI Procedures: »

- Although the NCHR has contacted the prosecution general, not MoI, regarding this case, MoI HR Sector has coordinated with El-Gharbeya Police Directorate which advised that the complainant called: Samah Gaber Mabrouk, the sister of Sameh Gaber Mabrouk Hassan, born on 1 Feb. 1984, residing at Massaken Quhafa affiliate to 2nd Tanta Police Station jurisdiction—was accused in 7 previous cases with theft and assault and battery charges, he was detained due to the case No.14426/2014 Misdemeanor/2nd Tanta, bladed weapon, sentenced one month detention in his presence. By collecting information about the final procedure of this case, it has been proved that on 26 July 2017, “the murder case was closed”. On 23 Oct. 2017, the case register was sent to West Tanta Prosecution to resume enquiry after photocopying the enquiry about the torture incident against a police officer. The case was registered with No. 5790 Administrative, 2nd Tanta Police Station/2017, and still under investigation.



- A complaint was filed from citizen: M. A. A. for his son citizen: E.M.A.A. On 2 July 2017, a police force from Kafr El-Zayat Police station, commanded by officer: H. A. has arrested the said person in front of his work station (a female accessories store) along with two of his friends and accompanied them in a van with plate number MS6234 to the general premises of Kafr-Elzayat police station after the store was searched. Only the two friends of the said person were released. This made the complainant proceed on the next day to the station to ask about the reason for detaining his son. Once he entered the station, the sheriff asked him whether his son was suffering from heart diseases or diabetes. The father replied that his son was in a good state of health. Afterwards, the sheriff notified him that his son had passed away. Based on that, the complainant filed the report No. 15550/2917 at Kafr-Elzayat prosecution authority. In the report, the father accused the officer: H. A. of murdering his son and requested the body to undergo autopsy to determine the cause of death. MoI and General Prosecution were notified about the case and the NCHR complaints office did not receive any responses about this case.

» MOI Procedures: »

- The citizen was called Mohamed Abdelkader Abdelnaby, about his son: Ihab. A response was sent to NCHR about the result of the analysis including that the son of the complainant was arrested with two pieces of cannabis as well as a sum of money and two



cell phones in his possession. After that, he fell extremely sick and transported to the public hospital and died upon arrived. The enquiry authorities were notified at once and did the enquiry was opened. The preliminary forensic report excluded the criminal suspicion and mentioned that the cause of death was more likely to be a sharp drop in blood circulation.

Second: The right to physical safety

- NCHR Complaints Office has received 3 complaints of the above right violation. MoI has responded one of them. Two of them were not responded as follows:
 - The group complaint from a number of prisoners at Borg El-Arab prison about their children being insulted and assaulted with different ways. On 14 Nov. 2016, the prison officials assaulted the prisoners using sound and tear gas bombs, forcing them out of the cells and assaulting them. In addition, the prisoners' families were denied access to visit them in the prison several times. When they were allowed to visit them, they were surprised that their relative prisoners had several wounds and burns. They were also denied medicine and all their belongings were taken away from them. Moreover, the prison administration sanctioned some of the prisoners to be moved to other prisons of Al-Menia Algadeeda, Gamassa, and Wadi Elnatron which are far away from the residence of their families. MoI and General Prosecution were notified about the complaint. The NCHR complaints office received no response about the matter.



MOI Procedures:

- On 14 Nov. 2016, a number of prisoners affiliate to Muslim Brotherhood Terrorist Organization (inmates of the general Borg Elarab Prison) have closed the cell doors from inside to deny the exit to attend the visit, though other prisoners desired to exit for visit. Report No. 6116/2016 Admin, Borg Elarab. The crisis was managed. The doors were opened. Prisoners have quitted for visit.
- A group of the families of the prisoners filed complaints to the general prosecution at Alexandria claiming that their relative prisoners were denied the visit. On 16 Nov. 2016, a team from the general prosecution attended at the prison headed by Consultant/ Ashraf El-Maghreby, the head of the prosecution of west Alexandria to enquire about this complaint.
- Through examining the case, the prisoners were not denied the visits. They were normally allowed to attend.
- Through reviewing the visits of the inmates (affiliate to the Muslim Brotherhood Terrorist Organization) within the period from 14 to 20 Nov. 2016, it has been proved that they were regular as follows:

Date	Number of Inmates
14 Nov. 2016	26
15 Nov. 2016	128
16 Nov. 2016	94



Date	Number of Inmates
17 Nov. 2016	193
18 Nov. 2016	Friday (weekly holiday)
19 Nov. 2016	243
20 Nov. 2016	152

Based on the above, it has been made clear that these claims were among what this terrorist organization elements are used to doing which is continuous complaining to the general prosecution, NCHR and the media claiming the denial of visits. The reason behind these false claims is to prevent the prison administration from applying the regulations of prison on the terrorist inmates. The report no. 6116/2016 was closed admin/Borg Elarab.

- The complaint filed by citizen: S. S. A. on 20 Jun. 2016, a police force from El-Agouza police station has broken in the house of the complainant and apprehended her and her mother. This was to force her elder brother called M. S. who was wanted for his involvement in a fight. The said citizen was placed in custody at the investigation room in the police station till 27 Jun. 2016. During this period she was being insulted and assaulted. She was also handcuffed from the back and interrogated for long time blindfolded. She was not dispatched to the prosecution premises all that period. Moreover, she was denied any communication with anyone. The complainant reiterated that she was charged with a false case of firearm possession belonging to another sibling of



hers called: A. S. and after her release she was threatened several times by the police station detectives to charge her with more false cases. MoI and the Prosecution were notified about the case and the Complaints office did not receive any response in this regard.

» MOI Procedures: »

- MoI did not receive this complaint. NCHR was contacted to send a photocopy of it. NCHR advised that it would be searched for.

Third: Prejudice in the use of power and illegal detention

- NCHR complaints office has received some complaints related to violations by some law-enforcement officers against the freedom and dignity of the citizens. Two of these complaints were considered a violation to that right. MoI responded to on complaint. The other complaint is under analysis as follows:
 - The complaint filed by Citizen R. N. S, about his son Citizen A. R. N. S, on releasing him from the Public Prosecution office on 16/4/2016, as a pre-trial detainee for the case no. 16635 of 2015 (Misdemeanors Al Badrasheen Court). Considering The Director of Public Prosecution's decision of releasing the person based upon submitting his proof of residence, however the decision was not applied, and the mentioned person was still held inside Al Badrasheen Police Station with no legal justification, and the MOI was contacted about the come plaint, and the Office did not receive any replies in that regard.



MOI Procedures:

- Needed procedures were taken to investigate the complaint, and the investigation showed that the complainant is named Reda Nemr Snoosy, about his son named Ahmed, and the competent authorities were contacted, and the results will be communicated to the Council accordingly.

Fourth: On the abuse of authority and power:

- The Office receive a lot of complaints related to abuse of authority and power against individuals for personal gain, or to pressure individuals to accept something, or waiving of something, and it is not limited to some policemen but also includes some public officials, whom their jobs provide them with authority to either meet the peoples' needs or not according to their personal whims, and of which, there are (3) complaints constitute violation of that right, and the MOI replied to one complaint, and two of which are not replied to yet, **and that as follows:**
 - The complaint filed by Citizen Y. M. A. A, about her son A. A. M. K, against a sub-officer named M. A, of Madinat Nasr Police Station (Al Daqahleya Police Directorate) abusing his police authority to pressure her son to work for him in dealing in narcotic substances, and upon refusal, he threatened him of framing him, and the MOI was contacted about the complaint, and the Office did not receive any replies in that regard.



» MOI Procedures: »

- A woman named Yosreya Muhammad Al Ghazzawy, filed a complaint against a sub-officer named Muhammad Al Ahmady, about her son/ Al Sayyed Abdelaleem Muhammad, and the Office received a reply contains the results of the investigation, which says that the sons of the complainant are known to have bad reputation according to criminal investigation, and they had a dispute with another person known to have bad reputation, and the defendant did not interfere in that dispute, in addition to that he was not part of it.
- The complaint filed by Citizen/ M. R. S, whom was affected by S.S, whom works as a sub-officer of Itay Al Barud Police Station, by trespassing (4Acres 20Carats 5Shares) owned by the complainant, abusing his police authority, also claiming that the defendant physically assaulted the complainant's brother named H.R, and his sister named I.R, and the complainant confirms drawing up reports that contain all those incidents in Itay Al Barud Police Station, and that the Police Investigation confirmed all those events, and the MOI was contacted about the complaint, and the Office did not receive any replies in that regard.

» MOI Procedures: »

- The MOI did not receive the complaint, and the NCHR was inquired to receive a photocopy of the complaint, which the NCHR reported that it is searching for the complaint.



Fifth: Inviolability of the Home and Terrorizing Citizens:

- In response to these complaints about inviolability of the home, the Office received a lot of complaints about some policemen breaking in homes and terrorizing residents of women and children, and this is followed of course by a number of violations as assaulting citizens objecting to those actions, and also arresting and detaining them with no legal justification, and leading to drawing up reports against them, of which there are (3) complaints constitute violation of that right, **and the MOI replied to one complaint, and two of which are not replied to yet, and that as follows:**
 - The complaint filed by Citizen/ A. M. M, whom was affected by Policemen of Al Omranya Police Station on 28/4/2016, breaking in to his coffee shop, and destroying its contents, and also breaking in to his house and physically assaulting him and his family, causing a lot of injuries, claiming they were taken to the Omranya Police Station, and threatened of framing them, and upon leaving the Police Station he went to Um Al Masryeen Hospital the same day to file a report of the injuries and the hospital refused to undergo a medical check on him, and the MOI was contacted about that complaint, and the Office did not receive any replies in that regard.

» MOI Procedures: »

- The MOI did not receive the complaint, and the NCHR was inquired to receive a photocopy of the complaint, which the NCHR reported that it is searching for the complaint.



- The complaint filed by Citizen/ M. M. M, whom is affected by Policemen of Al Sharabeya Police Station headed by a Police Officer/ A. A, and a sub-officer/ A. R, whom broke into his house on 22/3/2016 at 4:00 and searched the house and destroyed its contents accusing the complainant of dealing in narcotic substances, as the complainant claims that the defendants seized a sum of money and some gold items, and the MOI was contacted about the complaint.

» MOI Procedures: »

- The MOI did not receive the complaint, and the NCHR was inquired to receive a photocopy of the complaint, which the NCHR reported that it is searching for the complaint.

Sixth: Treating prisoners and other detainees:

- The Office received a lot of complaints about providing living conditions and humane treatment for prisoners inside prisons, as complaints about providing health care came first in the prisoners complaints, and it is noticed that the majority of the complaints filed in that respect came from pre-trial detainees on charge of cases requesting of allowing medications inside the prison or undergoing surgeries, or receiving medication outside; for the lack of medical capacities needed for their treatment inside the prison hospital, or to be transferred to nearer prisons to where they reside, and the Council received (11) complaints, and the MOI replied to (10) of them, and one of which was not replied to, as it is as follows:



- The request submitted by Citizen/ N. A. A, about her son, prisoner/ K. S. M, in the Shibeen prison, requesting to undergo a surgery to the mentioned prisoner, who suffers from a nerve cut and a below-the-knee-fracture in the left leg, noting that the mentioned person was examined in the University Hospital and the Shibeen Al Kum Educational Hospital, and after conducting the needed checks and x-rays, it turned out he needs to undergo a nerve surgery, and also needs plates and nails in the left leg, and it was decided for the surgery to take place in Shibeen Al Kum Educational Hospital on 27/3/2011, however it was not conducted, for the lack of a room for detention and guarding in the hospital, noting that prisoner's health condition is continually deteriorating, which might cause to lose his left leg, and the doctor also confirmed that the more they're late the less the chances of the success of the surgery will be, and the MOI was contacted about the request, and there were no replies in that regard.

MOI Procedures:

- Upon checking the mentioned complaint according to the medical case mentioned in the complaint, we found a resemblance for the case of prisoner/ Khaled Salah Muhammad Al Hussainy – placed in Abu Zabaal 1 severe punishment Prison sentenced to aggravated imprisonment for 15 years in the case No. 20807 of 2015 (Misdemeanors Qwisna Court), in a charge of beating resulted in death, starting to serve time from 11/9/2015 till 11/9/2030.



- The mentioned prisoner was detained in Shibeen Al Kum Prison from 19/1/2016 till 11/9/2016, and was relocated then to Turah severe punishment prison Hospital, and then relocated to Abu Zabaal 1 severe punishment Prison on 11/9/2016 to date.
- After reviewing the mentioned person's medical file, it showed that he has a fracture in his left leg, and nerve suffocation; resulted to foot drop, and he was examined several times in Shibeen Al Kum Educational Hospital, which reported that he needs to undergo a surgery for Tarsal Tunnel Syndrome, also the report said that the improvement after the surgery won't exceed 20-30%, and he was relocated to Turah Severe Punishment Prison, and after examined by the consultant, he reported that he does not need to undergo any surgeries now and to only follow up with the hospital.

Seventh: Requests for releasing of medical care or health case:

- **The Council received (3) complaints about requests for release from prison for health reasons, and the MOI replied to (2) complaints, and one of which was not replied to, which is as follows:**
 - The request submitted by Citizen/ H. M. S, about his imprisoned father/ M. S. H, in Assiut General Prison, initiating a petition to release him for health reasons, as he is serving a sentence for 15 years of which he served 14 years, noting that he is an old man over 70 years of age, and suffers



from many diseases, of which cirrhosis of the liver, prostate enlargement, and acute irritable bowel, and his vision and hearing were affected too, and his medical condition is in continues deterioration, and the Public Prosecution received the request.

MOI Procedures:

- The released/ Muhammad Sayed Hussain Muhammad was located in Assuit General Prison; to receive an aggravated imprisonment sentence for 15 years for the case No. 2856 of 2002 (Misdemeanors Al Fathh Court) for murder, and served time from 19/5/2002, and got conditional release on 21/4/2016.
- A medical forensic committee was held before for the prisoner during 2015; and their report concluded that the prisoner suffers from retinal atrophy in the left eye, and cataracts in the right eye, and hepatitis c, and his condition is stable, and does not put his life at risk, and MR. Counsellor Head of the International Cooperation Bureau was reported with the proceedings.
- On 7/5/2015 the report No. 576 from MR. Counsellor – Head of the International Cooperation Bureau was issued, and it contained a request for a law that enforces providing medical care for the mentioned prisoner- according to the prison regulations and in light of the reports from the medical forensic committee.
- On 21/4/2016 the mentioned prisoner got a conditional release from Assiut General Prison, and there is no place for the complaint in light of the conditional release.



(2) Requests of Conditional Release:

- **The Council received (2) complaints about conditional release requests, and the MOI replied to one complaint, and the second was not replied to, and it is as follows:**
 - The request submitted by Citizen/ H. S. A, about her imprisoned husband/ A. R. A, located in Wadi Al Natrun Prison, initiating a conditional release petition for he husband; who is serving a 6 years punishment in prison for the case No. 17282 of 2012 Hadaeqq Al Qubba Court, noting that he met the required terms, and known for good behavior and conduct, in addition that he severed more than half of his time, and the MOI received the request.

MOI Procedures:

- Upon checking, a resemblance showed with prisoner/ Ali Refaee Abdel zaher Farag, locked to Turah Severe Punishment Prison, sentenced to aggravated imprisonment for 6 years for the case No. 17282 of 2012 (Misdemeanors Hadaeqq Al Qubba Court), for dealing in narcotic substances, started to serve time from 19/11/2012 till 19/11/2018.
- The mention prisoner does not deserve conditional release by serving 2/3 of time in prison, according to the article (46bis) of the Law No. 182 of 1960 amended by Law No. 122 of 1989 about countering narcotic substances, which “criminal proceedings concerning felonies occurring after enactment of this Law shall not be abated, except for felonies stipulated in Article 37 of this



Law. Release decisions issued according to Decree-Law n. 396 for 1956 on Prisons Management shall not apply to convicts sentenced for committing any of the felonies referred to in the previous paragraph”

- The Supreme Committee of Conditional Releasing with the competent security agencies met with the mentioned prisoner on 15/5/2017, and the request for conditional release was refused; for the mentioned person represents a threat to the public security in relation to dealing in narcotic substances.

(3) Requests for pardons:

- Many people are awaiting and seeking to add their relatives whom are imprisoned to the Presidential Pardons decisions in National and Religious holidays and events, whom are mostly sentenced to serve a long-term sentence, and of which there are the following:
 - The request submitted by Citizen/ A. A. H, about his imprisoned son/ H. A, located in Wady Al Natroun (1) Prison, who is initiating a petition to include the mentioned prisoner's name in the Pardons requests list in one of the Special Events, as he is sentenced to 5 years in prison in case No. 4804 of 2014 (Misdemeanors East Cairo Appeal Court), noting the mentioned prisoner was a first year student in the Faculty of Agriculture, Alazhar University, in addition that he served half of the sentence, and the MOI was contacted about the request.



» MOI Procedures: »

- The complaint was filed by Ahmed Ahmed Hassan Gomaa, about his son prisoner/Hassan, and reply indicated that the mentioned prisoner did not serve half of his sentence, to consider an early release.

Eights: The right to fair trial:

- The Complaints Office of the NCHR received (4) complaints about the enforcement of judicial sentences for a number of citizens, and the MOI replied to (3) of them, and the forth of which was not replied to, **and it is as follows:**
 - The request submitted from Citizen/ M. H. M, requesting to be released on remand; for exceeding the legally prescribed length for pre-trial detention, and the Public Prosecution received the request, and we did not get any replies in that regard.

» MOI Procedures: »

- The prisoner/ Mamdouh Hussain Muhammad Hussain Moawad sentenced to aggravated imprisonment for 10 years in case No. 8873 of 2014 (Misdemeanors Ousim Court) for firearm possession, and he started serving his sentence from 17/6/2014 till 17/6/2024.
- The mentioned prisoner was convicted and, and now serving his sentence, and there is no place for exceeding the legally prescribed length for pre-trail detention.



Fifth Pillar

Remarks and General Recommendations

First : Freedom of syndicates, opinion and Speech

(1) Journalists Syndicate Crisis.

(2) Rashid Bar Association Crisis.

Second : Disparity in the implementation of” law on demonstration”.

Third : Prosecuting Rights Activists.

Fourth : Criticism of Emergency Act.

Fifth : Governing Associations Act, and other civil activities public institution.

Sixth : Fact-finding Missions.





Fifth Pillar

Remarks and General Recommendations

The NCHR report included a number of general remarks related to police work, and we will tackle those remarks **and the replies, as follows:**

First: Freedom of syndicates, opinion and Speech

(1): Journalists Syndicate Crisis:

- Public freedoms were affected in the context of combating terrorism, and the journalists syndicate crisis emerged at the end of April 2016, creating a crisis; as one policeman was complying with an order of the Public Prosecution, of arresting (2) journalists sitting-in the syndicate premises; without being escorted by the Journalists' Representative or by a member of the syndicate council, as required by law.
- The Public Prosecution pressed charges against the Journalists' Representative and other two members of the syndicate council of concealment of 2 wanted persons in addition to other charges, and they were released a day and half after the investigation and detention, which continued upon their refusal to comply with the order of the Prosecution for release on bail; as they insisted that its unlawful to detain journalists, and the Misdemeanors Court ruled that the Journalists' Representative and the other two mentioned members are sentenced to 2 years in prison, and this court decision resulted in invocation, and the Appeal Court decided to convict the accused persons with suspended jail at the beginning of 2017.



MOI Procedures:

- In this connection, the allegations mentioned are untrue, as the MOI is stipulating the Law, according to the controls provided, and complies to the Judicial Authority, in addition that this case is irrelevant, especially that the circumstances had been clarified before to the Public Opinion, and the arrest came according to the order of the Public Prosecution of arresting and transferring the mentioned persons from where they were hiding, accusing them of setting and planning, in coordination with members of the Muslim Brotherhood terrorist Organization; to set for protests that would include violence and vandalism and trespassing buildings and public and private properties, in conjunction with Sinai Liberation Day on 25/4/2016, and the case has been processed by the Court.

(2) Rashid Bar Association Crisis:

- The crisis that took place, between Rashid Bar Association and the head of the Rashid Police Station, and that resulted in drawing up a report of the incident (Misdemeanor No. 9315 of 2016 Rashid Police Station), and the mission concluded to a number of recommendations:
 - Commitment of both parties to the Law, for it the way to the betterment of the states and communities, and complying the law on everyone, whoever they were, and to counter the problem in its early stages.
 - Reassuring that such incidents between lawyers and the MOI, and to comply to the circular letter issued recently by the



MOI, about the treatment of lawyers inside police stations; to assure such crises and disputes between both parties won't happen again.

- Committing to respect of the Constitution and the Law in police work, which does not allow any abuse, and for both the MOI and the Bar Association to enhance accountability for whoever would not comply to the law, regulations, and the instructions; to maintain good relations and communication and mutual respect between both parties.
- Implementing a protocol between The MOI and the Bar Association to manage crises that take place and that is by working out a mutual committee, working to solve problems between lawyers and policemen before aggravation, for the committee to be responsible for investigating the incident
- Bar association for lawyer or ministry of interior for police officer. In that case, liability shall be put on both parties; for disciplinary could cease lawyer or police officer from work, only then problem shall be solved and reduce the fight.

» MOI Procedures: »

- A delegation composed of the Director of Criminal Investigation Department (CID) of al-Behera security directorate and deputy director of security headed to the bar association headquarters to present an apology to lawyers and to the council.
- Ministry of interior assigned Department of Control and Inspection to refer Rasheed commissioner police station to investigation .On conviction, legal proceeding will be initiated.



Second : Disparity in the implementation of “law on demonstration”:-

- In the light of the right to peaceful assembly , and despite the partial amendment of the controversial “ law on demonstration “ by the parliament pursuant to the Supreme Constitutional Court for the invalidity of some paragraphs , “law on demonstration” is continually following the prohibition policy rather than the allowance one . Consequently, lawlessness prevailed. Amendment made by the Egyptian parliament on “law on demonstration” failed to meet human rights organizations and the parliament expectations.
- Security agencies continued for the second consecutive year to permit the authorized, unauthorized and unconditional demonstrations on national events to support the country while anti-state gatherings were restricted and prohibited.
- Authorities permit pro-demonstrators to support the Delimitation Agreement with Saudi Arabia on May, 2016; on the other hand protestations were restricted and prohibited. Together with the custody of dozens of participants and their prosecution then detention and they were asked to pay bill. Later on, sentences were commuted; the majority was released on paying high fines and Third of the detained were released with impunity.
- During the ratification procedures by the parliament, Protestors against Delimitation Agreement with Saudi Arabia were currently prosecuted; Dozens were detained in nine governorates



during June, 2017, during Ramadan. The majority was released including the pre-trial detainees, yet more than 30 persons were continually detained throughout Eid al- fitr till mid-July, 2017.

- The report also referred to the positive and tolerant attitude of the authorities towards spontaneous protest demonstrations that were irrelevant to political trends, for instance, demonstrations held in Alexandria and al-Buhaira due to the repercussions of new minister of supply decision about reducing the amount of the free share of bakeries. Security forces accompanied protestors to guarantee peaceful demonstrations that lasted for five hours till the minister's renouncement of the decision.

- Ministry of interior response:-

- The activation of "law on demonstration" contributed in reducing acts of chaos and sabotage in public squares that targeted the disruption of state facilities, the terrorization of citizens, in attempt to fail and collapse the institutions by the violation of the law and the breach of the Constitution. The ministry complied with the decision of the Supreme Constitutional Court with the unconstitutionality of article (10) of law on demonstration; the article empowered Minister of Interior or Director of Security - with the approval of the judge of provisional matters - with the authority needed to prohibit the demonstration or switch its place if information about threatening public security exists.
- In the light of co-coordinating with governors, numerous ministerial decisions have been promulgated to determine



restricted areas in front of vital installation and public utilities and to specify exact demonstration locations where obtaining prior-notice is not needed. Such decisions aimed at protecting vital installations and institutions as ministries, embassies, international organizations premises, foreign diplomatic missions, governmental military, security regulatory installations and court houses, hospitals and airports, petrol and educations establishments, museums, archaeological site.... And any other vital facilities.

Third: - Prosecuting Rights Activists:-

- The crises of lots of human rights groups were mounted after imposing restrictions on assets and some of personnel, together with the issuance of plenty activists travel bans.
- Investigations included number of rights activists, beside the existence of information about conducting other new investigations, and trials in absentia were issued against others on un-informed investigations.
- Authorities were keen to comply with sudden ministry of health decision issued on February, 2016 to withdraw license of al Nadeem center for tortured victims' rehabilitation on the claim of breaching the license conditions as an occupational clinic. The center was officially closed in February, 9, 2017.

- Ministry of interior response :-

- Working in human rights field doesn't grant immunity from judicial accountability if crimes or legal offences were



committed. Despite the authenticity of the claim referred to in the report” prosecuting activists”, the engaged governmental agencies took the initiative to take necessary law procedures , and followed-up investigations authorities by assigning judges for investigating number of activists without taking any procedures till the moment of their pre-trial detention for the media well-known case by “ the issue of foreign funding”, with no delay that reflects the state’s commitment on upholding the rule of law and granting country’s establishments requirements notably National Council on Human Rights and supporting state stance and clarifying facts.

- The closure of al Nadeem center was due to health ministerial decree, the breaching of license as an occupational clinic, and its misuse in practicing unlawful political/ righteous activities.

Fourth: - Criticism of Emergency Act:-

- The report referred to the amendment of emergency act of law no. 1/2017. and its curtailing the right to freedom and security of individuals. The amendment approved new articles that grant law enforcement officer more authorities beyond the general rules on the code of criminal procedures. They stipulate that no person shall be held in custody for more than twenty-four hours before being transferred to the office of the public prosecutor. The amendment extended this period to seven days. Emergency Act added two articles 3bis (b), 3 bis (c). Article 3 bis (b) granted law enforcement officer, when a state of emergency has been legally proclaimed, more authorities to keep whoever evident to commit a misdemeanor or a felony, and to confiscate his belongings



at home and any other place that could contain dangerous or explosive substances, arms and ammunition or other that proves committing the crime. And this article was applied With the exception of other laws provisions, on condition that the Public prosecutor should be informed with the confiscation within 24 hrs. Upon approval of the public prosecutor, the suspect could be held in custody for maximum 7 days to complete the collection of inferences, and investigation should be initiated throughout the referred period.

Ministry of interior response:-

- Despite the proclamation of state of emergency due to what country witnesses of hostilities from terroristic organization notably the Brotherhood Terroristic Organization, Emergency act was not applied to curtail the freedom or rights of individuals or any other anti-government elements.
- What the report claimed about the amendment of emergency act in granting law-enforcement officers more authorities to extend the detention period to 7 days, that reflects empowering more authorities to police officers (as law enforcement officer) seemed to be far from truth , for the public prosecution members solely could extend detention to (7days)

Fifth : Governing Associations Act, and other civil activities public institution:

- The report tackled some criticism presented by the council towards the law to the parliament ; the undermining of the



constitutional right in founding civil society associations with notification by setting conditions and procedural measures like the administration authority to reject the foundation of the organizations, together with the impose of litigation fees on founders , high fees on foundations, conditioned financing and donations , restricted fundraising practice, moreover, the foundation of the national body that includes ten ministries, security authorities to monitor the activity of foreign organization in Egypt. Hence, the referred to act shall affect the contribution of SMEs, large corporations that could consequently hinder the fundamental role of the development and charitable organizations.

Ministry of interior response:

- The Governing Association act entails the needed restrictions and conditions to guarantee the practice of civil activities , protect against money laundry trials, fund terrorism or indulge in banned activities, and follow the path of other democratic countries in setting repressive laws as (the association French act that permits incarcerations on crimes or misdemeanor). The provisions of Governing Association Act agree with the international anti-corruption agreements that states the duty of the civil society to play the model for transparency and integrity while practicing its activities through complying with governmental and law supervision especially in the field of support and external funding . Worthy to be mentioned that the constitution guarantee civil society organizations the right to



found institutions with prior notice - that is recommended by Supreme Constitutional Court- without prejudice to the right of the government to set rules and regulations to assure the needed notification.

- In addition to the fact that working with Governing Association Act and its executive regulations requires the harmonization between protecting rights and considering national security. It is accepted to activate these organizations after drafting the executive regulations without prejudice to the set regulations , guaranteeing the protection of the country from foreign hostile forces that seek targeting its finance towards foreign funding that serve its destructive planning or funding terroristic organizations .

Sixth:- Fact-finding Missions:-

- The council complaint office sent a delegation to investigate the murder of a Muslim girl incident by a Christian at al-Husseineya Al-sharkeya governorate .
- The delegation asserted the necessity of taking advanced precautions procedures by security forces in protecting individuals, private and public properties and institutions to avoid the occurrence of clashes and skirmishes between both parties.
- The office also sent its delegation to al karam village – abu korkas al-menia governorate, on the incident of skirmishes between Muslims and Christians,



- The delegation concluded that the security efforts were inadequate; such incident could be avoided if precautionary measures were taken, for the security role is not confined to dealing with committed incidents but also incidents before its happening. Preventing the incident before its happening is the first priority. The al-Menia director of security asserted that the ministry is still collecting the needed information about the incident, once completed the responsible for the incidents shall be prosecuted. The delegation concluded some procedures one of which (inspection of the accountable and perpetrators without delay, take necessary deterrent legal procedures, working of security forces on preventing crime through taking precautionary measures needed).

» MOI Procedures: »

- Ministry of interior security bodies is keen on combating problems based on religious beliefs and is persistent in its instant resolve to sustain the state security and stability through:-
 - Proactive monitoring of rumor and any other possible problems, and working on its demolish as soon as possible.
 - Taking instant interaction and necessary procedures to contain the situation before the occurrence of clashes and skirmishes between disputed parties in coordination with governors, heads of families, parliament members together with enhancing the security existence and strong observation.

Fourth Pillar



- The confiscation of all involved agents in acts of violence of either party and take necessary procedures.



Sixth Pillar

Promoting Awareness and Training on Human Rights





Sixth Pillar

Promoting Awareness and Training on Human Rights

The report stressed the significance of promoting human rights culture and setting plans and strategies that contribute to enhance such concepts using programs technically designed to be included in books studied at the educational institutions, promoted via mass media or training courses. **Such efforts were as follows:**

- NCHR organized a workshop in cooperation with the regional office of the High Representative for Human Rights on 9 November 2016 about “International Mechanisms of Human Rights and its Recommendations: The Role of National Mechanisms in Reporting and Follow-up Activities”. The workshop aimed at informing the competent Ministries and authorities’ representatives of the international Human Rights mechanisms, methods of cooperation with such mechanisms and how to put their recommendations into effect. MoI representative took part in that workshop.
- NCHR signed a Protocol on cooperation with the MoI on 16/3/2017, in the framework of the constant cooperation between both sides to promote Human Rights culture among MoI personnel. Both sides have agreed to hold (10) training courses in the field of Fundamental Human Rights and Freedoms for 300 trainees nominated from the MoI personnel.



- According to the aforementioned Protocol, NCHR shall design a full training program in coordination with MoI. The Council shall also bear all costs of the training courses.
- MoI nominated 30 police officers to be trained in each training course. The Ministry also prepared locations for these courses and certified certificates awarded to the trainees at the end of the course.
- Both sides agreed to allow information and data declaration upon coordination between them. Any amendments to be done upon previous coordination and written consent of both sides. Either of them has the right to accept or refuse such amendments.

» MOI Procedures: »

- The report included efforts exerted by the cabinet to popularize human rights culture. However, this report did not include MoI efforts to popularize such culture. The most prominent contributions of MoI **are as follows:**
 - Ministry of Interior was keen on participation in all colleges, education and training institutions inside and outside the ministry. Such participation was through giving lectures on (police role in human rights- role and importance of community policing- defining officer's conducts –rules of human rights and fundamental freedoms in Egypt constitutions- issues of violence against women- public opinion and its psychological effects- citizens' rights and



duties- social communication skills- psychology of dealing with the public-releasing officers' stress-information about stopping, arresting and searching of individuals, vehicles and locations in respect of human rights principals). These lectures are given in Public Security and Training sectors, Officers Training Institute, Senior Officers Training Institute, Ministry of Justice National center for Judicial Studies, Drug Combat General Department, Environment and Water-Surface General Department, National Institute of Security and Surveillance, Advanced Training Institute in Tura, Institute of specialized Training in Ain Shams, Information Technology Institute, Police Liaison Institute, Institute of Civilian Protection, Transport and Communication Police General Department, and Civil Status Sector.

- MoI tailored exceptional training courses for police stations officers and for those who work in the field of human rights and violence against women. In addition, the ministry organized meetings and conferences of heads of human rights and violence against women's departments throughout various bodies of the ministry. Such meetings and conferences are held in coordination with the Police Academy besides the meetings held with cadets of Police College to be aware of approaches and methods of implementing human rights criteria before joining different sectors in the ministry.
- Human Rights Sector in MoI publishes many memorandums in this regard to be distributed throughout various sectors of the ministry.



- MoI works hard to raise the awareness of officers, sub-officers and civilians work for the ministry in respect of human rights principles and concepts. This is accomplished through:
 - Fostering publications about respect of human rights and dignity through out the whole republic.
 - Publishing handouts of Policing Rules and Regulations in coordination with some security, legal and human rights experts, along with prominent figures of civil society. This handout was distributed to all police bodies as it is considered as the methodology of security performance through the phase to come.
 - Preparing guiding manuals to heads of human rights departments in all bodies of the ministry. This manual includes techniques of performing tasks and duties. As the ministry believes in their mission.
 - Implementing a plan for officers and senior officers in the ministry (Human Rights Sectors) to inspect all police bodies so as to ensure the respect of human rights and dignity. In addition, they are to popularize this culture among officers and sub-officers in accordance with the state trend of glorifying citizens' respect.
 - Running 35 training courses on Human Rights, Social Communication, and Police Role in Human Rights, in order to establish the principles of human rights to be adopted by all who work for MoI. Such courses took place through during 2016/2017.



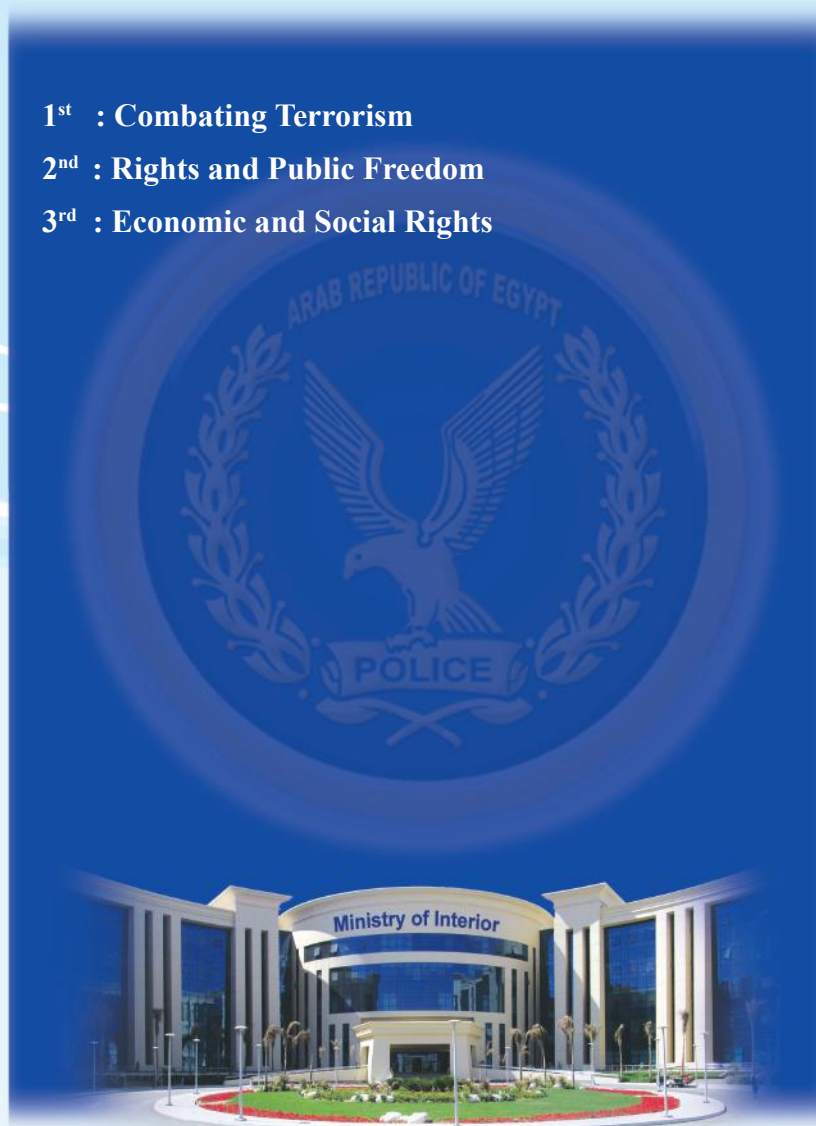
Seventh Pillar

Recommendations

1st : Combating Terrorism

2nd : Rights and Public Freedom

3rd : Economic and Social Rights





Seventh Pillar Recommendations

National Council of Human Rights recommendations related to security work have tackled many fields: (legislation, civil and political rights, economic, social, and political rights and rights of priority care groups), **in addition to related workshops as follows:**

1st : Combating Terrorism:

- 1) **Providing civil terrorism victims reasonable reimbursement, to espouse the belief that the battle against terrorism is led by the state together with the society.**

» MOI Procedures: »

- During their session no. 99, held on 5/12/2018, the cabinet agreed upon a bill to establish a fund in honor of martyrs and missing persons, of terrorist acts, and their families. The Cabinet submitted the bill to the state council to take the necessary procedures to pass the new law.
- 2) **Adopting an action plan to fight extremism ideology, hatred speeches, and incitement to violence and hostility. Such an action plan includes coordination among mass media, educational, cultural, and religious institutions, and specialized national councils, in addition to organizations of civil society; in order to promote their performance.**



MOI Procedures:

- The Ministry of Interior has played a significant role in combating crimes; where artistic works or publications are used to manipulate public opinion - which would have a negative effect on national security- or used in an illegal manner on political, criminal or social levels. Throughout 2016/2017, Ministry of Interior detected several cases including (8) channels, media and news companies practicing activities that compromise national security. In addition the ministry detected other (4) cases related to printeries, libraries and centres that print and circulate books propagating ideologies of Shiites, Wahhabism, and Muslim brotherhood without the approval of Al-Azhar –Alsharif.

2nd : Public Rights and Freedoms:

- 1) **A public national conference was held to update and develop the penal code, to reduce the scope of the death penalty, to adopt a comprehensive definition of torture crime condemning all forms of torture and maltreatment, apply alternative penalties other than those of liberty deprivation, and expand amnesty policy, conditional release, in addition to the medical release for critical conditions.**

MOI Procedures:

- Reference to the enactment of law no. 6/2018- that is to amend provisions of law no. 396/1956- on prison regulations;



amendment of article (52) of the mentioned law modified the regulations of conditional release. This modification implied that the release is to be after serving for $\frac{1}{2}$ the imprisonment term, instead of serving for $\frac{2}{3}$ of such term.

- The Ministry of interior assigned a committee to consider amendment of presidential pardon decrees frequently issued on national and religious occasions. This committee was to discuss the release of inmates without payment of the amounts due, on condition that they should be brought before the competent prosecution to decide about these amounts.
- During their session no. (84) held on 9/8/2017, the cabinet agreed on a bill to amend article (20) of the penal code. This amendment implies sentencing criminals to simple imprisonment if its term does not exceed (6) months. This action comes in response to modern trends of penal policies that tend to replace minor punishments to more suitable alternatives to the Egyptian society. In addition, the cabinet submitted the bill to the State Council to be reviewed and enacted.
- Implementation of work performed by early release committees (amnesty/conditional release) through weekly meetings held in the ministry. The number of inmates released upon presidential pardon or conditional release from 1/1/2016 to 4/2/2018 is shown in the table below:



No. of inmates released upon conditional release from 1/1/2016 to 4/2/2018	No. of inmates released upon presidential pardon from 1/1/2016 to 4/2/2018
26627 inmates	21373 inmates

- Ministry of Interior cooperates with the committee formed upon presidential instructions. This committee is assigned to reconsider positions of imprisoned youth that did not involve in acts of violence or terrorism.
- 2) The council recommended having a database of all detained for investigations and trials. Such database is to include their accusations and court sentences against them; which will provide the necessary information about their position. This will prevent unlawful detention and forced disappearance.**

MOI Procedures:

- There is already a database includes all inmates of the main prisons with all the above-mentioned details. Such database can hardly be applied for inmates in police stations of cities and the countryside. Such difficulty is due to large numbers of detention and release that occurs on daily basis according to public prosecution decrees.
- In this regard, the Ministry of Interior will coordinate with the public prosecution and the concerned ministries to launch an



experimental project of computerizing work in police stations and link it to prosecutions. This project will be launched first in Cairo (5th settlement) and Alexandria. If this project is proved successful, it will be launched throughout the rest of the state so as to get the required database.

3) The progress should be fastest in applying the consultation and issued the legislative for the protect of human rights and according to the international measuring of human rights according to the (93) law.

MOI Procedures:

- Regarding human rights, the Ministry of Interior contributed to the discussion of many laws where the following were enacted:
 - Law no. 197/2017 amending the provisions of law no.94/2003 to establish the National Council for Human Rights.
 - Law no.2/2018 on comprehensive medical insurance.
 - Law no. 5/2018 amending some provisions of penal code no.58/1937.
 - Law no.6/2018 amending some provisions of law no.396/1956 on regulations of prisons
 - Law no.10/2018 on rights of persons with disabilities.
 - Law no.16/2018 on establishing a fund in honor of martyrs, victims, missing and injured persons, of terrorist acts, military and security operations along with their families.



3rd : Economic and Social Rights:

- **Working out a plan to reform education, and to train teachers, in addition to combating private tuition and restoring discipline to educational institutions. Such a plan should be should be directly related to the requirements of the development and labor market.**

» MOI Procedures: »

- MIO (General Department of Publications and Art Compilation)- in coordination with the Ministry of Education- has played a significant role in combating private tuition. This is accomplished through campaigns targeting unlicensed centers of private tuition for their negative effects on education. Such centers compromise principles of justice and equality among students. They offer better opportunities just for families that can afford the high expenses of private tuition. This concept forces discrimination and weakens the principle of equal opportunities. During 2016/2017 MoI could detect 104 centers of private tuition that operate with no license from competent authorities, Ministry of Education, or holders of economic and moral rights.



Conclusion

It is crystal clear that MoI is exerting great efforts to emphasize principles of human rights and freedoms through the work scope of the police. This is realized through communication among MoI Human Rights Sector, NCHR and organizations of civil society. MoI is also keen on raising awareness -of officers, sub-officers and civilians working in all sectors of the ministry- through seminars, lectures and training courses regarding concepts and principals of human rights. In addition, MoI examines and quickly respond to complaints of individuals and various authorities including NCHR. Moreover, MoI has recently exerted great efforts in the field of human rights. Such efforts resulted in: notable reduction of many problems such as crowded prisons, great amelioration of medical and social care for inmates and provision of material and moral support for all categories in society including debtors, people with special needs besides the recently released from prisons. The ministry also welcomes any initiative of communication to enhance cooperation among all concerned bodies in the state.



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مطابع الشرطة للإبلاغ عن الجريمة الإلكترونية

شارع المرور - الدراسة تليفون : ٢٥٩٠٢٠٢٠ - ٢٥٩٠٢٥٢٥ فاكس : ٢٥٩٣٦٥٥
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