

# **BEHIND CLOSED DOORS**

## **Torture and Detention in Egypt**

**A Middle East Watch Report**

**Human Rights Watch**

**New York • Washington • Los Angeles • London**

***Human Rights Watch***

**Human Rights Watch is composed of Africa Watch, Americas Watch, Asia Watch, Helsinki Watch, Middle East Watch, and the Fund for Free Expression.**

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***Middle East Watch***

**Middle East Watch was established in 1989 to monitor and promote observance of internationally recognized human rights in the Middle East. The chair of Middle East Watch is Gary Sick and the vice chairs are Lisa Anderson and Bruce Rabb. Andrew Whitley is the executive director; Eric Goldstein is the research director; Virginia N. Sherry is the associate director; Aziz Abu Hamad is the senior researcher; Suzanne Howard is the associate.**

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***On December 10, 1991 -- the annual anniversary of the adoption of the Universal Declaration of Human Rights -- the Cairo-based Egyptian Organization for Human Rights (EOHR) launched a one-year campaign against torture in Egypt.***

***In its press release announcing the campaign, EOHR stated that torture "is an officially sanctioned policy in Egypt" and that security forces use torture with impunity:***

***(The virtually absolute powers vested in the security bodies during the past ten years of the operation of the emergency law have given them an exceptional status, effectively placing them above the law and the judicial system itself. This has made those responsible for torture within these bodies secure against punishment.***

***EOHR appealed to "people of conscience around the country to join hands in a campaign to struggle -- using all peaceful means and transcending all ideological and sectarian interests -- for the noble and humane task of bringing an end to torture in Egypt."***

***Middle East Watch applauds this goal, and by publishing this report joins EOHR's campaign to eradicate torture in Egypt and secure justice for its victims.***

\* \* \*



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***This report is dedicated  
to  
Dr. Farag Fouda,  
the Egyptian writer and human rights advocate.***

***1945 - 1992***

***He was struck down by an assassin's bullets in Cairo on June 8, 1992, and died  
early the next day. May Dr. Fouda's spirited advocacy of freedom of expression and  
religious tolerance inspire others to carry on his work.***

\* \* \*

## **ACKNOWLEDGMENTS**

**This report was written by Virginia N. Sherry, the associate director of Middle East Watch. It was edited by Kenneth Roth, deputy director of Human Rights Watch – the parent organization of MEW – and Andrew Whitley, executive director of MEW.**

**The report is based principally on information gathered by Middle East Watch during a fact-finding mission to Egypt conducted from January 27 to February 22, 1992, by Ms. Sherry and John Valery White, a lawyer and Orville Schell Fellow at Human Rights Watch. The delegation traveled to Alexandria, Assyut, Aswan, Cairo, Mansoura and Minya, and met with former detainees, relatives of current and former detainees, lawyers, human rights monitors, Egyptian and foreign journalists, physicians, university professors and students, current and former officers of the Ministry of Interior, diplomats, and officials from international and regionwide organizations. Ms. Sherry and Mr. White also interviewed Chancellor Raga' el-Araby, Egypt's Prosecutor General; Gen. Muhammed Abdel Halim Moussa, the Minister of Interior; and Gen. Mahmoud Fakarani, the director of the Prisons Administration.**

**On the tenth day of this mission, Chancellor el-Araby informed the delegation that it would be able to visit and inspect Egyptian prisons, to which MEW had sought access since 1990. MEW accepted the invitation and, beginning on February 12, visited six prisons over an eight-day period: Abu Za`bal Liman, Tora Liman, Tora Istikbal, Tora Mazraa, Qanater women's prison and Tanta General Prison. Some of the information obtained in interviews with detainees and sentenced prisoners at these facilities is included in this report. A separate MEW report on prison conditions in Egypt will be issued later in 1992.**

**While MEW's prison visits were under way, Egyptian daily newspapers – *al-Ahram*, *al-Akhbar*, *al-Gomhuriyya* and *al-Wafd* – began to characterize MEW's observations and findings, often quoting Interior Minister Gen. Moussa, without contacting MEW representatives for comment. To respond publicly to misrepresentations that appeared in these newspapers, MEW held a press conference in Cairo on February 22, at the conclusion of the mission, to clarify the facts and release preliminary findings about arrest and detention practices, torture and prison conditions in Egypt. The written statement distributed by MEW**

at this press conference was published in March 1992.<sup>1</sup>

Some information contained in this report comes from an earlier mission to Egypt in May 1990. The participants were Andrew Whitley, on behalf of Middle East Watch, Arpiar Saunders, a penologist and consultant to the Prison Project of Human Rights Watch, and Robert S. Lawrence, M.D., a member of the executive committee of Physicians for Human Rights, the Boston-based organization.

Suzanne Howard, the MEW associate, provided invaluable production assistance in the preparation of this report.

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<sup>1</sup>Middle East Watch, "Egypt: Arrest and Detention Practices and Prison Conditions," Vol. 4, Issue 3, March 1992.

## ACRONYMS AND ARABIC TERMS

- CSF:** Central Security Forces, the Egyptian paramilitary force of some 300,000 troops used for internal-security functions; the force was formed in 1977.
- EONR:** Egyptian Organization for Human Rights, the independent, Cairo-based human rights monitoring organization.
- mukhbir*:** The Arabic term used by Egyptians to describe State Security Investigation (SSI) soldiers who do not carry a rank. The term is loosely equivalent to the English word *detective*, a *mukhbir* typically does not wear a uniform.
- mukhbireen*:** The plural form of *mukhbir*.
- niyaba*:** The term widely used by Egyptians to describe the *niyaba al-`amma*, part of the Ministry of Justice. The *niyaba* is "an institution taken directly from the French legal system ... There is no counterpart in the common law systems of England and the United States, although parallels are often noted. These officials of the magistracy not only prepare and present the charges against an accused to the full session of the criminal court, but they have various functions in line with their prescribed duty to 'protect the public interest' which, especially in Egypt, amounts to an almost unfettered authority to conduct investigations ... The personnel of the *niyaba* are often translated as 'attorney general', 'district attorney,' or 'prosecuting attorney,' but these are misappellations. The *niyaba* neither represents the government as a party litigant nor is its function, strictly speaking, to 'prosecute' cases in the sense that prosecution is conceived of in America or England. The *niyaba* is the place where incidents are investigated, proving the background of evidence, and serving as a supporting organ which seeks to learn the 'truth' and not to incriminate for the sake of having a case. They search for all evidence -- of innocence as well as guilt. They have the

authority to suspend investigations and `file' cases, as well as to recommend that a case be brought to trial. The individual who is given the task of preparing the charges for presentation to the criminal court may well be another individual than the one who was in charge of the investigation, indeed, he likely is, as all reports of investigations must be submitted to the superior officers of the niyaba, and then redistributed for preparation for trial...Any of the personnel are interchangeable in the performance of the responsibilities which devolve upon the niyaba."

**SSI:**

State Security Investigation, one of Egypt's three intelligence organizations. SSI is part of the Ministry of Interior and is said to be under the direct control of the Minister of Interior.

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**Enid Hill, *Mahkama! Studies in the Egyptian Legal System/Courts & Crimes, Law & Society* (Ithaca Press, London: 1979), pp. 26-28.**

## **INTRODUCTION**

**This report examines gross human-rights abuses in Egypt: torture and long-term detention without charge or trial. It focuses particularly on the use of torture by officers and soldiers of the Ministry of Interior's General Directorate for State Security Investigation (SSI) during the period when political and security suspects are held in incommunicado detention. Senior Egyptian officials have consistently denied that torture occurs. Interior Minister Gen. Muhammed Abdel Halim Moussa told Middle East Watch in February 1992 that allegations of torture are "absolutely contrary to the truth." Gen. Moussa's denial echoed comments made two years earlier by Interior Ministry spokesmen for his predecessor, Gen. Zaki Badr.**

**Although this report deals only with torture by SSI, there is ample evidence that torture and the sub-culture of violence has pervaded ordinary police work. Compounding the problem, as this report indicates, is a lack of will by the Prosecutor General's office to fulfill its legal obligation to investigate and prosecute such abuses, and the lack of effective internal police-control mechanisms.**

**The practices of torture and prolonged arbitrary detention cannot be detached from the context in which they occur: the Egyptian people have been subjected to rule by exceptional or emergency law for almost fifty years. Martial law was declared in Egypt in September 1939, at the outbreak of World War II, and states of exception have been in effect for all but about six years since then. Emergency law has been imposed continuously since June 1967, except between May 1980 and October 1981. In May 1991, emergency law was extended for three more years.**

**One legacy of long-term exceptional law has been the institutionalization of arbitrary arrest and detention powers by security forces. A former high-ranking officer in the Ministry of Interior told MEW in February 1992 that "under the emergency law, you can arrest someone, the court can object, and the Minister of Interior can still put him in jail. People can be held for years."**

**The torture of political detainees by Egyptian security forces has marred Egypt's history since the consolidation of power by Gamal Abd el-Nasser after the 1952 military coup. Under Nasser's charismatic and personalized rule, an authoritarian state emerged. Beginning in 1952, army officers were placed in "controlling positions" in the police apparatus and "all police functions were**

## 2 • INTRODUCTION

placed under the Ministry of Interior."<sup>1</sup> A study of Egypt published by the U.S. government notes that "the tight political security enforced under Nasser created a police state."<sup>2</sup> The feared *mukhabarat `amma* – the internal-security police staffed by military officers – detained and tortured perceived opponents with impunity.<sup>3</sup>

"The practice of torture originated in Nasser's days," one well-placed Egyptian lawyer told MEW, and led to deaths in detention. "The people targeted were Muslim Brothers, communists, reactionaries...and then anyone the government didn't like." President Anwar Sadat himself acknowledged the rise in human rights abuses in his autobiography:

In the first four years of revolutionary rule, when the Revolutionary Command Council wielded all power, there were mistakes and violations of human rights but these were rather limited in scope. It was after 1956 that they began to acquire huge dimensions.<sup>4</sup>

After Nasser's death in September 1970, the secret-police system was reorganized by his successor, then-Vice President Col. Sadat, giving rise to the Ministry of Interior's State Security Investigation department. "Sadat removed the

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<sup>1</sup>Richard F. Nyrop et al., *Area Handbook for Egypt*, Third Edition (Foreign Area Studies of The American University, Washington, D.C.: 1976), pp. 338-339.

<sup>2</sup>Helen Chapin Metz, Editor, *Egypt: A Country Study*, Fifth Edition (Federal Research Division of the Library of Congress, Country Studies -- Area Handbook Program sponsored by the Department of the Army, Washington: 1991), p. 337.

<sup>3</sup>"Nasser established a pervasive and oppressive internal security apparatus. The security police detained as many as 20,000 political prisoners at a time and discouraged public discussions or meetings that could be construed as unfriendly to the government. The security police recruited local informants to report on the activities and political views of their neighbors." *Egypt: A Country Study*, p. 341.

<sup>4</sup>Anwar el-Sadat, *In Search of Identity*(Harper & Row: 1971, 1978), p. 209.

## INTRODUCTION • 3

army from secret-police functions and completely reorganized the system," one knowledgeable Egyptian observer told MEW.

A presidential decree of July 1971 created general departments within the Interior Ministry responsible for various police and security matters, including a department of State Security Investigation.<sup>5</sup> The next month, Interior Minister Mamduh Salim announced additional changes, including his direct supervision of the State Security Investigation department, along with the departments of public relations and organization; supervision of other departments in the Ministry were relegated to four deputy ministers.<sup>6</sup> "Today, the *mukhabarat `amma* is no longer in the business of human rights abuses such as torture and arbitrary arrests and detention. Now this is essentially an SSI matter," a prominent Egyptian lawyer told MEW.

The use of torture subsided considerably during President Sadat's tenure from May 1971 to October 1981. But Egyptians from various political tendencies contend that since Hosni Mubarak assumed the presidency after Sadat's October 1981 assassination, the internal-security apparatus, projecting itself as the defender of the state against a perceived Islamist threat, has resurrected an exceedingly heavy hand.<sup>7</sup> "Since Sadat's assassination, there has been a continuous fear that the fundamentalists will erupt. The security forces have been given a free hand and are using their power in disproportion to the threat," one secular Egyptian analyst told MEW. "I personally inspected prisoners in Tora Istikbal prison who were tortured," a former general in the Ministry of Interior said in an interview with MEW. "I saw many cases of torture, especially

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<sup>5</sup> *Area Handbook for Egypt*, p. 339.

<sup>6</sup> *Area Handbook for Egypt*, p. 339.

<sup>7</sup> This view is reaffirmed by Amnesty International, which has monitored torture and other rights violations in Egypt for over two decades. In 1991, Amnesty reported: "While large-scale political arrests...took place under state of emergency provisions during the 1970s, reports of torture or ill-treatment which had been inflicted routinely in the 1960s, were rarely received by Amnesty International. Since October 1981, however, the torture of political detainees has continued almost unabated." ("Egypt: Ten Years of Torture," October 1991, AI Index: MDE 12/18/91, p.1.)

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after the Sadat assassination."<sup>8</sup>

Recent regional developments and Egypt's serious economic problems have served only to reinforce support for the security forces' aggressive tactics against actual and perceived opponents of the government. The sweeping victory in Algeria of the Islamic Salvation Front (FIS) in the first round of parliamentary elections in December 1991<sup>9</sup> "is used as an example of why Egypt's approach against its own fundamentalists is working," one senior Egyptian journalist told MEW. At a public debate in January 1992, Interior Minister Gen. Moussa said that he would never permit an Islamist victory at the ballot box.<sup>10</sup>

The government also is sensitive to possible expressions of popular discontent because of the consumer price increases that accompanied Egypt's 1991 economic-reform agreements with the International Monetary Fund. In April and May 1991, new sales taxes, ranging from five to thirty percent, and price increases of fourteen to sixty-six percent on electricity, gas and petroleum products, were imposed.<sup>11</sup> Egyptian households, already financially beleaguered,

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<sup>8</sup>Five men were executed in April 1982 for direct involvement in the Sadat assassination. In addition, hundreds of suspected Islamic radicals were arrested by security forces and put on trial in what became known as the al-Jihad case. "In September 1984, 174 of the 302 people arrested in connection with Sadat's killing were acquitted of plotting to overthrow the Government; 16 were sentenced to hard labour for life; and the remainder received prison sentences ranging from two to 15 years." *Regional Surveys of the World, The Middle East and North Africa 1992*, 38th Edition (Europa Publications Ltd., London: 1991), p. 393.

<sup>9</sup>See Middle East Watch, "Human Rights in Algeria Since the Halt of the Electoral Process," Vol. 4, No. 2, February 1992.

<sup>10</sup>"The FIS, he said, took advantage of a vacuum left by government mismanagement. 'Such a chance does not exist for fundamentalist groups in Egypt because there is no such vacuum,' he said." (Max Rodenbeck, "Egyptian crocodile tears," *Middle East International*, January 24, 1992, p. 5.)

<sup>11</sup>The sales taxes were introduced in May 1991 "on most goods and services (although certain basic items such as bread, meat, fish, petrol and gas were exempted) ... Against this background, a new stand-by facility was formally approved by the IMF in mid-May 1991, under which some \$372 [million] would be made available to Egypt over a period of 18 months to provide balance-of-payments assistance for its economic reform programme."

**INTRODUCTION • 5**

**will become increasingly squeezed:**

**The greater underlying worry is the potential for unrest inherent in economic reforms. Already meagre, household incomes have barely kept pace with inflation, currently running at about 25 per cent, even as the government has imposed a ten per cent sales tax and continued to phase out subsidies on basic foods, energy and transport. Liberalisation – and ultimately privatisation - of much of the state sector, which still accounts for most industrial output, will entail massive layoffs.<sup>12</sup>**

**Organized labor is another area of concern for the government, as workers become restive: "The trade union movement is becoming active again -- there have been more strikes, especially in late 1991 and early 1992," an Egyptian human rights monitor told MEW in February 1992.**

\* \* \*

**The renewed use of systematic torture by Ministry of Interior security forces during Hosni Mubarak's presidency was noted by Egyptian lawyer and human rights activist Nabeel el-Hilaly, who concisely described the trends over a thirty-year period:**

**In 1959, I was subjected to torture and ill-treatment in Abu Za`bal prison. Throughout the 1960s, the practice of torture against political detainees, especially Muslim Brothers and communists, was widespread.**

**(..continued)**

***The Middle East and North Africa 1992* p. 402.**

<sup>12</sup> ***Africa Confidential* Vol. 33, No. 1, January 10, 1992, p. 6.**

## **6 • INTRODUCTION**

**But since the end of the 1960s the brutality of the security forces began to lessen to a large extent. One must admit that throughout the 1970s torture did not occur but occasionally.**

**Unfortunately, after Sadat's assassination, torture of political detainees is once again taking place on a large scale, against religious and leftist elements. Defendants in the Jihad case<sup>13</sup> were subject to massive torture. About eighty reports of medical examinations carried out on these detainees and presented to the court have proved that torture really occurred. It is well known that eight of the detainees in this case have been tortured to death or died from ill-treatment. Very recently, a group of left-wing detainees has been savagely tortured in the Citadel prison.**

**Mr. el-Hilaly, who is a Marxist and has been arrested six times since January 1959, made these remarks in a speech in the United States over ten years ago. Middle East Watch has gathered information about individual cases of incommunicado detention and torture that occurred between 1989 and early 1992. Our own investigation leads us to conclude that torture has continued in Egypt since Mr. el-Hilaly spoke these words.**

\* \* \*

**In compiling this report, Middle East Watch has drawn on the personal testimony of Egyptians from all walks of life, residents of cities, towns and villages throughout the country ranging in age from seventeen to sixty-five years old. Their testimony forms the basis of the description and analysis of the methods used by SSI to effect political arrests, the conditions and treatment of detainees in SSI**

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<sup>13</sup>See Footnote 8.

## **INTRODUCTION • 7**

**custody, and the use of physical and psychological torture during interrogation sessions conducted by SSI officers. Middle East Watch collected many more accounts of torture in SSI custody than those presented in this report; only the most detailed, internally consistent and persuasive accounts have been included.**

**The report also examines the most notable flaws in government investigations of torture complaints, based on information provided by torture victims themselves and the experiences and insights of Egyptian lawyers who have complained to the authorities on behalf of their clients.**

**Next, the report focuses on another gross human-rights abuse: the long-term detention of political prisoners without charge or trial. Middle East Watch collected information about this abuse during interviews with prisoners held in Tora Istikbal and Abu Za`bal Liman prisons. Some of the detainees in these facilities have been held continuously since 1990, despite numerous court-ordered releases.**

**Last, the report reviews the level of military and economic assistance provided to Egypt by the United States, the European Community, and international financial institutions, and the absence of any mechanisms to condition the continued receipt of assistance on specific human-rights improvements.**



## **SUMMARY OF CONCLUSIONS**

- **The consistency of the numerous accounts of torture taken by Middle East Watch from residents of cities and towns throughout Egypt, about abuses that took place from 1989 to early 1992, reveals a pattern of abuse, not isolated cases of aberrant behavior. The similarity of these accounts indicate that the process of arrest and detention, and the purposes and methods of torture by State Security Investigation forces remain unchanged from the tenure of Interior Minister Gen. Zaki Badr to that of the current Interior Minister, Gen. Muhammed Abdel Halim Moussa.<sup>1</sup>**
- **It is behind the closed doors of State Security Investigation offices or in off-limits Central Security Forces military camps that harsh treatment, including torture, is applied against detainees in attempts to extract information or confessions during interrogation, or to deter what is perceived by the state as undesirable political activity. These practices violate Egyptian law as well as two human rights treaties to which Egypt is a state party: the International Covenant on Civil and Political Rights, and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**
- **State Security Investigation is the lead department within the Ministry of Interior responsible for internal security matters in Egypt, under the direct control of the Minister of Interior. The size of SSI, which is organized along a military chain of command, has never been publicly revealed by the government. The detailed testimony of torture victims persuades Middle East Watch that the methods of torture in Egypt are rigorous yet predictable, indicating that a system appears to be in place to train SSI personnel in torture techniques and that the use of torture is directed and supervised by officers in the SSI.**
- **The persistent reports about the use of torture by SSI are a sensitive subject for**

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<sup>1</sup>MEW found this continuing pattern despite comments from senior Ministry of Interior officials to MEW in May 1990 that Interior Minister Moussa in his first four-and-a-half months in office had completely forbidden torture, issued instructions "to treat people better than before," and emphasized the importance of following "correct procedures." (MEW interview with Dr. Bahaa el-Din Ibrahim, First Assistant Minister of Interior for Public Relations, and Gen. Dr. Sami el-Husseini, Assistant to the Minister of Interior for Inspection and Supervision, Cairo, May 30, 1990.)

## **10 • SUMMARY OF CONCLUSIONS**

the Egyptian government. In January 1992, the Egyptian Cabinet discussed the subject of torture but, unfortunately, the thrust was on public relations. The Cabinet charged a special committee, composed of the Ministers of Interior, Justice, Information and Foreign Affairs, to study ways to respond to allegations. It was not charged with eradicating torture. In ominous statements designed to have a chilling effect on human rights monitoring in Egypt, government officials have argued that allegations of torture are made for the purpose of "striking a blow against stability and distorting the system of government" and "distorting Egypt's reputation among international organizations." In remarks to members of the Egyptian media on May 31, 1992, President Mubarak said that he "is more concerned about human rights than anyone in Egypt...[adding] that although we respect human rights, it is unacceptable for human rights to be used as a pretext for interference in domestic affairs."

- The Interior Minister continues to deny unequivocally that torture takes place, despite court decisions, forensic medical reports by Ministry of Justice physicians, numerous written complaints submitted by lawyers to state prosecutors, frequent reports by the Egyptian Organization for Human Rights and Amnesty International, and abundant testimony from torture victims themselves.
- One theme that has marked the official denials of torture is the characterization of victims in a manner designed to discredit them. "We are dealing with fanatics who use violence," one Interior Ministry official told MEW in 1990. "Complaints about torture at SSI offices normally are presented by persons who are members of extremist groups," Prosecutor General el-Araby stated to MEW in 1992.

It is undeniable that Egypt has faced internal violence attributed to clandestine Islamist groups and factions over the last decade, and that this violence -- coupled with often-violent responses by security forces -- continues until today. But the fact that torture victims may be suspected radical or violent Islamists does not justify the practice of torture, which is proscribed by the Egyptian Constitution, Egyptian law and international law. Indeed, torture victims' alleged actions and political affiliations are irrelevant to this serious human rights abuse. The International Covenant on Civil and Political Rights, which Egypt has ratified, proscribes torture absolutely, even in the event of a public emergency that threatens the life of the nation.<sup>2</sup>

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<sup>2</sup>Article 4(2). In addition, Article 2(2) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Egypt acceded to on June 25, 1986,

## **SUMMARY OF CONCLUSIONS • 11**

**In addition, while it is true that currently in Egypt most torture victims are believed to be members or supporters of radical Islamic organizations or factions that the government has implicated in violence, this is not a complete picture of who is tortured in Egypt. First, security force dragnets sometimes are cast so wide that arbitrary arrests occur and detainees may be tortured for information they simply do not possess. Second, politically charged statements by Egyptian government officials about "Islamic fanatics" ignore the personal profiles of some of the Egyptians who have been tortured in the last three years.**

**Among the Egyptians who have suffered torturers' blindfolds, beatings, hangings, electric shocks and other abuses are lawyers who defend politically unpopular clients, journalists affiliated with Islamist opposition publications, Muslim Brotherhood members who express opinions at odds with the government, Christians suspected by the authorities of converting Muslims to Christianity, and individual citizens targeted by security force operatives solely because they are thought to possess valued information, such as the address of a security suspect.**

**\* \* \***

### **THE PROCESS OF ARREST**

**Typically it is SSI officers -- accompanied by SSI soldiers and paramilitary Central Security Forces troops -- who carry out political arrests and take individuals into custody. Many suspects are taken into custody during post-midnight raids on their private homes. The process of arrest is marked by intimidating tactics, a harrowing experience for the detainee-to-be and his family.**

**Arresting agents often conduct thorough and sometimes violent searches of the premises and seize personal possessions, particularly printed materials. Officers in charge of these raids typically do not give their names or**

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

## **12 • SUMMARY OF CONCLUSIONS**

show identification. Most individuals taken into custody are given no information about the legal basis for their arrest, as required by the Egyptian Constitution, nor are they told where they are being taken, leaving family members at a loss. In some cases, family members of suspects sought by the authorities have been arrested and detained until their sons, brothers or husbands turned themselves in or were apprehended.

### **INCOMMUNICADO DETENTION**

Contrary to statements made to Middle East Watch by Egypt's Prosecutor General and senior Interior Ministry officials, it is clear that incommunicado detention by SSI in the days immediately following arrest is a long-standing practice. In interviews with former detainees – as well as those currently held in prisons – MEW found overwhelming evidence that individuals are held in SSI custody after arrest and prior to their transfer to prisons.

After arrest, it is common for political and security suspects to remain in SSI custody for days, a week or longer. Most are held incommunicado at SSI offices in Cairo and other cities; some are taken to Central Security Forces military camps. Many are blindfolded and handcuffed before arriving at these facilities, and remain blindfolded throughout this entire period of detention. The physical conditions of detention typically are crude: small rooms, often dark, with poor ventilation and no toilets, mattresses or blankets. Detainees who have been held with their hands cuffed behind their backs report that it was difficult or impossible to sleep.

MEW also found that some suspects, mostly teenagers, are held for brief periods by SSI and then released without ever entering a police station, a prosecutor's office or a prison. They are arrested, held incommunicado in SSI custody and tortured, and then released after hours or at most several days. It is unclear in these cases whether there was a legal basis for the arrest and detention and whether the arrests were officially recorded.

The practice of torture and other types of physical and psychological mistreatment is facilitated and protected by this state-sanctioned system of incommunicado detention, as Egyptian human rights monitors and lawyers have regularly monitored and reported. Since 1990, the Egyptian Organization for Human Rights has submitted numerous written complaints about specific cases directly to the Ministry of Interior and the Prosecutor General's office (see

## **SUMMARY OF CONCLUSIONS • 13**

### **Appendix D).**

**This period of incommunicado detention appears to be unacknowledged by the authorities. In several cases of incommunicado detention examined in depth by MEW, officials claimed that detainees had not been arrested and detained at a time when in fact they were in the custody of security forces. Because Egyptian authorities refuse to acknowledge this practice, detainees held in this fashion are temporarily "disappeared" persons. By eliminating a sense of accountability, this practice invites torture and related abuses.**

### **INTERROGATION AND TORTURE DURING INCOMMUNICADO DETENTION**

**SSI interrogations are designed to obtain information, to elicit confessions, to recruit informers, or simply to intimidate and threaten individuals because of their perceived political – and sometimes religious -- beliefs, affiliations or activities. In some cases, the interrogators' line of questioning is pointed and specific, but in other cases the questions are of a general nature. Although not every political suspect detained by SSI is tortured while held incommunicado and questioned, torture frequently is an element in the SSI interrogation process.**

**Egyptian government officials have consistently denied that detainees are tortured in custody. Significantly, these officials even deny that SSI officers conduct days-long interrogations of political detainees and security suspects while held incommunicado in SSI custody. Despite these claims, the testimony collected by MEW indicates that SSI officers clearly have access to detainees for extended periods, and use this access for a variety of purposes, ranging from general questioning about political beliefs, acquaintances and affiliations to full-fledged torture sessions aimed at securing information or confessions.**

**The detail and consistency of the testimony leaves little doubt that Egyptian security authorities detain individuals incommunicado at specific locations throughout the country and, in numerous cases, have tortured detainees with impunity. The cumulative weight and detail of scores of cases, over a period of years, is suggestive not merely of a practice, but of a government-sanctioned policy.**

## **14 • SUMMARY OF CONCLUSIONS**

### **METHODS OF TORTURE IN EGYPT**

**Torture typically occurs after victims have been stripped to their underwear. In some cases, detainees are forced to confront their interrogators totally naked. They may be forced to stand long periods prior to interrogation, or held in cells that lack mattresses and blankets, making it difficult or impossible to sleep. They also may be deprived of regular supplies of food and water.**

**The almost-universal prelude to torture in Egypt is blindfolding of the eyes and cuffing of the hands, usually behind the back. Egyptian Interior Minister Moussa told MEW that blindfolding is not allowed under the rules governing the conduct of interrogations. "They don't tie the eyes," he said. "If blindfolding is used, of course an officer would be disciplined."<sup>3</sup> Despite the Minister's assertion, MEW found that in virtually every case of SSI incommunicado detention involving torture, detainees have been constantly blindfolded. This practice, of course, also prevents the victims from seeing and later identifying their torturers. Continuous blindfolding for long periods causes physical pain and, in some cases, injury.**

**After the victim is blindfolded and handcuffed, MEW found that any of the following methods of physical and psychological abuse may occur, in a variety of combinations and sequences:**

- beating and kicking, including beating with sticks or other hard objects, by one or more individuals.**
- enforced standing for long periods.**
- suspension from bound wrists for long periods, either with the feet touching the ground and supporting the body's weight or – more painful – with the feet off the ground and the body's weight supported from the wrists.**
- binding the hands and feet around a pole placed above the forearms and behind the knees, with the pole supported between two chairs while the soles and tops of the feet are beaten with a blunt object.**
- electric-shocking either while standing or while held to the floor with**

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<sup>3</sup>MEW interview, Cairo, February 15, 1992.

## **SUMMARY OF CONCLUSIONS • 15**

a chair (the pain of electric shocks may be exacerbated by dousing the victim with water prior to the administration of the shocks).

- psychological torture, designed to produce a state of fear and uncertainty. Techniques include interrogators' emphasis that detainees' whereabouts in custody are not known; degrading insults and curses, and the use of language offensive to religious Muslims; threats to inflict torture or sexual abuse on detainees or female family members, including wives; threats to arrest family members; exposure to screams which some detainees believed were tape-recorded; and the general anxiety produced by waiting long periods -- while experiencing sensory deprivation -- for the next interrogation and torture session to commence. The vulnerability generated by various methods of psychological torture is only heightened by detainees' constant blindfolding and, often, the removal of their clothing.

MEW also collected information about detainees who were sexually abused by their interrogators. This issue also was the subject of a report issued by EOHR in January 1992.<sup>4</sup>

## **GOVERNMENT INVESTIGATIONS OF TORTURE COMPLAINTS**

MEW found little interest on the part of Egyptian government officials to do more than deny the existence of torture, cite the laws that prohibit the practice, and describe how the investigation process should work. Written complaints about specific cases of torture submitted by the Egyptian Organization for Human Rights since 1990 simply have not been acknowledged by the Prosecutor General's office or local prosecutors. The Prosecutor General went as far as to deny having received the repeated complaints about torture filed by EOHR.

In torture cases examined by MEW, Ministry of Justice prosecutors demonstrated little interest in working actively with torture victims or their lawyers, let alone acting on complaints in a timely manner or pursuing

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<sup>4</sup>EOHR, "The Campaign to Stop Torture, Statement #3, Rape and Sexual Abuse as Methods of Torture," Cairo, January 1992. Of the five cases described in detail in the EOHR report, three occurred at police stations and two at SSI offices. EOHR submitted formal complaints to the Prosecutor General and to the Minister of Interior regarding all five cases.

## **16 • SUMMARY OF CONCLUSIONS**

investigations thoroughly. Middle East Watch collected information from lawyers and torture victims about the failure of the authorities to act in a timely manner on complaints about abuse during incommunicado detention, and to present victims for forensic medical examinations by Ministry of Justice physicians. Delaying victims' referral for examination is a critical lapse because in many cases of torture, timely examination is essential before marks, scars or other signs of physical abuse lessen or disappear.

If prosecutors do not have contact with a torture victim following his period of incommunicado detention, lawyers themselves initiate complaints. After seeing a client who has been tortured, usually when the client has been moved to a prison, a lawyer may initiate a request for a medical examination by submitting a complaint to the niyaba. But attorneys told MEW that in many cases the complaint is simply ignored or the victim is not summoned to give testimony to the niyaba in a timely fashion, which in turn delays the medical examination.

### **REMOVAL OF DETAINEES FROM PRISONS**

In addition to the problem of incommunicado detention by SSI prior to transfer to a prison, a parallel problem reportedly exists with regard to movement of detainees from prisons into temporary SSI custody without documenting such movements in prison log-books. The practice of omitting information from prison log-books that would document the access of SSI officers to prisoners is not new. A former high-ranking Ministry of Interior inspector, Gen. Samir Abed al-Rahman `Eid, who is also a lawyer, complained publicly about the practice in the 1980s.

The movement of detainees out of prisons appears to be done for two reasons: for interrogation by SSI -- sometimes accompanied by torture -- in incommunicado detention, and to facilitate continuous long-term detention of political prisoners ordered released from detention by a court. The latter purpose allows the authorities to claim that detainees have been released pursuant to court orders when in fact they simply are removed from prison and held in SSI custody until a new detention order can be written.

### **LONG-TERM DETENTION OF POLITICAL PRISONERS WITHOUT CHARGE OR TRIAL**

**MEW found evidence that the Ministry of Interior uses its considerable**

## **SUMMARY OF CONCLUSIONS • 17**

power under the emergency law to subvert the rule of law in cases of political prisoners held under administrative detention. Islamist and Palestinian detainees -- some of whom have been held without charge since 1990 -- claim that they have been continuously detained under successive detention orders despite court-ordered releases.

Detainees who are held long-term despite judicial orders for their release are concentrated in two prisons: the Islamists in Tora Istikbal, and the Palestinians in Abu Za`bal Liman. Detainees in both prisons provided MEW with information that after court-ordered releases they are removed from prison, held incommunicado in SSI custody, and returned to the prison after new detention orders have been issued. Since they never see freedom after they are ordered released, it is unlikely that the new detention orders are based on reasons that have not already been rejected by the Higher State Security Court.

While Egypt's emergency law affords the Minister of Interior the right to object to a detainee's challenge of his detention order before the Higher State Security Court, the detainee should be released once the detention order is overruled by two courts. Judicial review is designed to curb the arbitrary or punitive exercise of the powers of arrest and detention. The flouting of judicial rulings through the technique of repeatedly issuing new administrative detention orders against targeted individuals is a violation of the fundamental human right not to be arbitrarily deprived of one's freedom.

## **SCRUTINY OF EGYPT'S HUMAN RIGHTS RECORD**

Egypt has earned a secure place in U.S. foreign aid programs as a key regional ally of the United States. It receives over \$2.26 billion in direct annual military and economic assistance, making the country one of the top four recipients of U.S. foreign aid -- second to Israel but ahead of Turkey and Greece. In addition, in December 1990 the U.S. cancelled \$6.7 billion of Egypt's military debt. The substantial leverage afforded by this significant level of aid has never been utilized -- by the Bush Administration or by the U.S. Congress -- to effect specific improvements in Egypt's human rights practices or to push for lifting the almost-permanent state of emergency.

Although the U.S. State Department in 1992 provided a frank and generally accurate assessment of human rights violations in Egypt, Middle East Watch is not aware of one instance in 1990, 1991 or thus far in 1992 when any Administration spokesperson publicly made reference to human rights abuses in

## **18 • SUMMARY OF CONCLUSIONS**

**Egypt or to the need for the Mubarak government to address human rights problems.**

**The Bush Administration has requested some \$1.3 billion in foreign military financing assistance for Egypt for Fiscal Year 1993. Section 502B of the U.S. Foreign Assistance Act of 1961, as amended, prohibits security assistance to any "country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights." Gross violations are defined in the statute to include "torture or cruel, inhuman, or degrading treatment or punishment" and "prolonged detention without charges and trial." As this report concludes, Egypt has engaged in a pattern of both torture and prolonged arbitrary detention. Although Section 502B allows the Administration, if it deems it necessary to provide aid to an abusive country, to explain to Congress "the extraordinary circumstances warranting provision of such assistance," neither the Bush Administration nor any previous Administration has submitted such a statement to Congress. Even short of a reduction in aid, such a statement would dramatically raise the profile of human rights abuse in Egypt, and generate pressure for its curtailment.**

**The U.S. Congress has been equally derelict in applying Section 502B requirements to Egypt. Members have not debated the issue of conditioning aid to specific human rights improvements, or demanded explanations from the Administration why extraordinary circumstances warrant continuing aid. While Congress has vigorously questioned the Administration about the recent U.S. rapprochement with Syria, questions about Egypt have been rare.**

**Although the U.S. is the largest bilateral donor to Egypt, France, Germany, Italy and the United Kingdom also provide sizeable amounts of aid, as does the twelve-nation European Community and international financial institutions such as the World Bank. None of these donors has conditioned their substantial assistance to Egypt on human-rights improvements.**



## **RECOMMENDATIONS**

### **TO THE EGYPTIAN GOVERNMENT:**

**Middle East Watch calls on the Egyptian government to adhere to and enforce the provisions of the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (Torture Convention). Egypt acceded to the Torture Convention on June 25, 1986. Under Article 2, Egypt is obliged to take "effective legislative, administrative, judicial or other measures to prevent acts of torture." To fulfill that obligation, President Hosni Mubarak and his government should:**

- **Publicly acknowledge that torture is practiced systematically by Egyptian security forces and order its immediate cessation.**

- **Issue a general order to all police officers to disobey torture orders and to report such orders to investigative authorities, and ensure that this information will not be used in any way against those officers who make reports.**

- **Appoint a special public prosecutor to investigate torture and mistreatment by officers and soldiers of State Security Investigation or any other security forces. This prosecutor should be empowered to bring criminal charges against SSI and other Ministry of Interior officers who have violated Egyptian law. The prosecutor should receive the firm public backing of President Mubarak, and have a length of tenure sufficient to ensure independence.**

- **Appoint an independent commission – composed of independent lawyers and legal scholars – to investigate the practice of incommunicado detention at State Security Investigation offices and Central Security Forces military camps. All SSI officers should be made available, as requested by the commission, to provide testimony, and commission members should be given unlimited access to SSI offices and CSF camps during the course of their inquiry.**

- **Order the Ministry of Interior immediately to cease the practice of incommunicado detention and establish provisions for access of attorneys and family members to detainees promptly after arrest. Logs open to public inspection should be maintained, recording all prisoner transfers and the officers who take custody of the prisoners at each transfer point. Failure to record required information accurately and completely should lead to vigorous investigation and firm disciplinary or criminal punishment of all offenders.**

## **22 • RECOMMENDATIONS**

- **Require that any individual taken into custody by security forces be provided with a copy of a written order that includes the name and address of the location where he or she is being taken, and the name of an arresting officer. A duplicate copy of this order must be available to present at the time of arrest to the person's family or others of his or her choosing.**

- **Direct the Interior Minister and Minister of Justice to establish procedures for a prompt medical examination, within a period not to exceed twenty-four hours, when a detainee is admitted, or readmitted, to a prison. The results of such examination should be placed in the detainee's file, and if there is visible evidence of injury, a copy should be sent within twenty-four hours to the Minister of Interior, the Prosecutor General, the Director of the Prisons Administration, and the Office of the President. If a detainee so requests, photographs should be taken of any injuries allegedly sustained between the time of arrest and the time of admission to prison.**

- **Direct the Minister of Interior and the Minister of Justice to assign physicians from the Ministry of Justice to every prison to perform these tasks on a twenty-four-hour basis. To ensure independent oversight, such tasks should not be assigned to physicians who are officers in the Prisons Administration.**

- **Instruct the Prosecutor General's office to develop procedures for cooperative working relationships with Egyptian human rights organizations, lawyers and other complainants about torture and other alleged abuses. This working relationship should include – at minimum – a timely process for the acknowledgement of written complaints and the provision of regularly updated information about the progress of investigations into complaints about incommunicado detention, torture or mistreatment.**

- **Instruct the Minister of Justice to appoint a special committee – comprised of senior attorneys and judges – to investigate and provide a public accounting of the disposition of all torture complaints filed since 1981 with the Prosecutor General and the Ministry of Interior.**

- **Issue a directive that bars blindfolding in any place where individuals are held in the custody of the authorities, including SSI offices, and requires all officers and soldiers involved in arrest and detention to wear badges identifying themselves by name or number. Members of security forces who fail to comply with these directives should be punished.**

## **RECOMMENDATIONS • 23**

- **Establish a special office within the Office of the President that will receive torture complaints from lawyers, human rights organizations, and individual citizens. This office should (1) acknowledge receipt of the complaint; (2) transmit a copy of the complaint to the Prosecutor General's office; (3) maintain regular contact with the Prosecutor General's office to track the progress of the investigation of each complaint submitted; and (4) maintain regular contact with the complainant about the progress of the investigation. This process of oversight should remain institutionalized as long as allegations of torture persist.**

- **Amend the emergency law to shorten significantly the current thirty-day period of administrative detention that is unsupervised by judicial authorities, and eliminate the executive branch's power to challenge the court decision (thereby eliminating the requirement that a second court hear the case). This would uphold the principle of judicial independence guaranteed by the Egyptian Constitution and the International Covenant on Civil and Political Rights, to which Egypt is a party.**

- **Specify the procedures to be followed when the state security court releases a detainee who has been held without charge. Such procedures should include personal judicial supervision of the individual's actual release, to guarantee that he or she is released in reality and not merely on paper.**

- **Discontinue the practice of long-term detention without charge or trial. Ensure that no detainee is held without the prompt filing of criminal charges, and the holding of a timely public trial that meets fundamental due-process requirements.**

### **TO THE MINISTRY OF INTERIOR:**

- **Publicly disclose the procedures that are to be followed after an individual is arrested, including the force or forces responsible for taking the individual into custody.**

- **Publicly state that it is contrary to Ministry of Interior rules and regulations for any employee of the Ministry to blindfold a detainee while he or she is held on the premises of any Ministry facility, including police stations, prisons and SSI offices.**

## **24 • RECOMMENDATIONS**

- **Publicly disclose the other rules and procedures to be followed by SSI officers in any interrogation of a suspect.**
- **Permit access by independent monitoring organizations, such as the Egyptian Organization for Human Rights, to all facilities where individuals are held in detention.**
- **Permit anyone held in SSI custody to request the presence of a lawyer, or a state-appointed attorney, during all interrogation sessions.**
- **Promptly notify the niyaba when any interrogation of an individual by SSI officers is scheduled; such interrogation may not proceed unless a representative from the niyaba is present, as well as an attorney for the suspect.**
- **Direct SSI to immediately institute a permanent record-keeping system at every SSI office in Egypt where detainees are brought for investigation. These records, which should be accessible to any investigating niyaba and to torture victims' lawyers, should identify the following on a daily basis:**
  - **the names of all detainees brought for investigation.**
  - **the time of each detainee's arrival and the name of the officer accompanying the detainee.**
  - **the specific location within the SSI building where the investigation was conducted.**
  - **the time period, or time periods, when the investigation was conducted.**
  - **the officer and other personnel present during the investigation.**
  - **the time of a detainee's departure from the building.**
  - **the location to which a detainee was taken after he or she left SSI headquarters, if the individual was not released from custody after the investigation. Such information should be accompanied by the name of the officer commanding the force that removed a detainee from SSI headquarters for transfer to another facility.**

## **RECOMMENDATIONS •25**

The maintenance of such a system would enhance accountability in cases in which allegations of mistreatment are made, and facilitate the niyaba's investigation of such allegations. The lack of detailed record-keeping is an invitation to the use of torture during interrogation sessions at SSI facilities.

### **TO THE BUSH ADMINISTRATION:**

- Publicly acknowledge and condemn the use of torture and prolonged detention without trial in Egypt, and direct the attention of the Egyptian government to the consequences of continued violations on U.S. economic assistance.
- Publicly notify the Egyptian government that all bilateral aid and loans to Egypt will be suspended unless torture and prolonged arbitrary detention ends.
- Request a progress report from the Egyptian government as to the steps taken to suspend such practices, including modalities for monitoring progress.
- If extraordinary circumstances require continuation of aid despite continuing abuses, provide a public explanation of those circumstances and why they override concern with gross human- rights abuses, as required by U.S. law.

### **TO MEMBER STATES OF THE EUROPEAN COMMUNITY:**

- Publicly acknowledge and condemn the use of torture and prolonged detention without trial in Egypt, and direct the attention of the Egyptian government to the consequences of continued violations on economic assistance from the European Community.
- Publicly notify the Egyptian government that all EC aid and loans to Egypt, and bilateral assistance from individual member states, will be suspended unless torture and prolonged arbitrary detention ends.
- Request a progress report from the Egyptian government as to the steps taken to suspend such practices, including modalities for monitoring progress.
- If extraordinary circumstances require continuation of aid despite continuing abuses, provide a public explanation of those circumstances and why they override concern with gross human-rights abuses.

# 1

## THE PROCESS OF ARREST

***"There was knocking on my door at three in the morning. I opened the door and found a large number of men in civilian clothes outside the door and on the stairs. They entered and searched the entire house, giving no explanation or reasons."***

***– Physician arrested in August 1989,  
Interviewed by MEW, February 1992.***

***Arrests of political and security suspects in Egypt typically are carried out by State Security Investigation officers and soldiers, who often are accompanied by paramilitary Central Security Forces troops. Many suspects are taken into custody during post-midnight raids on their private homes. Arresting agents often conduct thorough and sometimes violent searches of the premises and seize personal possessions, particularly printed materials.***

***Officers in charge of these raids typically do not give their names or show identification. Most individuals taken into custody are given no information about the legal basis for their arrest, nor are they told where they are being taken, leaving family members at a loss.***

***In some cases, family members of suspects sought by the authorities have been arrested and detained until their sons, brothers or husbands turned themselves in or were apprehended.***

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## THE ROLE OF STATE SECURITY INVESTIGATION

**State Security Investigation (*mabahith `amn al-dawla* in Arabic), the lead agency within the Ministry of Interior responsible for internal security matters in Egypt, figures prominently in this report.<sup>1</sup> When political arrests are made,**

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<sup>1</sup>The U.S. State Department's human rights report on Egypt for 1991 described SSI this way: "The Ministry of Interior's General Directorate for State Security Investigations (GDSSI) is

## **28 • PROCESS OF ARREST**

typically it is SSI officers -- accompanied by SSI soldiers and paramilitary Central Security Forces troops -- who carry out the arrest and take individuals into custody. The number of SSI personnel has never been publicly revealed by the government.<sup>2</sup>

The headquarters of SSI are located off Lazoughly Square in the Abdeen district of Cairo, on the same block that houses the buildings of the Ministry of Interior and the Ministry of Justice. SSI has a second office in metropolitan Cairo, in the Dokki district of Giza, and offices in other cities throughout the country.

SSI is under the direct control of the Interior Minister.<sup>3</sup> It is organized along a military chain of command and is headed by a general. The post is currently held by Gen. Mustafa Abdul Kader, who has the title of First Assistant Secretary to the Minister of Interior and is widely regarded as the Minister of Interior's "right hand."<sup>4</sup> MEW's request to the Egyptian government in December 1991 for a meeting with Gen. Kader during its 1992 mission to Egypt was not granted, although other Ministry of Interior officials were made available for meetings with MEW representatives in February 1992. In April 1992, MEW wrote again to the Egyptian authorities and requested a meeting with Gen. Kader to discuss the findings in this report. As of the date of the publication of this report, has not yet received a positive response from the Egyptian government.

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the main domestic security agency, although there are several other police forces. It enforces the state of emergency and conducts most investigations of domestic opponents of the Government. It has been implicated in many reports of torture and abuse of prisoners and detainees." (*Country Reports on Human Rights Practices for 1991*, February 1992, p. 1374.) SSI is one of three intelligence agencies in Egypt; the others are Military Intelligence within the Ministry of Defense, and General Intelligence, "attached to the presidency." (*Egypt: A Country Study*, p. 341.)

<sup>2</sup> *Egypt: A Country Study*, p.341.

<sup>3</sup> *Egypt: A Country Study*, p. 341.

<sup>4</sup>Gen. Kader formerly served as an assistant to the Minister's previous First Assistant Secretary, Gen. Mustafa Kamel, who in March 1991 was appointed governor of Dakhaliyya province in the Delta.

## PROCESS OF ARREST • 29

Other police forces and the paramilitary Central Security Forces report to the general security directorate (*mudiriyyat al-`amn*) in each province. The head of each security directorate is known as the *mudir al-`amn*; this officer serves under the provincial governor, who is appointed by the president. Egyptians with knowledge of SSI's operations say that, uniquely, State Security Investigation bypasses this organizational structure and is not subordinate to governors' authority; SSI provincial units are said to report directly to SSI headquarters in Cairo.

As noted, SSI officers and soldiers when they make arrests usually are accompanied by soldiers from the Central Security Forces (*`amn marqazi*), part of the Interior Ministry. The U.S. State Department, in its 1991 human rights report on Egypt, described the Central Security Forces as the military force which "protects public buildings, facilities and foreign missions," but this large paramilitary unit plays a broader role. "It is the army of the police, the army of the Ministry of Interior," one Egyptian observer told MEW.<sup>5</sup> CSF soldiers are at the disposal of Egypt's various police forces, including SSI. A former general in the Interior Ministry told MEW: "The President is totally dependent on them to stabilize his position. This is the force the SSI requisitions and supervises. For example, the SSI will notify the Ministry of Interior that it needs 15,000 *`amn marqazi* soldiers. If a demonstration at a university needs to be crushed, the SSI will use *`amn marqazi*," he said.<sup>6</sup> Another former Interior Ministry general told MEW that CSF troops "are well-trained to punish people."<sup>7</sup>

The Central Security Forces (CSF) were organized as a civil defense force after the 1967 Arab-Israeli war, due to the negative public reaction to President Abd el-Nasser's use of army troops to put down spontaneous student demonstrations at Alexandria University in November 1967, five months after Egypt's devastating military defeat. "Nasser had never confronted hostile masses before," a former student leader remembered.<sup>8</sup> The next year, in February, student

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<sup>5</sup>MEW interview, Cairo, February 5, 1992.

<sup>6</sup>MEW interview, Cairo, February 8, 1992.

<sup>7</sup>MEW interview, Cairo, February 2, 1992.

<sup>8</sup>MEW interview, New York, April 1, 1992.

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**demonstrations erupted in Mahalla in the Nile Delta and at Cairo University. The army was not brought in but the regular police force clearly was unequipped to handle such a situation.**

**This was the context that led to the formation of CSF. Its ranks steadily expanded during Sadat's decade-long tenure as president. He first used CSF troops in January 1972 to put down student protests at Cairo University and Ain Shams University through a dawn military-style siege of both campuses, which was followed by mass arrests.**

**CSF conscripts, many of whom are illiterate and have been rejected for army service, serve their three years of compulsory military service in this force instead of the army:**

**The government had hoped that the CSF would counterbalance the military's power, but the force never served this function. Poorly educated conscripts from rural areas who failed to meet the standards of army service filled the ranks of the CSF. Officers often treated the conscripts harshly and frequently humiliated them. Conscripts commonly lived in tents and sometimes lacked beds, adequate plumbing, and electricity.<sup>9</sup>**

**The poor treatment and conditions of service of these conscripts led to a violent eruption in February 1986 as thousands of troops in Cairo rioted over a three-day period and fought the army.<sup>10</sup> The crisis led to the dismissal of then-**

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<sup>9</sup> *Egypt: A Country Study*, p. 340.

<sup>10</sup> The events were sparked by a rumor that conscripts' required service would be extended from three years to four years. As described in a leading reference book on the Middle East, some 17,000 CSF troops "went on the rampage in and around Cairo, destroying two luxury hotels and damaging other buildings used by tourists in the Pyramids area of the city. The disturbances lasted for three days and there were clashes between the conscripts and the army, which was trying to regain control of the city. According to government figures, 107 people died as a result of the mutiny, and 1,324 members of the CSF

## PROCESS OF ARREST • 31

Interior Minister Ahmad Roushdie, but "the government continued to use the CSF as the main force for dealing with student disturbances, intimidating industrial strikers and peasant demonstrators, and curbing gatherings of Islamic activists."<sup>11</sup>

When Hosni Mubarak assumed the presidency, the CSF numbered 100,000 troops.<sup>12</sup> In the next ten years, the force tripled in size. The current size of CSF, which has barracks in every province, was estimated at 300,000 as of June 1990, just slightly smaller than the 320,000-strong Egyptian army.<sup>13</sup> MEW has gathered information about SSI's use of Central Security Forces military camps (*muaskarab*) in the provinces for incommunicado detention and torture.

### SURVEILLANCE BY SSI: THE PRELUDE TO ARREST AND DETENTION

SSI has organized and carries out a formidable system of nationwide surveillance, using both its own plainclothes agents -- widely described in Egypt as *mukhbireen*<sup>14</sup> -- and a network of informers, some of whom appear to be recruited while they are held in SSI detention. The U.S. State Department affirmed in 1991 that security-force surveillance extends to interference with the right to privacy of Egyptians and foreign residents, with telephone wire-tapping and other

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were arrested. There were reports of violence in other cities, including Asyut, Ismailia and Suhag. The Minister of the Interior, Ahmad Roushdi, held responsible for the failure of the intelligence services to detect signs of unrest in the CSF, was dismissed and replaced by Maj-Gen. Zaki Badr." (*The Middle East and North Africa 1992*, p. 395.)

<sup>11</sup> *Egypt: A Country Study*, p. 341.

<sup>12</sup> *Egypt: A Country Study*, p. 340.

<sup>13</sup> *The Middle East and North Africa 1992*, p. 429.

<sup>14</sup> A former Ministry of Interior officer told MEW that the *mukhbireen* are "SSI career soldiers who wear civilian clothes. They serve until sixty years old and rarely become officers." He said that their activities are directed by SSI officers, some with a rank as junior as lieutenant.

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means -- such as the screening of mail -- used to collect information.<sup>15</sup>

Interior Minister Gen. Muhammed Abdel Halim Moussa acknowledged in an interview with MEW that Egyptian internal-security forces undertake systematic surveillance nationwide. He indicated that the information collected through this system serves as the basis for targeting individuals for arrest and detention.<sup>16</sup>

The Interior Minister pointed out that each of Egypt's twenty-six governorates has a security directorate and within each directorate is a detention affairs committee which conducts area-wide surveillance, presumably of suspected or known members of targeted organizations and clandestine groups. Information from detention affairs committees is transmitted to the provincial security directorate, which is composed of representatives of all the police and security branches that oversee criminal and internal security matters. The minister explained that these committees make recommendations for detention to a central office in the Ministry of Interior, which in turn makes recommendations directly to the Minister of Interior, who signs individual detention orders under state of emergency legislation.

Higazi Ibrahim Abdul Meguid, a Muslim cleric (*Imam*) from Aga, a town southwest of Mansoura in Daqaliyya governorate, told MEW about SSI surveillance

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<sup>15</sup>"The internal security services have the capability to monitor telephone and other private conversations of the political opposition and a broad range of citizens suspected of illegal or subversive activity. There are persistent and credible reports of routine screening of, and in some cases interference with, correspondence, especially international mail. As with search warrants, telephone taps and mail screening normally require the prior authorization of the Public Prosecutor, but normal procedures do not prevail when the Emergency Law is invoked. The [General Directorate for State Security Investigations] and the other domestic intelligence agencies engage routinely in surveillance of opposition politicians, political or social activists, foreign diplomats, and suspected subversives. Employees of most government facilities, public sector factories, and foreign embassies assume that their activities are monitored by government informants." [U.S. Department of State, *Country Reports on Human Rights Practices for 1990*, Washington, D.C.: February 1991, p. 1413.]

<sup>16</sup>MEW interview, Cairo, February 15, 1992.

### **PROCESS OF ARREST • 33**

of his activities. He was arrested by the security forces and held without charge from October 26 until November 23, 1991. "Before my arrest and until now, I am under surveillance. I go to sleep fearing arrest. I cannot sleep peacefully ... they can come at any moment," he explained.

Egyptians under surveillance by security forces, especially in smaller cities and towns, told MEW that it was not difficult to spot the soldiers assigned to this task. The imam, for example, said: "I know the *mukhbireen* ... there are three main *mukhbireen* in my district. I see them in my mosque and in front of my house. They monitor lectures and prayers in the mosque. They're there all the time, twenty-four hours a day, openly, like my shadow. There is one in front of the mosque, one is present when I stand with the people, there is even one when I'm sitting in the mosque alone. Any imam is always under continuous surveillance if he speaks out."<sup>17</sup>

The Alexandria home of a family that pursued the case of the disappearance of their son was under surveillance by *mukhbireen* for one year. The mother of Amgad Shinawi, a sixteen-year-old who had been arrested and tortured in the SSI building in Alexandria in November 1988, told MEW that her son never came home from school on December 14, 1988, and has not been seen since.<sup>18</sup> After complaining about Amgad's disappearance, the family was harassed and summoned by security forces. "For one year they had our house under surveillance," Mrs. Shinawi said. "We just stayed home. Every time we filed a complaint, we were summoned by SSI." (See Chapter Three for additional information about this case.)

### **KNOCKS ON THE DOOR AFTER MIDNIGHT**

Whether arrests take place in Cairo or in the provinces, MEW has found a remarkable similarity in the methods used by security forces. The process of political arrest typically is marked by intimidating tactics during post-midnight visits to private homes, a harrowing experience for the detainee-to-be and his or her family.

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<sup>17</sup>MEW interview, Mansoura, February 3, 1992.

<sup>18</sup>MEW interview, Alexandria, February 1, 1992.

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*Munira Ismail, the wife of Dr. Haron Talha, told MEW that just before 1:00 a.m. on the night of December 20, 1991, there were violent knocks at the door of their house in the town of Gamalivva. "The door has two locks and one of them broke. My husband opened the door and there were about twenty-five men in civilian clothes. They shouted at my husband and asked his name. One of the men pushed him. They searched the room and looked at our library of Islamic books. They opened a drawer in the bedroom and removed his diabetes medicine. They pulled up the mattress and found nothing. One of them went to the four children and said: 'Wake up. We'll take you with your father.'*

*"They told my husband he'd be coming with them. I tried to prepare some clothes but one of the officers said no. I begged them to allow him at least his shoes – it took a debate for this."*

arresting force is usually a large one, and includes SSI personnel in plainclothes and armed Central Security Forces soldiers, only some of whom enter the house. Others wait in the corridor, on the stairs and in the street. Sometimes doors are broken down by force. Many former detainees, especially those who had no previous arrest record or who had

been known as nonviolent political activists, stressed to MEW that the deployment of such a substantial force appeared wildly out of proportion to the task of effecting an arrest. This method of arrest has been used for over a decade, as the personal account of a prominent Egyptian journalist reveals.

Muhammed Heikal, who was detained along with hundreds of other prominent Egyptians on September 3, 1981, wrote about his arrest at 2:15 a.m., when two officers from SSI knocked on his door of his Alexandria apartment. "Looking at my watch, and seeing what the time was, I reminded them that it was I who had coined the phrase 'the visitors of the dawn' to describe such intrusions, and that I had often in print condemned these as tyrannical. They said they were sorry, but they were simply obeying orders." When Heikal left his apartment in the custody of the officers, "I was horrified by what I saw. On the small landing...were at least ten soldiers, all armed with automatic rifles. The glass in the door leading to the service stairs had been broken and soldiers were stationed there too. Every floor in the block of flats was occupied by troops...When we reached the ground

## PROCESS OF ARREST • 35

floor I found that the entrance was filled with troops. Our apartment building is in a narrow street leading to the sea and both ends of this had been blocked by trucks loaded with security police. 'It looks like a scene from Z,' I said to the officer, but he did not understand the reference."<sup>19</sup>

Suspects' homes are thoroughly and, occasionally, violently searched. Books and other printed matter usually are seized during the search; other personal possessions -- such as photo albums -- also may be taken.

Dr. Abd el-Gawaad Sheishai, a professor of social pediatrics at Mansoura University, told MEW of his arrest in the early morning hours of August 5, 1989. "There was knocking on my door at three in the morning. I opened the door and found a large number of men in civilian clothes outside the door and on the stairs. There were more of them on the street. They entered and searched the entire house, giving no explanation or reason." He was then taken to the SSI building in Mansoura, to another SSI office and, eventually, to a prison, where he was held for four months.<sup>20</sup>

Engineer Kamal Khalil was arrested on August 24, 1989, after a heavily armed security force entered his home at 3:00 a.m. Pointing machine guns at his wife and two daughters, six and ten years old, they ransacked the house for approximately ninety minutes, and seized books and photographs of Khalil with family members and friends.<sup>21</sup>

Higazi Ibrahim Abdul Meguid, the Muslim cleric, told MEW of his arrest at his home on Friday night, October 25, 1991. "I was surprised by knocks on the door at about one in the morning. I opened the door and there were about ten to fifteen Central Security Forces soldiers, SSI officers and *mukhbireen*. They entered, searched my house and took papers, books and magazines. Then I was told to come with them. There were more soldiers downstairs and others outside the house." He was taken to the SSI building in Mit Ghamr, where he was held that

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<sup>19</sup>Mohamed Heikal, *Autumn of Fury/The Assassination of Sadat* (Andre Deutsch Ltd., London: 1983), pp. 232-233.

<sup>20</sup>MEW interview, Mansoura, February 3, 1992.

<sup>21</sup>Interview by Dr. Robert S. Lawrence, Cairo, May 27, 1990.

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night and for the next three days and interrogated by a person in civilian clothes.<sup>22</sup>

Former Member of Parliament Hassan al-Gamal, who served three consecutive terms from 1979 to 1989, was arrested in October 1991. He told MEW that he was apprehended on the street by a force of about a dozen SSI officers and many soldiers after Saturday prayers. "They took me to my house, showed an arrest warrant and told me to prepare things, that I would be going with them. They searched the house thoroughly, frightening and disturbing my family. They even searched my wife's bedroom and inside the children's books." Among the items seized were press clippings of his career as a Parliament member and assorted postcards.<sup>23</sup>

There may be verbal threats directed at the detainee or family members; provocative questions about politics, acquaintances or activities occasionally are asked by SSI officers. One Cairo University student was arrested at 3:00 a.m. on October 25, 1991 by plainclothes SSI officers who came to his family's house. With guns pointed at his parents, they began to ask him questions about the Muslim Brotherhood, other Islamic groups and individuals he knew. "What you won't say here, you'll say there," one of the officers told him. "You'll even say what you don't know." The student told MEW that during the search of the house books on Islam, which are openly sold in Cairo bookshops, were seized. His father's library included professional books on government organization and management. "They were so ignorant. They took these books, too, thinking they were about political organizing," the student said.<sup>24</sup>

The information gathered by MEW shows that it is uncommon for security officers to identify themselves or inform the detainee or his family about why or where he is being taken. Some former detainees told MEW that misinformation had been provided to their families – about their place of detention, the name of the SSI officer in charge, or the expected duration of their detention.

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<sup>22</sup>MEW interview, Mansoura, February 3, 1992.

<sup>23</sup>MEW interview, Cairo, January 30, 1992.

<sup>24</sup>MEW interview, Cairo, January 30, 1992. Name withheld on request.

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**The Egyptian Constitution guarantees that every person who is arrested or detained must be "informed immediately" of the reasons.<sup>25</sup> The right is further specified in the Code of Criminal Procedure, which states in part: "Every person under arrest or remanded into custody must be informed immediately of the reasons for his arrest or detention."<sup>26</sup>**

**However, MEW found that these rights are not respected. Arrest operations such as those described above are characterized by a paucity of information, both written and oral. This secrecy merely serves to increase the intimidating effect. Egyptian Interior Ministry officials told MEW in 1990 that detainees are always informed verbally of the reasons for their arrest, although they admitted that it is not a practice to put this information in writing for presentation to the detainee at the moment of arrest, a procedure they termed "not important":**

**When we arrest someone, we always tell him why he was arrested or detained. The real complaint [the detainees make] is that it is not always put in writing. But this is a formality and not very important. Besides the court always tells him, in writing. We must tell him orally, and always do. Sometimes it is difficult to tell him in writing on the spot.<sup>27</sup>**

**Despite these assurances, MEW found that in the majority of cases it is rare for the authorities at the time of arrest to provide written or verbal information that sheds light on the legal basis and reasons for a person's detention or to inform the**

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<sup>25</sup>Article 71 of the Constitution reads as follows: "Every person who is arrested or detained must be informed immediately of the reasons for his arrest or detention. He has the right to communicate with any person whom he wishes to advise of what has happened or from whom he may wish to seek assistance in the manner prescribed by law."

<sup>26</sup>Article 139.

<sup>27</sup>MEW interview with Gen. Dr. Bahaa el-Din Ibrahim, First Assistant to the Minister of Interior for Public Relations, and Gen. Dr. Sami el-Husseini, Assistant to the Minister of Interior for Inspection and Supervision, Cairo, May 30, 1990.

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**individual where he is being taken. The circumstances of poet Muhammed Affi Mattar's arrest in 1991 is an example:**

**At 2:30 after midnight on March 2, 1991, a force armed with machine guns, clubs and shields raided my house and bedroom .... Under the leadership of officers in military uniforms and civilian clothes, the force carried out a thorough search of my home, books and personal papers, without presenting a warrant from the niyaba or the judicial authorities, or specifying the purpose of this frightening armed attack.**

**Following the search, I was taken, my hands cuffed, to a transfer vehicle, led between two rows of soldiers who were standing ready to shoot...The transfer vehicle...started off, without my knowing where or to which place of detention I ultimately was going.<sup>28</sup>**

### **HARASSMENT AND ARREST OF FAMILY MEMBERS**

**If a suspect is not present when the security forces come to arrest him, MEW found that family members may be subjected to harassment and even arrest until the suspect turns himself in to the authorities. Amnesty International noted in a January 1992 report: "Dozens of relatives have reportedly been abused and beaten up while in detention centres or even in their homes when visited by SSI officers. Often they are subject to continuing harassment even after their release...[T]he imprisonment of parents, relatives and associates as `substitute prisoners' amounts virtually to hostage-taking and is a gross violation of human rights."<sup>29</sup> Middle East Watch concurs.**

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<sup>28</sup>**Muhammed Affi Mattar, "A Statement and a Release," June 4, 1991. See Appendix A for the full text of this statement.**

<sup>29</sup>**"Egypt/Security police detentions undermine the rule of law," AI Index: MDE 12/01/92, January 1992, pp. 7-8.**

**"They Took Two of My Brothers as Hostages"**

In October 1991, two brothers of Hani Abd el-Magd Haneh Siam, a mathematics teacher wanted by the authorities, were arrested and held until he turned himself in. The teacher, from Mit Maymoun, a village with a population of about 4,000 near the city of Tanta, told MEW that it was obvious he was wanted by security forces. "They came to my home on October 26, 1991," he told MEW. "I wasn't there. They searched the house, my brother's house and the house of another relative. They took a personal photo album, a library of books, and copies of the Koran and Koranic cassettes.

"They took two of my brothers as hostages and threatened my fiancée. They stayed for four days at the entrances of the village, terrorizing people. They started to summon my relatives, even relatives outside the village, and ordinary people not related to me. An SSI officer went to my school and crossed my name off the register. The headmaster of my school was summoned. He was asked to write a negative report about me, and was threatened with transfer to Upper Egypt if he did not comply. I gave myself up to SSI in Zifta."<sup>30</sup> (He was tortured in SSI custody, then transferred to Abu Za`bal prison and released on November 16, 1991; see Chapter Three for his account.)

MEW obtained additional testimony about this practice, dating back to 1990:

**"It Was All Done to Threaten Us"**

The mother of seven children, Hosnea Abdul Kader Muhammed, fifty-three years old, told MEW about her experience in March 1990, when she was detained and held as a hostage:

One night in March, at about one in the morning, security forces wearing black civilian clothes came to our house. They took me by the neck and used a whip on me, a special whip that wraps around you -- he pulls on it and then it cuts your flesh. A *mukhbir*, whom I know and can identify, stole

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<sup>30</sup>MEW interview, Mansoura, February 3, 1992.

#### **40 • PROCESS OF ARREST**

**money from the buffet. They took my husband and hit him with a gun butt. They conducted a thorough search of the house.**

**One of her sons was serving in the army and not at home; another son, Sayyid, an electrical worker, was sleeping at his workplace. "One officer said that I knew nothing but they took me to Bandar police station. First, I was taken in a box-like van around Minya and they picked up about fifteen people. I was the only woman. I stayed in the police station for six days. They asked me no questions. I was a hostage. They did this to me because they wanted my son Hamdi, who was not yet sixteen years old. My son Sayyid came to visit me on the fourth day of my detention. They took him to SSI and beat him and then detained him for six months. After the sixth day, I told the police that Sayyid was at SSI and they released me.**

**"It was all done to threaten us," she concluded. "They told me that my sons should not have contact with Islamic groups. After this, they came to the house every three days. During Ramadan in 1991, they raided the house while we were on a visit to Alexandria. They broke and stole things, and damaged the doors, the windows, furniture. Then it was okay until two weeks ago."<sup>31</sup> She noted that in January 1992, plainclothes SSI soldiers began to stand in front of her house in Minya and ask questions about two of her sons. This made her fearful of a repeat of the March 1990 experience described above.**

#### **A Family of Hostages in Minya**

**Muhammed Raslan, another Minya resident, told MEW of the continual harassment of his family by the security forces in 1990, beginning with a nighttime raid and culminating in the arrest and detention of family members, all because his sons were wanted by the authorities.**

**He said that one night in March 1990 he was asleep with his family and was awakened by knocking on the door, followed by the door being broken down. "There were police everywhere. The street was full of Central Security Forces soldiers, policemen, SSI, all armed with automatic weapons. They asked for my sons Adil and Mustafa, who were not home. They destroyed the furniture in the house. An SSI officer, Ali Anwar, threatened that he would bring Adil and Mustafa dead.**

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<sup>31</sup>MEW interview, Minya, February 11, 1992.

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"They left and returned two days later at two in the morning. It was a large force again. They pointed automatic weapons at our chests. They searched the house and left." After this, the security forces arrested his son Mustafa. "Then they came to the house again and asked for Adil. In May 1990, my son Nagy, who was in his last year of high school, was arrested at his grandmother's house. For four days we didn't know where he was. The niyaba finally found Nagy, with marks of torture, in Bandar police station in the intelligence section. The niyaba, whose name is Ashraf, was a witness to this and he ordered a forensic medical examination." (Nagy was eventually taken to Tora Istikbal prison and held for eighteen months. "They moved him from Tora to Bandar police station and back to Tora again, over this year-and-a-half period," his father said.)

Even after Nagy's arrest, SSI harassment of the family continued. "Once, on July 7, we went to Bandar police station to bring food to Nagy and when we returned home all the furniture in the house was smashed. We complained to the niyaba and he sent a soldier to see what had happened. Adil's wife was a witness to this; it happened at nine in the morning and they held a gun to her head. In her complaint, she named Nabil Fahmy, Akram Hammoudi and Oussama Kamal from the investigation police."

Later the same month, on July 16, Mustafa escaped from the police station. "They arrested me, my wife, Adil's wife and two of Adil's small children," his father said. "This happened right after the escape. We were held in Bandar

*"I was held for four days -- they just closed me in a room. I was released when (my son) Mustafa was arrested again in Alexandria."*

police station. My wife was released at four in the morning, after four hours. I was held for four days -- they just closed me in a room. I was

released when Mustafa was arrested again in Alexandria. Then, two days later, they came and asked for my eight-year-old son Khalid, who was with me in Suez. When I returned from Suez, I found that my mother, my wife and two children had been arrested. This happened on July 17 or July 18. I went to the niyaba to complain and he said: 'Go home and you will find them.' I went to the house and they were there." Muhammed Raslan told MEW that his son Adil later was arrested

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**for involvement in the assassination of Parliament speaker Rifat al-Mahgoub in October 1990.<sup>32</sup>**

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<sup>32</sup>**MEW interview, Minya, February 11, 1992.**

## 2 INCOMMUNICADO DETENTION

***"One of the most difficult things was being blindfolded and handcuffed the entire time...when you eat, when you wash, when you go to the toilet."***

***—Lawyer detained at SSI headquarters for six days in 1989,  
Interviewed by MEW, February 1992.***

***After arrest, it is common for political and security suspects to remain in SSI custody for days, a week or longer. Most are held incommunicado at SSI offices in Cairo or other cities; some are taken to Central Security Forces military camps. Many are blindfolded and handcuffed before arriving at these facilities, and remain blindfolded throughout this entire period of detention. The physical conditions of detention typically are crude: small rooms, often dark, with poor ventilation and no toilets, mattresses or blankets. Detainees who have been held with their hands cuffed behind their backs report that it was difficult or impossible to sleep.***

***Egyptian human rights monitors and lawyers have regularly monitored and reported cases of incommunicado detention involving mistreatment or torture. Since 1990, the Egyptian Organization for Human Rights has submitted numerous written complaints about specific cases directly to the Ministry of Interior and the Prosecutor General's office (see Appendix D). MEW has independently collected information about the practice of incommunicado detention.***

***Despite the accumulation of evidence, senior officials in the executive and judicial branches of the Egyptian government refuse to acknowledge that SSI holds detainees incommunicado for long periods. Detainees held in this fashion are temporarily "disappeared" persons, in that their detention is unacknowledged by the authorities. By eliminating a sense of accountability, this policy invites torture and related abuses.***

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**Egypt has thirty prisons throughout the country which are controlled by**

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the Ministry of Interior through its Prisons Administration. Yet MEW found that the authorities do not always transfer political and security suspects to these facilities immediately following arrest. Instead, suspects typically remain in the custody of SSI, held incommunicado for days and sometimes for over one week.

MEW took testimony from former and current detainees who were arrested in Cairo, or in cities and towns in the provinces, and the pattern was the same: incommunicado detention at an SSI office, or several different SSI offices, before transfer to a prison. Some suspects are taken to Central Security Forces military camps where they are held incommunicado. MEW has received reports about SSI's use of CSF camps for detention in Fayoum and Assyut and in the camp at Hurghada, north of the city of Safaja on the Red Sea.

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*During MEW's visit to the general prison in the city of Tanta on February 19, 1992, the prison commander said that prisoners arrive at Tanta from the courts via the police stations. But this was not the case for veterinarian Hamdi Mahmoud Morsi el-Savvidi, twenty-eight, whom MEW found that day in the prison's twelve-cell punishment wing.*

*He told MEW that he had been arrested by security forces who came to his home between 2:00 and 3:00 a.m. on January 17, 1992. "I was blindfolded the second I was out in the car." He was taken to the SSI building in Tanta. For the first three days, he was questioned, while blindfolded, "on and off" by two individuals. "They wanted information about certain people," he told MEW. He was not tortured or physically abused by his interrogators. His blindfold was removed only when he ate his meals. After ten days, he was brought to Tanta Prison and placed directly in the punishment cell where MEW found him. After twenty days in the prison, he was seen by his lawyer and learned that he had been detained by order of the Interior Minister.*

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In some -- but not all -- cases of incommunicado detention, MEW found that detainees may first spend a brief period at a police station prior to being brought to an SSI office or a CSF military camp. Detainees also may be held at a police station while they are in transit from one SSI facility to another. At times, detainees in police stations are questioned while blindfolded and handcuffed.

## **INCOMMUNICADO DETENTION • 45**

**On November 16, 1991, for example, a young Assyut resident was arrested by security forces and brought first to a police station in the city and held there for about a half-hour. He then was moved to the SSI building and held there for another half-hour, and finally was transported with fifteen others to the CSF camp outside the city, where he was tortured (see Chapter Three for this account). Poet Muhammed Afifi Mattar was arrested at his home in Ramlet al-Anjab at 2:30 a.m. on March 2, 1991, and held in police detention at Shebien al-Kum until midday. From there he was brought directly to the Cairo headquarters of SSI, where he was held for ten days and tortured (see Appendix A for his account).**

**In other cases, the stay at a police station may be longer and involve interrogation. On June 26, 1989, Dr. Muhammed Abd el-Latif was arrested by security forces and brought first to a Cairo police station. Blindfolded and handcuffed, he was harshly questioned there for two days. Then he was moved to SSI headquarters in Lazoughly, where he was held for five days and tortured (see Appendix C).**

**MEW also found that some suspects, mostly teenagers, are held for brief periods by SSI and then released without ever entering a police station, a prosecutor's office or a prison. They are arrested, held incommunicado in SSI custody and tortured, and then released after hours or at most several days. It is unclear in these cases whether there was a legal basis for the arrest and detention and whether the arrests were officially recorded.**

**Lawyers and family members typically can only confirm that a person has been held incommunicado after the person is released from SSI custody and transferred to a prison, when the details of the first days of arrest then become known. The first sign that incommunicado detention is imminent occurs at the moment of arrest, when neither the detainee nor family members present are informed by the officers in charge about where the detainee is being taken. Family members thus are forced to engage in a fruitless search, visiting police stations or attempting to speak with SSI officers at SSI offices, only to be told that their husband or son is not there.**

**Lawyers reported to MEW that in some instances they, too, "made the rounds" searching for a client, but never received confirmation of the person's whereabouts until he or she was transferred to and registered at a prison. In one case, lawyers told MEW that they learned their client was being held incommunicado at a CSF camp by someone who had just been released. The lawyers informed the prosecutor, who visited the camp but was told that the**

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**person was not there.**

**MEW heard of no case in which the authorities acknowledged to family members or lawyers that individuals were detained in SSI offices or at CSF military camps, or gave them access to these facilities. From the perspective of the detainee – who may be locked in small room, handcuffed and blindfolded – there is no possibility of getting out a message to anyone about his whereabouts. Once in SSI custody, the isolation is total. As one journalist who was held incommunicado in SSI custody in October 1991 told MEW: "It's not possible to make contact with a lawyer. Families search from place to place."**

**Contrary to statements made by Egypt's Prosecutor General and senior Interior Ministry officials, it is clear that incommunicado detention by SSI in the days immediately following arrest is a long-standing practice. In interviews with former detainees – as well as those currently held in prisons – MEW found overwhelming evidence that individuals are held in SSI custody after arrest and prior to their transfer to prisons. The practice dates back at least to 1981; MEW interviewed prisoners at Tora Liman prison serving sentences for involvement in the Sadat assassination who noted that they had been brought to SSI headquarters at Lazoughly following their arrest. For example, Muhammed Tarek Ibrahim, who was arrested in October 1981, said he spent one month at Lazoughly before he was transferred to the now-closed Citadel prison in Cairo.<sup>1</sup>**

#### **CONDITIONS OF DETENTION**

**If the process of arrest is intimidating, the first hours and days of detention are rigorous. Individuals often are blindfolded during transit or before arrival at their initial place of detention and typically their hands are cuffed behind their backs. Sometimes the blindfold and handcuffs are applied after arrival at an SSI office or a police station.**

**The physical conditions of detention are crude and humiliating, possibly designed to induce a weakened state prior to interrogation by SSI officers or state prosecutors. MEW found that appalling conditions prevail, irrespective of whether**

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<sup>1</sup>MEW interview, Tora Liman Prison, February 13, 1992.

#### **INCOMMUNICADO DETENTION • 47**

a detainee is scheduled for SSI interrogation, or is simply being held in SSI custody until he is brought to a Ministry of Justice prosecutor for investigation. Detainees typically are deposited in small rooms with poor ventilation, devoid of mattresses, blankets and sanitary facilities. Sometimes they are held alone and sometimes with other detainees. Food is not supplied regularly or in sufficient quantity, according to former detainees.

Dr. Ayman Ibrahim Taha, who was held and interrogated at SSI headquarters in Lazoughly for six days in November 1991, told MEW that he received three meals a day, each consisting of one round loaf of Arabic bread with about fifty grams of *ta'miyya* (fried ground fava beans). He said that he was allowed to use the toilet once every sixteen hours.<sup>2</sup>

Journalist Salah Abd el-Maksoud was held for four days after his arrest in October 1991 at the SSI office in Giza. "I was put in a cell measuring 1x1.5 meters with no window. It had no bed, no mattress, no blankets – just the cold tile floor. I received one meal every twenty-four hours. "I was blindfolded when taken from my cell for investigation, with my hands tied behind my back," he told MEW.<sup>3</sup> It was from this cell that he was brought to the state security *niyaba* for questioning on the third day of his detention.

Former Member of Parliament Hassan al-Gamal told MEW that on the first night of his detention in October 1991 he was held in a basement room at Lazoughly. He was led through a narrow passageway to an area with two adjacent spaces, each about 2x2.5 meters. One of these spaces was shared at the time by twenty men. "It was dark. There were no windows and the air circulation was bad," he said. "There was a toilet with no door and a tap for water. There were no blankets. There were people who had been there for weeks."<sup>4</sup>

Engineer Khalid Muhammed Ahmad Omar was arrested at his Alexandria home on October 25, 1991 and was not seen by the *niyaba* until October 31. Before he was brought to the *niyaba*, he spent three days in a basement room at el-Laban

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<sup>2</sup>MEW interview, Cairo, January 30, 1992.

<sup>3</sup>MEW interview, Cairo, January 30, 1992.

<sup>4</sup>MEW interview, Cairo, January 30, 1992.

#### **48 • INCOMMUNICADO DETENTION**

police station. "There were four others with me in the room, which measured about 2x1.5 meters. We had no food, no blankets. The room flooded with sewage," he told MEW.<sup>5</sup>

MEW found that some detainees held in 1989 faced similar circumstances. After his arrest in the early morning hours of August 5, 1989 (see Chapter One), Dr. Abd el-Gawaad Sheishai, a university professor of medicine, was held for three days in a room on the ground floor of the SSI building in Mansoura. "It's the room where they put new people. It's about five meters by eight to nine meters and contains nothing except a few chairs. There are no beds or blankets." Dr. Sheishai was not interrogated by SSI officers during these three days. "All they asked was whether I knew one name. I told them yes, that the person was a colleague. They asked no other questions."

He was then taken with five other men to Tanta in a small police vehicle with a 30x30 cm window. "Before we got out of the car, two men in civilian clothes came inside, blindfolded us, and cuffed our hands behind our backs." The detainees were taken into a building and held somewhere on the ground floor. "I spent three days there...I counted the prayer calls to mark the passage of time. We were taken to the toilet blindfolded and handcuffed. All six of us were held together. We could only speak with one another using fast, whispered words. We were taken one at a time to the 'investigation' room."

When he was brought for his interrogation his blindfold and handcuffs were tightened. "They took me by the arm only a few meters away, up three or four stairs. While I was standing, someone asked whether I knew the name of one doctor. They wanted to know what I knew about Shia and Sunni ideas, and asked questions about religion. This lasted twenty minutes to a half-hour." He told MEW that during the three days, he was boxed on the chin and face.

He was then taken to the police station in Tanta. "My blindfold was removed and I was thrown into a small damp room. After four days I was taken again for twenty minutes to a half-hour of additional questioning." After the fourth day, he was brought to Abu Za`bal prison. He did not see a lawyer until his thirtieth day at the prison. He was held at Abu Za`bal for four months and released after the

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<sup>5</sup>MEW interview, Alexandria, February 1, 1992.

## **INCOMMUNICADO DETENTION • 49**

successful challenge of his detention order before the court.<sup>6</sup>

Appendix C of this report contains additional accounts about conditions of detention from individuals held incommunicado in 1989. Journalist Ahmed Ashof was arrested in September 1989 and was forced to sleep for two weeks on the cement floor of his cell at Boulek Abu al-Ella prison before he was brought for interrogation at SSI headquarters. Dr. Sayd Fahmy el-Shinawi, a surgeon in his sixties, was forced to stand for ten hours after arriving at SSI headquarters in August 1989 and was allowed to use a toilet only once a day. Dr. Muhammed Abd el-Latif was held at SSI headquarters in June 1989, bound and blindfolded for five days. He was stripped of his clothes to his undershorts and forced to stand for forty hours, during which time his lower legs and feet became very swollen.

### **INCOMMUNICADO DETENTION AT SSI HEADQUARTERS IN CAIRO**

The most well-publicized location for incommunicado detention is SSI headquarters in the Lazoughly Square district of downtown Cairo. This area of the city bustles with activity during the day but is sparsely populated at night, which perhaps explains perhaps why numerous detainees have reported that they were brought to Lazoughly in the middle of the night.

The headquarters building also is used by the SSI to hold, and sometimes torture, detainees who already have been admitted to prisons. MEW collected information about the removal of detainees from prisons, sometimes covered in blankets, to Lazoughly for periods of up to one week, after which time they are returned to prison (see Chapter Three). Detainees also told MEW that they had been taken from prison by security forces after their court-ordered release and held incommunicado at Lazoughly until new detention orders were issued (see Chapter Five for additional information).

In May 1990, senior Ministry of Interior officials told MEW that administrative detainees are held in ordinary prisons and denied flatly that they are held in military camps or other secret, unidentified places: "Definitely not." They did concede, however, that detainees may be held for hours, and at most only twenty-four hours, in SSI's building at Lazoughly:

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<sup>6</sup>MEW interview, Mansoura, February 3, 1992.

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Sometimes they are investigated in the building behind us [SSI headquarters]. But we are not allowed to detain them here: maybe they are held for one day, sometimes only for two or three hours, but definitely not more than one day.<sup>7</sup>

The officials explained to MEW that there are no facilities at Lazoughly for prisoners to be held for more than brief periods.

In February 1992, during a meeting with Egypt's Prosecutor General, Chancellor Raga'a el-Araby, MEW asked about the numerous reports of incommunicado

detention at SSI headquarters in Lazoughly. The Prosecutor General stated unequivocally that Lazoughly is an office building where SSI officers work and that "it is

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*"Lazoughly is an office building. It is not a place of detention."*

*—Egypt's Prosecutor General  
February 1992*

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not a place of detention."<sup>8</sup> MEW pointed out that there have been many reports of individuals held in detention for days, and over a week, at Lazoughly. "Don't say many," the Prosecutor General said impatiently. "Give me proof of detention at Lazoughly." He also noted that "the law and the Constitution prohibit absolutely the holding of anyone outside a prison." MEW asked Chancellor el-Araby if he wanted information about cases of detainees brought to Lazoughly and other SSI offices. "Absolutely," he replied. "It will be given serious consideration. This is not a known complaint."

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<sup>7</sup>MEW interview with Gen. Dr. Bahaa el-Din Ibrahim, First Assistant to the Minister of Interior for Public Relations, and Gen. Dr. Sami el-Husseini, Assistant to the Minister of Interior for Inspection and Supervision, Cairo, May 30, 1990.

<sup>8</sup>MEW interview, Cairo, February 5, 1992.

## **INCOMMUNICADO DETENTION • 51**

**In March 1992, MEW sent a letter to Chancellor el-Araby about fourteen cases of incommunicado detention at Lazoughly and other SSI offices in 1991 and early 1992. MEW requested information about these cases, and asked the Prosecutor General to investigate the procedures and practices used by SSI following arrests carried out by SSI officers and soldiers. As of the date of the publication of this report, MEW has not received a reply from Chancellor el-Araby.**

**The cases noted in MEW's letter to Prosecutor General el-Araby are described in various sections of this report, including cases of incommunicado detention and torture at SSI's Lazoughly headquarters.**

### **The Son of a Judge Held at Lazoughly for Six Days**

**One complaint about detention at Lazoughly was so well-publicized that the detainee was released after thirteen days by a decision of President Hosni Mubarak. In 1989, a prominent appeals court judge, Chancellor Mahmoud Abd el-Hamid Ghorab, complained about the arrest of his son Nezar and his subsequent detention and torture at Lazoughly (see Chapter Four for his account). MEW interviewed Nezar Ghorab, who is now a lawyer, in February 1992. He described the circumstances of his arrest and his transfer to SSI headquarters:**

**A large force of SSI and CSF came at 2:00 a.m. on October 9 to my family's home. My father opened the door. They were openly carrying arms, asked to search the house and said they were arresting me. My father said that this was not the proper legal procedure because they were in the house of a judge, but they insisted. The officer in charge of the force gave a false name -- he turned out to be Col. Ibrahim Radwan. He told my father they were taking me to the SSI office in Giza.<sup>9</sup>**

**Nezar Ghorab was not taken to Giza, but first to Agouza Police Station. "The detention cells there are not appropriate for animals and I was kept with**

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<sup>9</sup>MEW interview, Cairo, February 17, 1992.

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criminals," he recalled bitterly. The next morning, the transfer police<sup>10</sup> took him to Tora Istikbal prison outside Cairo, where he was held in the visitors area. "I was kept there until a SSI vehicle came, a microbus. They handcuffed and blindfolded me and put me under the seat." He was brought to SSI's building in Lazoughly and held there for the next six days.

How did he know he was in SSI headquarters if he was blindfolded? "First, from the sound of the metro," he told MEW. "Second, if I was in the SSI building in Giza, there's a long winding staircase...you walk one flight up. In Lazoughly, there's a lift. Third, the interrogating officer told me: You're here in Lazoughly."

### **Prominent Psychiatrist Held at Lazoughly for Ten Days**

The detention and torture of Cairo psychiatrist Dr. Muhammed Mustafa Mandour at Lazoughly in February 1991 generated international attention.<sup>11</sup> MEW discussed Dr. Mandour's ten-day period of incommunicado detention with Interior Minister Mussa in February 1992. The Minister told MEW that he personally ordered Dr. Mandour's release, although the Minister was not forthcoming on the crucial but obviously sensitive subject of where Mandour was held for ten days prior to his transfer to prison.<sup>12</sup> Both the Interior Minister and the Prosecutor General suggested to MEW that the burden was on Dr. Mandour to prove that he was detained at Lazoughly for ten days after his arrest by SSI officers at his home, which occurred in front of two witnesses in his flat and terrified neighbors who watched from their windows. (See below for additional information about Dr. Mandour's incommunicado detention.)

### **Cairo Housewife, Fifty Years Old, Held at Lazoughly for Ten Days**

During a visit to Qanater women's prison on February 15, 1992, MEW

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<sup>10</sup> See Chapter Five for a discussion of the use of this force to transport detainees to and from prisons.

<sup>11</sup> Dr. Mandour wrote a detailed report about his ten days of torture, which MEW published in December 1991; see Appendix B.

<sup>12</sup> MEW interview, Cairo, February 15, 1992.

### **INCOMMUNICADO DETENTION • 53**

found, in a random search of the prison's six-cell punishment wing, a fifty-year-old housewife who had been detained incommunicado at Lazoughly for ten days before being brought to the prison. Fathiyya Sayyid Muhammed el-Kurd, the mother of six children, told MEW that twenty-seven days earlier she had been taken from her home at 3:00 p.m. by plainclothes SSI officers who did not give their names. She was brought to Lazoughly and held, blindfolded with her hands cuffed behind her back, in a fourth floor hallway.

Mrs. el-Kurd told MEW that she was tortured for approximately a half-hour every other day during the ten-day period (see Chapter Three for her account). After her ordeal, she was brought directly to the women's prison and held in isolation in Room #1 of the punishment wing – a small cell with no toilet, no running water and no electric lights. At the time of her interview, she had spent seventeen days in this cell, with no contact with the outside world. At a meeting later the same day with Interior Minister Moussa, MEW brought Mrs. el-Kurd's case to his attention (see below for additional information).

### **INCOMMUNICADO DETENTION AT OTHER SSI OFFICES IN METROPOLITAN CAIRO**

The SSI office on Jabber Ibn Hayan Street in the Dokki district of Giza also is used for incommunicado detention after arrest. Two men who were arrested by security forces in October 1991, for example, were first held for four days in the Giza office before being transferred to Tora Istikbal prison.

Salah Abd el-Maksoud, who has worked as a journalist for twelve years and lives in Giza, was arrested at his home at 3:00 a.m. on October 25, 1991. After security forces searched his house and seized books, papers, published articles and drafts of articles, he was brought to SSI's Giza branch and held there for four days. "It was not possible to make contact with a lawyer or my family," he told MEW. "When I was taken from this cell to be interrogated, my hands were tied behind my back and I was blindfolded."<sup>13</sup>

A Cairo University student also was arrested at his home on October 25, 1991. He was taken in a private car to the SSI office in Giza, where he was

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<sup>13</sup>MEW interview, Cairo, January 30, 1992.

## **54 • INCOMMUNICADO DETENTION**

handcuffed and blindfolded. He was placed in a room that had no mattress, no blankets, and no toilet. He did not receive his first food until 11:00 p.m. the next night. He said he was unable to sleep with his hands cuffed behind his back. When he was taken for interrogation he was brought to an upstairs room. He was held in the Giza office for three days and then moved to Tora Istikbal prison.<sup>14</sup>

Neither of these two men were subjected to physical abuse in the Giza office, in contrast to Assam Abd al-Monem al-Gundi, a veterinarian who lives in the Imbaba section of Cairo. He told MEW that he was arrested in November 1990 and first taken to the SSI building in Giza, where he was blindfolded. During his interrogation he was beaten, hit on the head, subjected to electric shocks, and suspended over a door from under his arms, which were tied behind his back. He was moved from this SSI office to Tora Istikbal prison, where MEW interviewed him.<sup>15</sup> He has never been charged with an offense. MEW also took testimony from journalist Adil el-Ansari, who was arrested on January 2, 1992 and beaten at the Giza SSI office (see Chapter Three).

Several of the Palestinians who have been held in long-term detention at Abu Za`bal Liman prison, some since the early months of the Gulf crisis in 1990, told MEW that the SSI office at the Shobra Section One Police Station in eastern Cairo is used to hold them incommunicado between the time that one detention order ends and the date on which the next detention orders commences.<sup>16</sup>

### **INCOMMUNICADO DETENTION AT SSI OFFICES IN PROVINCIAL CITIES**

MEW also obtained accounts of incommunicado detention at SSI offices in provincial cities, some as recent as February 1992. After being held in these offices, some detainees are released, while others are moved to other SSI offices or to SSI's Lazoughly headquarters before transfer to a prison.

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<sup>14</sup>MEW interview, Cairo, January 30, 1992. Name withheld on request.

<sup>15</sup>MEW interview, Tora Istikbal Prison, February 16, 1992.

<sup>16</sup>MEW interviews, Abu Za`bal Liman Prison, February 12, 1992. *See* Chapter Five for additional information.

**Alexandria:** Amgad Shinawi, a sixteen-year-old student who disappeared in December 1988, told his mother that he was held for four days after his November 16, 1988 arrest at the SSI building in Alexandria and the Sidi Gaber police station (see Chapter Three for additional information about this case).

**el-Areesh:** Several Palestinian detainees in Abu Za`bal Liman prison told MEW that after their arrest they were taken to the SSI office in el-Areesh, a town on the north coast of the Sinai Peninsula, and held there for up to two weeks before they were moved to SSI headquarters in Cairo or to a prison. For example, Ziyad Muhammed Faris was arrested on September 21, 1990 and held at the SSI office in el-Areesh for six days; he then was brought to Lazoughly and held ten more days before he was transferred to Abu Za`bal prison. Some of the Palestinians held in el-Areesh reported to MEW that they had been tortured there, and named SSI officer Hussam Fathey as one of their assailants.

One prisoner told MEW of his detention and mistreatment at SSI's office in el-Areesh over a decade ago. Sayyid Muhammed Mursi el-Mahdy, a former Egyptian army soldier who is serving a fifteen-year sentence for espionage, said that in 1980 he was held for one week at the el-Areesh office and beaten during interrogation, before being transferred to military intelligence in Cairo.<sup>17</sup>

**Mansoura:** After his arrest at his home on August 5, 1989 by security forces, Dr. Abd el- Gawaad Sheishai was first brought to the SSI building in Mansoura and held there for three days before being moved to the SSI building in Tanta. A Muslim cleric told MEW that he was arrested on the night of October 25, 1991, and taken by security forces to the SSI building in Mit Ghamr, where he was held for three days and then transferred to the SSI building in Mansoura.

**Minya:** Atif Jamal Mahmoud, a nineteen-year-old from Minya, was detained briefly in the SSI office in the city and then, after torture, released. He told MEW that a force of about twenty men came to his home in four vehicles at 3:00 a.m. on February 5, 1992. He was taken to the new SSI building in Minya and blindfolded (see Chapter Three for his account.) On November 20, 1991, Ahmad Fathey Hafez, a seventeen-year-old student, was arrested and tortured in the new

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<sup>17</sup>He was sentenced by a three-judge court on December 3, 1980. MEW interview, Tora Mazraa Prison, February 18, 1992.

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**SSI building in Minya (see Chapter Three).**

**Port Said:** Ayman Nimr, a university student, told his lawyer that he was tortured at the SSI building in Port Said on November 12, 1991. The lawyer submitted a complaint to the niyaba in Port Said on December 12, 1991, two days after seeing his client (see Chapter Four for additional information about this case).

**Tanta:** Hani Abd el-Magd Hani Saim, a mathematics teacher from a small village in Tanta province, presented himself to the SSI in October 1991 after it became apparent that the authorities were looking for him. "I gave myself up to State Security in Zifta," he told MEW. "They moved me to the SSI building in Tanta, where I was blindfolded and my hands were cuffed behind my back." He was interrogated and tortured there for four consecutive days (see Chapter Three). More recently, veterinarian Hamdi Mahmoud Morsi el-Saidi was held for ten days in SSI's Tanta building after his arrest on January 17, 1992 (see above).

MEW also collected information about incommunicado detention at the same office dating back to 1989. Dr. Abd el-Gawaad Sheishai told MEW that he was held incommunicado on the ground floor of the SSI building in Tanta for three days in August 1989.

### **THE USE OF MILITARY CAMPS OF THE CENTRAL SECURITY FORCES FOR INCOMMUNICADO DETENTION**

Egyptian human rights monitors reported to MEW that over the last few years the SSI has used Central Security Forces military camps for incommunicado detention and torture. Reports have been received about the SSI's use of CSF camps near the cities of Assyut and Fayoum, and in the camp at Hurghada, north of Safaja on the Red Sea coast.

Gen. Mahmoud Fakarani, the head of the Ministry of Interior's Prisons Administration, denied that CSF camps are used as detention centers. He did concede, however, that individuals may be held at these camps for a maximum of two to three days, "while a force is prepared to take them to prison."<sup>18</sup> However,

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<sup>18</sup>MEW interview, Cairo, February 20, 1992.

## **INCOMMUNICADO DETENTION • 57**

**MEW found cases of detention and torture at one CSF camp near Assyut in which detainees were released after their ordeals and never brought to a prison.**

### **The Camps in Assyut**

**According to defense lawyers in Assyut, Central Security Forces camps were first used for detention in 1981, after the assassination of President Sadat in October of that year, but the practice did not become widespread because there were few mass arrests thereafter. The use of the camps began to increase in the late 1980s when arrests by security forces were again on the rise. In Assyut, the CSF camp most frequently used for detention is located near Abnoub, in a military area on the east bank of the Nile, about four kilometers north of Assyut. Lawyers say that there are occasional cases of detention at el-Moutarda camp, in the eastern part of Assyut, and noted that it is "quite rare" for detention to take place at the third CSF camp, located in Manqabad, ten km north of Assyut.**

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*"Since 1991, over 300 people have been brought to this camp. Usually they deny that the person is being held."*

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**"Anyone in Assyut can be arrested and taken to one of these camps," one lawyer told MEW. "The camp near Abnoub is mainly used now," said another lawyer. "Before this, the Second Police Station of Assyut was used. The niyaba knows what is happening in these camps. But from 1991 until now, the niyaba visited Abnoub only ten times, although over 200 complaints about detention there were presented by lawyers to this niyaba. Since 1991, over 300 people have been brought to this camp. In most cases, the niyaba just telephones the camp and asks if a person is there. Usually they deny that the person is being held."<sup>19</sup>**

**This happened in the case of six students who were taken from examination rooms at the University of Assyut on April 14, 1991, arrested, and brought to the camp near Abnoub, where they were tortured.<sup>20</sup> On the second day**

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<sup>19</sup>MEW interview, Assyut, February 10, 1992.

<sup>20</sup>The students' names are Salah Mahmoud el-Baram, Amr Kamal Eddin Mahmoud, Karam Ahmad Diah, Fayez Ahmed Abdul Khalek, Ali Mohammed Abdalla – all from the agricultural

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of their detention, lawyers went to the niyaba and complained, after one student who had been released told the lawyers where the others were being held. The niyaba went to the camp at 2:00 p.m. the same day but could not find the students. "They put detainees in cars," one lawyer explained. "As soon as the niyaba comes, the detainees are moved." He said that this happened with Mahmoud Ahmed Shayeb, who was held this way at the camp following his arrest on January 13, 1990. Lawyers had complained to the niyaba about Shayeb's detention at the camp, and he was moved around in a car for days so the niyaba could not find him. "For three days, he was hanged from his handcuffed wrists to the roof of a car and given no food at all," said one attorney familiar with Shayeb's case (see Chapter Five for additional information about Shayeb).

MEW interviewed Ahmad Thabet Muhammed, who was tortured at the CSF camp after his arrest on November 27, 1991. During his detention, he was moved from his cell and held for three days in a car, where he received medical care for injuries he sustained during torture (see Chapter Three for his account).

After arrest, a detainee is not necessarily taken directly to the camp but may spend some time first at a police station or SSI's office in Assyut. MEW interviewed a young Assyut worker, Khalid Sayyid Mahmoud, who was brought to the camp near Abnoub on November 16, 1991. After his arrest, he was taken first to a police station with a group of about fifteen others who had been arrested: "After about a half-hour at the police station, they called our names and took us to the SSI building, where we stayed another thirty minutes. They only asked our names. Then we were taken to the soldiers' camp."

The following description of the camp emerges from interviews with former detainees who have been held there:

The camp's entrance is through a gate off the main road. The soldiers' barracks are on the banks of the Nile, about one km away. To the right of the camp's main gate are two adjacent buildings of cement construction, with a small fountain in front. Near the fountain is a small room where personal belongings are stored. The two buildings contain cells measuring about 3.5x2 meters, with ceilings about five meters high. (It is believed these buildings were designed as a prison for soldiers.) Attached to one of the buildings is a bathroom with no door,

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faculty, and Ahmad Muhammed Ragab from the pharmacy faculty.

## **INCOMMUNICADO DETENTION • 59**

measuring one meter by 50 cm. Next to one of the buildings is a small cell, measuring one by two meters, which contains no toilet.

To the left of the camp's gate is a two-story building that serves as a hospital, with five 3x3 meter rooms on the second floor, each containing only a desk and a chair. Detainees are removed from cells and taken to the second floor of the hospital for interrogation and torture. Accounts of torture in the hospital appear in the next chapter.

### **The Camp at Hurghada**

On September 25, 1991, lawyer El-Shadly Ebeid al-Saghir was arrested by the SSI in Safaya on the Red Sea, and brought to the CSF camp in Hurghada, north of Safaya on the coast.<sup>21</sup> He was tortured at the camp with four others before he was transferred, after four days, to Tora Istikbal prison. He was released after two months. This was the lawyer's second detention at the Hurghada camp. After his arrest on June 7, 1991, he was brought to the camp, held for ten days, and tortured.<sup>22</sup>

### **The Camp in Fayoum**

Another Central Security Forces camp, described by one rights monitor as "the worst prison" in the country, is in al-`Azab, a town south of the city of Fayoum. In April 1990, following a violent clash on April 30 between security forces and members of a militant breakaway Islamist group in the village of Kakh in the Ibshaway district near Fayoum – which left at least fourteen Islamists dead and a dozen security-force personnel injured<sup>23</sup> – there were mass arrests in the area. Defense lawyer Youssef Saqr told MEW: "By the end of the first week, about 100 people were arrested. Anyone who was suspected was taken. The SSI arrested anyone who could be traced to Islamic groups in Ibshaway. People went into hiding and then their wives, sisters and mothers were taken as hostages. The village of Kakh was surrounded and anyone with a beard was arrested. Altogether,

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<sup>21</sup> See ECHR, "Urgent Appeal: The Detention and Torture of a Lawyer," October 24, 1991.

<sup>22</sup> *Ibid.*

<sup>23</sup> "14 Muslim Militants Killed in Clash With Egypt's Police," *The New York Times*, May 2, 1990.

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between 400 and 500 people were arrested.<sup>24</sup> He said that the detainees were first held in the Ibsaway police station and then the men were taken to al-`Azab camp. He told MEW that lawyers secured permission from Cairo to visit detainees at the camp, but when they arrived they were not permitted to enter.

MEW interviewed one resident of Fayoum who was brought to al-`Azab camp in September 1987 and tortured there. He required hospital treatment for an injury sustained during his torture and was returned to the camp after spending six weeks in Fayoum hospital, incommunicado and under armed guard (see Appendix C for this account).

## **TEMPORARY "DISAPPEARANCES"**

As the testimony in the next chapter indicates, all the torture victims interviewed by MEW, with one exception, stated that they were abused while held incommunicado in SSI custody at SSI offices or at military camps of the Central Security Forces. (The exception is the case of Baha'a Fouad Buktur, an Egyptian Christian, who was tortured by SSI personnel at a police station in Heliopolis; this case is discussed in detail in Chapter Four.<sup>25</sup>) In addition to victims who were tortured during interrogation immediately following arrest, MEW also obtained accounts from detainees who had been removed from prisons, taken to SSI's Lazoughly headquarters building and tortured, and then returned to prison (an issue discussed in the next chapter). Egyptian government officials refuse to give

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<sup>24</sup>MEW interview, Cairo, February 2, 1992.

<sup>25</sup>The issue of systematic mistreatment and torture of individuals held at Egyptian police stations is beyond the scope of this report, although this is a human rights problem deserving attention and scrutiny. As one Egyptian defense lawyer told MEW in a January 1992 interview: "Especially in poor neighborhoods, the police ignore citizens' rights. Police officers are very tough. There is a list of crimes and no evidence and no suspects. They need to find someone to fill their files. Torture at police stations is explained less by corruption than by the needs of the police to obtain information, witnesses and evidence." See EOHR, "The Mistreatment of Citizens and Torture in Police Stations," November 20, 1990. A January 1992 EOHR report contains three cases of torture at police stations that included sexual abuse; also see EOHR, "The Campaign to Stop Torture, Statement #3, Rape and Sexual Abuse as Methods of Torture."

## **INCOMMUNICADO DETENTION • 61**

credence to these reports, and likewise refuse to acknowledge the periods of incommunicado detention prior to detainees' transfer to prisons. Detainees held under these circumstances -- such as the three torture victims whose cases are described below -- are temporarily "disappeared" persons.

In meetings with MEW representatives in February 1992, senior government officials stressed that SSI does not hold detainees for days or weeks prior to their transfer to prisons. Interior Minister Moussa told MEW that immediately following arrest, a detainee is placed in the custody of the Prisons Administration,<sup>26</sup> but this clearly has not been the case for scores of detainees. Chancellor Raga'a el-Araby, the Prosecutor General, denied any knowledge of the practice of incommunicado detention.<sup>27</sup> He added that if such a practice were taking place, it would constitute a crime under Egyptian law.<sup>28</sup>

MEW found that government officials, to deny knowledge of incommunicado detention by SSI, must likewise deny knowledge of the whereabouts of individuals in the first days after their arrest. The record-keeping system at prisons facilitates this studied ignorance about where a detainee was initially held after arrest. With the consent of prison officials, MEW looked at one of the log books at Tora Istikbal prison during a visit to the facility on February 16, 1992. The book listed a person's name, prisoner number, age, occupation, court sentence (if relevant), and the place from which the person had been transferred. In cases of administrative detention, only the number and date of the detention

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<sup>26</sup>MEW interview, Cairo, February 15, 1992.

<sup>27</sup>MEW interview, Cairo, February 5, 1992.

<sup>28</sup>Egyptian law does, however, empower the Minister of Interior to hold detainees in places other than prisons. In 1968, the law governing prisons, Law No. 396 of 1956, was amended to include Article 1A, which states that any detainee may be held in a prison or in "any of the places to be specified in a decision by the interior minister." (*See* Abdallah Khalil and Amir Salem, *Prisons in Egypt*, Cairo: 1991, MEW translation from the original Arabic.) The amendment further states that all provisions of the prisons law apply to these supplemental places of detention with one exception: "the right to enter them ... is limited to the prosecutor general or any subordinate he delegates, with the rank of district prosecutor or higher." (*Ibid.*)

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order was listed, not the date of arrest. This obscured any gap between the date of arrest and the date of arrival at the prison.

MEW tried to obtain answers from government officials about where torture victims had been initially held after arrest by security forces – information that is needed to determine who was responsible for the alleged mistreatment.

### **The Temporary "Disappearance" of Dr. Muhammed Mandour In February 1991: Held Incommunicado for Ten Days after His Arrest**

Dr. Muhammed Mandour was arrested by security forces at his home in the early morning hours of February 8, 1991. He was taken to SSI headquarters in Lazoughly Square and tortured; he was held incommunicado at the SSI office from February 8 until his transfer to Abu Za`bal Industrial Prison on the morning of February 17. But computer records at the Prisons Administration headquarters in Cairo indicated that the date of Dr. Mandour's detention order was February 17, ten days after his actual arrest and period of incommunicado detention. Not one government official interviewed by MEW could explain where Dr. Mandour was held for the first ten days after his arrest.

It is clear that Dr. Mandour was arrested by security forces at the time when he and two witnesses at his home said he was: after midnight on February 7, 1991. Dr. Mandour serves on the Board of Trustees of the Egyptian Organization for Human Rights (EOHR), which learned of his arrest and sent, by facsimile, its first appeal about his case in a communique dated February 8, 1991. On February 11, MEW sent a letter by facsimile to Egyptian President Hosni Mubarak about Dr. Mandour's arrest. The next day, MEW sent additional letters about the case by facsimile to the U.S. ambassador in Cairo, the U.S. State Department in Washington, journalists, U.S.-based human rights organizations and others. According to the computer records at the Prisons Administration, Dr. Mandour had not yet been detained at the time this correspondence was being written and circulated, yet no Egyptian government official at the time told MEW that he challenged the factual premise of the correspondence.

When MEW later asked about initial place of detention of Dr. Mandour, the Prosecutor General suggested that MEW ask the Interior Minister. The Interior Minister told MEW to inquire with the prison authorities. But prison commanders

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and senior Prisons Administration officials said that the location of detainees prior to transfer to prison was neither their concern nor their responsibility. For example, a senior Prisons Administration inspector, when asked directly about allegations of torture by SSI, did not deny that torture occurred but told MEW: "Torture by State Security is not our responsibility. The people who come to take them, they're responsible."<sup>29</sup>

Gen. Mahmoud Fakarani, the director of the Interior Ministry's Prisons Administration, said in an interview: "It is not my concern where the prisoner is coming from. I'm only concerned that there is a legal reason for someone to be in a prison."<sup>30</sup> In a subsequent interview, Gen. Fakarani told MEW that "there must be a detention order" before security forces arrest an individual.<sup>31</sup> He explained that a detention order remains undated until the person is in custody because "sometimes an order is issued but the person is escaped or in hiding." In such cases, the detention order is dated when the person is apprehended. Such flexibility with detention order dates creates an opportunity for abuse, since if security forces want to hold someone in unacknowledged incommunicado detention, they need only show an arrest date that is later than the actual date of custody.

After a meeting at Prisons Administration headquarters, officials showed MEW the computer system that contains information about every detainee and prisoner in Egypt, and permitted access to several individual files.<sup>32</sup> Each individual file contained the following data: name, address, nationality, birth date, prison serial number, detention order number, date of arrest, date of transfer to prison, and date of expiration of the detention order or date of release.

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<sup>29</sup>MEW interview at Tora Prison with Gen. Mustafa Lutfi, Director of Investigation and Security for the Prisons Administration, February 13, 1992.

<sup>30</sup>MEW interview at Tora Prison, February 18, 1992.

<sup>31</sup>MEW interview, Cairo, February 20, 1992.

<sup>32</sup>Prisons Administration headquarters, Cairo, February 20, 1992. The computer was operated by Col. Salah el-Ghazy, manager of computers and technical services for the Prison Administration, and Engineer Khalid el-Boushi.

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MEW requested that Dr. Mandour's file be pulled up on the computer screen, in order to determine whether the information in the computer records corresponded with what Dr. Mandour said happened to him after arrest. The file indicated that Dr. Mandour was detained pursuant to Detention Order No. 408/91, dated February 17, 1991. The computer also showed that he was received at Abu Za`bal Prison on February 17, 1991 and released on February 24, 1991. February 17 is the date when Dr. Mandour was moved to Abu Za`bal prison from SSI headquarters – it was not the date of his arrest. Dr. Mandour's ten-day period of incommunicado detention, prior to this date, was not noted in his computer file.

### **The Temporary "Disappearance" of Mrs. Fathiyya el-Kurd in January 1992: Held Incommunicado for Ten Days after Her Arrest**

Unlike the case of Dr. Mandour, the incommunicado detention of Fathiyya el-Kurd for ten days at SSI headquarters did not generate international attention because the fifty-year-old Cairo housewife was not prominent, and no one except her family knew of her arrest on the afternoon of January 20, 1992. Yet Mrs. el-Kurd told MEW a story that was similar in its details to Dr. Mandour's. If her allegations are true, and MEW has no reason to believe that they are not because she was a credible witness, then the date of her detention order also was post-dated to erase the period of her incommunicado detention, as in Dr. Mandour's case.

After Mrs. el-Kurd's arrest by security forces on January 20, she said that she was taken to SSI headquarters in Lazoughly, blindfolded, held for ten days, and tortured (see Chapter Three for her account). She then was transferred to a punishment cell at Qanater women's prison, where MEW interviewed her on her seventeenth day there.<sup>33</sup>

After viewing Dr. Mandour's computer file, MEW asked to see Mrs. el-Kurd's. As was the case with Dr. Mandour, her ten days of incommunicado detention at Lazoughly were not indicated in her records. According to the data displayed by the computer, Mrs. el-Kurd was arrested on January 29, 1992 by SSI, pursuant to Detention Order No. 1778, dated January 29, 1992 -- that is, nine days after she stated she had been taken from her home and detained. The records indicated that she was transferred to Qanater prison on February 1, 1992.

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<sup>33</sup>MEW interview, February 15, 1992.

## **INCOMMUNICADO DETENTION • 65**

**MEW raised this case at a meeting with Interior Minister Moussa, on the same day MEW representatives took testimony from Mrs. el-Kurd in her prison cell. Although the Interior Minister was unable to provide MEW with information immediately, several days later Prisons Administration Director Gen. Fakarani dismissed Mrs. el-Kurd's allegations of a ten-day period of incommunicado detention prior to transfer to prison as "untrue. It could not have happened."<sup>34</sup>**

### **The Temporary "Disappearance" of Medhat al-Sayyid Ahmed in November 1991: Held Incommunicado for Eight Days after His Arrest**

**MEW learned from lawyers in Assyut of a third case of detention that was unacknowledged by the authorities. The lawyers were expressing their frustration with attempts to complain about the pattern of incommunicado detention at the CSF military camp near Abnoub, outside the city. "Usually when we complain to the niyaba, the security forces know, and hide or move the detainees," one lawyer told MEW.<sup>35</sup> Two lawyers who represented Medhat al-Sayyid Ahmad, a twenty-year-old who was arrested and brought to the CSF camp on November 15, 1991, used his case as an illustration of the obstacles encountered when filing a "disappearance" complaint with the niyaba. (See Chapter Three for al-Sayyid's allegations of torture.)**

**"In this case, we made four complaints to different niyabas," one lawyer said. The lawyers presented their first complaint to the head of the niyaba on November 17, two days after their client was arrested. They submitted a second complaint four days later, this one to the general prosecutor for the Assyut governorate. Each complaint expressed fear that al-Sayyid would be tortured. On November 23, the day that al-Sayyid was removed from incommunicado detention and presented to the niyaba, the lawyers wrote two additional complaints: one to the president of the niyaba, and the other to the local niyaba.**

**When al-Sayyid was brought to the niyaba on November 23, the ninth day of his detention, the lawyers raised the point that he had been arrested on November 17, eight days earlier. "The niyaba asked us to bring evidence of this." The lawyers explained to the niyaba that their evidence was the first written**

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<sup>34</sup>MEW interview at Tora Prison, February 18, 1992.

<sup>35</sup>MEW interview, Assyut, February 10, 1992.

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**complaint of "disappearance" made to the niyaba on November 17, two days after al-Sayyid's arrest. The lawyers told MEW that an official at the criminal investigation office denied that al-Sayyid had been detained at the CSF camp on this date.**

**The lawyers got nowhere. They told MEW that the official documents in al-Sayyid's case stated that he was arrested on November 23, the day he appeared before the niyaba. The records further indicated that it was only on November 22 that the security forces obtained permission from the niyaba to arrest al-Sayyid, when in fact he had been arrested on the afternoon of November 15. As in the cases of Dr. Mandour and Mrs. el-Kurd, the period of al-Sayyid's incommunicado detention after his arrest -- the period when he was tortured -- was unacknowledged by the authorities. As in the previous two cases, this period of unacknowledged detention by the authorities is a temporary "disappearance."**

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## **INTERROGATION AND TORTURE DURING INCOMMUNICADO DETENTION**

***"Torture by State Security is not our responsibility. The people who come to take them, they're responsible."***

***–Senior Prisons Administration officer,  
Interviewed by MEW, February 1992.***

***After arrest, political and security suspects often are first interrogated by State Security Investigation officers while held blindfolded and incommunicado in SSI custody for days, and sometimes for over a week, before being transferred to a prison.***

***SSI interrogations are designed to obtain information, to elicit confessions, to recruit informers, or simply to intimidate and threaten individuals because of their perceived political – and sometimes religious – beliefs, affiliations or activities. In some cases, the interrogators' line of questioning is pointed and specific, but in other cases the questions are of a general nature. Although not every political suspect detained by SSI is tortured while held incommunicado and questioned, torture frequently is an element in the SSI interrogation process.***

***Egyptian government officials have consistently denied that detainees are tortured in custody. Significantly, these officials even deny that SSI officers conduct days-long interrogations of political detainees and security suspects while held incommunicado in SSI custody. Interior Minister Muhammed Abdel Halim Moussa told MEW in a February 1992 interview that his ministry "is not an investigating and interrogating authority." Regarding the State Security Investigation department specifically, he said: "SSI is not an investigating authority... the niyaba from the Ministry of Justice does the investigation." Later in the same conversation, however, Minister Moussa conceded that SSI "gathers information and evidence." He stated that this information-gathering process takes place "in ISSI officers' offices for political offenses." He did not provide additional details.***

***Despite the Minister's claims, the testimony in this chapter indicates that SSI officers clearly have access to detainees for extended periods, and use this***

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*access for a variety of purposes, ranging from general questioning about political beliefs, acquaintances and affiliations to full-fledged torture sessions aimed at securing information or confessions.*

*The detail and consistency of the testimony leaves little doubt that Egyptian security authorities detain individuals incommunicado at specific locations throughout the country and, in numerous cases, have tortured detainees with impunity. The cumulative weight and detail of scores of cases, over a period of years, is suggestive not merely of a practice, but of a government-sanctioned policy.*

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### **TORTURE DURING SSI INTERROGATIONS: AN OVERVIEW**

Allegations of torture are "absolutely contrary to the truth," Egypt's Interior Minister Gen. Muhammed Abdel Halim Moussa told MEW in February 1992. Senior officials from both the Ministry of Interior and the Ministry of Justice, in denying persistent allegations of torture, have stated that detainees fabricate stories to save themselves from conviction in a court of law. "A criminal, especially after contact with his lawyer, may say he was tortured in order to obtain a benefit in the eyes of the court. This is not a new trick, we all know it," a senior Interior Ministry official told MEW in May 1990.<sup>1</sup> Only one senior Prisons Administrations officer spoke frankly with MEW. When asked directly about allegations of torture by SSI, he did not deny that torture occurred, but said: "Torture by State Security is not our responsibility. The people who come to take them, they're responsible."<sup>2</sup>

"Our law gives the accused the right to lie as one of the ways of

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<sup>1</sup>MEW interview with Gen. Bahaa el-Din Ibrahim, First Assistant to the Minister of Interior for Public Relations, and Gen. Dr. Sami el-Husseini, Assistant to the Minister of Interior for Inspection and Supervision, Cairo, May 30, 1990.

<sup>2</sup>MEW interview at Tora Prison with Gen. Mustafa Lutfi, Director of Investigation and Security for the Prisons Administration, February 13, 1992.

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defending himself," Prosecutor General Raga' el-Araby said to MEW in February 1992. "From my experience as a prosecutor, the accused begin their defense by focusing attention on those who detained them in order to escape punishment. But in most cases the court rejects this. I hope this concept is understood," he emphasized.<sup>3</sup>

Confessions that defense lawyers claim were coerced under torture are a regular feature of political trials in Egypt.<sup>4</sup> But the Prosecutor General's comments do not account for the scores of allegations of torture made by detainees who have been held incommunicado, interrogated and tortured, and then released without a confession being taken or a charge being filed. Because there is no confession in these cases, detainees have no motivation to fabricate a description of torture in order to have confessions invalidated by a court. Almost all of the testimony in this report about torture was taken from former detainees who had not signed a confession and facing legal proceedings before a court.

An Egyptian lawyer who has studied torture told MEW that he believes torture in Egypt serves two purposes: to obtain information, and to deter, punish and harm groups that mount unacceptable challenges to the political system. The first dates back to Interior Minister Hassan Abu Basha (who served from January 1982 to October 1984); the second was instituted under Interior Minister Zaki Badr (March 1986 to January 1990). Torture continues to be used in Egypt for both purposes.

"Torture for information started with the Sadat assassination, under Interior Minister Hassan Abu Basha," the lawyer said. "The security system really had no information about the Jihad Organization, and torture of a large number of people was used to obtain information about the group's leadership and methods of operation. This was successful and weakened the organization significantly until it began to renew itself in 1985 and 1986. Torture thus became institutionalized into the interrogation process."<sup>5</sup>

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<sup>3</sup>MEW interview, Cairo, February 5, 1992.

<sup>4</sup>See Chapter Four for additional information.

<sup>5</sup>MEW interview, Cairo, February 4, 1992.

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Interior Minister Zaki Badr used torture to deter or punish groups that represented a challenge to the system. "For example, information was not needed from the Helwan workers who were tortured in 1989.<sup>6</sup> But the policy of the political security apparatus is to keep things under control. The government, for example, knows the active leadership of the Muslim Brotherhood. But when the Brotherhood splits from the government line, as it did on the Madrid peace conference, some of its members are taken in and tortured. There are no investigative purposes for this torture," the lawyer said. This analysis suggests that torture also is used as a mechanism to define the limits of acceptable political activity.

MEW obtained accounts of torture presumptively used for both purposes, although the greater number of accounts were taken from individuals who were abused because their interrogators were seeking specific or general information. As noted in the last section of this chapter, MEW found that SSI does not subject every detainee to torture during interrogations; in some cases, information is sought or personal politics are challenged without resort to physical abuse. When torture is used, MEW found that the choice of victims follows no pattern and that the likelihood of torture occurring is not place-specific. We have collected detailed testimony indicating that torture has been used at every location where State Security Investigation holds detainees incommunicado, and that torture victims include a diverse range of individuals -- professionals, workers, shopkeepers, university students, teenagers, even a housewife -- ranging from seventeen to fifty-five years old.

Some Egyptian lawyers and human rights monitors are convinced that SSI officers are trained in interrogation techniques that include torture. "There's a style, a system," one lawyer told MEW. MEW was unable to obtain information about where and how Egyptian security forces are trained in torture techniques, but we did find a similarity in the types of torture used at SSI offices around the country, suggesting some common training.

### **THE PRELUDE TO TORTURE**

Torture typically occurs after victims have been stripped to their underwear. In some cases, detainees are forced to confront their interrogators

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<sup>6</sup> See Appendix C for a detailed account from a trade unionist who was arrested and tortured after the workers' sit-in at the Helwan steel plant in August 1989.

## **INTERROGATION AND TORTURE • 73**

totally naked. They may be forced to stand long periods prior to interrogation, or held in cells that lack mattresses and blankets, making it difficult or impossible to sleep. They also may be deprived of regular supplies of food and water. But the almost-universal prelude to torture in Egypt is blindfolding of the eyes and cuffing of the hands, usually behind the back.

### **Blindfolding**

Egyptian Interior Minister Moussa told MEW that blindfolding is not allowed under the rules governing the conduct of interrogations. "They don't tie the eyes," he said. "If blindfolding is used, of course an officer would be disciplined."<sup>7</sup>

Despite the Minister's words, MEW found that in virtually every case of SSI incommunicado detention involving torture, detainees have been constantly blindfolded. This practice, of course, also prevents the victims from seeing and later identifying their torturers.

Dr. Muhammed Mandour, the Cairo psychiatrist who was tortured in February 1991 at SSI's Lazoughly building, told MEW that he was blindfolded before he was brought inside the facility and remained blindfolded during his ten-day detention there. "When you are suddenly blinded, it makes you very weak. Immediately, you become very helpless," he said. "Whenever blindfolding is used, it should be considered the equivalent of torture. Long-term blindfolding induces a debilitated psychological state and prevents you from seeing and identifying your tormentors. In Egypt, even when forensic evidence proves torture, all that happens is financial compensation. There is no individual punishment because the torturer cannot be identified."<sup>8</sup>

Blindfolding for lengthy periods can cause physical pain and injury. Muhammed Afifi Mattar, the prominent Egyptian poet, was arrested at his home after midnight on March 2, 1991. The next morning he was brought to SSI headquarters at Lazoughly and held there for ten days. In June 1991, he wrote about his torture at Lazoughly, including a description of the physical pain and injury caused by his blindfold.

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<sup>7</sup>MEW interview, Cairo, February 15, 1992.

<sup>8</sup>MEW interview, New York, December 11, 1991.

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**Mattar's blindfold was thick and elastic, covering his ears and eyes; its position never changed, "making the spontaneous movement of the eyes one of severe pain ... and inflaming] the flesh of the ears." The knot of his blindfold caused additional pain and an injury:**

**The knot of the blindfold pressured the skull from the back, a pressure that deadens sensation in the skin. As a result of beating and the sudden throwing of the body flat on the floor, the knot of the blindfold sank slowly, slowly, inside the skin of the head.**

**This resulted in a deep wound in the back of my head, big enough to insert two fingers inside. This wound continued to bleed and ooze for more than a month and a half until it healed. It left a scar which still can be seen and felt. All this also caused disorientation and severe weakness in the sight in my right eye.<sup>9</sup>**

**During MEW's 1990 mission to Egypt, physician Dr. Robert S. Lawrence, a member of the delegation, interviewed journalist Ahmad Ashof, who was arrested in September 1989 and held for ten days at Lazoughly, where he was tortured (see Appendix C for this account). Dr. Lawrence examined Mr. Ashof and found a well-healed .2x1.5 cm scar across the bridge of his nose, consistent with the journalist's report that he had been tightly blindfolded at Lazoughly for more than a week.<sup>10</sup>**

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<sup>9</sup>Muhammed Afifi Mattar, "A Statement and a Release," June 4, 1991. *See* Appendix A for the full text of this statement.

<sup>10</sup>Interview, Cairo, May 26, 1990.

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In February 1992, MEW interviewed Abd al-Nasser Zaher Bilal, a twenty-eight-year-old Palestinian student from the University of Alexandria, in his cell at Abu Za`bal Liman prison. He said that he has been held at the prison without charge since his arrest in September 1990. He was wearing eyeglasses with black

*"They don't tie the eyes. If blindfolding is used, of course an officer would be disciplined."*

*– Interior Minister Gen. Moussa  
February 15, 1992*

frames and thick lenses when he spoke to MEW. Before he was transferred to prison, he was held for twenty days at the SSI building in Alexandria, continuously

blindfolded. "Before I was arrested I suffered from some problems in my eyes, for which I wore soft contact lenses. At the SSI office, they tied my eyes with a tight blindfold for twenty days, on top of my lenses, which should have been removed," he said. The pressure of the blindfold on top of the contact lenses over the twenty-day period caused infection and swelling in his eyes. "I was brought to Abu Za`bal and my condition started to deteriorate, until I lost sight in my right eye. Now I am about to lose sight in my left eye."<sup>11</sup>

Dr. Ayman Ibrahim Taha, a physician who was beaten and threatened at Lazoughly for six days in November 1991, told MEW: "My blindfold had three knots, one at the back and one on either side of my head, so I was unable to sleep."<sup>12</sup> Nezar Ghorab, a young lawyer who was held and tortured at Lazoughly in October 1989, remembered that "one of the most difficult things about being in Lazoughly was being blindfolded and handcuffed the entire time ... when you eat, when you wash, when you go to the toilet."<sup>13</sup>

### Handcuffs

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<sup>11</sup>MEW interview, Abu Za`bal Liman Prison, February 12, 1992.

<sup>12</sup>MEW interview, Cairo, January 30, 1992.

<sup>13</sup>MEW interview, Cairo, February 17, 1992.

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**Detainees typically are handcuffed while interrogated. Sometimes the cuffs are moved from the front to the back specifically for interrogation sessions. (This ensures that the detainee cannot reach up, pull off his blindfold, and see his interrogators.) Some detainees told MEW about particularly painful handcuffs that tighten when the hands are moved. One Egyptian doctor said that this can cause cutaneous nerve-tissue damage. Muhammed Afifi Mattar wrote that his metal handcuffs tightened at the wrist at the slightest movement, "transforming the hands, arms and shoulders into an interlocking mass of pain." Dr. Muhammed Mandour wrote that his handcuffs at Lazoughly had teeth "and whenever you make a move the teeth become tighter and tighter ... As days went by, this caused pressure and affected the sensation in my left thumb, accompanied by pain in both hands."**

### **THE MOST COMMON METHODS OF TORTURE IN EGYPT**

**After the victim is blindfolded and handcuffed, MEW found that any of the following methods of physical and psychological abuse may occur, in a variety of combinations and sequences:**

- beating and kicking, including beating with sticks or other hard objects, by one or more individuals.**
- enforced standing for long periods.**
- suspension from bound wrists for long periods, either with the feet touching the ground and supporting the body's weight or – more painful – with the feet off the ground and the body's weight supported from the wrists.**
- binding the hands and feet around a pole placed above the forearms and behind the knees, with the pole supported between two chairs while the soles and tops of the feet are beaten with a blunt object.**
- electric-shocking either while standing or while held to the floor with a chair (the pain of electric shocks may be exacerbated by dousing the victim with water prior to the administration of the shocks).**
- psychological torture, designed to produce a state of fear and uncertainty. Techniques include interrogators' emphasis that detainees' whereabouts in custody are not known; degrading insults and curses, and the use of language**

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offensive to religious Muslims; threats to inflict torture or sexual abuse on detainees or female family members, including wives; threats to arrest family members; exposure to screams which some detainees believed were tape-recorded; and the general anxiety produced by waiting long periods -- while experiencing sensory deprivation -- for the next interrogation and torture session to commence. The vulnerability generated by various methods of psychological torture is only heightened by detainees' constant blindfolding and, often, the removal of their clothing.

MEW also collected information about detainees who were sexually abused by their interrogators. This issue also was the subject of a report issued by EOHR in January 1992.<sup>14</sup>

Detainees may be tied, blindfolded and beaten, or subjected to more severe methods of physical abuse. Two cases from 1992 exemplify the extremes of treatment during short-term incommunicado detention, followed by the release of detainees without charge:

Journalist Adil el-Ansari, who has worked for three years with the monthly *al-Mukhtar Islami* was arrested at his home at 2:00 a.m. on January 2, 1992 by security forces wearing civilian clothes. He was taken first to the police station in Balah al-Takour and held in a cell with common criminals. The next day, he was brought to the General Security building in Giza and from there to the Giza office of SSI. "At this point I had been told nothing about the reasons for my arrest -- they only asked my name," he told MEW. He was put in a cell measuring 2x1.5 meters and spent the next twenty-four hours without food or a mattress and blankets. "I could hear constant screams," he said.

At 7:00 p.m. on the second day, he was blindfolded and his hands were tied behind his back. He was beaten and slapped with hands and fists until 11 p.m. by about five different men, including someone he described as "very strong." He was asked only general questions, and was released the next day at four in the

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<sup>14</sup>EOHR, "The Campaign to Stop Torture, Statement #3, Rape and Sexual Abuse as Methods of Torture," Cairo, January 1992. Of the five cases described in detail in the EOHR report, three occurred at police stations and two at SSI offices. EOHR submitted formal complaints to the Prosecutor General and to the Minister of Interior regarding all five cases.

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afternoon, he told MEW.<sup>15</sup>

MEW interviewed Atif Jamil Mahmoud, nineteen years old, from Minya, five days after his release from detention. He was arrested at his home at 3:00 a.m. on February 5, 1992, by a security force of twenty men who arrived in four vehicles.

He was taken to the new SSI building in Minya and questioned there at 4:00 a.m. while blindfolded. "They asked me about people and hiding

*"They asked questions. and then shocked every part of my body. Ten seconds on my penis. and then up. and then it was repeated."*

places. They asked about four questions and then left me alone," he said. Then, from noon until 2:00 p.m., and again from 9:00 to 11:00 p.m., he was tortured with electric shock. "All I was wearing was my underwear," he told MEW. "They asked questions, and then shocked every part of my body. Ten seconds on my penis, and then up, and then it was repeated. There were about four or five people in the room, but I think only one person was doing the torture. He was near to me and I knew him from his voice – I think it was Ali Anwar, an SSI officer. The second time, it was done exactly the same way. Both times I was handcuffed behind my back and lying on the floor. The legs of a chair were under my arms. The windows in the room were open."

He was then taken downstairs and his blindfold was removed in the detention area. After a half-hour, he was told to go home and reached his house at midnight. The next day, he was unable to move his arm and was unable to urinate. "It's still difficult until now," he said.<sup>16</sup>

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<sup>15</sup>MEW interview, Cairo, January 30, 1992.

<sup>16</sup>MEW interview, Minya, February 11, 1992.

*Approximately 400 Islamist political detainees, some of whom have been held without charges for over three years, were on hunger strike when MEW representatives visited Tora Istikbal prison on February 16, 1992 (see Chapter Five for additional information). MEW visited one of the two buildings where these detainees were being held. During this brief visit, detainees provided MEW with a seven-page handwritten list that contained information, by name, of the type of torture sustained and the scars that still remained from the physical abuse. The list contained the names of 202 detainees. Ages were listed for 146 of them: the youngest was sixteen years old, the oldest was fifty-two; the mean age was 23.8 years.*

*Of the 202 detainees, 127 (sixty-three percent) said that they had been exposed to torture. The most commonly reported method was beating, cited by eighty-three detainees (sixty-five percent of the total number tortured), fourteen of whom said that solid or sharp objects were used; four said that they were whipped. The second most common method was electric shock, reported by forty-eight detainees (thirty-eight percent). Eleven detainees (nine percent) reported weight-bearing suspension. Burning the flesh was the least frequently reported abuse; three detainees were reported burned with cigarettes, and two said they were burned with hot water.*

*Of the 127 torture victims, twenty-nine (or twenty-three percent) said that marks of their torture still remained, such as ligament tears, fractures, scars, bruises or perforated ear drums.*

*A key demand of the hunger strikers at Tora Istikbal was a plea that prison authorities be required to record the physical signs of torture on detainees' bodies immediately upon their admission to a prison.*

#### **PURPOSES OF TORTURE**

**SSI interrogation sessions involving torture typically are designed to**

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elicit confessions or obtain specific information such as the whereabouts of individuals. Other inquiries are more general "fishing expeditions." In still other cases, discussed below, interrogators appeared intent on punishing or intimidating individuals because of their political beliefs. In one case, a detainee was tortured in an attempt to recruit him as an informer.

### **The Search for Specific Information**

In many cases SSI tortured detainees in its custody to obtain highly specific information. An engineer in his thirties told MEW of his torture at Lazoughly in December 1991 because his interrogators wanted information about specific people. Two seventeen-year-olds, one from Assyut and the other from Minya, were both released from prison in February 1992. In separate interviews, on different days in different cities, they told MEW of interrogation sessions that included the use of electric shocks to elicit information about the whereabouts of certain individuals.

A thirty-five-year-old accountant reported that he was held for twenty-one days at Lazoughly after his arrest in July 1991 and tortured to provide addresses that his SSI interrogators were seeking. A fifty-year-old Cairo housewife, whom MEW met at random during a visit to Qanater women's prison on February 15, 1992, said the purpose of her interrogation and torture at Lazoughly was to obtain information about one man. A civil engineer, twenty-nine years old, was arrested in October 1991 and tortured in the SSI building in Alexandria and at SSI's Lazoughly headquarters because his interrogators wanted to know if he knew certain individuals. A sixteen-year-old student from Alexandria was arrested in November 1988 and tortured during interrogations aimed at obtaining his admission that he knew certain individuals.

### ***The Engineer: "They Told Me That They Could Make Me Speak"***

An engineer in his thirties told MEW of his arrest in mid-December 1991. A large force came to his home at 1 a.m., broke down the door and entered his bedroom, armed. "There was a fight, a struggle," he said. "They even struck my wife. They asked my name, then took off my clothes and used them to tie me up. They used a piece of clothing to tie my hands behind my back. They dragged me out of the house like a dog, with a belt that was fastened from behind." He was brought to Lazoughly. "There were four interrogators. They asked me about people I didn't know. I said I don't know anything. They asked about specific names and addresses. I told them that they have detectives, why come to me?"

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**At the beginning they said that they didn't want to torture me, because I was educated, cultured. I continued to say that I didn't know anything. One of the interrogators brought me to another one and said: "Leave him, he doesn't know anything." The first night I was kept sitting, with my hands tied behind my back.**

**The second day, they asked the same kinds of questions. Names I didn't know, the jobs and addresses of people I didn't know. The tone of the questioning changed. They began to beat me with their fists for about one hour.**

**They took me to another person, whose words were violent, cruel: "We can make you speak. The law is in our hands. We can keep you for three years," he told me. I continued to say that I didn't know anything. They brought me to a cold shower and then put me on a mattress. I was freezing. Something was used to hold my body down, a tool that kept me from moving. Then they used electricity on me.**

**They started at my neck, then my pectorals and my nipples, then my most sensitive parts. They told me that I wouldn't be able to have children. Sometimes they would spend five to ten minutes on one spot, sometimes they would just scan the entire body for five to ten minutes. I don't remember if the implement that they used was making a sound.**

**The engineer was held at Lazoughly for one week. "Some days they left me completely alone, on some days they just threatened me, saying they would detain me for three years, that I won't see my family. When I was tortured again, it was the same treatment, for between one and two hours." He was brought from Lazoughly to Tora Istikbal prison, where he was held without charge until early**

February. MEW interviewed him several days after his release.<sup>17</sup>

***The Teenager from Assyut: "All They Wanted Was One Address"***

In late 1991, prior to his transfer to a prison, Ahmad Thabet Muhammed, a seventeen-year-old high school graduate from Assyut, was held incommunicado first at the local SSI office in Assyut and then at a Central Security Forces military camp outside the city. He provided MEW with detailed testimony about his torture during the period he was held incommunicado. He was arrested in the street in Assyut on November 27, 1991. He was released from prison on February 6, 1992 and interviewed by MEW four days later.

"I was on a motorcycle and had stopped to talk with someone. I was circled by SSI forces in civilian clothes." He was taken to the SSI office in Assyut, where "they didn't talk to me at all." He was blindfolded in the reception area, led down a corridor and taken to a room. "There were about four people in the room. My clothes were removed and from one to one-and-a-half hours they insulted me and doused me with water, followed by electricity." (At this point in the interview he was obviously pained and was reluctant to talk about this experience in greater detail.)

He was given his clothes to put on and was brought to the Central Security Forces military camp near Assyut. He was blindfolded again when he was taken to the camp hospital. "They stripped me of my clothes, threw cold water on me and then used electricity right away." His hands were cuffed in front, his ankles tied, and he was suspended between two chairs from a pole that was placed under his legs. "They beat the top part of my feet," he said, showing MEW representatives the scars that remained.

Then they let me down. My legs were really swollen. They told me to jump because it would make the swelling go down. I couldn't jump. They brought the electricity to make me jump. I couldn't stand up at all. They started to shock me, randomly, all over my body. This lasted for two hours.

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<sup>17</sup>MEW interview, Cairo, February 1992. Name withheld on request.

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Then they hanged me on a door, with my hands cuffed behind my back. They kept moving the door open and closed. This lasted about thirty minutes. They took me down, left the room, and then came back and hanged me again in the same way, this time for about fifteen minutes. My hands were tied with a piece of cloth and it broke. I fell on my neck and left shoulder. Someone said, "You're going to kill him." About five minutes later, they hanged me again, using a strong rope. This lasted fifteen minutes, followed by more electricity on my sensitive areas while I was hanging.

What did his torturers want from him? "All they wanted was one address, that of Dr. Ahmad Abu Sleim," he said quietly.

After this ordeal, he was moved to a small cell that measured 2x1.5 meters. It had a high ceiling and a 50x50 cm window in the upper part of one wall. The cell was devoid of furnishings. His blindfold was removed. "I spent one week there. The cell had no toilet. They never let me out."

His still-swollen legs obviously caused concern to his captors. After one week in the cell, he was moved to a car. "They let me out of the car at 2:00 a.m. and the soldiers massaged my legs then returned me to the car. The next day a policeman brought hot oil and made the soldiers massage it into my legs. On the third day, they brought doctors. There were three doctors at the camp. One doctor said there was no problem but another doctor decided to work on my leg. They took me outside the car and the doctor used crude procedures to lance my leg and remove the pus."

He finally was moved to Tora Istikbal prison outside Cairo, where the authorities refused to receive him because of his physical condition. He then was taken to what he said was called a "hospital" at Tora Liman prison and held in a cell measuring about 5x10 to 11 feet. "There were four people in this cell, and no mattresses and no toilet," he said.<sup>18</sup>

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<sup>18</sup>MEW interview, Assyut, February 10, 1992.

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The use of Tora Liman prison to treat detainees who have suffered injuries from torture inflicted elsewhere was noted by sentenced prisoners currently being held at Tora Liman. MEW representatives visited the prison on February 13, 1992 and were given handwritten documents by prisoners. One of the documents included the following information:

We saw here at Tora Liman some cases transferred from prisons and camps of SSI in order to receive medical treatment, following several serious injuries which were inflicted upon them as a result of torture.<sup>19</sup>

***The Teenager from Minya: "They Wanted to Know Addresses"***

Ahmad Fathey Hafez, seventeen years old, was arrested at his school in Minya on November 20, 1991 and held without charge until February 5, 1992. Before his arrest, "my house was attacked several times because the security forces were looking for me," he told MEW. He was handcuffed and blindfolded and brought to the SSI building in Minya. (He said that he could see through his blindfold, which is how he knew where he was.) "They held me there from Wednesday to Friday." On Friday night, he was taken to Bandar police station. On Sunday at noon, he was taken out a back door of the police station and brought to the new SSI building in Minya. "I was blindfolded again, put in a room and then taken to the sixth floor."

There, he was stripped of his clothes and shocked with electricity from 1 a.m. until 3 a.m. "I was standing naked, wearing only my blindfold. I was shocked with a light touch, then questioned. This went on for two hours." He said that the electric shocks were administered by someone he knew personally: he recognized the voice of SSI officer Mukhtar Abdul Wakil. What was the purpose of the interrogation? "They wanted to know the addresses of certain people," he told MEW.

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<sup>19</sup>MEW translation from the original Arabic.

He said he was told that he would be released in two days but instead he was brought to Tora Istikbal prison. He was released from Tora on February 5, 1991, six days before his interview with MEW. He said that he was not tortured in prison -- "nothing at all happened to me there." His first arrest was on March 10, 1990 and he was held in detention without charge for one year at Tora.<sup>20</sup>

***The Accountant: "They Wanted Me to Show Them Houses"***

MEW interviewed Muhammed Taysir, a thirty-five-year-old accountant, in his cell in Tora Istikbal prison where he was being held without charge since his arrest in July 1991. After his arrest, he was brought directly to SSI's Cairo headquarters at Lazoughly and held there, handcuffed and blindfolded, for twenty-one days. "They put me on the fourth floor in a room with about ten others. I was stripped naked and for three to four hours a day I was beaten with sticks on my head, back and legs." Bound by the wrists and ankles, he was suspended from a pole placed under his armpits; while in this position, he was poked very rapidly with an "electric stick" all over his body. "They wanted me to show them houses, give them addresses," he told MEW. He was then moved to Tora Istikbal prison and placed for thirty days in a first-floor cell where he was allowed no visitors.<sup>21</sup>

***The Cairo Housewife: "They Kept Asking About Muhammed"***

Fathiyya Sayyid Muhammed el-Kurd, a fifty-year-old mother of six, was taken to Lazoughly after arrest by security forces at her home on a January 1992 afternoon. She described the circumstances of her arrest, and her ten days of detention at Lazoughly:

I was lying in bed, recovering from a dental operation. It was about three in the afternoon. I was surprised by a knock at the door. Ten men came in and asked to see Muhammed. I told them I have no Muhammed. They said, 'We're from SSI,' but gave no names. They kept saying that they were looking for Muhammed. They searched

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<sup>20</sup>MEW interview, Minya, February 11, 1992.

<sup>21</sup>MEW interview, Tora Istikbal Prison, February 16, 1992.

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the entire apartment and then told me to get dressed. There were two cars downstairs. They blindfolded me and didn't speak to me in the car.

She was brought to SSI headquarters at Lazoughly and taken to a fourth-floor hallway, blindfolded with her hands cuffed behind her back. She was moved to a room for her interrogations, during which "they kept asking about Muhammed." She believed SSI wanted information about a Muhammed from el-Areesh in Sinai who had visited her house once with a relative.

**Mrs. el-Kurd was tortured for about a half-hour every other day:**

They insulted and cursed me, using bad words. They called me a prostitute and made sexual threats. Then they started to hit me on my face. One called me "daughter of a dog." I was hit under the chin and my teeth began to bleed. I could feel that my face was swollen.

"They used electricity on the top of my hands, in fast little jabs," she said, holding up her hands to show that the shocks left no scars.

For the ten days, she was held in the hallway, outside a cell where there were about ten male detainees, Islamists she believed, who kept "coming and going. They gave me food. A soldier would come to take me to the men's bathroom. I had no contact with water in ten days."

Mrs. el-Kurd is a Palestinian who was born in the Gaza Strip; she has lived in Egypt for the past twenty-three years. Her husband, seventy years old, is in poor health. MEW asked her whether she had ever been arrested before and her response was indignant: "Arrested? I've never been out of my house! Ask anyone about me, ask my neighbors!"<sup>22</sup>

***The Civil Engineer: "They Asked The Name of My Mosque and If I Knew Certain People"***

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<sup>22</sup>MEW interview, Qanater Women's Prison, February 15, 1992.

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Khalid Muhammed Ahmad Omar, a twenty-nine-year-old civil engineer who lives in Alexandria, was arrested after security forces came to his home at 1:30 a.m. on October 25, 1991. "They searched the entire flat, and took books, papers and magazines," he said. He was brought to the SSI building on Phara`nah Street at 4:30 a.m. He was blindfolded and his clothes were removed before he was interrogated. "They wanted to know the name of my mosque. They asked if I knew certain people. When I said I didn't know these names, they threatened me. They began to hit me randomly, using their hands and feet, and during the beating threatened to rape me. They began to assault me sexually with a stick. They threatened to arrest my family and bring my wife."<sup>23</sup> After his transfer to prison, he was removed from prison to SSI headquarters, held there for seven days, and tortured (see "Removal of Detainees from Prison," below, for additional information).

### ***The Sixteen-Year-Old Student: Tortured and Disappeared Less Than One Month Later***

Amgad Shinawi, a sixteen-year-old student from Alexandria, disappeared less than a month after he had been arrested and tortured in SSI custody in November 1988.<sup>24</sup> "He was in his third year of secondary school," his mother told MEW. "He was good at school and very obedient. He used to pray at the mosque."

At approximately one o'clock on the morning of November 16, 1988, Mrs. Shinawi said that SSI officers and armed soldiers came to their home in the Cleopatra Hammamat section of Alexandria. "There were about fifty of them and many cars in the street. They violently attacked me and my two daughters. They asked for Amgad and then started to beat him. My husband collapsed. They told me that my son was under arrest. I asked why and they said that they did not know. They refused to show identification and told me to ask for him at SSI. They stayed until three-thirty in the morning and completely destroyed our apartment." During the search, religious books and Koranic cassettes that are openly available were confiscated.

The next morning, the family went to the police station, the SSI office and

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<sup>23</sup>MEW interview, Alexandria, February 1, 1992.

<sup>24</sup>For additional information about disappearances in Egypt, see EOHR, "A Report on Enforced and Involuntary Disappearances in Egypt," July 29, 1991.

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the district security office in Alexandria, but were told that Amgad was not there. "On the fourth day, he came back," his mother said. "He told me that he was moved between the Sidi Gaber police station and the SSI office on Phara`nah Street. He was in a state of shock and did not want to speak about it." She said that her son's entire torso and neck were blue and that she saw burn marks on his chest.

***Amgad's Torture and Subsequent Disappearance.*** On his second day home, Amgad began to speak. He told his family that he had been blindfolded, stepped on and violently pinched in sensitive areas of his body, burned with cigarettes and beaten. His head was tied between his legs and he was suspended until he fainted; water was thrown on him to revive him. He said that tapes were played of people screaming. He said that he admitted to knowing people he had never heard of because he was afraid of continued torture if he didn't confess. Mrs. Shinawi said her son told her that one of his torturers was Muhammed Haroun Yahya at the SSI office. "He is known as the butcher, because when he tortures he screams that he's the butcher. My son told me that he told him, 'You talk about God, let God save you from this.'" Amgad also told his mother that another torturer was named Ahmad Sha'aban.

Less than a month after Amgad's arrest and detention, he disappeared. His mother said that he went to school on the morning of December 14, 1988 and never came home. "His friends waited for him at the mosque for the noon prayer but he never showed up."

***The Harassment of Amgad's Family.*** The family began to question the authorities about Amgad's disappearance. His mother said: "Then we started to get telephone calls from the SSI. 'We'll send you behind the sun if you keep publicizing this case.' My husband would say to them: 'Do anything but tell me where my son is.' They would insult me on the telephone. They identified themselves as being from various branches of the SSI. They summoned me several times and I asked my husband to come with me. Every time we made a complaint, there would be a summons from the SSI and they would ask why we were making problems. They would keep us waiting in the office from 8:00 p.m.

*"We started to get telephone calls from SSI. 'We'll send you behind the sun if you keep publicizing this case.' My husband would say to them: 'Do anything but tell me where my son is.'"*

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complaint, there would be a summons from the SSI and they would ask why we were making problems. They would keep us waiting in the office from 8:00 p.m.

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until 1:00 a.m. One time an officer gave my husband the names of different mosques and said that we would find Amgad at one of these places. There were arrests in Alexandria at this time, at the end of 1988, and many people were taken from mosques and arrested."

Amgad's mother continues to believe that her son disappeared while he was in the custody of security forces. She bases this conviction partly on information she received from a police general who befriended the family after Amgad's disappearance and told them that Amgad was taken to Cairo by security forces on January 12, 1989. The police officer reportedly obtained this information from Rashad el-Sharqawi, the head of SSI in Alexandria. After the family received this tip, they confronted the SSI with the information. "After that, the summonses started," Mrs. Shinawi told MEW, "and they wanted to know who told us that our son was taken to Cairo."

The other incident that Amgad's mother cannot forget – and contributes to her belief that her son disappeared at the hands of security forces – occurred during a meeting with an SSI officer to discuss her son's case. The officer read information to her from Amgad's file, going over dates, "and then suddenly he stopped, although I saw that there were more notations and dates in the file after the last date he mentioned."<sup>25</sup>

### **Intimidation and "Fishing Expeditions"**

In other cases investigated by MEW, SSI interrogators only asked questions of a general nature but victims endured the rigors of full-fledged torture.<sup>26</sup> Some of the victims interviewed by MEW were convinced that the purpose of the interrogation and torture was less to obtain information – although that may have been a subsidiary goal – than to punish or intimidate them for the political beliefs they were presumed to hold or espouse, or to discourage particular activities. This view is reinforced by the fact that in such cases detainees are released without ever being charged with an offense. Appendix C contains cases of this nature from 1989; other cases from 1991 follow.

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<sup>25</sup>MEW interview, Alexandria, February 1, 1992.

<sup>26</sup>According to the testimony of former detainees interviewed by MEW, in numerous cases both SSI interrogators and Ministry of Justice prosecutors asked questions that were not of a specific nature, indicating that the arrest and detention in such cases was arbitrary or not based on a well-founded suspicion of specific activities or actions in violation of the law.

***"They Would Beat Me, Then Ask Questions, Then Shock Me"***

Hani Abd el-Magd Haneh Saim, a mathematics teacher, told MEW of his torture at the SSI building in Tanta, a city north of Cairo, in October 1991. He was brought there from the SSI office in nearby Zifta, where he was not mistreated. On the first day of his detention at Tanta, he was brought to the "investigation" room and held there from the afternoon until dawn, questioned about membership in the Muslim Brotherhood, his religious beliefs and his opposition to the Madrid conference. He was beaten, boxed about the face, and poked with a stick that caused immediate electric shock. "They would beat me, then ask questions, then shock me, then ask questions, then box me. They took turns. I was forced to stand the entire time." He said he received similar treatment for the next three days. On the fifth day, there was no interrogation and his blindfold was removed. He was allowed to go to the bathroom only once a day, escorted by a soldier with a gun.

He told MEW that he had blue-black bruises on his shoulders from the beatings but that there were no marks from the electric shocks. He was moved on the fifth day to Abu Za`bal prison and held there until November 13, when he was taken to Benha, where he spent one night in the district SSI office. From there, he was taken to Tanta SSI and held for one night, and finally to Zifta SSI, where he also was held for one night. He was released without charge on November 16, 1991. He told MEW that he was never questioned by a prosecutor while he was in detention.<sup>27</sup>

***Seven Days of Torture in Assyut: "They Asked Me Only General Questions"***

Medhat al-Sayyid Ahmad, twenty years old, was tortured after his arrest on the afternoon of November 15, 1991 in Assyut. MEW interviewed him on February 10, 1992, the day after his release from prison, and he provided the following account.

"I was in the mosque for the Friday morning prayer and went home. At about 1:15 p.m. I heard shots. There were about ten policemen, twenty soldiers and ten men in plainclothes entering the house. I climbed up to the roof to escape and they shot live fire. I was caught and they took me to the criminal investigation building (*mabahith gina'iyya*)." There, he was blindfolded, his ankles cuffed and his hands cuffed behind his back. Several of his captors threatened to kill him.

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<sup>27</sup>MEW interview, Mansoura, February 3, 1992.

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He was put in a car and taken to the Central Security Forces camp outside Assyut. "Going into the building and up the stairs, they smashed me against the walls. They removed my clothes and for the next nine days I wore only my underwear." His blindfold was never removed.

On the first night, he was hanged over a door for short periods, doused with hot and cold water, and shocked with electricity. "This was done throughout the night until the morning prayers." For the next three days, he was forced to stand constantly. Then he was hanged from the ceiling by iron chains placed around his wrists. His wrists occasionally were massaged by his captors. "There was torture for the first seven days, for about five hours each time, beginning after the morning prayer. After three days, they let me sit, with my hands tied behind my back and my ankles cuffed together. On the sixth day, they threatened to rape me." What did his interrogators want? "They focused on one question only: Who was with you? They accused me of attacking a Copt who later died. They asked only general questions – they had no dates, no places."

He told MEW that he was given a tablet on the eighth day, which "broke my exhaustion from the torture." On the ninth day of his detention, he found himself in the Second Section Police Station of Assyut when his blindfold was removed. He then was presented to the *niyaba*. He showed the *niyaba* his scars, and the *niyaba* brought him the next day to a local doctor affiliated with the Ministry of Health. He was returned to the police station, despite the fact that the *niyaba* had "set him free" and he was released by a judge, "and SSI took me to Tora Istikbal. I was released yesterday," al-Sayyid told MEW.<sup>28</sup> [See Chapter Two for information about attempts by al-Sayyid's lawyers to complain to the authorities about his incommunicado detention.]

### ***"They Questioned Me About Things I Didn't Know"***

Hisham Ahmad Mahmoud, twenty-one, told MEW that he was awakened from his sleep at 5 a.m. on February 5, 1992. Thirty men came to his house in Minya – some in civilian clothes, some in uniforms – and broke down the door. There were three vehicles outside. He was taken to the new SSI building near the Corniche. They put him in the detention area with three or four others and

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<sup>28</sup>MEW interview, Assyut, February 10, 1992.

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removed his blindfold.

Just before dawn, he was stripped of all his clothes and attached to a chair, his hands bound behind his back, his ankles tied. "They started to question me, to question me about things I didn't know. When I said that I didn't know, they started with electric shocks in every sensitive spot, my ears, my tongue." He said that the electricity was applied in rapid strokes, with what seemed like an "electric stick."

"This lasted about a half-hour, and then they took me back to the detention area." He remained in the detention area for two days and was asked no more questions. Then he was taken upstairs again, this time not blindfolded. "Officer I Mukhtar Abdul Wakil told me not to have contact with Islamic groups. At midnight, he told me to go home."<sup>29</sup>

### ***"They Asked Me About Names"***

Khalid Sayyid Mahmoud, a young worker from Assyut, told MEW that he was tortured because his interrogators wanted information. Before his release, he was also advised to discontinue working at the restaurant where he was employed.

He was arrested in Assyut on November 16, 1991. After a half-hour each at the Assyut police station and the SSI building, he was brought to the CSF camp outside Assyut with 15 others who had been arrested that day. He was first placed in a single cell, at about 11 p.m., then he was taken to the two-story hospital<sup>30</sup> at the camp:

Our whole group was tortured from eleven at night until five in the morning. They called us two at a time. I heard the screams of the others. They stayed about forty-five minutes with each one. They called my name last. On the stairs to the second floor there's a reception. I was beaten on the face and the

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<sup>29</sup>MEW interview, Minya, February 11, 1992.

<sup>30</sup>See Chapter Two for a physical description of the camp and the hospital.

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**back. "We've been waiting for you for a long time . you'll never go out," they said. I was not blindfolded until I was going up the stairs.**

**Once he was in a room on the second floor of the hospital, someone ordered that all his clothes be removed. His hands were cuffed behind his back. Khalid, who has a full auburn beard, described what happened next:**

**They pulled me from my beard and said, "Patience, family of Yasser, you will enter heaven." Four were doing the questioning. They asked me about names and said: "Are you going to talk?" They poured hot then cold water on me and put electricity on my head. They did this about five times. The water covered my ankles. I fell in the water and jumped hysterically about ten times. They repeated the questions.**

**On his last jump, he fell and his left shoulder was injured. "They continued the torture. They hit me with electric sticks in sensitive parts of my body and threatened me sexually. They warned me no longer to go to the restaurant where I worked. After a half-hour, they put all my clothes in the water. I couldn't put my clothes on because of the pain. They removed my blindfold after I left the hospital."**

**He was brought again to a single cell. "I told a soldier that my arm was broken and I needed a hospital, and he said: 'We have no hospital here.' I stayed in this cell until four in the afternoon the next day. Then they called three names. I was blindfolded and the same person questioned me and told me that he didn't want to see me again in the restaurant." Khalid was then returned to the police station in Assyut, where Ahmad Mustafa, the policeman in the station, asked him what had happened to him.**

**Khalid told MEW that his shoulder was in a cast for six weeks and demonstrated to MEW representatives that he still was unable to move his left arm normally.**

**Lawyers submitted a complaint to the niyaba about Khalid's torture on November 25, 1991. "We arrived at 2:00 p.m. and the niyaba wanted to leave**

because his workday ended at 2:00 p.m.," one lawyer told MEW. "He screamed at Khalid in our presence. He saw that Khalid couldn't move his arm, but said there was no beating, no nothing. Khalid named Ashraf Taha, an SSI soldier, as one of his torturers. The niyaba spent about a half hour with us and asked some questions. We left a written complaint. There has been no decision, the case is still pending."<sup>31</sup>

#### **Torture To Obtain Confessions**

Torture is also used by SSI officers to obtain confessions from political and security suspects. Egyptian courts have played a positive role in affirming that this practice occurs. Judges have acquitted defendants when it could be shown that confessions had been coerced under torture, as discussed in Chapter Four. Three cases of torture at Lazoughly, for the purposes of obtaining confessions, are discussed below.

#### ***"He Had Circle-Like Wounds Around His Wrists, From Hanging or Electric Burns"***

On March 2, 1991, several days after the Gulf War ceasefire, Muhammed Afifi Mattar, a prominent Egyptian poet who then was fifty-five years old, was arrested. "It was known that he was opposed to the Gulf War, but he talked only in coffee shops about his opinions, not in public gatherings," Sayyid Abu Zeid, Mattar's lawyer, told MEW. Abu Zeid said that the poet was in the Zaharet el-Bostan coffee shop in downtown Cairo, a gathering place for "artistic types. While sitting at the cafe, he declared his affection and sympathy for Iraq. The next day he was arrested. They accused him of working for the Ba`athists, of being part of an organized group."

After a brief stay at a police station, he was taken to SSI headquarters at Lazoughly and tortured, reportedly to force him to confess that he had links to a pro-Iraq Ba`athist organization. After his release, Mattar issued a statement describing his torture. He was hanged for long periods by his cuffed hands, with his feet bound, and his wrists forced to carry his body's weight. He was beaten with sticks and other implements, shocked with electricity, and forced to stand in front of "severely cold air currents" for long intervals.<sup>32</sup>

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<sup>31</sup>MEW interview, Assyut, February 10, 1992.

<sup>32</sup>Muhammed Afifi Mattar, "A Statement and a Release," June 4, 1991. See Appendix A for the full text of his statement.

The U.N. Special Rapporteur on Torture received information from the government on October 24, 1991 about Mattar's case. The Government informed the Special Rapporteur "that a warrant of arrest had been issued on 20 March 1991 for his involvement in clandestine opposition activities for the benefit of a foreign State."<sup>33</sup> The Egyptian authorities further told the Special Rapporteur that Mattar "admitted the charges ... [but also] expressed awareness of the need for his national and ideological rehabilitation and it was therefore decided to release him on 9 May 1991."<sup>34</sup> The government added that Mattar and those who visited him in prison did not submit any complaints to the judicial authorities about the poet's torture or mistreatment. Mattar's attorney provided information to MEW which directly contradicts the Egyptian authorities' version of developments in this case.<sup>35</sup> As discussed in detail in Chapter Four, the lawyer said that he personally complained to the prosecutor general about his client's torture and, one week after Mattar was released, he accompanied the poet to the Prosecutor General's office, where Mattar handed the Prosecutor General a written complaint.

***"Collision with a Hard Object"***

MEW interviewed Dia Eddin Farouk Khalifeh, a thirty-one-year-old engineer from Minya, in his cell at Tora Liman prison.<sup>36</sup> He is one of the defendants accused in the October 1990 assassination of Parliament speaker Dr. Rifat al-Mahgoub. After his arrest on November 12, 1990, he was first taken to the Bandar al-Minya police station and beaten about his body with sticks and clubs by two police officers, in an attempt to obtain a confession. Then he was brought to SSI headquarters in Lazoughly and tortured. Blindfolded, with his hands cuffed behind his back, he was insulted and threatened with the abuse of his wife, whipped, electric shocked on his lips and sexual organs, and hanged from a window.

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<sup>33</sup>Report of the Special Rapporteur Mr. B. Kooijmans, pursuant to Commission on Human Rights' Resolution 1991/38. Commission on Human Rights 48th Session, Item 10A of the Provisional Agenda. Document No. E/CN.4/1991/17, December 27, 1991, p. 27.

<sup>34</sup>*Ibid.*

<sup>35</sup>MEW interviews, Cairo, February 2 and February 5, 1992.

<sup>36</sup>MEW interview, Tora Liman Prison, February 13, 1992.

He provided MEW with a copy of his forensic medical report. He was examined on November 17, 1990 by a forensic pathologist from the Ministry of Justice, pursuant to a memorandum written by the niyaba investigating his case, who saw injuries on Farouk's feet, leg, back, chest and nose. In a report dated January 9, 1992, Dr. Aatef Mahmoud Sayyid described the existence and size of blue bruises on the upper and middle back, the neck and chest; a healing scab on the nose and a completely healed scab on the right wrist; and scabs in formation on the left arm and left leg. The doctor concluded that some of the injuries "resulted from collision with a hard object or objects" consistent with the victim's testimony to the niyaba, but was "unable technically to definitively establish the cause of the injuries or the implement used."<sup>37</sup>

***"Talk or We'll Put You on the Door Again"***

A resident of the Ain Shams district of Cairo had been sought by security forces for four months prior to his arrest in June 1991. "They arrested my brother and held him for four days, to force me to turn myself in," he told MEW. "One day in June, I was at prayers at the mosque and fainted for no reason. Friends took me home. I felt sick and went to sleep. I woke up at about 2 am and found myself surrounded by security forces with guns pointed at me. They asked my name and told me to come with them. I asked if I could wash my face. From the bathroom window, I saw that the entire street was filled with police."

He was brought downstairs and handcuffed behind his back. "I could hear the apartment being ransacked," he said. "They put me in a car, but at the beginning of the street they forced me out of the car and asked who lived on the street with me. I gave them the name of a known drug trafficker. They wanted me to show them the house. They searched his house and found drugs, but an officer punched me in the face and said I lied. (The security forces presumably were seeking the names of Islamist activists who lived on the street, not drug dealers.)

He was put back in the car and at one point was forced to get out, thrown on the ground and beaten with gun butts. He said that he pretended to faint. He then was put in another vehicle which contained three people he knew. They were brought together to Lazoughly and separated. He was taken to an upstairs room, where his feet were bound and his hands cuffed behind his back.

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<sup>37</sup>Ministry of Justice, Department of Forensic Medicine, Cairo Branch, Forensic Medical Report for Case No. 546 of 1990, January 9, 1991. MEW translation from the original Arabic.

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**They hanged me over the top of a door. I couldn't resist for even one moment. The weight of my entire body was on my back and shoulders. The pain was awful and I fainted. Then they threw water on me and forced me to stand up. They tied me to something iron and used electricity on me. From underneath my blindfold, I saw an electric appliance that looked like a small pistol, black, with an adjustment button.**

**First they shocked me on my neck, then my chest, then they went lower. They had to hold me up. "You're accused of trying to kill Muhammed Awad [the commander of Tora Istikbal prison]. Talk." They pulled out a piece of my beard under my chin. They hit me in my face. "The niyaba will force you to confess to everything I'm talking about, one of them told me. Talk or we'll put you on the door again." I agreed to confess.**

**At this point, the beating stopped and his clothes were put on.**

**"The next day, they told me that if I said anything to the niyaba except what they told me, they would kill me," he said. He was brought from Lazoughly to the al-Maza police station in Heliopolis, still blindfolded. "The man accused in the case is here," a voice said. His blindfold was removed. "I saw a man, nicely dressed in a suit. He told me that he worked for the niyaba. I was nervous and dropped the glass of lemon juice they had given me. The man was comforting, and told me to tell him everything that happened to me since I was taken from the house. I denied ever seeing Muhammed Awad or trying to kill him."**

**In the same police station, he saw the wife of a friend suspended over a door. "If you don't say what we want tomorrow," he said he was told, "we'll hang your mother and sister like this." The next day he was brought to the niyaba. "I asked to see the niyaba's identification card. He asked me questions. He said that I should be released. I told the niyaba that any confession after this time would be coerced under torture. I also told him what they did to me."**

He was brought back to Lazoughly and held there for eight days. "I was tortured again just for the sake of it," he told MEW. Then he was informed that he would be transferred to Tora Istikbal prison. "Before they brought me to Tora, I was taken to a hospital because I was completely gone physically. I was given oxygen and fed intravenously." He spend eight days in a hospital, under guard, before he was brought to prison and held without charge by order of the Interior Minister.<sup>38</sup>

#### **Recruitment of Informers**

As noted in Chapter One, Egyptian security forces maintain a network of informers throughout the country. Egyptian human rights monitors told MEW that teachers, students and others are recruited as SSI informers.<sup>39</sup> In some cases, SSI officers attempt to recruit individuals while they are held incommunicado in SSI custody, as the following account indicates.

#### ***"Work with Us"***

A Cairo resident told MEW that he was arrested in early 1991<sup>40</sup> by about a dozen uniformed and plainclothed security force personnel. "They blindfolded me and cuffed my hands behind my back," he said.<sup>41</sup> He was taken to SSI headquarters at Lazoughly.

They said not a word to me until two in the morning. Then I was called. They had a list of my previous arrests and asked me to work for them as a guide. I refused. The main officer said that they should take me and bring me

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<sup>38</sup>MEW interview, Cairo, February 1992. Name withheld on request.

<sup>39</sup>SSI "engaged routinely in surveillance of opposition politicians, journalists, political activists, foreign diplomats, and suspected subversives...According to some sources, [SSI] had informants in all government departments and public-sector companies, labor unions, political parties, and the news media." *Egypt: A Country Study*, pp. 341-342.

<sup>40</sup>Profession, age and date of arrest withheld by MEW.

<sup>41</sup>MEW interview, Cairo, February 1992. Name withheld on request.

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back like a baby coming out of my mother's womb.' They stripped me naked and cuffed my hands behind my back. 'Work for us,' they said. I refused again. Then they electric shocked me, starting at my nipples and then down to my penis. I had no sense of time and I think I fainted for what seemed like a long time.

I continued to refuse to work with them. They tied my feet and hanged me upside down. Then they uncuffed me, tied my hands in the front, and put a stick in my anus. I moved my hands up, pulled off my blindfold, and spit in their faces.

He told MEW that one of them hit him in the face with a gun butt, knocking out his two front teeth. (The teeth had not been replaced at the time of MEW's interview.) What did he see after he removed his blindfold? "A desk in a wood-panelled room. One of the men had blond hair and a white round face. He looked over forty." His torture continued. His captors pulled at his beard and, still naked, he was placed under "freezing cold water. I felt an electric burn as the water fell. I fainted. I woke up to them urinating on me."

He was forced to stand for an entire day. "I was hit with a whip if I sat down. Then they took me for another investigation. 'Will you work with us or not?' they said. They tied me up, handcuffed me behind my back and hanged me from the ceiling. They used whips or something to beat the soles of my feet. When I started to scream, they put a stick in my mouth. They used electricity again, especially on a wound at the top of my head."

He spent a total of eighteen days at Lazoughly, and "every now and then they would use the torture." He then was moved to Tora Istikbal prison, where he spent forty-five days before being brought before a judge, who ordered his release.<sup>42</sup>

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<sup>42</sup>The Ministry of Interior opposed his release. He then was ordered released by a second court but, he told MEW, "I was brought back to prison and then taken to an unknown location for ten days. On the eleventh day, I was tied up and beaten with whips. 'The courts will be no use,' they told me. 'Even if you're ordered released a hundred times, we won't let you go.'

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### **REMOVAL OF DETAINEES FROM PRISON**

In addition to the problem of incommunicado detention by SSI prior to transfer to a prison, a parallel problem exists with regard to movement of detainees from prisons into temporary SSI custody, reportedly without documenting such movements in prison log-books. The movement of detainees out of prisons appears to be done for two reasons: for interrogation by SSI – sometimes accompanied by torture – in incommunicado detention, and to facilitate continuous long-term detention of political prisoners ordered released from detention by a court. The latter purpose, which allows the authorities to claim that detainees have been released pursuant to court orders when in fact they simply are removed from prison and held in SSI custody until a new detention order can be written, is discussed in detail in Chapter Five.

Lawyers, human rights monitors and detainees themselves charge that such movements are not noted in the prisons' log books. EOHR reported that the practice is used particularly with detainees suspected of affiliation with Islamist groups:

[I]n a number of cases, particularly regarding those whom the authorities suspect of having links with Islamic groups, torture may take place even following transfer to prison. The detainee is taken in the middle of the night to the SSI headquarters in Lazoughly and is returned to the prison before dawn. In special case the detainee may undergo torture during successive nights. Testimony received by EOHR indicates that Tora [Istikbal] Prison plays a key role in this kind of operation. Detainees are removed from there, on a daily basis, to be tortured in Lazoughly and then returned back to prison, without detainees' movements being

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After eleven days, I was brought back to Tora prison, as if I was just arrested, as if I'd been free for the eleven days." He was finally released almost a year later. *See* Chapter Five for additional information about long-term detention without charge or trial.

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**recorded in the prison log.<sup>43</sup>**

**The practice of omitting information from prison log-books that would document the access of SSI officers to prisoners is not new. A former Ministry of Interior inspector, Gen. Samir Abed al-Rahman `Eid, who is also a lawyer, complained about the practice in the 1980s. In January 1985, Gen. `Eid, wrote a letter to the deputy prosecutor general about the entry of SSI officers into prisons for the purpose of torturing detainees.**

**Gen. `Eid charged that former Interior Minister Gen. Hassan Abu Basha, when he was the head of SSI, "allowed SSI officers to enter prisons [where political prisoners were being held] in order to undertake torture, without registering their names in the [prison] gates' books as the instructions stipulate, so these officers could escape punishment and to prevent those who were tortured from establishing accusations against specific persons."<sup>44</sup>**

**Gen. `Eid added in his letter that the then-director of the Prisons Administration, Gen. Mohsen Talat, had complained about the unrecorded entrance of SSI officers into prisons but had been overruled by Abu Basha. When Abu Basha was appointed Interior Minister, "he dismissed Gen. Mohsen Talat...despite his qualifications, because of his opposition to the entrance of SSI to prisons without documenting their names," Gen. `Eid asserted. According to Gen. `Eid, Gen. Talat was replaced by Gen. Fouad Fareed, the director of SSI's Cairo branch and "a friend" of the Minister of Interior.**

**Gen. `Eid personally had heard the sounds of torture at Tora Liman prison in 1982, but had been unable to gain access to the detainees and was thwarted in his efforts to report the abuse:**

**On February 13, 1982, during our nightly inspection of Liman Tora, there was torture inside the prison and we heard the voices and moans of torture from these political**

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<sup>43</sup>EOHR, "Torture in Egypt in 1989," Cairo, January 1990, p. 8.

<sup>44</sup>Letter submitted on January 20, 1985 to Chancellor Muhammed Abdul Aziz el-Jundi, Deputy Prosecutor General. MEW translation from the original Arabic.

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prisoners. The guard at the gate of Liman Tora refused to open the prison...The guard said that the key of the gate was not in the box with him, in violation of regulations. We established that in the inspection report of that day, but Gen. Fouad Fareed, the friend of the Interior Minister and the director of the Prisons Administration, ordered that the report should be concealed, fearing the discovery of torture which he was supervising, as instructed by Abu Basha.<sup>45</sup>

Gen. `Eid then went to Minister Abu Basha to report what he had witnessed. He wrote in his letter of complaint that the Minister had told him to "cut it out" and, instead of taking his report seriously, accused him of being a communist.<sup>46</sup>

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The accounts that follow describe cases of detainees who had been removed from Tora Istikbal Prison and taken to SSI's Lazoughly headquarters building, held incommunicado and – in three out of the four cases – tortured. The detainees then were returned to Tora. Appendix C of this report contains a fifth account, from steel worker Mustafa Naib, who was removed from Tora prison in the early morning hours of August 8, 1989, brought to the SSI building in Lazoughly, and tortured. Cases of the removal of long-term detainees from prison are discussed in Chapter Five.

### **Civil Engineer Removed From Tora Istikbal Prison and Tortured at SSI Headquarters**

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<sup>45</sup> *Ibid.*

<sup>46</sup> Gen. `Eid told MEW in an interview that the Interior Minister "retired him." Gen. `Eid fought and won a case to be reinstated, and worked again at the Interior Ministry from 1983 to 1989.

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Khalid Muhammed Ahmad Omar, a twenty-nine-year-old civil engineer from Alexandria who was arrested on October 25, 1991, told MEW that he was removed from prison and brought to Lazoughly. On the third day of his detention, he was brought to Abu Za`bal prison from the police station in Alexandria where he had been held. On October 31, he was brought before a prosecutor who questioned him about his role in the distribution of political leaflets. "What had been removed from my apartment when they came to arrest me had nothing to do with this charge," he said, "so the niyaba released me." Omar nevertheless was returned to Abu Za`bal and on November 14 was moved to Tora Istikbal prison.

That night, he was blindfolded in his cell and placed in a vehicle with a blanket on top of his body. He was brought to SSI headquarters at Lazoughly and held there for seven days. "I was handcuffed and blindfolded the entire time, even when I went to the toilet. I was in a room on the fourth floor, close to the officers' offices. On the second day, I was brought to the officers' room. They asked if I knew people they named, the same questions they had asked me in the SSI building in Alexandria after my arrest." (See above for his account.)

*"They asked if I knew people they named...Then they used electricity on my nipples and sexual region. They did this from about noon until 2:30 in the afternoon."*

They began to hit him randomly about the body, then removed his clothes and continued hitting him. "Then they used electricity, on my nipples and sexual region. They did this from about noon until 2:30 in the afternoon," he said. He then was tied by his cuffed hands to the metal bars of a window, with his feet touching the ground. He estimated that he stood this way for about five hours, beginning at 3:00 p.m. "This was accompanied by continuous insults, threats and curses."

This was the only time he was tortured at Lazoughly. He dismissed what had happened to him this way: "These are sick people, just passing their time." On his seventh day at Lazoughly he was returned to Tora Istikbal prison in the same way he had been transported from the prison. He told MEW that while he was in Lazoughly his lawyer, Sayyid Hassan Mughzally, had filed a complaint with the niyaba because he could not locate his client in Tora prison. "The niyaba visited me after I had been returned to Tora," he said.

He was moved from Tora on November 30 and released on December 1, via the SSI office in Alexandria. There, before his release, one officer told him: "We warned you."<sup>47</sup>

**Computer Engineer Removed Twice from Tora Istikbal Prison and Tortured at SSI Headquarters**

In April 1989, Mahmoud Yousef Ibrahim el-Zayyat, a computer engineer who is now thirty-one years old, was arrested as he was on his way to give a lecture at a mosque in Mansoura. "I gave lectures three times a week," he told MEW. Several men dressed in civilian clothes blocked the way in front of him and behind him. "They handcuffed me and put me in a big Central Security Forces van. Soldiers with sticks were at the entrance to the van. Another person from the mosque, who is nearly blind, was already in the van."

They were taken to the Mansoura police station, where el-Zayyat was held for two days. "The floor of the cell was very dirty and there was no mattresses or blankets. No one knew where I was until the second day. My family finally heard from people on the street and they sent food. It was the only food I ate." He was photographed, finger-printed, foot-printed and had his voice print recorded. "On the third day, I was taken to Tora Istikbal prison. To this point, there was not one word of explanation about why I was arrested."

He was held for two weeks in solitary confinement in a small cell on the ground floor of the prison and subjected to periodic beatings by guards. One night at 10:00 p.m., he was summoned from his cell and told that the chief security officer wanted to see him. He was put in a completely dark room, handcuffed and blindfolded, and then taken with a group of others into a vehicle and pushed down on the floor. He believes that he was taken to Lazoughly because he could hear the nearby metro. At the building, he was moved around, slapped, and then put in an elevator and taken into a third or fourth floor hallway.

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<sup>47</sup>MEW interview, Alexandria, February 1, 1992.

*"I was brought into a room and was seated. I felt a wall behind me. There were others with me. We were beaten if we moved to rest our backs against the wall. We were told to lie down, then to sit, then to stand. We were beaten if we changed our position. This continued for six days. If we fell asleep, we were awakened and told to resume our position. I heard continuous screaming, day and night. It's possible that these screams were on a tape."*

**He told MEW that, one by one, they were moved from this "waiting room" to the investigation room. He was brought there six or seven times. Before he entered the room, his handcuffs were moved from the front to the back.**

**Once I was inside the room, I was beaten very violently from all sides with hands, feet, even shoulders. I was beaten until I thought I would vomit, or die. One officer said: "If you want to die, die. No one knows you're here. You won't be the first one to die here. If you die here we'll put you on the fence, shoot you and say that you were trying to escape."**

**He was placed on the floor face down, with his arms held forward above his head, and someone stood on his back. Someone else pulled at his beard.**

**Sometimes, there would be a very quick change. They would put me in a chair and offer me tea. They would question me about people and addresses. They wanted to know the name of the leader of the Jihad Organization in Mansoura. They asked about the structure of the group. They wanted the addresses of people who had escaped.**

**On the sixth day, I was completely exhausted. I gave them a completely false address and there was a total change. I was removed from**

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**the investigation room and given sandwiches and tea. They were very solicitous, but my blindfold and handcuffs remained on.**

**He was taken back to Tora prison, where he was held again in a solitary cell. "Then they found out that the address I gave them was wrong. I was brought back to Lazoughly. I was beaten immediately. I was pulled by my beard and thrown on the floor. One officer said that I would pay with my life for giving a false address. "It was two days of continuous beating," he told MEW. "They asked me no questions." He then was returned to Tora prison.**

**"After two months, an SSI officer came and told me that I was being released. He asked politely about names and addresses and then left. I was released one month later."<sup>48</sup> After his release, he experienced continuing harassment from SSI.<sup>49</sup>**

### **Journalist Removed from Tora Istikbal Prison and Tortured at SSI Headquarters**

**Almost two years ago, EOHR reported the case of journalist Khaled el-Sherif, who was administratively detained on August 13, 1990. He was tortured at Lazoughly from August 13 to 15, and then transferred to Tora Istikbal prison. According to EOHR, he was then removed from the prison and taken back to Lazoughly, where he was "routinely tortured for a week."**

**An EOHR representative visited el-Sherif in Tora and saw "black scars**

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<sup>48</sup>MEW interview, Cairo, February 1992. Name withheld on request.

<sup>49</sup>"After I was released from prison, I tried to work at two different private companies. I was fired from both jobs, because the companies received threatening telephone calls from SSI. SSI officers also visited the home of my fiancée and she backed out of the marriage. My second fiancée refused their threats. She was a graduate student and assistant researcher in the engineering faculty at Mansoura University. Her scholarship was cancelled in September 1991 and she was removed from her position as a researcher. The reason given was "morality." El-Zayyat has since opened his own company, "but I have been facing difficulty in getting official documents that I need," he said. MEW interview, Mansoura, February 3, 1992.

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surrounding the breast..burns in his hands and legs..stiffness in his hands." EOHR reported that in early September a niyaba from the el-Maadi prosecution office visited the prison, saw signs of torture on el-Sherif's body, and ordered that he be transferred to a doctor's office for a forensic medical examination.<sup>50</sup> EOHR noted, however, that the prison authorities delayed implementation of the prosecutor's orders. EOHR appealed to the Prosecutor General to initiate a "criminal case against the governor of Tora Reception Prison as well as the director of State Security Investigation department at Lazoughly in which torture was administered."<sup>51</sup>

Khaled el-Sherif was released without charge on September 27, 1990. According to EOHR, el-Sherif was questioned by the niyaba in November 1990 about his torture. The niyaba also took testimony from Muntasser el-Zayat, his lawyer, who witnessed the signs of torture on his client's body, and questioned the commander of Tora Istikbal prison. El-Sherif did not receive a forensic medical examination until December 1990; according to EOHR, the forensic medical report recorded the presence of evidence of torture. EOHR told MEW that "available information indicates that the cases has been filed away, which is also the belief of Khaled el-Sherif."

The UN Special Rapporteur reported that the Ministry of Interior sent a letter to the Ministry of Foreign Affairs stating that Sherif was arrested "on the basis of information concerning his involvement with members of the extremist Jihad organization, who had been indicted." The government said that Sherif was released on September 27, 1990 pursuant to a decision of the niyaba. But the Special Rapporteur noted that the Interior Ministry's letter provided "no details" about "the detailed torture allegations" included in the Special Rapporteur's letter about this and three other cases sent to the Egyptian government on November 27, 1990.<sup>52</sup>

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<sup>50</sup> See Chapter Four for information about forensic medical examinations conducted by Ministry of Justice physicians.

<sup>51</sup>EOHR, "Arrest and torture of a journalist," September 5, 1990.

<sup>52</sup>Report of the Special Rapporteur Mr. B. Kooijmans, pursuant to Commission on Human Rights 48th Session, Item 10A of the provisional agenda, E/CN.4/1992/17, p. 25.

**Physician Removed From Tora Istikbal Prison for Six Days and Interrogated at SSI Headquarters**

Dr. Ayman Ibrahim Taha was arrested on October 25, 1991, and taken to Tora Istikbal prison. He told MEW that on the 20th day of his detention he was covered with a blanket, handcuffed and blindfolded, and put in a vehicle. He was taken to SSI headquarters at Lazoughly and held there for six days. When he arrived at Lazoughly, he walked up thirty-five steps and then was put in an elevator. "They quickly asked me my name. I told them and they said 'You're number three.' They never used my name again."

He was taken for nine interrogation sessions during the six days, each one lasting from three to five hours, generally from 11:00 a.m. to 2 p.m., or from 9:00 p.m. to 2:00 a.m. The interrogations were conducted by SSI officers. He described the space where the interrogations took place: "There were two rooms, one with the investigating officers. Each person would be interrogated by three different officers. If you were unresponsive, you were taken to another room, the torture room.

"During interrogation I wore only my undershorts. I was handcuffed all the time, with my hands behind my back." He remembered the handcuffs being very tight. He was questioned about membership in the Muslim Brotherhood. "I was beaten, slapped on the face, and kicked. They used continuous insults about my mother, my father and my sister. They threatened to rape my sister. This is all they did to me." He said that he was unable to hear from one ear for ten days following his release.

He told MEW that there were four other detainees in the "torture room" with him. In addition to the SSI officers, there were always three SSI soldiers. The room felt about 4x4 m in size and he said that it was obvious that rape and electric shock were being used on the other detainees. "I was very close to one of them, about one meter away. On three separate occasions I heard electricity being used, it seemed for about five to ten seconds and then removed. Once it was done in the investigation room. I heard the officers giving instructions to the soldiers, such as 'Hang him!'" He told MEW that once, on a Tuesday at about 2:00 a.m., he and the other four detainees were in the "torture room" and one of the men was raped. "It only happened once. There were two *mukhbireen* and it seemed one held him and one raped him. One *mukhbir* said he'd bring a *zinghyla* pejorative Arabic term for a black man] to come and rape him. I heard the screaming for a half-hour." He told MEW that he believes that "the officers do the questioning and

the soldiers do the dirty work and carry out the torture under their instructions."<sup>53</sup>

***No Official Record of Dr. Taha's Removal from Prison***

MEW was permitted by prison authorities to examine Dr. Taha's file on the Prisons Administration computer at its Cairo headquarters on February 20, 1992. The file indicated that Dr. Taha was arrested pursuant to Detention Order 15463/91, dated October 27, 1991, and released from Tora Istikbal Prison on December 2, 1991. The file contained no notation about Dr. Taha's removal from the prison to the custody of SSI for six days.

**The Danger of the Unrecorded Removal of Detainees from Prison**

In an August 1991 report, EOHR termed the removal of detainees from prisons to SSI headquarters as "possibly the most serious of all abuses" committed in the Tora prison complex.<sup>54</sup> The failure to record the removal of prisoners into temporary SSI custody only complicates the investigation and assignment of responsibility in case of a disappearance. EOHR notes the case of Mustapha Abdel Hamid Othman, a third-year medical student at Zaqaziq University, who was arrested on December 17, 1989 and accused of involvement in the attempted assassination, the day before, of then-Interior Minister Zaki Badr. Othman, who was held at Tora prison, was removed to Lazoughly and never seen again:

He was held with other suspects in the case in Tora Istikbal prison, from which they were removed to Lazoughly for torture, and later returned back to prison but without Mustafa Abdel Hamid. Eyewitnesses in Lazoughly say that they [saw] Mustafa in a state of extreme fatigue as a result of the torture. Since that time, EOHR and Mustafa's family have been unable to determine his fate.<sup>55</sup>

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<sup>53</sup>MEW interview, Cairo, January 30, 1992.

<sup>54</sup>EOHR, "Human Rights Violations in Egyptian Prisons/The Model of the Tora Prisons Complex," August 4, 1991.

<sup>55</sup>*Ibid.* p. 9.

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**A record of the family's and EOHR's complaints to the authorities about this case was published by EOHR in July 1991.<sup>56</sup>**

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<sup>56</sup> *See* EOHR, "A Report on Enforced and Involuntary Disappearances in Egypt," July 29, 1991.



**4**  
**GOVERNMENT INVESTIGATIONS OF TORTURE  
COMPLAINTS**

***"Yes, I still take torture cases. If I can get a torturer tried and convicted, I will have succeeded in my life as a lawyer."***

***—Attorney who has practiced law in Egypt  
for fourteen years,  
Interviewed by MEW, February 1992.***

***The persistent reports about the use of torture by SSI are a sensitive subject for the Egyptian government. In January 1992, the Egyptian Cabinet discussed the subject of torture but, unfortunately, the thrust was on public relations. The Cabinet charged a special committee, composed of the Ministers of Interior, Justice, Information and Foreign Affairs, to study ways to respond to allegations. It was not charged with eradicating torture. In ominous statements designed to have a chilling effect on human rights monitoring in Egypt, government officials have argued that allegations of torture are made for the purpose of "striking a blow against stability and distorting the system of government" and "distorting Egypt's reputation among international organizations."***

***The Interior Minister continues to deny unequivocally that torture takes place, despite court decisions, forensic medical reports by Ministry of Justice physicians, numerous written complaints submitted by lawyers to state prosecutors, frequent reports by the Egyptian Organization for Human Rights and Amnesty International, and abundant testimony from torture victims themselves. The U.S. State Department also weighed in strongly on the subject in its 1992 country report on Egypt: "Although torture is illegal under Egyptian law, there is convincing evidence that it is practiced by police and security officers. Those guilty of torture are seldom punished."***

***The lack of prosecution of SSI officers and soldiers for torture "is a problem of enforcement," one prominent Egyptian lawyer told MEW. "Egyptian law criminalizes torture. The issue is not the absence of laws, but the lack of will to enforce the laws." Article 57 of the Egyptian Constitution requires criminalization of "any assault on individual freedom." Article 126 of the Penal Code states: "Every public servant or employee who subjects or orders the subjection of an accused***

*person to torture to obtain a confession shall be punished by temporary hard labor or by imprisonment for a term of not less than three years nor more than ten years." Torture also is proscribed by two international human-rights instruments to which Egypt is a party: the International Covenant on Civil and Political Rights, and the Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment. Egypt's Prosecutor General, Chancellor Raga' el-Araby, told MEW that torture constitutes a crime with no statute of limitations under Egyptian law.*

*MEW found little interest on the part of Egyptian government officials to do more than deny the existence of torture, cite the laws that prohibit this practice, and describe how the investigation process should work. The Prosecutor General went as far as to deny having received the repeated complaints about torture filed by Egypt's most prominent and active human rights organization. Ministry of Justice prosecutors often demonstrate little interest in working actively with torture victims or their lawyers, let alone in acting on complaints in a timely manner or to pursue investigations thoroughly.*

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#### **SETTING THE TONE: OFFICIAL DENIALS OF TORTURE**

In February 1992, Gen. Moussa, Egypt's Interior Minister, told MEW that allegations of torture are "absolutely contrary to the truth."<sup>1</sup> His denial echoed comments made by Interior Ministry spokesmen under his predecessor, Gen. Zaki Badr, over two years earlier. In May 1989, after Amnesty International issued a major report on torture in Egypt, the Interior Ministry's response was adamant. "There is absolutely no truth in the report," a spokesman for the Interior Ministry said. "Torture of any kind does not happen in Egypt."<sup>2</sup> *The New York Times* reported that an Interior Ministry official, who declined to be identified by name, said in reply to the report: "There is no torture of any kind in Egyptian prisons. Up

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<sup>1</sup>MEW interview, Cairo, February 15, 1992.

<sup>2</sup>Deborah Pugh, "Egyptians deny Amnesty report on torture in jail," *The Guardian* (London), May 12, 1989.

until now, no case of alleged torture has been proved."<sup>3</sup>

Egypt's Prosecutor General, Chancellor Raga' el-Araby, was barely less categorical in denying the existence of torture. He said in an interview with MEW in February 1992 that Egypt is a country with a population of fifty-five million, and that there have been human rights reports of torture for "about three or four cases. Even if these reports are true, these are isolated cases." He stressed repeatedly that if a limited number of torture cases are discovered, this does not represent government policy. "The state does not encourage or routinely practice this abuse. If we find isolated cases, then it cannot be said that this is encouraged by the state, [or] a continuous policy," the Prosecutor General said.<sup>4</sup>

To buttress their denials of torture by SSI, Egyptian government officials whom MEW interviewed in February 1992 repeatedly cited the protracted trial, from 1986 to 1988, of some forty SSI officers accused of torture. However, the court did find evidence of torture by SSI as an institution, but simply was unable to assign responsibility to the particular forty SSI officers who were the defendants. As a study of Egypt published by the U.S. government described the case:

The [General Directorate for State Security Investigation] was accused of torturing Islamic extremists to extract confessions. In 1986 forty GDSSI officers went on trial for 422 charges of torture that were brought by Al Jihad defendants. After lengthy legal wrangling, the court absolved all the GDSSI officers in mid-1988. The judgment concluded that the GDSSI had indeed tortured Al Jihad members but said there was insufficient evidence to link the particular GDSSI officers on trial with the torture.<sup>5</sup>

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<sup>3</sup>Alan Cowell, "Another Rights Group Accuses Egypt of Torturing Detainees," *The New York Times*, May 11, 1989.

<sup>4</sup>MEW interview, Cairo, February 5, 1992.

<sup>5</sup>*Egypt: A Country Study*, p. 342.

**THE LACK OF CRIMINAL PROSECUTIONS OF TORTURERS: "A  
PROBLEM OF ENFORCEMENT"**

Officials' repeated references to the exculpation of SSI officers in the al-Jihad case stand in sharp contrast to their silence about the findings of Egyptian courts in other cases involving torture. Given the many courts that have found defendants' confessions coerced by torture, Egyptian lawyers and rights monitors charge that the Prosecutor General has been remiss in carrying out his duty under Egyptian law to investigate allegations of torture, search for evidence, and initiate criminal proceedings. Lawyers stress that these court decisions -- coupled with allegations of torture that appear on a regular basis in Egyptian newspapers, and written complaints by human-rights groups and attorneys -- are more than sufficient grounds for the Prosecutor General to commence a wide-ranging investigation of torture by SSI.

**The Findings of Egyptian Courts**

The U.S. State Department noted in its most recent country report on Egypt: "State Security Court judges have ordered inquests into torture allegations and have acquitted defendants in cases in which torture was used to extract confessions."<sup>6</sup> In the previous year's report, the State Department mentioned cases in which courts had acquitted defendants because confessions had been extracted under torture.<sup>7</sup>

**An Egyptian defense lawyer told MEW about a 1990 Cairo Supreme Court**

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<sup>6</sup> *Country Reports on Human Rights Practices for 1991*, p. 1378.

<sup>7</sup> "In February [1990] the Higher State Security Court acquitted for the second time the 16 members of the so-called Armed Nasserite Group, accused in 1987 of conspiring with a foreign country to carry out hostile acts against Egypt, on the grounds that their confessions were obtained through torture and were therefore invalid. The first acquittal in 1988 was on the grounds that there was insufficient incriminating evidence....In September [1990] the court acquitted all 49 members of the al-Gama`a al-Islamiya...in part because torture was used to extract their confessions." *Country Reports on Human Rights Practices for 1990*, p. 1412.

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decision in a trial involving charges against defendants suspected of involvement in the disturbances in Ain Shams between December 1988 and January 1989.<sup>8</sup> Thirteen men were accused of violent acts against police officers and the authorities during several days of unrest.<sup>9</sup> They were arrested and brought directly to SSI headquarters at Lazoughly, where they were held from one to ten days. Others were rounded up on suspicion of involvement in the same events and were also tortured.<sup>10</sup>

"An investigation found that they were tortured, all of them," the lawyer said. "The court decided that the accused in this case were arrested and detained for long periods before being seen by the *niyaba* and that during this period they were subjected to aggression and some torture. This included slaps on the face, kicks, whippings and electric shocks, to force them to confess or to say certain things. This was proved by the *niyaba* by looking at visible wounds, bruises and other marks. Also, medical reports proved that some of the accused had wounds from whipping and traces of electric shocks." The court threw out the confessions of the defendants as coerced and acquitted them.<sup>11</sup>

In a report issued in January 1990, the Egyptian Organization for Human

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<sup>8</sup>Decision No. 295/1990 for Case No. 270 of 1989.

<sup>9</sup>Asry Muhammed Said Alem, Tarek Abdul Sitar Muhammed, Muhammed Ghad Ali Naslawny, Ali Allah, Ahmad Hassan, Hassan al-Gharabawi Shehadeh, Said Riq Abu Sireea, Hamdan Thabet Mansour, Said Muhammed Abdul Wahed, Said Muhammed Abdul Wahed, Hani Muhammed Ghad, Ahmad Mahmoud Tawfik, Hassan Ali Mahmoud Khalid and Ihab Ramadan.

<sup>10</sup>These included Abdul Aziz Said Abdul Aziz, Ali Saleh Sayyid Mahmoud, Khalid Abdul Rashid Abdul Aziz, Mahmoud Abdul Salam, Ahmad al-Khouly, Oussama Nasser Ma'soud, Ahmad Mahmoud Tawfik and Taher as-Shehad.

<sup>11</sup>MEW interview, Cairo, January 28, 1992. The lawyer told MEW that some of the men were rearrested after this and continue to be held without charge at Tora Istikbal prison under successive detention orders by the Minister of Interior. MEW's request to meet with some of these detainees during a visit to Tora Istikbal prison on February 16, 1992, was denied. *See* Chapter Five for additional information about long-term detention without charge.

**Rights called on the Prosecutor General to initiate criminal proceedings against those responsible in three cases in which courts had found evidence of torture:**

\* **The Armed Communist Organization case (No. 145 of 1983), "in which the court called on the state prosecuting authority to bring to justice those responsible."**

\* **The Video Shops case (No. 1110 of 1986 before the Emergency Supreme State Security court), in which the court "acquitted all the accused after establishing that their confessions were extracted under torture."**

\* **The Alcohol Shops case (No. 477 of 1986 before the Emergency Supreme State Security Court in Alexandria), "in which the court also acquitted the accused, after finding that the confessions were extracted under torture."<sup>12</sup>**

#### **The Lack of Action by the Prosecutor General**

**In August 1991, EOHR castigated the Prosecutor General for his unwillingness to investigate the torture of defendants accused in the October 1990 assassination of Parliament speaker Rifat al-Mahgoub. In November 1990, EOHR had submitted a formal complaint to the Prosecutor General, urging a prompt investigation of the defendants' allegations of torture and the commencement of legal action against those responsible. The Prosecutor General did not act on the complaint. Months later, however, the State Security Court hearing the case instructed a member of the court to investigate the evidence of torture. While applauding the court's action, EOHR argued that this duty to investigate, in the first instance, was a responsibility of the Prosecutor General:**

**EOHR is deeply concerned that the prosecution finds it sufficient to register the witnessing of injuries and marks on the bodies of the defendants along with their own testimony about the details of their torture, but makes no attempt to find out the cause that lies behind the presence of such signs of**

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<sup>12</sup>EOHR, "Torture in Egypt in 1989," January 11, 1990, p. 13.

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**brutal torture...This is especially [worrisome] since *forensic medical reports show that the injuries suffered by the defendants occurred in a way and at a time that corresponds to the testimony of the defendants, at which time they were undergoing regular questioning by the public prosecutor.***

**The events of this case and the torture of the defendants in it raise an important question which EOHR has raised strongly on numerous occasions. This is the question of...the laxity of the public prosecution in investigating torture complaints and in pursuing those who commit the crime of torture, its role being confined in the bulk of cases to mere recording of the witnessing of signs of injuries and bruises on the bodies of the victims without taking any subsequent measure.<sup>13</sup>**

**The lack of investigation and prosecution of SSI officers and soldiers for torture "is a problem of enforcement," one prominent Egyptian lawyer told MEW. "Egyptian law criminalizes torture. The issue is not the absence of laws, but the lack of will to enforce the laws." He pointed out that the repetitive allegations of torture, including those that appear in the newspapers on a regular basis, "indicate a consistent pattern. These allegations should have been enough for the Prosecutor General to act."<sup>14</sup>**

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<sup>13</sup>EOHR, "A Press Communique: The Torture of the Accused in the Mahgoub Assassination Case and the Responsibilities of the Public Prosecution," August 1, 1991, p. 2. Emphasis added.

<sup>14</sup>MEW telephone interview, May 14, 1992.

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Continued reports by Amnesty International, Egyptian lawyers and EOHHR about the torture of detainees in SSI custody (see Appendix D), and Middle East Watch's own information-gathering about cases from 1989 to early 1992, indicate that the abuse of detainees in SSI custody has continued.

It is difficult if not impossible to estimate the number of detainees who are tortured on an annual basis in Egypt, not least because some victims are too fearful of SSI's power to come forward and describe their ordeals. However, the many detailed testimonies of torture, facilitated by the long-standing practice of incommunicado detention, indicate a pattern of abuse. Moreover, the persistence of both torture and incommunicado detention suggests that there is complicity in this pattern at the highest levels of government.

### GOVERNMENT SENSITIVITY TO GROWING PUBLICITY ABOUT TORTURE

Since 1989, there has been growing publicity about torture in Egypt, and the government's response indicates the extreme sensitivity with which reports of torture are viewed. On January 12, 1990, President Mubarak dismissed Interior Minister Zaki Badr; the decree announcing his replacement gave no explanation for Badr's ouster.<sup>15</sup> Later that month, newly appointed Interior Minister Moussa delivered a speech at the Police Academy on Police Day. He outlined "the main principles" governing the policy of the Interior Ministry, and declared: "We do not claim to be the custodians of democracy. We define its limits and process. But we cannot disregard our responsibility to prevent crime before it occurs and to apply the laws which punish the inciters to crime." In an oblique vow not to torture, Gen. Moussa pledged that the Interior Ministry would "respect of human rights, as guaranteed by the laws and pacts, is an absolute rule which has no exceptions, even in the case of the prisoner whose crime has been confirmed and who has to be punished. In his case, we respect his dignity and humanity."<sup>16</sup>

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<sup>15</sup>Alan Cowell, "Cairo Ousts Hard-Line Interior Minister," *The New York Times*, January 13, 1990.

<sup>16</sup>Cairo Domestic Service, January 25, 1990, as reported in Foreign Broadcast Information Service, *Near East and South Asia Daily Report*(FBIS), January 29, 1990, p. 12.

When EOHR issued a report about torture in January 1990, Interior Minister Moussa would not comment about the specific allegations in an interview with *The Washington Post*, ostensibly because the report was not issued by "an official organization."<sup>17</sup> At a meeting of the Egyptian Press Association in May 1990, Minister Moussa discussed torture. The semi-official Egyptian daily newspaper *al-Jumhuriyya* reported his remarks as follows:

The interior minister...asserted that torture is a crime and that this is not his policy. Why should I torture anyone? Is it a hobby of mine? He called on any citizen who receives information on torture cases to immediately refer the accused to the law. The minister indicated that there are penalties according to the prisoners' sentences, like flogging and solitary confinement. Some think this is torture. Police inspectors, moreover, carry out surprise visits to the camps of the police forces and stations, and this is their right.<sup>18</sup>

More recently, as the problem of torture received increasing attention, the government criticized the role of human rights monitors. In December 1991, EOHR announced that it was launching a one-year campaign against torture in Egypt. Since the campaign's inception, EOHR has issued periodic updates on the campaign's progress. In January 1992, Amnesty International issued a report about political detentions, including cases in which victims were tortured.<sup>19</sup> Also in January, it was widely viewed in human rights circles that government officials

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<sup>17</sup>Caryle Murphy, "Egypt Accused of Torturing Prisoners," *The Washington Post*, January 30, 1990. The Minister was referring to EOHR's lack of legal status, which is due to the government's refusal to register the organization under the 1964 law of associations. For additional information on this issue, see Chapter Six.

<sup>18</sup>*Al-Jumhuriyya*, May 8, 1990, as reported in FBIS, May 11, 1990, p. 2.

<sup>19</sup>Amnesty International, "Egypt/Security Police Detentions Undermine the Rule of Law," January 1992, AI Index: MDE 12/01/92.

sought to intimidate rights monitors with statements that allegations of torture were aimed at "striking a blow against stability and distorting the system of government" and "distorting Egypt's reputation among international organizations."<sup>20</sup>

The subject of torture was discussed at a meeting of the Egyptian Cabinet on January 23, 1992, and a decision was made to form a special committee – composed of the Ministers of Interior, Justice, Information and Foreign Affairs – to study ways to respond publicly to allegations of torture. Regrettably, this approach focused on improving the government's media strategies to counter reports of torture, rather than launching a serious initiative by the president's inner circle to investigate the persistent allegations of torture and undertake firm measures to end the practice. EOHR noted the committee's formation and criticized the apparent lack of will at the highest levels of the Egyptian government:

EOHR is...of the view that the cabinet would have been better occupied to set up a committee to investigate the allegations of torture with a view to ascertaining their truth or falsity rather than to hasten to categorically deny them. EOHR's struggle to bring an end to the shameful and barbaric crime of torture is in fact an expression of its concern for Egypt's "reputation among international organizations." EOHR is totally incapable of understanding the view that a country is not shamed by the continued use of torture within it, but rather by the exposure of torture in the media.<sup>21</sup>

In May 1992, President Mubarak suggested what may be a more positive approach to the issue when he affirmed Egypt's respect for human rights, and

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<sup>20</sup> See EOHR, "The EOHR Campaign Against Torture: Significant Results and Indications, Statement No. 4," February 15, 1992, p.2.

<sup>21</sup> *Ibid.* p. 3.

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pledged that "anyone who attacks a citizen will not be protected." Unfortunately, he also introduced a threatening element in his remarks when he noted that it was "unacceptable for human rights to be used as a pretext for interference in domestic affairs."<sup>22</sup> The remarks were made at a meeting with members of the Egyptian media. The President said: "The principle we uphold is to respect human rights and reject anything which harms man's dignity. As for mistakes made in this respect, there is the judiciary, which is just in Egypt." According to the official Egyptian news agency's account,

[The President] asserted that anyone who attacks a citizen will not be protected. He said that he is more concerned about human rights than anyone in Egypt, stressing that any offender will be referred to the judiciary without hesitation. He noted that torture cases will not be disregarded by the passage of time.<sup>23</sup>

## BLAMING THE VICTIMS

One theme that has marked the official denials of torture is the characterization of victims in a manner designed to discredit them. "We are dealing with fanatics who use violence," one Interior Ministry official told MEW in 1990.<sup>24</sup> "Complaints about torture at SSI offices normally are presented by persons who are members of extremist groups," Prosecutor General el-Araby stated to MEW in 1992.<sup>25</sup>

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<sup>22</sup>Cairo MENA, May 31, 1992, as reported in FBIS, June 2, 1992, p. 10.

<sup>23</sup>*Ibid.*

<sup>24</sup>MEW interview with Gen. Dr. Bahaa el-Din Ibrahim, First Assistant to the Minister of Interior for Public Relations, and Gen. Dr. Sami el-Husseini, Assistant to the Minister of Interior for Inspection and Supervision, Cairo, May 30, 1990.

<sup>25</sup>MEW interview, Cairo, February 5, 1992.

It is undeniable that Egypt has faced internal violence attributed to clandestine Islamist groups and factions over the last decade, and that this violence -- coupled with often-violent responses by security forces -- continues until today.<sup>26</sup> But the fact that torture victims may be suspected radical or violent Islamists does not justify the practice of torture, which is proscribed by the Egyptian Constitution, Egyptian law and international law.<sup>27</sup> Indeed, torture victims' alleged actions and political affiliations are irrelevant to this serious human rights abuse. The International Covenant on Civil and Political Rights, which Egypt has ratified, proscribes torture absolutely, even in the event of a public emergency that threatens the life of the nation.<sup>28</sup>

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<sup>26</sup>Cairo-based journalist Max Rodenbeck reported in March 1992: "In the province of Fayyum, south of the capital, police are still paying for the excessive zeal with which they machine-gunned 16 members of a local extremist group in March 1990. In February 1992, two irrigation inspectors were shot dead near the village of Kahk where the massacre took place, apparently after they stumbled on a group of villagers training with firearms. A few days later gunmen on a motorcycle ambushed and killed a senior officer in the state security investigation service as he was leaving his office in the provincial capital. The officer had been responsible for security operations in Kahk. The arrest of some 75 people and subsequent interrogations revealed that his killers had come from the village ... The newly appointed security director of Fayyum vowed last week to 'cleanse' the province by 'breaking the necks' of anyone who attacks the police." Max Rodenbeck, "Struggle against extremists," *Middle East International*, March 20, 1992, p. 12.

<sup>27</sup>Article 42 of the Egyptian Constitution states: "Any person arrested, detained or his freedom restricted shall be treated in the manner concomitant with the preservation of his dignity. No physical or moral harm is to be inflicted upon him. He may not be detained or imprisoned except in places defined by laws organising prisons. If a confession is proved to have been made by a person under any of the aforementioned forms of duress or coercion, it shall be considered invalid and futile." Article 57 states: "Any assault on individual freedom or on the inviolability of private life of citizens and any other public rights and liberties guaranteed by the Constitution and the law shall be considered a crime, whose criminal and civil lawsuit is not liable to prescription. The state shall grant a fair compensation to the victim of such an assault."

<sup>28</sup>Article 4(2). In addition, Article 2(2) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Egypt acceded to on June 25, 1986, states: "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a

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**In addition, while it is true that currently in Egypt most torture victims are believed to be members or supporters of radical Islamic organizations or factions that the government has implicated in violence, this is not a complete picture of who is tortured in Egypt. First, security force dragnets sometimes are cast so wide that arbitrary arrests occur and detainees may be tortured for information they simply do not possess. Second, politically charged statements by Egyptian government officials about "Islamic fanatics" ignore past practice and the personal profiles of some of the Egyptians who have been tortured in the last three years.**

**In August 1989, for example, trade unionist Mustafa Naib, a worker at the steel plant in Helwan south of Cairo, was tortured during interrogation about the circumstances surrounding the dramatic workers' sit-in at the plant. The Helwan facility, with 24,000 workers, is one of the largest iron and steel works in Egypt (see Appendix B for Naib's account). Naib is not a radical Islamist. He was interrogated about his involvement in the workers' action, and the role of the leftist National Progressive Unionist Party. In 1991, SSI officers and soldiers tortured psychiatrist Dr. Muhammed Mandour in February and Muhammed Affi Mattar, the celebrated Egyptian poet, in March; neither man was known to be involved in advocating or practicing violence.**

**Among the Egyptians who have suffered torturers' blindfolds, beatings, hangings, electric shocks and other abuses are lawyers who defend politically unpopular clients, journalists affiliated with Islamist opposition publications, Muslim Brotherhood members who express opinions at odds with the government, Christians suspected by the authorities of converting Muslims to Christianity, and individual citizens targeted by security force operatives solely because they are thought to possess valued information, such as the address of a security suspect.**

### **INVESTIGATIONS OF TORTURE COMPLAINTS: HOW PROSECUTORS PROCEED**

**Prosecutor General el-Araby told MEW that torture is prohibited under**

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**justification of torture."**

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Article 42 and Article 57 of the Egyptian Constitution,<sup>29</sup> and constitutes a crime with no statute of limitations under Egyptian law. He emphasized that investigations of torture are carried out by the judicial authority – of which the Prosecutor General's office is a part – and stressed several times that the judicial branch is separate from, and independent of, the executive branch of government.<sup>30</sup> He assured MEW that all complaints submitted to the Ministry of Justice are investigated.

Reflecting the Egyptian government's extreme sensitivity to reports of abuse by international human rights organizations, Chancellor el-Araby noted that reports of torture by domestic and international monitoring groups "have no effect on official investigation bodies. It's better if a person presents the complaint himself to official government bodies before going to foreign organizations." He assured MEW that allegations of torture either have been investigated or that the complaints are still under investigation. He said that when an investigation commences, the alleged victim is "the first to be questioned." Then the person is sent for a forensic medical examination and after that the investigation continues.

Chancellor el-Araby told MEW that in October 1991 he had personally assumed direct oversight of the torture complaints made to prosecutors. He said that with "the campaign [against torture] mounting, I requested that all district *niyaba* send to me immediately all complaints and investigation results." He said that there are not many complaints. MEW asked Chancellor el-Araby if it could receive information about torture complaints that have been made to his office, including the location where the torture allegedly occurred. The Prosecutor General expressed no objections to providing this information, but said that statistics were not yet compiled, since complaints come to his office from various prosecutors' offices around the country.

Chancellor el-Araby pointed out that there is an "apparatus" in his office specifically charged with looking at prosecutors' reports. He said that one of its purposes is to review the actions of local prosecutors, and to take action against those who ignore complaints. "All complainants have the right to be heard and

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<sup>29</sup> See Footnote 27, above, for the text of these articles.

<sup>30</sup> MEW interview, Cairo, February 5, 1992.

investigated," the Prosecutor General told MEW. "For torture, there are specific instructions that the district *niyaba* himself must investigate the complaint."

MEW spoke with Muhammed Shawfik, a prosecutor and an assistant to Chancellor el-Araby, who explained in greater detail how torture complaints are handled by prosecutors.<sup>31</sup> "Just an allegation of torture will start an investigation," he said. He noted that a complaint should include: an allegation of torture or mistreatment, a description of the abuse, the location where the abuse occurred, and identification of the alleged perpetrator. He said that without this information, a case will not be referred for prosecution, but indicated that an investigation could still proceed and, ultimately, the victim could be eligible for financial compensation if torture by state agents is found, even if particular torturers cannot be identified.

The steps of the investigation process are three-fold, and at any juncture the investigation can be halted. After the receipt of a complaint, a *niyaba* will meet with the alleged victim for an initial investigation and ask questions about the allegations. If the *niyaba* believes the allegations are credible, and sees evidence of torture, he will prepare a report and refer the person for a forensic medical examination. Unless there is a forensic medical report, a prosecution cannot proceed, according to Shawfik.

Both the *niyaba* and the forensic pathologist will attempt to ascertain that the victim's wounds were not self-inflicted. Shawfik explained, for example, that if the skin is placed and squeezed between two coins, the resulting marks can resemble those caused by a whip. A case will be closed if the forensic medical examination reveals that the wounds were self-inflicted.

If a medical determination is made that the wounds were not self-inflicted, an attempt is made to identify what possible methods could have been used to cause the injuries, and to identify a perpetrator. If identification is not possible, the case does not proceed, according to Shawfik, and the file remains open – presumably indefinitely, as there is no statute of limitations for torture. MEW raised the issue of the impossibility in many cases for blindfolded victims to identify their assailants and inquired whether prosecutors took any steps in such cases to investigate the personnel who may have been on duty at the time the

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<sup>31</sup>MEW interview, Cairo, February 8, 1992.

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torture was alleged to have occurred. Shawfik responded by pointing to the difficulty of such an investigation: "At Lazoughly, there are hundreds, maybe 500, on duty at any one time," he said.

This problem reveals the need for SSI to be required to maintain and make available detailed records about detainees who are brought to its facilities for investigation. Since Interior Ministry officials conceded to MEW in May 1990 that detainees may be held for up to twenty-four hours for investigation at SSI headquarters (see Chapter Two), there should be a permanent record-keeping system in place, accessible to any investigating niyaba and to torture victims' lawyers, which identifies the following on a daily basis:

- \* the names of all detainees brought for investigation.
- \* the time of each detainee's arrival and the name of the officer accompanying the detainee.
- \* the specific location within the SSI building where the investigation was conducted.
- \* the time period, or time periods, when the investigation was conducted.
- \* the officer and other personnel present during the investigation.
- \* the time of a detainee's departure from the building.
- \* the location to which a detainee was taken after he or she left SSI headquarters, if the individual was not released from custody after the investigation. Such information should be accompanied by the name of the officer commanding the force that removed a detainee from SSI headquarters for transfer to another facility.

Similar record-keeping systems should be maintained at every SSI office in Egypt where detainees are brought for investigation. The maintenance of such a system would enhance accountability in cases in which allegations of mistreatment are made, and facilitate the niyaba's investigation of such allegations. The lack of detailed record-keeping is an invitation to the use of torture during interrogation sessions at SSI facilities.

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### **THE RELUCTANCE TO ACKNOWLEDGE AND INVESTIGATE DETENTION BY SSI**

As indicated in Chapter Two, in some cases of torture the authorities dispute that the victim was in custody at the time the mistreatment occurred. MEW asked Shawfik about this problem, using the example of Dr. Muhammed Mandour, who was held and tortured at SSI headquarters in February 1991 (see Chapter Two for additional information about Dr. Mandour's incommunicado detention, which was unacknowledged by the authorities).

Shawfik replied that the burden was on Dr. Mandour to prove that he was arrested on the date he said he was arrested. MEW noted that Dr. Mandour was taken in the middle of the night in front of two witnesses, his mother and a colleague, and asked why prosecutors could not interview these witnesses to ascertain the date of the arrest and then determine where Dr. Mandour was detained following his arrest. Rather than promise to pursue this obvious investigative lead, Shawfik responded that Dr. Mandour's mother would not be a good witness.

In a February 2, 1992 letter to Chancellor el-Araby, MEW noted that there have been persistent complaints by detainees, lawyers and human rights organizations about the ill-treatment of detainees held at SSI headquarters. MEW informed the Prosecutor General that one of the subjects it wished to discuss during the forthcoming meeting with him was whether, given these complaints, his office had ever instructed that this facility be inspected, the date or dates of such inspections, and their outcome.

At the meeting with Chancellor el-Araby on February 5, MEW inquired if he had received any complaints about torture in SSI offices such as the headquarters building at Lazoughly Square. He replied that "the niyaba has received such complaints but not for a specific case." (Appendix D of this report lists the complaints about torture at Lazoughly submitted to the Prosecutor General's office by EOHR in 1990 and 1991.) Then, in apparent contradiction of this statement, he later went on to say, dismissively, that "complaints about torture at SSI offices normally are presented by persons who are members of extremist groups." MEW asked the Prosecutor General for statistics about the number of complaints submitted to his office concerning torture that allegedly took place in SSI offices. As of the date of the publication of this report, MEW has not received this information.

**THE FAILURE TO INVESTIGATE:  
LACK OF ACTION ON COMPLAINTS**

Egyptian lawyers and human rights monitors criticize the *niyaba* and the Prosecutor General's office for failing to act on written complaints about specific cases of torture. When a lawyer presents a complaint directly to the *niyaba*, asking him to investigate a case, "the *niyaba* doesn't move. The complaint is not recognized," one experienced defense lawyer told MEW. "There is simply no reply. We don't have prosecutors in the real meaning of the word. There are orders for these complaints not to be acknowledged, military orders," he charged. (A comprehensive study of Egypt issued by the U.S. government acknowledged that as of early 1990 senior Egyptian military officials continued to hold key positions in the Ministry of Interior.<sup>32</sup>)

Egyptian human rights monitors face a similar problem. Written complaints about specific cases of torture submitted by the Egyptian Organization for Human Rights are simply not acknowledged by the Prosecutor General's office or local prosecutors (see Appendix D for a list of complaints submitted by EOHR in 1990 and 1991). In its report on the human rights situation in Egypt in 1990, EOHR noted that it had "submitted official complaints to the Prosecutor General on the most important cases of torture during 1990, but...received no information regarding the beginning of any investigation."<sup>33</sup>

This continued to be EOHR's experience in 1991. Since Chancellor el-Araby assumed direct oversight of the complaint-making process in October 1991,

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<sup>32</sup>"The military became one of the most important factors in Egyptian politics after the overthrow of the monarchy in 1952. Nasser appointed members of the officer corps to senior positions in the bureaucracy and public sector to help implement his social revolution. But in the later years of the Nasser regime, fewer military figures occupied high government posts. Even fewer held posts during the Sadat and Mubarak regimes. Nevertheless, senior generals on active service continued to hold the key positions in agencies responsible for national security – the Ministry of Defense and the Ministry of Interior – as of early 1990." *Egypt: A Country Study*, p. 303.

<sup>33</sup>EOHR, "Summary of the 1990 Annual Report of the Egyptian Organization for Human Rights," May 26, 1991, p. 4.

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**EOHR submitted seven written complaints about torture cases; as of the date of the publication of this report, EOHR has not received acknowledgement of any of these complaints, let alone any information from the Prosecutor General's office about whether an investigation commenced in any of these cases and the status of such an investigation.**

\* \* \*

**Middle East Watch collected information from several lawyers and torture victims about the failure of the authorities to act in a timely manner on complaints about abuse during incommunicado detention.**

### **The Torture of a Prominent Poet: "I Went Personally To See the Prosecutor General, the Second Time with My Client"**

**The lack of action by the Prosecutor General's office in the case of the torture of Muhammed Affi Mattar, the prominent Egyptian poet, illustrates the problems that lawyers face (see Appendix A for Mattar's account of torture during his ten days of incommunicado detention at SSI headquarters). In a reply to an inquiry by the U.N. Special Rapporteur on Torture about Mattar's case, the Egyptian authorities stated that Mattar and those who visited him in prison did not submit any complaints to the judicial authorities about the poet's mistreatment.<sup>34</sup>**

**Mattar's lawyer, Sayyid Abu Zeid, told MEW a different story. He said that he learned immediately of Mattar's arrest in March 1991 from his family. The first problem the lawyer faced was discovering where his client was being held in detention: "I immediately began to make the rounds. I could not locate him and I was not able to see him until he was brought to Tora prison." When Abu Zeid visited Mattar in prison, he discovered that his client had been tortured: "He had been badly tortured at the SSI building in Lazoughly. He was unable to speak and was very tired. He had circle-like wounds around his wrists, from hanging or electric burns."**

**After seeing him, I went the next day to the**

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<sup>34</sup>E/CN.4/1992/17, p. 26.

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**Prosecutor General to ask that Mattar not be tortured again. The Prosecutor General promised this, and in fact he was not.**

**Then I went to court and informed the court of Mattar's arrest. The court ruled that he should be released but he wasn't because the Interior Minister used the emergency law to object. I waited fifteen days and brought another case. The court ruled to uphold its first release order but Mattar still was not released. Eventually he was let go, because the power of the law prevailed.<sup>35</sup>**

**Abu Zeid told MEW that a week after Mattar's release, he returned to the Prosecutor General with Afifi Mattar, and that the poet handed the Prosecutor General a written complaint.**

**In direct contradiction to the information provided by the Egyptian government to the U.N. Special Rapporteur, Abu Zeid told MEW that he made two interventions before the judicial authorities on behalf of his client: "I went personally to see the Prosecutor General and spoke to him about the torture. I went directly to the Prosecutor General because it is his duty to intercede. When I went before the court, I informed them of the torture." Abu Zeid further reported that there had been no action on Afifi Mattar's torture complaint by the Prosecutor General's office, as of the date of his interview with MEW.**

### **The Torture of a Teacher: "I Was Never Summoned"**

**Abdul Wahab Abdel Aziz Salem, a forty-seven-year-old teacher, told MEW that he lost sight in his right eye as a result of torture in November 1991 at the SSI building in Tanta, a city north of Cairo. He was continuously blindfolded for seven days during his detention there. Abdul Wahab said that he was never summoned for questioning by the niyaba about his ordeal, despite complaints filed by his lawyer.**

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<sup>35</sup>MEW interview, Cairo, February 5, 1992.

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**Abdul Wahab was at work on November 10, 1991, and received a written summons to meet an officer "for two minutes only" at the police station, which is located next door. When he arrived, he was ordered to stay until midnight. "I was brought to the niyaba, who set me free," Abdul Wahab said, indicating that the niyaba found no grounds for his continued detention. But from the niyaba, he was taken to the SSI building in nearby Zifta. "I was locked in a dirty room in the basement. There was no mattress, no blanket, no food or water. On the second day, I was brought to Sami Awad, a former student of mine, who ordered that I be handcuffed."**

**He was taken to the Tanta office of SSI "not in their blue police cars but in a car they flagged down." There was another detainee with him in the vehicle. He was blindfolded when he arrived at the building. There, three officers began to question him about his opinions: in addition to Sami Awad, he said the other two officers were named `Ez and Barkhouki. He said he was questioned about the Muslim Brotherhood and other Islamic groups and asked if he supported them. He was asked no questions about criminal activities.**

**After the interrogation, the handcuffs were removed and he was left in the room for a few hours. Then his hands were tied behind his back and his blindfold was tightened.**

**They moved me around, turning me, to disorient me. They said that my words would not be recorded and urged me to speak. I heard the rustling of papers. I expected deception. At first they didn't hit me because there probably was a tape recorder and they didn't want my cries on it. After I said that I knew nothing, they took me out of the room.**

**At some time after midnight, he was electric shocked on his head and ears while he was cursed with "unimaginably dirty words, filthy words." He did not know where the shocks were coming from: "The room was full of the breaths of many people, in front of me, behind me." He also was kicked and punched on sensitive parts of his body and on his ears, and remembered fists "coming at me from the left and the right." His clothes were torn.**

**Abdul Wahab was brought to a dirty room that had no mattress or blankets. He was allowed to use a toilet only once a day. He was held in the room**

for seven days and subjected to "continuous insults," the same insults used during his torture. After seven days, his blindfold was removed and he was taken to be fingerprinted and foot-printed. "I saw another Muslim Brother who had been released by the *niyaba* but was still being held," he said. He was handcuffed, put in a van and transferred to Abu Za`bal prison, where he was held without charge "for two long months."

He provided MEW with copies of the results of two medical examinations he had after his release from prison. The first exam, conducted by Dr. Maoudi Hamdi Gharabeh of the Ibn al-Nafees Islamic Medical Association in Tanta on December 31, 1991, diagnosed a vitreous hemorrhage in the right eye. The second examination, conducted on January 20, 1992 by Dr. Ashraf Muhammed Abdu of the Students Education Hospital at Tanta University, also found a hemorrhage in the right eye. The doctor noted in his report that a request had been made to submit a copy of the medical report to the Tanta *niyaba*.

MEW asked Abdul Wahab if he made a complaint to the authorities about his torture. He said that his lawyer "made a case" and complained to prosecutors in Cairo and Tanta. "Papers were sent to the *niyaba* in Tanta but I was never summoned," he said. "Everything stopped."<sup>36</sup>

Some Egyptians point to institutional factors as one explanation for the lack of action by prosecutors on complaints about torture by SSI. Lawyers and rights monitors contend that there are ties between the *niyaba* and security forces, which impinge upon the independence of the prosecutorial authorities when confronted with allegations of SSI misconduct. "Over the last twenty years, many SSI officers have received law degrees from the Police College and move on to positions as state security prosecutors," one human rights monitor told MEW. Through the four-year program at the Police College in Cairo, police and security officers receive law degrees, and thus can apply for positions as prosecutors. There is an annual examination to fill assistant-prosecutor positions (*musaed wakil niyaba*); the Prosecutor General makes these appointments. Egyptian rights monitors say that it is "an increasingly prevalent practice" for former SSI officers to be appointed to positions in the state security *niyaba*, where – among other duties – they may have responsibility for oversight of the activities of former colleagues in SSI.

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<sup>36</sup>MEW interview, Mansoura, February 3, 1992.

**More generally, critics of the government's failure to investigate and prosecute torturers argue that Egypt is an authoritarian state, albeit with some liberalizing tendencies, and that prosecutors do not see themselves as independent of the executive branch of government. The problem begins at the top.**

**One former high-ranking officer in the Ministry of Interior noted that the prosecutor general -- who is ultimately responsible for investigations of torture complaints -- is a senior official in the Ministry of Justice but that he is not truly independent of the executive branch. "The prosecutor general is appointed by presidential decree. The president can select someone who is not in line based on seniority. The prosecutor general must be submissive. If he doesn't walk in harmony with SSI, he will lose favor." A former Ministry of Interior general told MEW: "The current prosecutor general was part of the state security niyaba and he never took a stance on torture."<sup>37</sup>**

**The problem of the lack of independence permeates the prosecutor's office. "There is no tradition that a niyaba looks at himself as separate from the executive branch. The niyaba does not recognize himself as truly independent and he does not make trouble. If he makes trouble, he doesn't get ahead," an experienced Egyptian human rights monitor said.<sup>38</sup> This was affirmed by veteran journalist Philip Gallab, who told MEW in a interview before his death: "Prosecutors have a deep relationship with the government. This is a possible defect."<sup>39</sup>**

**Fear of SSI's power cannot be discounted as an important factor inhibiting vigorous action on the part of prosecutors against SSI officers: "They let them do what they want," one defense lawyer said bitterly.<sup>40</sup> Another lawyer told MEW that some prosecutors privately admit that their hands are tied. "In Ma'adi la**

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<sup>37</sup>MEW interview, Cairo, February 8, 1992.

<sup>38</sup>MEW interview, Cairo, February 7, 1992.

<sup>39</sup>MEW interview, Cairo, January 28, 1992.

<sup>40</sup>MEW interview, Cairo, February 8, 1992.

district of Cairo), prosecutors informally tell lawyers that they cannot pursue torture complaints or they themselves will be hanged in Lazoughly," he said. He also noted that some prosecutors will try to shift the responsibility for an investigation to a niyaba in another district. "In one case, I went to the prosecutor in Dokki to complain about torture in the Giza office of SSI and he transferred the complaint to the Imbaba prosecutor, because this was the neighborhood where the victim lived."

#### FORENSIC MEDICAL EXAMINATIONS: PROCESS AND PROBLEMS

Some of the most incriminating evidence of torture has come from forensic medical examinations of victims conducted by Ministry of Justice physicians.<sup>41</sup> But MEW found cases of alleged torture in which prosecutors did not respond to complaints in a timely fashion, thus delaying victims' referral for examination. Two Egyptian defense lawyers who have represented many torture victims told MEW that "in most cases, the victim's presentation to state medical examiners is delayed."<sup>42</sup> This is a critical lapse because in many cases of torture, timely examination is essential before marks, scars, or other signs of physical abuse lessen or disappear as time passes.

*"The niyaba starts a case but does not proceed with the case. We have criticized the Prosecutor General for not following through with cases. There's a wall in front of the cases."*

*— Egyptian defense lawyer.  
February 1992*

There are two ways to trigger a forensic medical examination. The first, discussed above, is when a complaint is submitted directly to a prosecutor. The second is when, during an investigation of a detainee, a niyaba sees physical

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<sup>41</sup>See the forensic medical report cited in Chapter Three, and the two reports discussed in this chapter, below.

<sup>42</sup>MEW interview, Cairo, January 27, 1992.

evidence of possible torture. He should then write a memorandum describing the injuries and the victim's allegations about their cause. The memorandum is submitted to the Department of Forensic Medicine in the Ministry of Justice, and the detainee is referred for a medical examination.

A forensic pathologist then examines the victim and submits a report to the *niyaba*. But a "positive" forensic medical examination -- that is, one indicating that the victim's injuries are not incompatible with the victim's allegations about the time and type of physical abuse -- is a necessary but not sufficient condition for a *niyaba* to proceed with an investigation.

One experienced defense lawyer told MEW that there often is no action on cases after a victim is submitted to a forensic medical exam: "The *niyaba* starts a case but does not proceed with the case. We have criticized the Prosecutor General for not following through with cases. There's a wall in front of the cases." In his own work as a lawyer over the last seven years he filed between 3,000 and 4,000 complaints, a stack of papers about nine inches high on his bookshelf. "Cover your eyes and take any piece of paper," he said dramatically. "There has not been one prosecution!"<sup>43</sup> A former general in the Ministry of Interior confirmed that prosecutors face obstacles at higher levels if they attempt to pursue a case, stating that "an honest investigation by a *niyaba* will simply get stalled once it is referred to the prosecutor general's office."<sup>44</sup> Another defense lawyer told MEW: "The local prosecutor must go to the prosecutor general's office for an order that the investigation continue," another defense lawyer told MEW, indicating that this is the stage at which investigations become stalled.

If a *niyaba* does not have contact with a torture victim following his period of incommunicado detention, there is a second route for initiating the complaint process. After seeing a client who has been tortured, usually when the client has been moved to a prison, a lawyer may initiate a request for a medical examination by submitting a complaint to the *niyaba*. But attorneys told MEW that in many cases the complaint is simply ignored or the victim is not summoned to give testimony to the *niyaba* in a timely fashion, which in turn delays the medical examination. The following cases are illustrative:

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<sup>43</sup>MEW interview, Cairo, February 4, 1992.

<sup>44</sup>MEW interview, Cairo, February 8, 1992.

### **Torture of a University Student in November 1991**

**Ayman Nimr, a student at Suez Canal University, was arrested on November 12, 1991, by an SSI force accompanied by the chief security officer at the university's College of Art. After being briefly held at al-Arab detention facility with criminals, he was moved later the same day to the SSI building in Port Said, where he was blindfolded and handcuffed.**

**Nimr told his lawyers that he was taken up three flights of stairs and stripped of his clothes by SSI officers Ashraf Maklout and Ashraf Ibrahim. He was then beaten by these two officers, a third whom he named as Ahmad al-Shurbagy, and two security officers at Suez University: Muhammed Fathy of the College of Art and Medhat Marwan of the engineering faculty. The men also cursed Nimr and threatened to rape his sister. The two university security officers and an SSI officer then carried Nimr, who was naked, into an air-conditioned room and tied him up. According to his complaint, soldiers were ordered to insert a stick in his anus. Nimr next was hanged from a pole "like a slaughtered animal" and a flame was placed underneath him, burning the soles of his feet. He then was electric-shocked over a five-hour period. Nimr told his lawyers that his interrogators were seeking information about the activities of Islamist groups.**

**On December 7, 1991, two days after seeing Nimr in Abu Za`bal prison, where he had been transferred from the SSI building, lawyers presented a written complaint to the head of the eastern Port Said prosecution office. The complaint stated that their client had been detained in the SSI building in violation of the law, described the allegations of torture and included the names of the five men mentioned above. The complaint also requested that the niyaba hear testimony from Nimr and refer him immediately for a forensic medical examination before the marks of his torture diminished further. In February 1992, MEW asked Mukhtar Nouh, one of Nimr's lawyers, about the action taken on the complaint. "There's been no reply," he reported. The Egyptian Organization for Human Rights also submitted a complaint about the case directly to the Prosecutor General on December 1, 1991. The complaint was assigned number 8510. EOHR reported in January 1992 that it has "yet to receive any indication that the...Prosecutor has initiated any investigation into its complaint."<sup>45</sup>**

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<sup>45</sup>EOHR, "The Campaign to Stop Torture, Statement #3, Rape and Sexual Abuse as Methods of Torture," January 1992, p.6.

### **Judge's Son Called to Testify Five Months After His Torture**

The problem of the lack of timely action by prosecutors in cases of alleged torture is not new, as the action taken on this high-profile case of torture in 1989 indicates. Nezar Ghorab is a young lawyer whose father is a prominent appeals court judge. Nezar was arrested by security forces at his family's home in the early morning hours of October 9, 1989. After pressure from his father's colleagues in the judiciary, President Hosni Mubarak ordered Nezar released after thirteen days in detention. During most of his detention, he was held incommunicado and tortured at SSI headquarters in Lazoughly Square.

He told MEW that when he was brought for interrogation at Lazoughly he was stripped to his underwear. Electricity was applied to his lips, nipples and fingertips. "Each single shock lasted a very short time, but was repeated over a long period. It was one session that lasted about an hour, with intermittent questions," he said. In addition, he was suspended over the top of a door. He was tied to the bars of a high window, with his feet still touching the ground. He was beaten, kicked and punched. He said it seemed that one person was inflicting the physical abuse but there were possibly others in the room. He was tortured for three days and then brought to Tora Istikbal, where he was held for two days in solitary confinement. Then he was returned to Lazoughly for three more days.

Nezar was investigated by the niyaba on October 16, 1989, and released from detention after thirteen days. On October 17, 1989, Nezar's father, Chancellor Mahmoud Abd el-Hamid Ghorab, delivered a letter to the Prosecutor General stating he had learned that his son had been tortured at SSI headquarters. Citing Article 42 of the Egyptian Constitution and Article 22 of the Criminal Procedure Code, Chancellor Ghorab wrote: "I hope that you demand an investigation concerning this incident and visit the headquarters of SSI in Lazoughly, examine the tools which were used to torture my son, seize them, and take the appropriate measures with the responsible authorities."

There was no immediate action on the complaint. "They played a common game of shifting the complaint from office to office," Nezar said. He

*"The state procuracy conducts an investigation into any complaint, whatever its significance, submitted by a detainee or a person remanded in custody, as quickly as possible."*

*—Excerpt from Eavntian government's response to an Amnesty International report: received by Amnesty on February 20, 1991*

showed MEW copies of internal Justice Ministry documents detailing the buck-passing. It was not until five months later that a prosecutor summoned Nezar to give testimony about his torture.

The Deputy General Prosecutor of the Abdeen prosecution office, Muhammed Daoud, requested that Nezar meet him on March 12, 1990, "because of the importance of the matter." The case had been assigned number 2-80-1990, and the letter stated that the summons was related to "the investigations undertaken by the Prosecutor General." Nezar told MEW that his father advised him not to appear before the *niyaba*. After five months, physical evidence of the abuse had disappeared; in a follow-up letter to Prosecutor Daoud, Chancellor Ghorab wrote that "all the evidence is gone and we leave it to God."

Why was Nezar Ghorab detained and what was the possible purpose of his torture? He had no definitive explanation of what this meant, but pointed out to MEW that in one case of administrative detention his father had written in the minutes of the court that judicial rulings in administrative detention cases are not respected. Nezar said that his father also had expressed this view in a memorandum to the Prosecutor General. One SSI officer had told Nezar, "We'll frame you in a crime because of what your father is doing."

#### **FAILURE TO PURSUE AN INVESTIGATION THOROUGHLY**

A timely initial investigation of a torture victim by the *niyaba*, and accompanying forensic medical reports that document some of the alleged injuries sustained, is not necessarily sufficient to lead to the opening of a criminal investigation against the alleged assailants. MEW investigated the May 1991 case

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of the torture of Baha'a Fuaad Buktur Hanna, a Christian merchant, by five security-forces personnel at the police station in Heliopolis. Buktur was accused of converting Muslims to Christianity. "I didn't do anything wrong. I have no political affiliations," Buktur told MEW emphatically during an interview.

Despite the evidence contained in two forensic medical reports by Ministry of Justice physicians, accompanying medical documents by private doctors, and Buktur's eagerness to cooperate with prosecutors, the niyaba closed the case in perfunctory fashion and refused to accompany the victim to the police station to identify the officers who had tortured him. The Egyptian Organization for Human Rights submitted a written complaint about this case to the Prosecutor General's office on May 22, 1991.

### **"It's As If You Were Never Here"**

Buktur, forty years old, is a resident of Ain Shams and the father of four children. He provided MEW with detailed testimony about his torture, and described his repeated efforts to work with the niyaba to pursue an investigation of his complaint:

On May 9, 1991, between 3:00 and 4:00 p.m., Buktur was taken from his shop in Cairo by an SSI officer and brought to the second floor of the police station in Heliopolis. He was brought to another officer, who took his identity card and told him to return at nine o'clock that evening. Buktur went home and returned to the station at the appointed time. His wife and son came with him, and waited outside the police station in their car.

I was taken to the second floor to an office. I was met by an officer in civilian clothes, who asked me questions: "Why do you speak about religion? Why don't you like the Koran? Why do you insult the President? Is there a girl you want to convert to Christianity?"

Buktur was slapped about the face. The officer then called out and five men entered the office. His trousers and underclothes were removed and he was told to lie face-down. A large bald man held Buktur's head between his feet. A black electric "stick," with a tapered tip, was plugged into a socket. It was inserted into his anus and moved up his back, along the spine. "My body began to

convulse and jerk from the pain, and they put a chair over my back," Buktur told MEW. He said that he believed the instrument made no noise, but that is was difficult for him to hear because of the way his head was being held by the bald man.

He was instructed to stand, and then was beaten about the face, followed by the administration of more electricity. "Speak!" he was told. "Tell me what to say," he pleaded. "I'll sign whatever you want." He told MEW that this treatment continued from about 9:00 p.m. until 11:30 p.m.

At first I was conscious, then I fainted. They slapped me and beat me, then used electricity again. They hit me with their hands and feet on my neck, my face, my stomach. One of them kicked me from one side of the room to the other.

I remember one punch to the face -- it felt as if my whole jaw, cheek and ear were on fire. "Does it hurt?" I said yes. Then he hit me on the other side, so I wouldn't say it hurt again. "Don't think we have anything to fear," one of the men told him. "We can throw you on the street. No one will ask about you. We are not responsible. It's as if you were never here."

The officer then threatened that they would bring Buktur's wife and rape her, and asked for his home telephone number. "I told them that my wife was outside in the car. I don't know why I said that," Buktur recounted. The officer then took him to another room and told him to wash his face and put on his clothes, while they prepared an arrest warrant. "I was afraid they were going downstairs to get my wife."

They told me that they can let me go and tell the emir of an Islamic group to burn down my shop and my house. "Do you have daughters?" one officer asked. I told him that I have three. "When you go home you won't find them there. Who is your priest? Goddamn you and your priest. The emir of an

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**Islamic group will rape your wife and your daughters. These groups would love a tip about a person like you."**

**Buktur was taken to an officer in another room who said he would be released. He also was told that he should return at 9:00 p.m. the next night to face the individuals who accused him of trying to convert them to Christianity. "Another officer said that they should not release me because I would try to put pressure on these people. I asked them how I could pressure people I didn't even know," Buktur told MEW. Before Buktur left, one of the men approached him apologetically: "He told me not to be angry, that they were just carrying out orders. He said that I had not done anything, that maybe there was a mistake or maybe this was just a present to someone important whom I angered."**

**It struck Buktur as odd that his interrogators accused him of making problems between Christians and Muslims. "I spent thirteen years in the army. I fought in the 1973 war. I don't live in a Christian quarter. There are only three or four Christians in my neighborhood. We have no problems. We go to our Muslim neighbors' weddings. I give credit to Muslims who come to my shop, even if I know they can't pay me back. The only time I felt my Christianness was when they were torturing me. My best friends are Muslims, and they helped me after this experience."**

*"I went to the nivaba in bandages...Each time he told me to come back. I went there for five days but was never interviewed. They would tell me to come in the morning, but then the nivaba wouldn't let me in. The nivaba finally took a statement from me on May 19 (ten days after the torture occurred)."*

**Buktur returned home with his wife, physically devastated and unable to move. He experienced severe headaches and convulsions. He went to a doctor the next day, who gave him an injection for the pain and sent him to a hospital for an X-ray, of what turned out to be a broken jaw. He went to a clinic to have his jaw set. He visited a psychiatrist because he had become incontinent. "Then I realized that I was impotent. I feel that I've lost control over my life, over everything," he told**

MEW.<sup>46</sup>

### **The Niyaba's Role in the Buktur Case**

Despite his injuries, Buktur doggedly pursued a complaint to the authorities about his case. He met with a lawyer; he also visited the Egyptian Organization for Human Rights some three days after the incident. "I went to the niyaba in bandages, the day after my operation. Each time he told me to come back. I went there for five days but was never interviewed. They would tell me to come in the morning, but then the niyaba wouldn't let me in. The niyaba finally took a statement from me on May 19 and I was examined by a forensic doctor on May 20."

Two forensic medical examinations by Ministry of Justice physicians confirmed the injury to Buktur's jaw that was sustained during his torture.<sup>47</sup> After the first forensic medical report, Buktur was told by the niyaba, Husam Abdallah of the Heliopolis prosecution office, that the investigation would not proceed until there was a final medical report. The final medical report in the case, dated January 19, 1992, was based on an examination and X-ray by a second physician on November 5, 1991.<sup>48</sup>

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<sup>46</sup>MEW interview, Cairo, February 6, 1992.

<sup>47</sup>He was first examined by Dr. Muhammed Atif Mahmoud Sayyid on May 20, 1991, who submitted a forensic medical report dated September 5, 1991. The doctor's report noted that "two X-rays indicated clearly a fracture in the left lower jaw." The doctor also found, after his own examination, "a light green bruise, turning to yellow, of an unspecified shape, approximately 5x7 cm in size, on the right cheek ... swelling in the left cheek ... [and] the lower [left] jaw in complete closure because it was affixed by a metal wire to the teeth of the upper jaw." The doctor concluded that "the injury in the lower jaw resulted from collision with a hard object ... at a time perhaps contemporaneous with the alleged incident on May 9, 1991." The doctor also wrote that "the status of the injury is not yet stabilized and is not yet of a permanent nature. I recommend re-examination after two months in order to X-ray the lower jaw after the wire is removed in order to clarify the final status of the injury." Ministry of Justice, Department of Forensic Medicine, Cairo Branch, Forensic Medical Report Concerning Case. No. 82/1991/Heliopolis. MEW translation from the original Arabic.

<sup>48</sup>Dr. Magida Hilal el-Qardawi found a permanent injury to the left lower jaw of approximately fifteen percent, "resulting in a deflection of the jaw to the right, with

**"I went to the niyaba at least four or five times," Buktur told MEW. "I went to the niyaba one month ago (January 1992). He told me to wait until the final medical report. He told me to give him the names of the men who tortured me. I told him that I could take him to the police station and point them out, that I only knew the name of the one who came to my shop." Later, after visiting the niyaba on February 16, 1992, Buktur told MEW:**

**The niyaba asked me if I could go to the police station and identify one of the officers. I said yes. Then the niyaba telephoned the police station and asked if someone with that name worked there. The problem is that he asked about the criminal investigation police, not the SSL. The niyaba was told that there was no officer with this name at the police station, and he refused to go with me to the police station so I could identify him.<sup>49</sup>**

**The niyaba told Buktur to return to the office on February 17 to receive his own copy of the final forensic medical report. Buktur took this to mean that the file of the case was being closed, since the niyaba had informed him that he would receive a copy of the forensic medical report at the point when a decision was made to close the file.**

**On May 22, 1992, the Egyptian Organization for Human Rights filed a written complaint about Buktur's case with the Prosecutor General. The complaint was given the number 3322 at the Prosecutor General's office. To date, EOHR has not received an acknowledgement of the complaint or any information about the status of the investigation.**

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**difficulty in chewing." Ministry of Justice, Forensic Medicine Department, Cairo Branch, Forensic Medical Report Concerning Case. No. 82/1991/Heliopolis. MEW translation from the original Arabic.**

<sup>49</sup>MEW interview, Cairo, February 17, 1992.

**5**  
**LONG-TERM DETENTION OF POLITICAL  
PRISONERS WITHOUT CHARGE OR TRIAL**

***"In two years, I've been to court twenty-six times and ordered released, but the order wasn't executed. I've been told that I'll never get out."***

***—Mahmoud Muhammed Ahmad Shayek, detainee at Tora Istikbal prison,  
Interviewed by MEW, February 1992.***

***"They are put in jail because they are a threat to public security. We do not have anything to convict them ... they are part of a secret organization. We do not have the required proof."***

***—Prisons Administration officer at the Tora Prison complex,  
Interviewed by MEW, February 1992.***

***Egyptian law, particularly the long-standing emergency law, grants broad powers to the Ministry of Interior and the Ministry of Justice to arrest and detain without charge for lengthy periods. The Ministry of Interior currently holds scores of individuals in long-term detention without charge or trial. They remain in custody despite court-ordered releases because successive new detention orders have been issued by the Interior Ministry. Higher State Security Court decisions to release detainees are simply not implemented.***

***These detainees include suspected radical Islamists, some of whom have been held at Tora Istikbal Prison from two to three years, and Palestinians in Abu Za'bal Liman Prison, some of whom have been held there since the early months of the Gulf crisis in 1990. These detentions continue despite Interior Minister Moussa's pledge after taking office in January 1990 that he was "committed to state policy which believes in the rule of law" and that "if a court orders the release of someone then we must all honor that order."***

***The flouting of judicial rulings by issuing detention orders in succession, over long periods, after court-ordered releases, clearly violates the fundamental human right to be free from arbitrary arrest and the right to effective remedy before competent national tribunals for acts that abridge fundamental rights.***

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### POLITICAL DETENTIONS IN EGYPT

Under Egyptian law, several mechanisms can be used to arrest and detain any individual.<sup>1</sup> The state's long-standing state of emergency<sup>2</sup>, most recently renewed and approved by the People's Assembly in May 1991 for three additional years, grants the Minister of Interior the administrative power to order the detention of any individual without charge on exceedingly broad grounds: suspicion of endangering public order or security.<sup>3</sup> In addition, prosecutors from the Ministry of Justice conducting investigations pursuant to the criminal procedure code can petition regular courts for authority to hold persons in custody for periods up to and, in felony cases, exceeding six months.

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<sup>1</sup>See Amnesty International, "Egypt/Arbitrary Detention and Torture Under Emergency Powers," AI Index: MDE 12/01/89, May 1989, for a detailed description of the legal basis for administrative detention and detention in security-related criminal cases.

<sup>2</sup>The Egyptian Constitution grants the president of the republic the power to declare a state of emergency, pursuant to Law No. 162 of 1958, the Emergency State Act. Article 148 of the Constitution provides: "The President of the Republic shall proclaim a state of emergency in the manner prescribed by the law. Such proclamation must be submitted to the People's Assembly (the lower elected house of Parliament) within the subsequent fifteen days in order that the Assembly may take a decision thereon. In case the People's Assembly is dissolved, the matter shall be submitted to the new Assembly at its first meeting. *In all cases, the proclamation of the state of emergency shall be for a limited period, which may not be extended unless by approval of the Assembly.*" (Emphasis added.)

<sup>3</sup>Article 3 of the Emergency Law.

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<b>Date</b>	<b>Total Prison Population</b>	<b>Number of Unsented Political Detainees</b>
<b>March 23, 1989</b>	<b>30.600</b>	<b>219</b>
<b>June 29, 1989</b>	<b>29.685</b>	<b>501</b>
<b>August 29, 1989</b>	<b>29.540</b>	<b>783</b>
<b>September 4, 1989</b>	<b>29.916</b>	<b>1.004</b>
<b>March 23, 1990</b>	<b>33.846</b>	<b>537</b>
<b>March 23, 1991</b>	<b>34.439</b>	<b>557</b>
<b>Februarv 19, 1992</b>	<b>35.321</b>	<b>584</b>

The Ministry of Interior maintains daily statistics on the number of inmates in Egyptian prisons, including detainees who are held for political, as opposed to criminal, reasons. Ministry officials presented data to MEW indicating that as of February 19, 1992, there were 584 unsentenced political detainees in Egyptian prisons, out of a total prison population of 35,321.<sup>4</sup> Three months earlier, after the arrests at the time of the Middle East peace conference in Madrid, statistics from the same data base showed that on November 14, 1991, there were 644 political detainees out of a total prison population of 32,993.

MEW reviewed Interior Ministry statistics dating back to 1989, which revealed that the total number of prisoners has increased by about fifteen percent from March 1989 to February 1992, but that the number of political detainees has fluctuated between a low of 219 persons in March 1989 to a high of 1,004 in September 1989 (see chart, above).

### UNDERCOUNTING POLITICAL DETAINEES

It must be noted that the actual number of detainees in Egypt held for political reasons at any point in time can be higher than the number reported in these statistics. The Ministry of Interior's data includes only detainees who have

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<sup>4</sup>MEW interview with Gen. Mustafa Lutfi, Director of Investigation and Security for the Prisons Administration, Cairo, February 20, 1992.

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been admitted to prisons and not those who are being held incommunicado at places other than prisons, such as SSI offices and CSF military camps used as detention centers by SSI (see Chapter Two for additional information).

While many individuals who are held incommunicado by SSI are moved to prisons after days or weeks, in other cases investigated by MEW individuals are released directly by SSI from the locations where they have been detained. These detainees are never admitted to a prison and thus are not included in the Ministry of Interior's tallies of the number of political detainees in Egypt.

### **LONG-TERM DETENTION WITHOUT CHARGE OR TRIAL**

MEW found evidence that the Ministry of Interior uses its considerable power under the emergency law to subvert the rule of law in cases of political prisoners held under administrative detention. Islamist and Palestinian detainees -- some of whom have been held without charge since 1990 -- claim that they have been continuously detained under successive detention orders despite court-ordered releases.

While Egypt's emergency law affords the Minister of Interior the right to object to a detainee's challenge of his detention order before the Higher State Security Court, if the detention order is overruled by two courts, the detainee should be released.<sup>5</sup> Judicial review is designed to curb the arbitrary or punitive

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<sup>5</sup>Article 3 *h/s* of the Emergency Law provides in part: "The detainee, and any other persons concerned, may lodge a complaint against his arrest or detention if he is not released within 30 days from the date of the said arrest or detention. Such complaints are submitted, without payment of any charges, to the Higher State Security Court constituted in accordance with the provisions of this Act.

"The Court must hand down a substantiated decision on the complaint within 15 days from the date of its submission and after hearing the statements of the arrested or detained person, failing which the latter must be released immediately."

Article 3 *h/s* further provides: "If an order is issued for the release of the said person, or if no decision is taken on the complaint within the time-limit specified in the preceding paragraph, the Minister of Interior may appeal against the release order within 15 days from the date of its issue or from the expiration of the above-mentioned time limit.

"If the Minister of the Interior appeals against the order, his appeal must be referred to another court within 15 days from the date of its submission and a decision must be taken thereon within 15 days from the date of its referral; otherwise, the detainee must

## **LONG-TERM DETENTION • 155**

**exercise of the powers of arrest and detention. The flouting of judicial rulings through the technique of repeatedly issuing new administrative detention orders against targeted individuals is a violation of the fundamental human right to not be arbitrarily deprived of one's freedom.**

**The day after his appointment as Interior Minister in January 1990, Gen. Muhammed Abdel Halim Moussa pledged in an interview that he was "committed to state policy which believes in the rule of law."<sup>6</sup> He was asked during the interview about political detainees in Egypt and he pledged to uphold rulings of the judiciary: "We will enforce the law in the sense that if a court orders the release of someone then we must all honor that order."**

**But long-term political prisoners and Egyptian lawyers assert that judicial decisions to overturn Ministry of Interior detention orders are not respected. Detainees who are held long-term despite judicial orders for their release are concentrated in two prisons: the Islamists in Tora Istikbal, and the Palestinians in Abu Za`bal Liman. Detainees in both prisons provided MEW with information that after court-ordered releases they are removed from prison, held incommunicado in SSI custody, and returned to the prison after new detention orders have been issued. Since they never see freedom after they are ordered released, it is unlikely that the new detention orders are based on reasons that have not already been rejected by the Higher State Security Court.**

### **The Detainees in Tora Istikbal Prison**

**The prison facility in Egypt that appears to be used most frequently to hold long-term political detainees without charge is Tora Istikbal, southeast of Cairo. MEW visited the prison on February 16, 1992. Prison authorities reported that there were some 400 "political" detainees at Tora Istikbal at the time, out of a total prison population of 1,093. Of the political detainees, the authorities said that 264 occupied cells on the first two floors of the four-story building that MEW was permitted to visit briefly. Virtually all of the political detainees on these two floors were on a hunger strike at the time of MEW's visit. The hunger strike was cited as one of the reasons by the authorities for curtailing the length and scope**

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**be released immediately and the court order becomes final in such an event."**

<sup>6</sup> *al-Sharq al-Awsaf* (London), January 14, 1990, as reported in FBIS, January 29, 1990, p. 13.

of MEW's visit.

The striking detainees told MEW that they were being held under successive detention orders, without charge, despite court-ordered releases. As MEW representatives were leaving the building, detainees handed them numerous handwritten notes, which prison officials permitted MEW to keep. One anonymous note outlined the detainees' grievances and the reasons behind the hunger strike, including the problem of long-term detention without charge or trial. The pertinent part of the document read:

**[We protest] the policy of repeated detention, which is even in violation of the emergency law, which states that the maximum period a detainee can spend in detention, if released by the judiciary, is two months. But the Minister of Interior oppresses currently about 100 of the Islamic detainees and refuses to carry out the successive judicial decisions to release them. Some of these people have been detained for more than three successive years.<sup>7</sup>**

The document then listed the names of fourteen detainees at Tora Istikbal held continuously without charge for over three years.<sup>8</sup>

In March 1992, MEW wrote to Chancellor Raga' el-Araby, Egypt's Prosecutor General, and provided the names of these fourteen detainees. MEW requested that the Prosecutor General specify the length of time that these individuals have been held in uninterrupted detention without charge, and to

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<sup>7</sup>MEW translation from the original Arabic.

<sup>8</sup>Their names are: Shukri Muhammed Suleiman, Ahmad Rajab, Abed al-Sattar Muhammed Abed Settar and Rifat Hassan Muhammed, from Alexandria; Ahmad Faraghaly, Ali el-Dinari and Muhammed Jamil Ismail, from Minya; Dr. Ahmad Abd el-Saleem, Shaaban Ali Ibrahim, Muhammed Mahmoud Ahmed Shayeh and Ashraf Jamil, from Assyut; Hassan Gharabawi from Ain Shams; Sayyid al-Assyuti from Beni Suef; and Ali Badul al-Dhahr from Imbaba in Cairo.

## **LONG-TERM DETENTION • 157**

provide specific information about each case.<sup>9</sup> As of the date of the release of this report, MEW has not received a reply.

Some detainees told MEW they had been removed from Tora Istikbal prison after court-ordered releases, held in incommunicado detention by SSI, and then returned to prison after new detention orders were issued. For example, Ali Abd al-Muhammed Khalil was arrested on January 18, 1991. Since then, he had been released eight times by the court but continued to be detained. After each court-ordered release, he wrote in a short document provided to MEW, "I was transferred from Tora Istikbal to Lazoughly, where I was tortured. They renew my detention from Lazoughly and I spend a period of ten to fifteen days there. Following that, each time I am transferred back to Tora Istikbal." He appealed for supervision of his court-ordered releases by the niyaba, and the recording of marks of torture on his body "in the book of the Prisons Administration upon my arrival at the prison."

In a handwritten statement listing the reasons for the hunger strike, detainees complained in particular about SSI officer Imad al-Najjar, "who takes us to SSI and tortures us personally there and here." In another handwritten statement provided to MEW, detainees alleged that the following SSI officers have tortured them at Lazoughly: Gen. Mustafa Abdul Kader (the director of SSI), Brig. Gen. Muhammed el-Said, Maj. Ahmad Kamel, and Maj. Mahmoud Sayyid Sharawi.

In the limited time the authorities allotted for interviews with the political detainees at Tora Istikbal, MEW was able to obtain the following additional information:

\*\* Magdi Gohari Afifi, a twenty-six-year-old accountant, was one of these detainees. He was visibly weak from the hunger strike when MEW interviewed him in his prison cell. Lying on his mattress, covered with a blanket, he told his story in a strained voice. He was arrested at his home in Giza in July 1990, handcuffed and blindfolded, and taken to the SSI building in Giza, where he was held

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<sup>9</sup>MEW asked for the following information about each of the fourteen cases: the original date and location of arrest, the legal authority for arrest, the date of the expiration of the original detention order and the date of release, the location where release took place, dates and locations of successive arrests, and the legal authority for these successive arrests, including dates of expiration of detention orders.

incommunicado for five days. He said that he was tortured on the first floor of the building with beatings, electricity and suspension. He was then moved to Tora Istikbal. He said that he has never been charged with an offense.

He told MEW that he has been removed from the prison nine times and taken to the Giza SSI building: "I usually stay one week to ten days. I am not blindfolded or tortured. There are two special rooms on the ground floor," he said. "No one talks to you." After each of these repeated periods of incommunicado detention, Gohari has been returned to his cell in Tora Istikbal.<sup>10</sup>

\*\* Another handwritten note provided to MEW representatives listed the names of eight detainees, including Gohari, who have been held without charge since 1990, and one who has been held since April 1991.<sup>11</sup> "There are many," the note read, "and those we have mentioned are only as an illustration. All of these men were ordered released by the court." Between the time one detention order expires and the date of commencement of a new detention order, the detainees are held in SSI custody, sometimes in Central Security Forces camps in the provinces. The note listed the names of three detainees who were believed to be held in the CSF camp in Giza (*muaskar quat `amn el-Giza*) since January 13, 1992: Ahmed Abdel Thaher Ali, thirty years old; Ashraf Sayyid Abdul Latif, twenty-five years old; and Abduh Ali Muhammed, sixty-two years old.

\*\* Muhammed Gamal Ismail Ahmed, thirty-four years old, has been held at Tora Istikbal prison under successive detention orders since June 3, 1990. He provided MEW with information stating that he has been removed twelve times from the prison, after court-ordered releases, and "stored" in Beni Suef or Fayyum for a while, and then returned to Tora Istikbal. He said that he suffers from heart disease and rheumatism.

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<sup>10</sup>MEW interview, Tora Istikbal Prison, February 16, 1992.

<sup>11</sup>The names and the date of the first detention are: Engineer Muhammed Jamal Ismail, held since March 1990; technician Ali Abd el-Thaher Ali, September 1990; teacher `Anter Ahmad Muhammed al-Zayyat, May 1990; teacher Sameh Hassan Muhammed Shahat, May 1990; accountant Muhammed Ibrahim Moussa, May 1990; accountant Magdi Gohari Afifi, July 1990; engineer Qassem Sayyid Qassem, June 1990; student Issam Abd al-Monem al-Jundi, November 1990; and worker Abd el-Latif Sayyid Abd el-Latif, April 1991.

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**\*\* As MEW representatives were leaving the prison, they found three hunger strikers on stretchers in a large empty room off a wide corridor. One of the three was Mahmoud Mohammed Ahmad Shayeb, twenty-eight, a resident of Assyut who holds a B.A. in medicine. Gen. Mahmoud Fakarani, the director of the Prisons Administration, described Shayeb to MEW with the following words: "I know him. He's the most dangerous person in Assyut."**

**Shayeb said that he had started his hunger strike on February 11, five days earlier. Visibly exhausted, he told MEW that he had been examined by a doctor and had received saline solution from the intravenous drip next to his stretcher. Although surrounded by prison officials, he responded to a series of MEW questions.**

**He said that he was arrested on January 13, 1990 in Assyut and has been in continuous detention since this time. Before his arrest, the security forces arrested his wife, Malal Hussein 'Ali, and held her for three days at the SSI building in Assyut. She was released when he was arrested.**

**Shayeb said he was initially held for eight days in SSI custody in Assyut, before being brought to Tora Istikbal prison. He said that over the previous two years he had been removed four times from Tora Istikbal to SSI headquarters in Lazoughly. "They move us at night," he said. Each time, he spent two days in Lazoughly, where he was stripped naked, threatened with sexual abuse, poked with electricity, exposed to the cold, and told he would never see the sun again. "In two years, I've been to court twenty-six times and ordered released, but these orders were not executed. I've been told that I'll never get out because my sister's husband is Dr. Omar Abdul Rahman [the now-exiled militant blind Egyptian *sheik* or religious scholar, considered the spiritual leader of the clandestine Jihad Organization]."**

**Prior to this chance encounter with Shayeb, striking prisoners had told MEW that some detainees were being held in a special room called "The Hospital," on the floor above the prison director's office. MEW was not permitted to visit this area on February 16, but received assurances from prison officials that access to these detainees would be provided during MEW's promised return visit to Tora Istikbal on February 18. Shayeb was one of the detainees held in "The Hospital." He told MEW: "Fourteen of us are being held in the hospital. Hassan Gharabawi<sup>12</sup>**

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<sup>12</sup> See Footnote 9 in Chapter Four.

has been there for three years, entering his fourth year. Some of us have been there for one to one and a half years. It's one room, about sixteen square meters. We never see the sun. Most of us have scabies."<sup>13</sup>

### **The Detainees in Abu Za`bal Liman Prison**

MEW visited Abu Za`bal Liman prison on February 12, 1992, a facility which at that time held 2,463 prisoners. Prison authorities said that all except 119 of the inmates were sentenced prisoners serving terms of hard labor. Of the 119 unsentenced prisoners, authorities told MEW that thirteen were held for criminal activities and 106 for political activities. Some 100 of the political detainees were Palestinians, many of whom have been held since the early days of the Gulf crisis in 1990.

MEW was able to interview some of the sixty-six of these detainees who are held together in one cellblock. They provided information about incommunicado detention by SSI prior to their transfer to prison, torture and ill-treatment while they were held in SSI custody, and continuous detention, despite court-ordered releases. Some told MEW that they were held in incommunicado detention in SSI custody until new detention orders were issued.

\*\* Khalid Ahmad Sayyid Ahmad, one of the Palestinians, provided MEW with detailed information about his fourteen months of continuous detention without charge, including the dates of his nine successive detention orders.<sup>14</sup> The

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<sup>13</sup>MEW interview, Tora Istikbal Prison, February 16, 1992. Scabies is a contagious skin disease caused by the *sarcoptes scabiei* mite; the disease is characterized by intense itching.

<sup>14</sup>The dates of his nine detention orders are as follows:

1. December 12, 1990 to January 19, 1991
2. January 28, 1991 to March 8, 1991
3. March 17, 1991 to June 13, 1991
4. June 21, 1991 to July 28, 1991
5. August 7, 1991 to August 29, 1991
6. September 10, 1991 to September 29, 1991
7. October 15, 1991 to November 5, 1991
8. November 19, 1991 to January 14, 1992
9. January 22, 1992 was the beginning of his ninth period of detention.

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dates of these orders indicate that there always was a gap of between eight and ten days between the date one detention ended and the date the new order was to take effect. His first detention, for example, commenced on December 12, 1990 and ended on January 19, 1991, but his second detention did not take effect until January 28, 1991. He was not released on January 19, but moved from the prison into SSI custody until the new detention order took effect.

He wrote in a document he handed to MEW representatives that during these gaps in detention he was held in SSI custody at Lazoughly until he was returned to prison, and that his movements to and from Lazoughly were not recorded in the prison log. He appealed that his releases from detention be supervised. The dates of the orders indicate that he had periods of freedom before another order was issued, but he stated that he "has never been exposed to the outside in fourteen months."

\*\* Abd al-Nasser Zaher Bilal, a fourth-year student at the University of Alexandria, was arrested in September 1990 and said that he had never been charged with a specific offense. He told MEW that the state security court ordered four times that he be released but these orders were never executed. He has been held in continuous detention at Abu Za`bal. He has lost sight completely in his right eye and believes that he is about to become blind in his left eye (see Chapter Two for additional information).

\*\* A group of twenty-seven Palestinians at Abu Za`bal, who said that they are wanted by the authorities in the Israeli-occupied territories, are demanding that Egypt allow them to go to Libya or another Arab country that will accept them. These men surrendered themselves to SSI upon entering Egypt and requested political asylum. They have been held in continuous detention since then, for periods ranging between one year and eighteen months.

They provided MEW with information stating that they have been ordered released several times -- some of them five times -- by the state security court but in fact they never have been released. They reported that they are held in Shobra branch of SSI in Cairo until new detention orders are issued and then they are returned to Abu Za`bal. They claim that there is no basis or reason for the new detention orders, because the facts of their case have not changed since the

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previous court-ordered release.

**\*\* Khalid Rajab Muhammed Abu Dhahi arrived in Egypt from the Israeli-occupied territories on June 20, 1990, and gave himself up to SSI. Since then, he has been held in continuous detention, despite court-ordered releases. Terming his releases from detention "imaginary," he claimed that he was held at the Shobra branch of SSI in Cairo after each court order and then returned to Abu Za`bal prison. He said that he suffers from cardiac problems and that his health has deteriorated during his imprisonment. His requests to be allowed to leave Egypt for any Arab state that will accept him have been denied and he appealed for assistance in seeking political asylum.**

### THE ROLE OF THE TRANSFER POLICE

The transfer police appears to play a key role in the temporary "disappearance" of detainees into the hands of SSI, particularly after detainees have been transferred to a prison. This force is part of the security directorate (*mudiriyyat al-`amn*) that exists in each of Egypt's twenty-six governorates and in Cairo. Prisons Administration officials told MEW that the transfer police has the responsibility of delivering detainees to prison and transporting them to their governorate of residence after release from prison.

The director of the Prisons Administration, Gen. Mahmoud Fakarani, was formerly head of the security directorate in Assyut governorate.<sup>15</sup> He provided MEW with information about the procedures used to release detainees or prisoners from prison facilities. "They are released from the province in which they reside. Special forces from the Cairo Security Directorate take the prisoner to the security directorate in his province. He is released after making an oral pledge of good behavior."

Gen. Fakarani explained that the Cairo Security Directorate has its own transfer police force, and it is this force which takes the prisoner from jail to the provincial security directorate. The Cairo force performs this function for all

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<sup>15</sup>As head of the Assyut security directorate, Gen. Fakarani told MEW that he reported directly to the Minister of Interior, "except for minor administrative matters."

## **LONG-TERM DETENTION • 163**

**prison releases and transfers, including court-ordered transfers.**

**The use of the transfer police allows SSI officers to avoid acknowledged responsibility for detainees after arrest or following release from a prison. In a formal sense, SSI never takes custody of a prisoner.**

**MEW learned, for example, that prison records contain no information about SSI officers or soldiers involved in transporting or removing detainees, since this function is carried out by the transfer police. The commander of Tanta General Prison told MEW: "The prison records the name of the head transfer police person and the number of the vehicle."<sup>16</sup> The commander of Abu Za`bal Liman prison told MEW that his prison's log contains information about a prisoner's arrival date and the security force delivering the prisoner. When a prisoner is released from a prison, the log notes the name and rank of the officers who removed the prisoner and the number of persons in the force, and the license of the vehicle. "We telephone that the car is on its way," he said, indicating that this is done for security reasons.<sup>17</sup>**

**Further investigation into the complicity of the transfer police in SSI abuses is clearly necessary.**

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<sup>16</sup>MEW interview, Tanta General Prison, February 19, 1992.

<sup>17</sup>MEW interview, Abu Za`bal Liman Prison, February 12, 1992.

**6**  
**SCRUTINY OF EGYPT'S HUMAN RIGHTS RECORD**

***"Egypt's policies have gained considerable international recognition."***

***-- Egyptian Prime Minister `Atif Sidqi,  
December 30, 1991.***

***Egypt, the second most populous country on the African continent and a pro-Western moderate voice in Middle East politics, receives over \$2.26 billion annually in military and economic assistance from the United States. Egypt also will receive another \$721.36 million from the twelve-nation European Community (EC) from 1992 to 1996, under the terms of a five-year financial protocol, and the EC is Egypt's main trading partner. Despite the leverage that such aid and trade represent, the government of President Hosni Mubarak largely has escaped public scrutiny and sustained pressure from the United States and Europe to improve its mediocre human rights record and to lift the long-standing state of emergency.***

***Although the U.S. State Department in 1992 provided a frank and generally accurate assessment of human rights violations in Egypt, Middle East Watch is not aware of one instance in 1990, 1991 or thus far this year when any Administration spokesperson publicly made reference to human rights abuses in Egypt or to the need for the Mubarak government to address rights problems.***

***In a report to the U.S. Congress justifying aid to Egypt in fiscal year 1993, the U.S. Defense Department states that the aid "encourages Egypt's political and economic liberalization" and is designed to "encourage further democratic reform and improved human rights performance." But the Bush Administration has never publicly spelled out the nature of the democratic reforms it seeks or the human rights abuses that must be remedied. Apart from the information contained in the annual country report on Egypt, it has been conspicuously silent about the virtual institutionalization of emergency law and the torture of detainees held in custody by State Security Investigation officers. In 1991, diplomatic sources told The Washington Post that the U.S. Embassy in Kuwait, attempting to curb Kuwaiti government abuses against non-Kuwaitis, complained to the Kuwaiti government that Egyptian security-force personnel were involved in***

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*the interrogation and torture of detainees in Kuwait.<sup>1</sup> But the Bush Administration's reported protest about Egypt's role in human rights abuses in Kuwait did not translate into a single public statement of concern about security forces' interrogation and torture of detainees in Egypt.*

*Middle East Watch calls on the Bush Administration and members of the European Community to take the lead in building international pressure for an end to torture and other human rights abuses in Egypt. They should publicly acknowledge and condemn the use of torture and prolonged detention without trial, and direct the attention of the Egyptian government to the consequences of continued violations on economic assistance.*

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**EGYPT'S RECORD: THE ASSESSMENT OF THE U.S. STATE  
DEPARTMENT**

In its country report on Egypt issued earlier this year, the U.S. State Department concluded that "as a practical matter, the [Egyptian] people do not have a meaningful ability to change the government" and catalogued a range of human rights abuses, noting that "In many basic human rights continued to be abused or significantly restricted."<sup>2</sup> Among the specific problems cited were the following twelve points, which touch on virtually every important aspect of political, social and private life in this country of over 55 million people:

\* "the widespread practice of arbitrary detention without due process" and "no reliable statistics on the number of political prisoners."

\* "torture of some detainees and the authorities' failure to punish the perpetrators."

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<sup>1</sup> Caryle Murphy, "Kuwait Reported Moving to Curb Rights Abuses," *The Washington Post*, October 2, 1991.

<sup>2</sup> *Country Reports on Human Rights Practices for 1991*, p. 1382 and p.1374.

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\* "little oversight of the Interior Ministry's use of Emergency Law powers."

\* "security forces used lethal force against Islamic extremists, who were sometimes armed."

\* "limitations on judicial independence and due process ... [including] a detainee's rearrest, without formal charge, even if he has been freed by court order."

\* "substantial abridgement, under the Emergency Law, of the right to privacy."

\* "[b]ooks and works of art may be confiscated or banned by decree of various ministries without a court order."

\* "substantial restrictions" on freedom of peaceful assembly and association.<sup>3</sup>

\* "strikes are illegal" and "the law requiring all national trade unions to join a single federation infringes upon workers' freedom of association."

\* "important restrictions" on freedom of religion, including the requirement that "non-Muslims must obtain a presidential decree to build or repair a place of worship."

\* "aspects of the law and many traditional practices are discriminatory against women."

In addition, the State Department noted that human-rights monitoring organizations in Egypt lack legal status: "Since 1985, the Government has refused

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<sup>3</sup>The State Department notes that political pluralism is discouraged in Egypt: "The Government's licensing power over newspapers, private organizations, political parties, and even the recognition of a single trade union federation discourages political pluralism. New [political] parties must be approved by a government committee ... To form a party without a license is a felony which may be tried before the Court of Ethics or a State Security Court." [*ibid.* p. 1383.]

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**to license the [Egyptian Organization for Human Rights] and the Arab Organization for Human Rights ... on the grounds that they are political organizations."<sup>4</sup>**

### **U.S. AID TO EGYPT: NO STRINGS ATTACHED**

**Despite this poor human-rights record, Egypt has earned a secure place in U.S. foreign aid programs as a key regional ally of the United States. It receives over \$2.26 billion in direct annual military and economic assistance, making the country one of the top four recipients of U.S. foreign aid -- second to Israel but ahead of Turkey and Greece. In addition, in December 1990 the U.S. cancelled \$6.7 billion of Egypt's military debt.**

**The substantial leverage afforded by this significant level of aid has never been utilized -- by the Bush Administration or by the U.S. Congress -- to effect specific improvements in Egypt's human rights practices or to push for lifting the almost-permanent state of emergency. The justifications offered by the State Department for U.S. aid to Egypt ignore or downplay the serious human rights violations noted in the department's own annual report.**

**The U.S. Defense Department, in its presentation to the U.S. Congress for security assistance for Fiscal Year 1993,<sup>5</sup> set forth the considerations underlying U.S. policy toward Egypt, of which the Mubarak government's support for U.S. military activities is foremost:**

**The United States desires a moderate, stable Egypt, linked politically and economically to the West. Since 1980, Egypt has provided essential support for the U.S. military presence in the Middle East. The importance**

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<sup>4</sup>For information about Law No. 32 of 1964, used to license and regulate private non-governmental organizations in Egypt, *see* Middle East Watch, "Egyptian Government Moves to Dissolve Prominent Arab Women's Organization," September 1991; "Update: Dissolution of the Arab Women's Solidarity Association," December 1991; and "Court Upholds Closure of Women's Organization," June 1992.

<sup>5</sup>Fiscal Year 1993 commences on October 1, 1992.

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and strength of the bilateral military relationship with Egypt was demonstrated throughout the Gulf crisis. Strong Egyptian leadership paved the way for active Arab participation in the coalition, and over 35,000 Egyptian forces constituted the third largest military contingent.<sup>6</sup>

**The Presentation also notes Egypt's role in the Middle East peace process and the Bush Administration's arms control plans for the region:**

**Egypt is our key Arab partner in efforts to achieve an Arab-Israeli peace and bolster moderate forces in the volatile Middle East. Egypt will be our primary regional partner in promoting the President's May 29, 1991 initiative on regional arms control. [Foreign Military Financing] funded military acquisitions envisioned in [Fiscal Year 1993] and succeeding years will reinforce these leadership roles.**

**Last, the Defense Department's Presentation states that aid to Egypt is designed to "promote market-oriented economic development and reform and encourage trade by financing imports of U.S. goods." It notes that before the Gulf War, Egypt's economy "was already suffering from high population growth, low productivity and a crippling debt." It cites the U.S. cancellation in December 1990 of \$6.7 billion in Egypt's military debt, and notes that this "was followed by agreements with Egypt's other major creditors at the Paris Club and the Gulf Cooperation Council (GCC) states to reduce Egypt's debt."<sup>7</sup>**

**The Presentation mentions human rights abuses in Egypt but in the sanguine context that Egypt's rights record is "improving" and that the Egyptian**

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<sup>6</sup>U.S. Department of Defense, *Congressional Presentation for Security Assistance for Fiscal Year 1993*, p. 158.

<sup>7</sup>*Ibid.*, p. 158.

military has not been linked to human rights abuses:

**(W)e remain concerned and regularly express our concerns to the Egyptian Government about credible reports of torture, mistreatment of political detainees and criminal suspects, and severe restrictions on freedom of religion. The Egyptian military has not been linked to these human rights problems.<sup>8</sup>**

**At the same time, it notably deletes inaccurate language from the FY 92 Presentation, which had lauded Egypt's "tradition of religious tolerance," "guided democracy," and "increasingly free political parties."<sup>9</sup> Also dropped was the claim that "[t]he government continues to use emergency law authority to prevent terrorism."**

**Egypt engages in a pattern of gross human rights violations that includes torture of detainees and long-term detention without charge or trial under emergency law. Yet, the U.S. Defense Department has requested over \$1.3 billion in security assistance, including military training, for Egypt for the fiscal year commencing October 1, 1992. Section 502B of the Foreign Assistance Act of 1961, as amended, prohibits security assistance to any "country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights." Gross violations are defined in the statute to include "torture or cruel, inhuman, or degrading treatment or punishment" and "prolonged detention without charges and trial."**

**The Defense Department's observation that the Egyptian military is not linked to Egypt's human rights problems in no way exempts the Administration from compliance with the requirements of the Foreign Assistance Act. Section 502B does not permit funding to nonabusive elements of an abusive government, but bars all security assistance to any government engaged in a consistent**

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<sup>8</sup> *Ibid.*, p. 158.

<sup>9</sup> U.S. Department of Defense, *Congressional Presentation for Security Assistance for Fiscal Year 1992*, p. 140.

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**pattern of gross violations of human rights.**

**Although Section 502B allows the Administration, if it deems it necessary to provide aid to an abusive country, to explain to Congress "the extraordinary circumstances warranting provision of such assistance," neither the Bush Administration nor any previous Administration has submitted such a statement to Congress.**

**A similar willingness to ignore U.S. human rights law was reflected in the affirmative U.S. votes on three World Bank loans to Egypt in 1991.<sup>10</sup> Section 701 of the International Financial Institutions Act of 1977 requires the Administration to**

**channel assistance toward countries other than those whose governments engage in...a pattern of gross violations of internationally recognized human rights, such as torture or cruel, inhumane, or degrading treatment or punishment, prolonged detention without charges, or other flagrant denial of life, liberty, and the security of a person.**

**The Administration is allowed to vote for assistance to such a country only if the assistance is designed to meet "basic human needs." Although torture and prolonged detention without charge are well-documented and long-standing abuses in Egypt, the United States voted to approve all three loans, none of which was designated to meet basic human needs.**

## **DISINTEREST BY CONGRESS**

**The U.S. Congress has been equally derelict in applying Section 502B**

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<sup>10</sup> The first loan, for \$300 million, supported decentralization and restructuring of the economy. The second loan, for \$140 million, aided the establishment of a \$572.3 million social fund. The social fund is designed primarily to support labor-intensive public works projects that would improve the nation's infrastructure and provide employment during economic restructuring. It is intended also to create a safety net for displaced Egyptian workers, including those returning from Kuwait. The final loan, for \$84 million, supported a \$285.5 million project to increase Egypt's use of natural gas resources, freeing more petroleum for export.

requirements to Egypt. Members have not debated the issue of conditioning aid to specific human rights improvements. While Congress has vigorously questioned the Administration about the recent U.S. rapprochement with Syria, questions about Egypt have been rare. In the few cases in which members of Congress have posed questions about aid to Egypt, the exchanges have been brief.

For example, on February 24, 1992, Secretary of State James Baker was questioned about the U.S. write-off of almost \$7 billion of Egypt's military debt at a hearing of the foreign operations subcommittee of the appropriations committee of the House of Representatives. Congressman Sidney R. Yates asked what the U.S. received in exchange for cancellation of this debt. "I don't think -- I'm not aware that we got anything specific, Mr. Yates," Secretary Baker replied. "Maybe we did. I mean, I -- nothing jumps out at me," he added.

Rep. Yates then asked: "Well, was it just a cancellation out of the blue?" Secretary Baker replied: "Yeah. It was a debt that had been basically written off on our books, and it was a cancellation that didn't cost -- as I understand it -- didn't cost the United States budget more than a minor amount." With additional questioning, Secretary Baker noted that the Bush Administration had "good reasons" for cancelling the debt and that gaining Egypt's support in the coalition against Iraq was "a main reason that we supported cancellation of that debt."<sup>11</sup>

Last year, in an rare intervention, Congressman Don J. Pease raised the issue of Egypt's human rights abuses during a debate of the rule for the Foreign Assistance Authorization Bill:

Egypt is getting \$2.1 billion essentially because of a pattern stated by President Carter to reward Egypt for its signing a peace treaty with Israel. But it looks to me now, after 11 or 12 years that this aid...is going to go in perpetuity ... Two dollars for Egypt for every \$3 for Israel. How can we justify one-sixth of our total foreign aid each year going to Egypt...when other countries have similar and more pressing developmental needs, when Egypt was accused just recently by Amnesty International of having a security apparatus that "routinely tortures, beats and

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<sup>11</sup>Federal News Service Transcript, February 24, 1992.

abuses its prisoners"?<sup>12</sup>

**U.S. AID REQUEST FOR FISCAL YEAR 1993: OVER \$2.26 BILLION**

The Bush Administration has requested that Egypt receive a total of \$2.266 billion in U.S. military and economic aid for the fiscal year that commences on October 1, 1992 (FY 93). This includes:

\* \$1.3 billion from the Foreign Military Financing program (FMF)<sup>13</sup>;

\* \$1.8 million in International Military Education and Training program funds (IMET)<sup>14</sup> for technical training and military education for 170 Egyptian military officers;

\* \$815 million in Economic Support Funds (ESF)<sup>15</sup>; and

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<sup>12</sup>Remarks made on October 30, 1991, and reported in "For the Record," *The Washington Post*, November 7, 1991.

<sup>13</sup>This assistance is in the form of long-term, low-interest loans to finance military purchases. The Administration's FY 93 request states that the FMF program for Egypt "will support M1A1 tank co-production and the F-16 and AH-64 Apache helicopter programs. The M1A1 and F-16 programs will be into their high-cost phases during FY 93. Under an agreement with General Dynamics and Turkish Aerospace Industries, the Peace Vector IV aircraft will be assembled in Turkey, a significant accomplishment in regional cooperation between two important U.S. allies." (U.S. Department of Defense Congressional Presentation, p. 159)

<sup>14</sup>The International Military Education and Training program, or IMET, was established as a separate program in 1976. It finances the training of foreign military personnel in the United States. The Defense Department FY 93 Congressional Presentation states that "IMET helps integrate advanced U.S. systems into the Egyptian forces. The training also exposes Egyptians to U.S. traditions of democracy, human rights, and civilian control of the military...IMET will continue to expose a new generation of military leaders to U.S. concepts and systems through technical training and professional military education." (*Ibid.*, p.159)

<sup>15</sup>The Economic Support Fund (ESF) is administered by the Agency for International Development of the U.S. State Department. The Defense Department FY 93 Presentation

\* \$150 million in food assistance.<sup>16</sup>

According to the Defense Department's Congressional Presentation, the proposed level of military and economic assistance from these programs is the same as the aid Egypt received in FY 1991 and is expected to receive during FY 1992, which ends on September 30, 1992. It also notes that the Foreign Military Financing applied to Egypt's commercial military purchases in Fiscal Year 1991 totaled over \$221 million.

#### **EUROPEAN COMMUNITY AID TO EGYPT: NO STRINGS ATTACHED**

Although the U.S. is the largest bilateral donor to Egypt, France, Germany, Italy and the United Kingdom also provide sizeable amounts of aid.<sup>17</sup> In addition, Egypt receives multilateral development assistance from the twelve-nation European Community (EC). No conditions are placed on this EC aid with regard to the lifting of Egypt's state of emergency or improvements in human rights.

In January 1977, Egypt and the EC concluded a cooperation agreement in Brussels which provided for economic, trade, financial and social cooperation for an unlimited period. The agreement included a financial and technical cooperation protocol scheduled for renewal every five years; each protocol is

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states: "ESF [to Egypt] will continue to provide economic development, budget and balance of payment support through project aid, sectoral grants and the commodity import program. In conjunction with a new sector grant approach, support for programs in five sectors will be linked to progress on policy reforms in those areas." (*Ibid.*, p. 159)

<sup>16</sup>This assistance – known as P.L. 480 – is provided through a U.S. agency called the Commodities Credit Corporation. The Commodities Credit Corporation is authorized, through the Agricultural Trade Development and Assistance Act of 1954 (known as "P.L. 480") to provide food assistance abroad through low-interest loans for purchasing of U.S. agricultural products, through concessional sales, and through loan forgiveness programs.

<sup>17</sup>U.S. Agency for International Development, *Congressional Presentation Fiscal Year 1992*, March 1991, p. 586.

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based on priorities jointly agreed to by Egypt and the Community. Unlike the EC's more recent cooperation agreements with Latin American countries, such as the 1990 accords with Argentina and Chile which state that cooperative ties are based on mutual respect for democratic principles and human rights, the earlier agreements, such as the one executed with Egypt in 1977, do not contain human-rights language.

The European Community's assistance to Egypt under the successive financial protocols has steadily expanded. Egypt's main trading partner is the European Community. Egyptian exports include oil and natural gas, and manufactured goods. Egyptian imports from the Community include machinery and transportation equipment, chemicals and manufactured goods.

The first protocol, from 1977 to 1981, provided European Currency Unit (ECU) 170 million,<sup>18</sup> most of it earmarked for energy and infrastructure projects. The second protocol, which expired in 1986, provided ECU 276 million in funding, mostly for agricultural and industrial project financing.

The third protocol, from 1986 to 1991, totalled ECU 449 million, and was "intended to contribute to the economic and social development of Egypt." According to the document executed in Brussels in December 1987, the assistance consisted of ECU 249 million in subsidized-interest-rate loans from the European Investment Bank; ECU 189 million in grants from the Community's budget resources; and ECU 11 million in contributions to risk-capital formation from the Community's budget resources.

The protocol states that priority projects include agricultural sector development, job-generating industrial and service sector development, science and technology research and training, and export diversification and promotion.

In April 1991, the Egyptian ambassador in Brussels and the director of the European Commission initialled the fourth protocol, which will run from 1992 to 1996. The protocol provides for ECU 568 million, an increase of twenty-seven percent over the third protocol. It includes ECU 258 million in grants from the Community's budgetary funds (with 16 million for equity capital) and ECU 310

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<sup>18</sup>ECU is the acronym for European Currency Unit, a basket of European currencies. One ECU was worth US \$1.27, in the foreign exchange rates listed on June 3, 1992.

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million in subsidized loans from the European Investment Bank.<sup>19</sup> The protocol was approved by the European Parliament on January 15, 1992 in Strasbourg, along with protocols on financial and technical cooperation between the EC and Algeria, Jordan, Lebanon, Tunisia and Israel. Notably, at the same session the European Parliament blocked the renewal of EC financial protocols with Syria (worth ECU 158 million, an increase of about eight percent) and Morocco (ECU 538 million, an increase of over thirty-five percent) because of "serious concern" about human rights violations.<sup>20</sup> As of the date of the publication of this report, assistance to both states remains blocked.

In a separate initiative in October 1990, the European Community decided to provide special financial assistance to Egypt, Jordan and Turkey because of the effect of the Gulf crisis on these three countries. A total of ECU 600 million, mostly in grants, was provided from the Community budget. Members states voluntarily contributed an additional ECU 1,000 million. An EC memorandum dated December 1991 states: "Of the ECU 600 million, 175 million have already been committed by the Community as grants to assist Egypt's balance of payments."

### ASSISTANCE FROM INTERNATIONAL FINANCIAL INSTITUTIONS: NO STRINGS ATTACHED

International financial institutions likewise have not conditioned their substantial assistance to Egypt on human-rights improvements, despite the imposition of such requirements on two other African countries, Kenya and Malawi, in 1991 and 1992.

At the beginning of 1991, Egypt was burdened with over \$55 billion in foreign debt to governments, commercial banks and private institutions, with

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<sup>19</sup>Agence Europe, April 18, 1991, as reported in "Europe," April 19, 1991, p. 10.

<sup>20</sup>Morocco's foreign minister, Abd al-Latif Filali, reacted to the negative vote by discounting the importance of EC aid. "Morocco does not need this protocol and will get by without it," he said. (Shada Islam, "No to Morocco and Syria," *Middle East International*, January 24, 1992, p. 13.) According to an EC official interviewed by MEW, there was no public reaction from Syrian officials.

approximately \$12 billion owed to the United States. But by the end of the year, the situation had changed dramatically. *Africa Confidential* reported in early 1992 that "Egypt gained more from the Gulf war than perhaps any other country."<sup>21</sup> A pre-war foreign debt of \$50 billion was whittled down to \$27 billion by generous write-offs from creditors, including \$14 billion in debt forgiveness from the U.S. and pro-Western Gulf states.<sup>22</sup>

In November 1990, the "Paris Club" consortium of creditor nations rejected an Egyptian request to refinance its debt, demanding prior "liberalization" of Egypt's economy. In December 1990, however, one month before the start of the Gulf war, the United States wrote off Egypt's \$6.7 billion debt for foreign military sales.<sup>23</sup> The balance of Egypt's debt to the United States, some \$5 billion, is authorized to be paid over twenty years on favorable terms that include a four-year grace period and a heavily subsidized interest rate.<sup>24</sup> The U.S. action appeared to be a reward for Egypt's role during the Gulf crisis and its "Thousand-

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<sup>21</sup>"Egypt: A taste of success," *Africa Confidential* (London), Vol. 33, No. 1, January 10, 1992, p.5.

<sup>22</sup> *Ibid.*

<sup>23</sup>The decision was made by the Bush Administration months earlier. *The Washington Post* reported that President Bush, after a National Security Council meeting on August 29, approved the write-off of \$7.1 billion of Egypt's military debt to the United States. Administration officials told the *Post* that the president's move was based on Egypt's support for U.S. policy in the Gulf crisis. According to the *Post* following the Iraqi invasion of Kuwait, Egypt extended to the United States overflight rights and staging and transit rights from Egyptian air bases, and smoothed the passage of dozens of U.S. warships through the Suez Canal. Patrick Tyler, "Bush to forgive \$7.1 Billion Egypt Owes for Military Aid," *The Washington Post* September 1, 1990. Although the amount of the write-off was reported at the time as \$7.1 billion, the U.S. Defense Department stated in 1992 that in December 1990 the U.S. forgave \$6.7 billion in Foreign Military Sales debt. (FY 1993 Request, p. 158.)

<sup>24</sup> "Agreement Reached with U.S. on Debt Repayment," Cairo MENA, July 19, 1991, as reported in FBIS, July 25, 1991, p.7. MENA, the Egyptian government's news agency, said: "The debt will be repaid over 20 years, following an immediate four-year grace period, at an interest rate not to exceed 2.8 percent ... Egypt's debt to the United States totalled \$12 billion before that country wrote off \$7 billion worth of military debts following the Gulf war."

Day Plan," announced in late 1990, to liberalize its largely centralized economy. The six-nation Gulf Cooperation Council (GCC) joined the U.S. action, writing off over \$7 billion of additional debt.<sup>25</sup> Later, after Egypt agreed to implement an IMF economic program, the Paris Club agreed to forgive up to half of the \$20.2 billion that Egypt owed its member nations.

This massive economic assistance was not conditioned on the lifting of emergency law or remedying human rights abuses, and Egyptian officials publicly heralded such aid as a boost to the country's international status. For example, Prime Minister `Atif Sidqi delivered the government's policy statement to Parliament on December 30, 1991. He cited President Mubarak's "realistic approach" to foreign policy and Egypt's participation in the military coalition against Iraq, and then noted Egypt's growing international stature:

Egypt's policies have gained considerable international recognition. An international consensus on granting Egypt the assistance it needs to overcome its economic crisis culminated in an agreement with the World Bank and the IMF, an agreement which underlines the basic soundness of the Egyptian economy. The agreement abolished 67 billion Egyptian pounds (approximately \$20.3 billion) of Egyptian debts to creditor countries and rescheduled most of the remaining debts on easier terms.<sup>26</sup>

President Mubarak made a similar point in a meeting on May 24, 1992, in Assyut, a city in Upper Egypt. He noted "the need for stability in Egypt...[and] asserted that world countries stand by and support stable states."<sup>27</sup> He stressed

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<sup>25</sup> David Lennon, "Gulf Pay-off transforms Egypt's prospects," *Financial Times*, February 1, 1991. The GCC countries, including Kuwait and Saudi Arabia, were all part of the allied coalition against Iraq.

<sup>26</sup> Cairo Arab Republic of Egypt Radio Network, December 30, 1991, as reported in FBIS, January 6, 1992, p. 20.

<sup>27</sup> Cairo MENA (official government news agency), May 24, 1991, as reported in FBIS, May 26,

that "strong and firm relations link Egypt with the outside world -- be it the European countries, the United States, or the commonwealth countries" and said that "one of the results of these relations, out of appreciation for Egypt's position about issues of peace and justice, was the cancellation of Egypt's military debts to the United States and a large part of its civilian debts in accordance with the agreement signed with international financial institutions."<sup>28</sup>

#### **Precedents for Conditioning Aid: Kenya and Malawi**

Particularly given the value that the Egyptian government places on the international assistance it receives, MEW believes that the World Bank and donor nations should impose specific human-rights conditions on Egypt's continued receipt of generous financial assistance. There now are two precedents in Africa for such a stance.

Last year, in a rare move, donor nations pressed Kenya to improve human rights, and institute political and economic reforms, or face the possibility of slashes in Western aid. On November 26, 1991, in a communique issued from Paris, the United States and eleven other countries, including Britain, France, Germany and Japan, issued a warning to Kenya and "called for respect for human rights and backed opposition demands for greater pluralism in the one-party state."<sup>29</sup> A member of the U.S. delegation, John R. Westley, the head of the Nairobi office of the U.S. Agency for International Development, said: "I don't think it's ever happened before -- no performance, no money in certain areas."<sup>30</sup> Callisto Madavo, director of the Eastern Africa department of the World Bank, said: "The donors are not walking away from Kenya. What the donors are saying is that a number of areas must be addressed."

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1992, p. 7.

<sup>28</sup> *Ibid.*

<sup>29</sup> Steven Greenhouse, "Aid Donors Insist On Kenya Reforms," *The New York Times*, November 27, 1991.

<sup>30</sup> *Ibid.*

More recently, the World Bank and major donor nations<sup>31</sup> suspended development assistance to Malawi in southern Africa because of human-rights concerns. The aid was frozen on May 13, 1992. In a statement, the World Bank and the donors called for "tangible and irreversible evidence of a basic transformation" of the government's record with human rights and basic freedoms, and a review of the situation after six months to see if changes had occurred.<sup>32</sup> A World Bank officer in southern Africa noted that \$74 million in aid for 1992-93 had been rejected, although previously approved or in-progress projects, totalling \$270 million, would not be affected.<sup>33</sup>

Similar steps should be taken before large-scale loans are extended to Egypt.

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<sup>31</sup>The United States, Great Britain, France, Germany, Japan, Portugal and Denmark. (Alan Riding, "Responding to Rights Issues, West Suspends Aid to Malawi," *The New York Times*, May 14, 1992.

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*



## **APPENDIX A**

### **A PERSONAL STATEMENT BY MUHAMMED AFIFI MATTAR**

*Muhammed Afifi Mattar, the prominent Egyptian poet who was awarded the State Poetry Prize in 1989, was held in detention from the early morning hours of March 2, 1991, until May 12, 1991. He spent the first ten days after his arrest at SSI headquarters in Lazoughly, where he was tortured while continuously blindfolded. He was then fifty-five years old.*

*After his release, Mattar wrote the following account of his torture at Lazoughly:*

#### **A STATEMENT AND A RELEASE**

**At 2:30 after midnight on March 2, 1991, a force armed with machine guns, clubs and shields raided my house and bedroom in the village of Ramlet al-Anjab, Ashmon Center, in al-Annoufiyya Province. Individuals of that force, under the leadership of officers in military uniforms and plainclothes, carried out a thorough search of my residence, books and personal papers, without presenting a warrant from the niyaba or the judicial authorities, or specifying the purpose of this frightening armed attack. Following the search, I was taken, my hands cuffed, to a transfer vehicle, between two rows of soldiers who were standing ready to shoot. The transfer vehicle, which was surrounded by the vehicles of guards and officers, started off without my knowing where or to which place of detention I ultimately was going.**

**I remained in Shebien al-Kum police detention center until midday on March 2. After the such routine police procedures as photographing, fingerprinting and taking statements, I was moved to the transfer vehicle, which hurriedly brought me and surrendered me to officials at the State Security Investigation building at Lazoughly Circle in Cairo, where immediately I was subjected to methods and practices of torture and inhumane treatment, frightening and harassing me by means and methods which can be summarized as follows:**

- 1. The use of modern metal handcuffs which tighten around the wrist with minimal movements of the hand. This transforms the hands, arms and shoulders into an interlocking mass of numbness and anesthetizes the nerves. Sensation is lost in**

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**deadly gradual steps over a period of ten days, the period of my subjection to torture at State Security headquarters in Lazoughly.**

**2. Covering the ears and the eyes with a thick, pressuring blindfold, which was never removed or altered, resulting in the collecting and hardening of blood under the eyelids like small pieces of broken glass, making the spontaneous movement of the eyes one of severe pain. The tie also inflamed the flesh of the ears as they were pressed strongly against the head. The knot of the blindfold pressured the skull from the back, a pressure that deadens sensation in the skin. As a result of beating and the sudden throwing of the body flat on the floor, the knot of the blindfold sank slowly, slowly, inside the skin of the head. This resulted in a deep wound in the back of my head, big enough to insert two fingers inside. This wound continued to bleed and ooze for more than a month and a half until it healed. It left a scar which still can be seen and felt. All this caused disorientation and severe weakness in the sight of my right eye.**

**3. Forcing me to take an unknown medicine – "two tablets" -- more than once, which caused me severe disturbance and audio-visual disorientation. It caused me to lose awareness of time and place and to be surrounded by very unpleasant nightmares. While blindfolded, I imagined seeing and hearing my family, my children and my friends around me, watching my torture, the degradation of my humanity, the threats of death, and the violations of my honor. I think the effect of the medicine which I was forced to swallow is very carefully and accurately calculated and measured in order to conquer the will and judgment ... and destroy the structure of the mind and personality.**

**4. Hanging me like a slaughtered animal for long periods of time by my cuffed hands, and placing a bond which squeezed my feet together so I could not use them for standing or moving. This concentrated the weight of my entire body on my wrists, which were attached to a high object I could not identify. All this was accompanied by beating with sticks and other implements I could not identify. My body was tossed during this time, and I was threatened with the insertion of a stick between my thighs. This crushed me with pain and panic.**

**5. Putting my two hands in an electric-shock machine, which made me howl like a wounded wolf and disoriented me, burning me with pain and thirst from the jerking of the electric current through my organs. Until now, my fingers and the top of my hand remain largely without sensation.**

**6. Taking off my clothes and making me stand naked in front of severely cold air**

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**currents for a long interval – the only thing which saved me was falling into an unconscious state.**

**7. Subjecting me to a large number of "meals" of comprehensive, crushing beatings, coming at me from all directions with a terrifying, fast rhythm, crushing my jaws and face with rapid and precise blows. This left my entire body colored with lines and wide blue bloody splotches and an injury exposing the bones of my nose. These marks are still visible – evidence and proof of the status of the intellectual poet and the strength of the authorities in our time.**

**8. The exposure for long periods to starvation and deprivation of the necessities of life, within the limits of the minimum needs for sustaining life, ignoring sickness, medicine or blankets, and making the process of relieving oneself a way of degrading dignity, insulting and exhausting the remnants of individual human feelings.**

**In words and descriptions, as far as language is concerned, this is the abbreviated panorama of ten days of continuous torture. But it is an experience that cannot be conveyed as far as endurance and personal suffering is concerned – in this respect it is an unforgettable lifetime agony of darkness and the apprehension of being alone in front of the powerful.**

**After these ten days, I was transferred on March 12 to Tora Istikbal prison, Cell No. 29B, until I was released on May 12, 1991, without standing one moment before the niyaba or the authorities for accusation and investigation or directing any charge against me or hearing my defense.**

**Therefore:**

**I present this statement as a communique to all the bodies and institutions entrusted – morally, ethically and financially – with the honor of sacred duty to defend justice, human rights, the dignity of social harmony connecting the citizen with the homeland, and the values of all the charters which govern his affiliation to his humanity in the world. I demand of these bodies and institutions to undertake the legal, ethical, moral and financial steps which guarantee a defence of the essence of my existence and my rights and push back this aggression and my torture, until injustice and darkness diminish from my country and my rights in it. I appeal to all the committees for the defense of human rights and liberties in syndicates, parties, associations, newspapers,**

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**among lawyers, and to opinionated prominent individuals, to consider that this communique is presented to each one of them individually as a personal responsibility and trust, with the obligation to act accordingly. God is all knowing.**

***Muhammed Afifi Mattar  
Poet -- Egyptian Citizen  
June 4, 1991***

**Note: I will present the names of witnesses when requested.**

\* \* \*

***Middle East Watch translation from the original Arabic.***

## **APPENDIX B**

### **A PERSONAL STATEMENT BY DR. MUHAMMED MUSTAFA MANDOUR**

*Dr. Muhammed Mandour, an Egyptian medical doctor and psychiatrist, was administratively detained by the Egyptian security authorities for sixteen days in February 1991. He was brought from his home after midnight to State Security Intelligence headquarters at Lazoughly, Cairo. He was held there for ten days, from the early morning hours of February 8 until the morning of February 17. He was never charged with an offense.*

*After his release from detention, Dr. Mandour, who has served since 1989 on the Board of Trustees of the Egyptian Organization for Human Rights, prepared a report for EOHHR about his torture and mistreatment at Lazoughly by SSI officers and guards. He never saw these individuals because he was continuously blindfolded from the moment he entered the intelligence headquarters until the end of his ordeal.*

*Dr. Mandour was never examined for signs of torture by state forensic doctors, despite repeated requests. The Egyptian government claims that Dr. Mandour's allegations of torture are unfounded. Official legal complaints about his torture submitted to the authorities by Egyptian lawyers have gone unanswered, as has Middle East Watch's February 1991 letter to Egyptian President Mubarak requesting information about the investigation of the allegations.*

*Dr. Mandour was born in 1948 in Cairo and graduated from Ain Shams University Faculty of Medicine in 1973. He is the director of the psychiatric unit of Palestine Hospital in Cairo, which is owned by the Palestinian Red Crescent Society. He has been a member of the Egyptian Organization for Human Rights since 1985.*

**Before midnight on February 7, 1991 ... I was chatting with a physician and a colleague in my house ... There was no one else in the house except my 76-year-old mother. My mother opened the door and was surprised by a number of strange men, two of them in plainclothes and a number in police military fatigues ... The leader of the two in plainclothes introduced himself with utmost politeness as Lt. Col. 'Ali Abdul Fattah of State Security Intelligence. After the**

search, he asked me to accompany him ... I asked him: Is it merely a summons to the State Security or a detention? He told me it is a detention and I can bring some clothes I asked: Is there a prosecution warrant? He said no and that I will be detained on the basis of a detention order. Both of the intelligence officers presented themselves in a calm manner and carried out a thorough search without damaging anything or any disturbance of my elderly mother. He put all the papers which he gathered from my office in front of me in a large envelope and, truthfully, he was honest, he was even kind, to the extent that I thanked him after we left the house, despite my absolute astonishment about the circumstances and the reasons for my sudden detention.

On the way, the officer from Central Security put me between him and the driver in the cabin of a huge Central Security lorry in which there were policemen ... He also was extremely polite, lit a cigarette for me and apologized profusely about seeing me in this situation ... Before our arrival at the intelligence building in Lazoughly, he told me with profuse apology on Shaikh Rihan Street that I must be blindfolded before we entered the building ... He stopped and brought my suitcase, took a T-shirt out of it and, again politely, he asked me to tie it around my eyes.

I entered the intelligence building blindfolded and climbed a few steps to the left, holding my suitcase. I stopped for a moment and then someone pulled me to enter a narrow metal place, which I immediately recognized as an elevator when it went up a few flights.

After we left the elevator, I was taken into a room in which the senior intelligence officer who had arrested me was waiting. (In front of the house, he and the young intelligence officer had left before us in a civilian Volkswagen car.) He told me calmly and kindly that I would sleep there that night, and he took personal belongings from me, including my watch, pens, money and my identification card ... and he told me that we will meet after the end of the detention ... He asked if I needed anything and he wished me a good night. Immediately after the officer left, modern metal handcuffs were put on my hands and the guard exchanged my own blindfold for a special blindfold of which they have a lot. Its color is black and it has more than one layer of cloth, wide in the middle, and it can be pulled from the ends to become relatively narrow.

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Following this, he led me to some place on the same floor after we passed something like a lobby. He opened a door and took me in. My foot bumped part of a body on the floor; it seemed like a foot. The guard said calmly: Watch out. Then I found myself leaning against a wall ... He told me: Sleep and relax here until the morning. I asked him: Aren't you going to take off my handcuffs, since I am in a secure place? He said: No, they won't be removed until your departure and only when you go to the bathroom. I asked him about the blindfold and he said: Not until your departure from this floor. For your own good, he pleaded with me, please don't speak a lot. I asked him finally about a blanket since it was very cold. The guard was immediately sympathetic and said: You are a respectable person. Why are you here? I replied: Aren't others who come here also respectable? ... He then stopped talking entirely and told me not to speak at all, that speaking is absolutely forbidden ... I stretched out on the floor and noticed after a few minutes an injured person stretched out on the damp wooden floor, most likely the same one I had bumped into, and a very thick blanket which could cover my legs slightly below the knee.

*The guard said: You are a respectable person.  
Why are you here?  
I replied: Aren't others who come here also  
respectable?*

Moments before I had spoken to him, the guard had said that the officer left the sandwiches for me that my mother had given to him ... I thanked the guard but said I had no appetite for food. After I stretched out on the floor, I tried to put my hands behind my head as a pillow but I was unsuccessful. In fact, this movement increased the pressure of the left metal handcuff ... I realized with the passage of time that this kind of handcuff has teeth and whenever you make a move the teeth become tighter and tighter ... As days went by, this caused pressure and affected the sensation in my left thumb, accompanied by pain in both hands. I didn't sleep much during the night because I kept thinking about the meaning of this. If the matter was merely detention for this night, then why the handcuffs and blindfold? At most I slept for an hour or so ... The next morning, Friday, February 8, 1991, the day began with distribution of breakfast, which was the same as every other meal every day ... a loaf of [Arabic] bread and two pieces of *ta'miyya* [fried ground fava beans]. During the ten days, this meal changed once, and that was *kushari* [rice and lentils] inside the bread instead of *ta'miyya* ... Twice, one tomato had been

added to the *ta'miyya*... Friday morning I also had no appetite to eat ... The guard came to take me ... I walked with him blindly and after a few steps he opened a door and I was told: Doctor ... sit.

A person with a loud voice with a severe tone, full of self confidence. The content of his long lecture focused on examples of the most difficult cases (the attempted assassination of Zaki Badr,<sup>1</sup> the assassination of Mahgoub<sup>2</sup>), and how in the same chair the suspects confessed in front of the minister in the first case and after two hours in the case of Mahgoub. Since the person under torture confessed in detail to a meeting the next day with his accomplices in the assassination, this enabled the police to arrest three and kill two. Although it was possible to

arrest them, the apparatus already had decided that they were hopeless cases because they had already been accused several times but never gave up. He also emphasized in his speech that I am here under his complete

*He emphasized that I am here under his complete control and there is no authority in Egypt that can interfere with what may happen to me. If I became stubborn. I will be killed here and my body taken away in a closed police car ...*

control and there is no authority in Egypt that can interfere with what may happen to me, particularly since a notification had been sent out that I had escaped during my arrest and they had covered themselves with an arrest warrant notifying police stations, police lookouts, ports and airports ... Therefore if I became stubborn -- and I will not be able to -- it is possible that I will be killed here and my body taken away in a closed police car that no one will stop on the way. He told me that he took advantage of the existence of detention orders to include me ... in order to have me alone here and extract everything he wants.

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<sup>1</sup>The former Egyptian Minister of the Interior --MEW.

<sup>2</sup>Dr. Rifat al-Mahgoub, speaker of the Egyptian People's Assembly and a close associate of President Mubarak from the ruling National Democratic Party, was assassinated in Cairo on October 12, 1990 --MEW.

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**Following that, he went on to tell me that my detention order was not yet signed and I can go home this evening (Friday), or the next morning at most, if I speak frankly and voluntarily, and give them everything I know sincerely, and that I have nothing to fear regardless of the degree of my own involvement. In short, if I help him, he will help me ... and, if I wish, he will leave it up to me to choose if I want to collaborate with them permanently -- although they do not pay much, they are very discreet.**

**He started his questioning by saying: Who are you? I told him my name, my profession and the areas of my activities ... He mocked me and said: Who are you? I kept saying the same thing. Then he started to repeat his threats and began to explain to me the specialty of torture, which will make me say everything after being in a debilitated state, although it is more respectable to confess without torture. During this speech, while explaining, he started to put his hand on my leg and shoulders violently, accompanied by some vulgar words about my family ... An extremely calm, older voice interrupted (the first one told him "Hey, pasha") and advised me not to degrade myself and not to be clever. They would give me an opportunity to think. He also warned me against any lying and warned that if I stopped eating they would torture me ... because I have to eat in order to endure torture! The security man was called and the younger officer with the loud voice told him: Beat him so that his brain work`s good.**

**I started to grope. I was asked to lift my arms all the way up and they were tightened to a metal bar ... my feet barely touched the floor, but the weight of my body was still carried by my feet. I thought that the next day I would be lifted up ... but I realized that this was the preferred hanging in my case ... I thanked God for that ... although I discovered its cruelty by enduring it for long hours ... After several hours on Friday -- after the calling for the fourth prayer -- the officer called for me another time and asked me if I wanted to speak voluntarily. I told him I will say what I know,**

***The security man was called and the younger officer told him: Beat him so that his brain works good...***

***I was asked to lift my arms all the way up and they were tightened to a metal bar. My feet barely touched the floor but the weight of my body was still carried by my feet. I continued to hang, standing, the entire night ....***

and how nice it would be if he had specific questions so I could answer clearly and at length. Then he asked the guard to continue hanging me in front of an air current until the next day ... and they did this and I continued to hang, standing, the entire night until the second call for prayers on Saturday, February 9, 1991. During the "standing," the guard told me that my handcuffs would be taken off for a few minutes if I ate. I told him I hope you do that but I cannot eat because I almost want to vomit, and my desire to eat had disappeared.

Following the above-mentioned call for prayers on Saturday, my hands finally were brought down. Although I was fully clothed, my body was shivering from the cold for several hours at the end of the night and during the early hours of the morning. I had a profound desire merely to sit ...

I was taken to the always-threatening officer with the loud voice and he said: Hey, Mandour, has your brain softened? I asked him: Why? What's going on, sir? ... I was surprised by a series of successive violent slaps on the face and neck, which I could not count, some of which were accompanied by "lightning" in my left eye. The same voice told me only several words as it came closer: You are a physician and you know that we'll make you lose your sight.

*"Rev. Mandour. has your brain softened?"*

The beating stopped for a while and I was standing ... Then a series of vulgarities started, which I had rarely heard, despite my contact with different social classes. These vulgarities were not merely abominable but were meant to degrade the person to whom they were directed and to conquer him psychologically if he didn't reply. I instantly felt extremely insulted and did not know what to do in this situation. But he was faster than me with one phrase: Take off his clothes. The guard took me a few steps outside the room after a door was opened between us. They took off my suit, which I was wearing when I was arrested, my tie, my shirt, my pullover and my undershirts (and I had three of them because of the cold), my shoes, my socks. They left me only with my underpants and took me another time through the door to stand in front of the officer after they removed my metal handcuffs and exchanged them for a strong cloth used to tie my hands behind my back. I was surprised by the officer telling me that I am a lowly animal and that he will punish me with electricity, which I deserve ... and immediately I found myself jumping two steps back from merely

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being touched by an electrical tool on my shoulder. He repeated it several times. I jumped every time, and anger was rising inside me ... because I did not imagine, despite the slaps I had received, which were the first slaps in my life, that they would carry my physical mistreatment further, particularly given my professional scientific position, my clearly known public activities, and the fact that they did not specify an accusation against me .....

After several shocks ... the barbaric officer screamed and said: Bring him in. They accompanied me several steps through a door and I found myself in a place with a soft layer of thick foam on the floor ... They also tied the soles of my feet with strong fabric. Then one of them kicked me on the soles of my feet. I immediately found myself lying on my back and my hands behind me ... They put something metal that pried open my legs from the knees and fixed them in that position ... then I found metal bars being pushed in between my arms and my torso and I recognized that these were sophisticated bars very close to the area of my chest but without touching it ...

*I found myself jumping two steps back from merely being touched by an electrical tool on my shoulder. He repeated it several times. I jumped every time, and anger was rising inside me ...*

Then I felt the very loud sound of the barbaric officer and the waves of his voice on my face when he turns to me and says: I will ride you, (you \*\*\*).<sup>3</sup> He started to apply the electrical machine at continuous intervals to my shoulders in circles and in perpendicular lines for a distance of centimeters -- and not just a touch. There was no chance of jumping. But my poor body was jerking and it almost wanted to break all the restraints but in vain ... He moved on to the nipples of my chest, then the abdomen, then the navel, then the inside of the thighs and sometimes he travels up and down. Then he yelled: Take off his cloth [underpants]. Then he started very precisely with this machine on the scrotum, then on the shaft of the penis and its head and its opening ... At that moment I was jerking and my head moved up to its maximum position. When my head was going up, in front of my mouth was a metal bar -- I didn't know where it came from -- but I was biting it

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<sup>3</sup>This expression in Arabic also can be used in a vulgar manner to mean sexual intercourse --MEW.

without feeling any pain from this biting except in the following days. And, sadly, I was convulsing like a slaughtered animal ... I said a few words, of which I recall: Are you treating a dog? And his answer was extremely degrading ...

And another:  
Isn't this enough?

The electricity stopped immediately, and he told me: Oh, you are rational ... Your status doesn't allow you to degrade yourself (as if I am the one who degraded it!). He said

that he is sad and that he is obliged (!) to do what he did to me ... and he ordered the security to put on half of my clothes (pants, shirt, shoes) to start the investigation. (Throughout my 10 days, the policemen in this building, or at least on this floor, were called security because you do not hear the name of any officer or any policeman, although you can distinguish the kind of relations between the first and the second.)

Finally the investigation started ... I was asked to speak about my public activities, which means June 8, 1967, when police cars roamed the quarter where I was living, calling through loudspeakers to every capable youth to volunteer for the defense of the country and to gather at Nadi as-Shams in Heliopolis ...

Month after month, year after year, in a way which makes resentment dominate the individual and makes him wish to get rid of the deep degradation because of the personal surrender in narrating life stories while blindfolded and handcuffed, without being able to reply to accusations ... We finished at a late hour of the next morning, Sunday, February 10, on the condition that it would be continued the next day ... My psychological state was very bad and I felt profoundly degraded, to the point where for an hour I thought of suicide but I did not even find any

*He started to apply the electrical machine at continuous intervals to my shoulders in circles and in perpendicular lines ... He moved on to the nipples of my chest, then the abdomen, then the navel, then the inside of the thighs ... Then he started very precisely with this machine on the scrotum, then on the shaft of the penis and its head and its opening.*

*I was shocked by his screaming and beating me violently with double fists on both sides of my chest, which knocked me down on the floor more than once ... I begged him to shoot me with two bullets ... He commented that he doesn't kill but he squeezes the individual until he brings out what is inside him.*

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implement in the bathrooms to help to do that, in addition to their continuous surveillance without my having the same advantage ... I slept because of exhaustion for very few hours, the officer awakening me to resume the investigation, which continued all of Sunday until the evening. By then I had completed narrating at length the events of many years, such as travel, which [the officer] emphasizes, and the beginning of my relationship with the Palestinian Red Crescent, the Palestinians outside the Crescent whom I met in Lebanon in 1981, whom I saw after that, and the nature of my relationship with them. He further asked about illegitimate and antagonistic acts against the security of the country which [the Palestinians] asked of me. My answer was identical to the fact of the matter -- that all of them asked nothing of me, but that they find that what I do regarding medical support to be more than anyone else and they praised that a lot throughout the 12 years ... After saying "give him food and a cigarette," he left me at a late hour on Sunday. He resumed the investigation on Monday morning, February 11, 1991 ... until midday, at which point I covered up to 1989 ... I was shocked after midday by his screaming and beating me violently with double fists on both sides of my chest, which knocked me down on the floor more than once (the guard lifted me up), barraging me with the most abominable expressions, accusing me of wasting the time of the State Security apparatus and disregarding his valuable time, which the country paid for by sending him on missions abroad ... and in my capacity of being a son of a whore, as he says, he either will ruin my outside life completely by detention and summoning everyone I meet, to force me to flee the country, or get rid of me completely in broad daylight, as he did recently with a physician of the religious tendencies.<sup>4</sup>

He screamed: Take off his clothes ... and the procedure repeats for a period of time in multiples of the first time. He threatens that he will ride me and perform a sexual act on me ... Then I was tied in the same way, the metal rod which separates my knees put in place, and what I considered a chair positioned over my chest. He went quickly over my body from the top (with electricity). Then they removed my underwear. His total concentration was on this sensitive area, emphasizing to me, before he knocked me down, that he will, as he says, make me impotent and that I will not leave him a man. I told him I do

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<sup>4</sup>The reference appears to be to an Islamic activist, possibly a member of the technically illegal Muslim Brotherhood party in Egypt or another Islamist political organization ... MEW

*He cursed me terribly and said: We are not like you sons of whores, and we do not fabricate, but we are an apparatus which works through a scientific method ... He continued to torture me with electricitv.*

not need more and as long as I am not registered with you here and no one knows my whereabouts and, given the ease of getting rid of my body, I begged him to shoot me with two bullets and not to continue insulting me more than this ... and I am in my total mental capacity and I lived my life fully and I won't leave orphans or a widow behind me ... and the faith of my elderly mother will help her to endure the written fate and destiny ... He commented on this in a vulgar voice, emphasizing this time that he doesn't kill but he squeezes the individual until he brings out what is inside him ...

At that moment, I asked him to write down what he wants me to say and I will sign it, since I am incapable of inventing and charging unfounded allegations about the Palestinians I know or about myself ... The monster erupted and roared. He cursed me terribly and said: We are not like you sons of whores, and we do not fabricate, but we are an apparatus which works through a scientific method. ... My last words were that the scientific method is to gather enough information about me by surveillance, eavesdropping or sending informers who are close to me, in order to confront me with facts, not to ask me to create events by torture and beating ... Immediately after I finished my words, I found myself on my back so he could continue to torture me with electricity, which I have already described ... This time God helped me with continuous speech while I was under electricity, instead of biting the metal rod like the first time ...

Strangely, my speech had a meaning, although I did not prepare it in advance ... I told him: You are wretched, you are suspicious and you have no way of verifying anything except by this heinous act ... your expressions do not shake me because you are cursing someone in your imagination, not the person who is in front of you. Our country will not progress as long as you treat people like me in this manner. I presented only one research about the children of the *intifada*, which did not cost more than five thousand dollars but will yield us about a half-million dollars from international organizations to build a psychiatric care center in Gaza ... And it is difficult for me to remember such words because I was jerking under severe pain while I was talking like this ... But I think that it made it easier for me and made me endure the long period, which I cannot specify exactly, but it was much longer than the first time, which seemed endless ... This session concluded with words from an older person (the one who was called pasha the first time) who was present without my knowing it, and who said only: Stop.

This painful, degrading session ended ... and he ordered that all of my

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**clothes be put on me ... and he resumed interrogating me until the early hours of the morning of Tuesday, February 12, 1991. On the basis of his method, it seems that he realized after this session that I had nothing to say except what I really said ... and the procedure of the investigation reflects this.**

**He finally asked me about two or three points which were not incriminating but at least they were tangible points. I answered with complete clarity and elaboration, adding information that clearly they did not know ... I challenged him politely if he could find one word or one event I mentioned that was incorrect or evasive ... He told me that he will resume the interrogation early the next day. He ordered security to give me a cigarette and feed me because I had not eaten since the morning ...**

**They took me from his room another time through the door into the large room in which I was detained with others ... I continued to be blindfolded and handcuffed the rest of Tuesday, Wednesday, Thursday, Friday and Saturday, awaiting the resumption of the interrogation ... Suddenly I heard his voice another time ... I was concentrating on my surroundings with sharp attention ... Some of [the detainees] start to cry from the moment the security takes them from the large room in which we are held, and continue with audible crying after passing through the door of the officer's adjacent room. Then we hear relentless screaming until they return to us. Then they begin to calm down to the point of long sobbing, which exposes them to reproach and some degrading words from our guards, who also tell them occasionally to save themselves so the torture will stop. Most of the time we were about 14 persons, which I realized when the security made computations about the food late at night, when they were calculating the sum of 28 plus 14 ...**

*The officer praised their good treatment of me because I was not exposed to torture. When I asked him if he was speaking seriously, he told me: Of course. Did anybody torture you? He pointed out that human rights in Egypt are better than elsewhere. I told him: Really, at least it's better than Syria and Iraq. He told me: It's even better than America and France. At any rate, be careful because the human rights movement is directed from outside.*

Thursday, February 14 ... A number of detainees were transferred ... Then on Friday two others came ... On Saturday, February 16, I was called in the evening ... and they told me you will receive your belongings and I actually received them ... Then I went back to the large room handcuffed and

blindfolded (the blindfold was partially removed, while the guard was behind me so I didn't see him, in order to see my belongings and sign for their receipt) ... Moments later, they told me that the orders are to handcuff me behind my back. After a while I was called to meet another officer. I did not know him from before, but his voice indicated he was in his mid-50's. He told me that the result of my interrogation is positive and that a recommendation was submitted to the administration not to resume the period of detention, which has been decided, and that I am a person who exhibited readiness to cooperate with them. The officer praised their good treatment of me because I was not exposed to torture, according to him. He apologized for the blindfold and handcuffs which I wore as I stood in front of him, praising the scientific method they follow ... When I asked him if he was speaking seriously, he told me: Of course. Did anybody torture you? ... Avoiding any arguments, I told him to excuse me from answering this question now because, really, the prospect of going outside from this hell started to tempt me ... He pointed out, finally ..... that human rights in Egypt are better than elsewhere ... I told him: Really, at least it's better than Syria and Iraq - there's no comparison ... He then told me: It's even better than America and France. At any rate, be careful because the human rights movement is directed from outside. ... I left him while he was saying to the guards: Good treatment until his transfer.

I left this floor in the company of a guard. While we were going downstairs he lifted the blindfold and opened the handcuffs ... We went to the ground floor and he took me to the office of an intelligence officer in the Palestine Branch ... where I met Maj. Hassan Tantawi and Col. 'Az sitting in his office in the same room ... Maj. Hassan welcomed me, ordered me a cup of tea,

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then coffee, and offered to let me call my house in order to bring blankets or anything else I needed because, regrettably, there is a detention order. I actually called my family to reassure my elderly mother and to tell her the good circumstances I am in, telling her not to worry at all and that I'm in need of nothing. I thanked Maj. Hassan Tantawi, who then sent me to the detention chamber in the basement. The time was eleven on Saturday evening, February 16. I was very happy that I could see. After my temporary happiness, I sat without any sleep until the morning among more than twenty people, stunned by everything that had happened.

At nine in the morning on Sunday, February 17, the transfer police<sup>5</sup> came and took me, and before midday put me in Abu Za`bal Industrial Detention.

*Dr. Muhammed Mandour*

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*Dr. Mandour's report was translated by Middle East Watch from the Arabic original. The ellipses in the text appear in the original document and do not indicate the deletion of material. This document was first published as a Middle East Watch newsletter in December 1991.*

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<sup>5</sup> See the last section of Chapter Five for a description of this force -- MEW.

**APPENDIX C**

**ADDITIONAL ACCOUNTS OF INCOMMUNICADO  
DETENTION AND TORTURE  
1987 - 1989**

**1. AUGUST 1989: TORTURE OF A TRADE UNIONIST**

Mustafa Naib, a steel worker at the state-owned steel plant in Helwan, was detained from August 6, 1989 until November 25, 1989. During this time, he was tortured in SSI custody. He described the events surrounding the work stoppage at the plant in August 1989, an event that led to hundreds of arrests.<sup>1</sup>

Naib said that a newspaper on August 3, 1989 reported that the police were looking for him and four others. Naib contacted a lawyer, and turned himself in at the police station in Heliopolis on August 6, 1989. He said that he was charged on four counts: agitating to strike, destruction of public property, opposing the authorities, and threatening public productivity. Naib denied these accusations and the prosecutor ordered fifteen days of detention to allow further investigation.

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<sup>1</sup>Naib said that some 24,000 workers at the Helwan steel plant labored under poor conditions, causing many health problems and industrial accidents. When the company began making a profit, the workers union demanded improvement in their work conditions, better wages, and a daily meal at the factory. These requests were refused by management, and the workers in turn refused to accept their wages. The steel plant is controlled by a Board of Directors composed of equal representation from the union and the management. On both sides, forty percent of the directors are elected and sixty percent appointed. The two elected workers were "frozen out of the board" when the dispute over wages and work conditions emerged, Naib said.

The workers organized a "sit-down" or work stoppage to protest the exclusion of their elected representatives, demanding their reinstatement to the board and compliance by the company to the other demands. The workers were initially told that there would be negotiations. Instead, security forces invaded the plant on August 2, 1989. A worker, Said Abd el-Hai, was killed, sixteen were injured, and some 850 workers were arrested. The police also launched an intensive search of the plant's twenty-four acres and the surrounding neighborhood for other strike supporters and organizers.

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He said that at this point, he was confronted by about fifty "special forces" soldiers, all wearing black uniforms and dark sunglasses. He was placed in a car with two rifle-bearing soldiers and driven to the police station in Nasser City. He arrived there at five in the evening and found another colleague, Muhammed Mustafa, in a cell. They were confined together, and at 10:30 p.m. they were awakened and blindfolded. Mustafa Naib was taken to an office where he was tortured.

### **The First Interrogation**

He was repeatedly slapped across the face and on the sides of the head, and questioned about the National Progressive Unionist Party (NPUG, also known as Tagammu) alleged to be responsible for the strike. When he denied this, he was repeatedly slapped about the head and face while forced to stand blindfolded in front of his interrogators. His hands were not bound, and he was fully clothed.

He was questioned about his lawyer who had accompanied him when he turned himself in to the police. He then had his legs spread apart by a chair or stool (he couldn't see but said it felt like a piece of furniture) and was repeatedly kicked in the buttocks and the peri-anal region. During the kicking, he was told that he must describe his relationship to his lawyer, how the strike was organized, who did what among the workers, and so on. He continued to deny any knowledge of these matters. The chair or stool was then removed and he was forced to run back and forth in the room while being slapped and punched by the interrogators. The blows were directed to his head and chest. He was then pushed out of the room, the blindfold removed, and he was returned to the cell. The police then went through the same process with Muhammed Mustafa. Each session of interrogation and torture lasted about two hours.

On August 7, Naib was taken for fingerprinting and photographing. He asked for food (none had been provided since his arrival at Nasser City) and after much discussion some beans and bread were brought to him. On August 8, he was transferred to Tora prison.

### **To Lazoughly**

At 1:45 a.m. on August 8, Naib was removed from the cell for questioning, taken blindfolded and with his hands bound. He and Muhammed Mustafa were placed in a small, closed room for about one hour, and then transported by car to SSI headquarters at Lazoughly. There, he heard the sounds of men screaming as though they were being tortured. He was exposed to very warm air then very cold

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air. Finally, he was informed that Muhammed Mustafa had died from torture. He was forced to step over a body that was said to be that of his friend. Four security officers shouted at him to stand, to sit, to stand -- while striking him with their fists. He was then forced into another room where a voice greeted him as "Mustafa Engels," but Naib did not respond.

### **The Second Interrogation**

A new voice began interrogating him, asking questions about the political plans of the National Progressive Unionist Party. He replied that there were no political plans, that the sit-in had just been a workers' action. The hitting began again.

He said that he was offered two choices -- to tell the truth about NPUG and the strike, or die. His interrogator told the soldiers to strip him from the waist up. He was placed in a chair and electric shocks were applied to his nipples, arms

*He was given two choices: to tell the truth about the National Progressive Unionist Party, or die. His interrogator told the soldiers to strip him from the waist up. He was placed in a chair, and electric shocks were applied to his nipples, arms and neck while the questioning continued for about one hour.*

and neck while the questioning continued for about one hour. He was then removed to another room and lighted paper held close to his mouth and nose intermittently for about thirty

minutes. He asked for water and was refused. He was then taken back into the room where the electric shock had been applied, and the interrogator, now speaking softly, urged him to cooperate, "for the good of Egypt." Naib refused and was again electric shocked. His interrogator began dictating a confession regarding his role in planning the strike. He refused to sign, declaring that the confession was not true. He was again electric shocked for another half-hour or so. The interrogator then told him that he would be called back the next day and sent Naib to his cell around midnight.

Naib was able to get a message to his lawyer through another prisoner who was being taken to court. His lawyer immediately went to the prosecutor and requested a special investigation into the use of torture. Naib was summoned before the prosecutor who noted the lacerations on his neck, the superficial burns from the shocks, and the bruises in the peri-anal region. Naib said that he told his

full story to the prosecutor, who asked whether he knew his torturers and whether he was being forced to confess. Naib asked for protection while he was in Tora prison. Three days later, he was able to see the prison doctor, who documented the peri-anal bruises and the lacerations but not the shock marks.

Naib said that for the next two months he was unable to sit comfortably. He had some nightmares but no major sleep disturbance, flashbacks or hallucinations. He was to be released on September 17, 1989, but his release was opposed by the Minister of the Interior, who used his power under the emergency laws to continue his detention until November 25, 1989.

When Naib was released on November 25, the Ministry of Industry transferred him from his job at the Helwan steel plant to a factory that manufactured pens, decreasing his monthly salary from 215 Egyptian pounds to 148 pounds. He also had to pay an additional sixty-five pounds monthly in additional transportation costs because his new work site was quite far from his apartment.<sup>2</sup>

## **2. SEPTEMBER 1989: TORTURE OF A JOURNALIST AT SSI HEADQUARTERS**

Ahmed Ashof, a journalist with *Liwa al-Islam*, a magazine of the Muslim Brotherhood, was detained for the fourth time from September 23, 1989 until November 2, 1989. He was arrested at 2:00 a.m. after security forces entered his home, searched the premises, blindfolded him and took him to the Boulek Abu al-Ella police station. He was confined to a cell for two weeks and was forced to sleep on the cement floor. He was transferred to Tora prison for two days, then blindfolded and handcuffed and taken to SSI headquarters at Lazoughly.

Ashof was questioned for ten days in a room on the fourth floor that he could locate from previous experience, despite his blindfold. He was kept with seven or eight others in a small room, blindfolded the entire time. For the first two days, the questioning was calm and gentle and then became more and more threatening. His interrogator threatened to bring his wife to Lazoughly if he did not cooperate with them. He was stripped to his undershorts and handcuffed to the window bars in his cell, which prevented him from sleeping. He was forced to

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<sup>2</sup>Interview by Dr. Robert S. Lawrence, Cairo, May 26, 1990.

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remain in the standing position for eight days except for meals and the periods of interrogation. He was allowed to use the toilet once daily, in the morning, except for a two-day period when he was neither allowed to eat nor use the toilet.

During the questioning he was repeatedly shocked on his nipples, behind the ears, on the lips, tongue and genitals. He was also beaten with sticks on the soles of his feet and on the legs. On one occasion he was drenched in cold water and then hung by the wrists in front of the barred window. He lost consciousness twice during the electric shock torture and three to four times while hanging. The questioning finally stopped because of his deteriorating physical condition. He was examined by a prison physician while blindfolded and lying on the floor of his cell. The physician asked him no questions, took no medical history; he simply palpated his pulse and auscultated his heart and lungs. Ashof did not hear the physician discuss his case with the security police.

A physical examination of Ahmed Ashof on May 26, 1990, when he was thirty-three years old, revealed well-healed scars measuring 0.5 cm x 6 cm on both wrists, volar surface, consistent with injury from handcuffs. He also had a well-healed 0.2 cm x 1.5 cm scar across the bridge of his nose consistent with the reported injury from being tightly blindfolded for more than a week.<sup>3</sup>

### **3. JUNE 1989: TORTURE OF A PUBLISHER AT SSI HEADQUARTERS**

Dr. Muhammed Abd el-Latif, a publisher of children's books who holds a medical degree from Cairo University, is a supporter of the Muslim Brotherhood. He was thirty-seven years old at the time of his interview in 1990. He was detained by security forces from June 26, 1989 until August 12 or 13, 1989. He said that he was summoned in mid-June 1989 by SSI in Giza to answer questions about "the Islamic message" in some his books. He did not respond to the request.

At 1:00 a.m. on June 26, 1989, eight police in plainclothes entered his apartment, searched his belongings, and confiscated books and papers. They had no warrant. He was then blindfolded, handcuffed, and taken down the stairs. This was witnessed by his wife, but his four children remained asleep. He was driven

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<sup>3</sup>Interview and examination by Dr. Robert S. Lawrence, Cairo, May 26, 1990.

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to a police station and placed in a room about 5x2.5 meters with four others. Three of the other prisoners told him that they had been in detention for four months. The room had a small toilet in the corner, but there were no beds or mattresses.

He was then removed to another room for two hours of questioning while blindfolded and handcuffed. The doctor said that the questioning started politely and became more and more abusive and threatening. On the second day, he was again questioned and threatened with destruction of his company and himself. On the third day, he was placed on the floor of a car and driven to SSI headquarters at Lazoughly, where he was kept bound and blindfolded for five days.

He was stripped of his clothes down to his undershorts and forced to stand for forty hours, during which time his lower legs and feet became very swollen. He said that another eight to twelve prisoners were standing or lying in the same room, some moaning in pain, all stripped to their undershorts.

He was then punched in the face, chest and abdomen, and struck with wooden sticks. Electric shocks were applied to his genitals and nipples for about fifteen minutes until he was exhausted. He did not lose consciousness. During the torture, he continued to be questioned about his role in and the structure of the Muslim Brotherhood. The police threatened that his wife would be involved if he did not cooperate. He was not threatened with death, although he stated that at one point he prayed to God to die.

Food was provided twice a day consisting of stale bread and poorly prepared beans. Some of his fellow prisoners vomited after eating the food, and the guards then tried to force them to eat their own vomitus. He was questioned for five days, always bound and blindfolded, before being transferred to Tora prison. There he was placed in a 2x2 meter cell with a crude toilet and no bedding. He said that eventually this cell held three additional prisoners. Dr. el-Latif said that after being transferred to Tora, he was no longer questioned or tortured.<sup>4</sup>

#### **4. AUGUST 1989: DETENTION AND MISTREATMENT OF A SURGEON IN HIS SIXTIES**

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<sup>4</sup>Interview by Dr. Robert S. Lawrence, Cairo, May 26, 1990.

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**At 1:30 a.m. on August 6, 1989, uniformed police entered the house of Dr. Sayd Fahmy el-Shinawi, a urologic surgeon. They searched his library and removed him in handcuffs to SSI headquarters at Lazoughly, where he was kept blindfolded and handcuffed for ten days. After his arrival, he was kept standing for ten hours and denied even sips of water. Thereafter he was allowed to use the toilet once a day. He was given three loaves of bread a day and sips of water. He was unable to sleep with his hands tied behind his back.**

**At the end of ten days, he was taken to the prosecutor, who stated that there was no case against him but that the Minister of the Interior had ordered him to be detained. He was never formally charged. He was detained until November 12, 1989. When he was presented to the prosecutor the second time, he was accused of membership in an illegal Shia organization (see Footnote 8, below, for background about this case, which involved accusations against fifty-two individuals in August 1989). When Dr. el-Shinawi denied this, he was released. (He said that he had been arrested at Cairo airport two years earlier while en route to London, but on that occasion the prosecutor released him immediately.)**

**Dr. el-Shinawi said that during his detention he was verbally abused, and punched in the face and in the genitals while being commanded to "tell everything, you son of a dog." His captors threatened to bring his wife to the prison and to break up the marriage of his daughters. His family did not know where he was for almost one month. He first saw his family after forty-five days in prison. He was held in seven different locations: five prisons and two police stations. While in Tora prison, he was without water in the tap in his cell for fifteen days.**

**During his detention his practice was closed for three months, his office ransacked, and more than 200 books taken from his personal library by the police, never to be returned. Some of his patients postponed their care, expecting him to return any day. One of his patients died while he was in detention after delaying seeking care from anyone else. After his release, Dr. el-Shinawi was told that he must report to the government whenever he planned to travel outside of Egypt. He has had several invitations to travel but has declined because he refuses to inform the government. He said that he was sleeping poorly, and had nightmares and flashbacks. While in detention, he developed diabetes.**

**He has not sought legal advice since his release. He was not active in the Medical Syndicate or any other groups. He believes that he was detained and tortured because of his writings, some of which have been critical of the**

government.<sup>5</sup>

**5. AUGUST 1989: INCOMMUNICADO DETENTION AND TORTURE OF A SURGEON AT LAZOUGHLY**

After general surgeon Dr. Muhammed el-Shinawi's father, Dr. Sayed Fahmy el-Shinawi, was arrested on August 6, 1989 (see the preceding account), security forces returned to the family home every night at about 1:00 a.m. The force usually was composed of about fifteen men in black uniforms, who searched the apartment while Dr. Muhammed, his mother and one of his sisters watched.

At 1:45 a.m. on the thirteenth night, Dr. Muhammed was informed by the force that they wanted him to come along for a few hours of questioning. He asked whether he should prepare a bag of personal effects and was told that was not necessary, that he would be back in a few hours. Dr. Muhammed decided to put a change of clothes and toilet articles in a bag anyway. When he reached the street, the bag was taken from him and three soldiers seized him and threw him into a truck. He was then asked if he had anything that could be used to blindfold his eyes. Before he realized that he was unwittingly cooperating, he said, "Yes, in my bag." Whereupon, one of the soldiers was instructed to remove a handkerchief from the bag and cover the doctor's eyes.

Dr. el-Shinawi was taken to Lazoughly, arriving about 2:30 a.m. He was placed in a cell and instructed to lie on the floor and rest. His hands were bound behind him and the blindfold was left in place. In the morning he was taken to be questioned. The officer started off politely, asking him the names of all of his relatives. He was allowed to sit but remained blindfolded. The questioning lasted about ninety minutes, covering details of his trip to the U.S., what hotels he had stayed in, why he went there to study pediatric urology, and other details.

He was brought back for further questioning in the afternoon, but the

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<sup>5</sup>Interview by Dr. Robert S. Lawrence, Cairo, May 28, 1990. Dr. el-Shinawi, a urologic surgeon, was sixty-seven years old at the time of his interview, married, with one son and two daughters. He was educated in Egypt, with additional training in Europe and the United States. About 8 years ago he thought he would retire from medical practice and began to write books and journal articles about the history of the Middle East, Islam, the Ottoman Empire, politics, and democracy. He never stopped practicing medicine.

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tone of the interview had changed. He was now forced to stand, and he was asked harshly whether he would now tell the truth. There was a brief argument between officers about who should conduct the interrogation.

He was forced to stand twenty-four hours a day, from the second to the seventh day of his detention. He was stripped to his undershorts, tortured with an electric prod to his limbs, back and anus on a daily basis except for one half-day of "rest." He was threatened that his mother and sisters would be brought to the prison if he did not cooperate. He was burned with cigarettes on a regular basis on his lips, arms and legs. On one occasion, a cigarette was placed on the floor and he was forced to step on it barefoot. On the fourth day of his detention he heard his father's voice at the other end of the cell, where he estimated a total of twenty to thirty prisoners were being held. He asked permission of the guard to say a few words to his father but this request was refused.

At the end of a week of this treatment, he was fingerprinted, photographed and then dismissed from Lazoughly at midnight, August 23. He said that after his release he had great difficulty sleeping for about thirty days, expecting the police to return each night. At the time of his interview, he said that he still was experiencing disturbed sleep with nightmares.<sup>6</sup>

### **6. SEPTEMBER 1987: TORTURE AT THE CENTRAL SECURITY FORCES CAMP NEAR FAYOUM**

A resident of Fayoum told MEW that he was brought to the Central Security Forces camp in al-Zab in September 1987, after being chased into an alley during a security force round-up near Beni Suef. "They were arresting anyone who looked like a fundamentalist. I was running away and was hit by a car in the alley. When I woke up after the accident, I was in the military camp in al-Zab," he said.

There, he was beaten unconscious by three SSI officers in plainclothes and five SSI soldiers in uniforms. After the beating, he was unable to move his right leg, and his right thigh swelled to double its size. He was seen by a doctor, who requested that an X-ray be taken. The X-ray showed that bones in his thigh

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<sup>6</sup>Interview by Dr. Robert S. Lawrence, Cairo, May 28, 1990.

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had been chipped, and he was brought to Fayoum hospital where his leg was put in a cast. "I stayed there for six weeks, in a special room that was not in a public part of the hospital. There was always a guard at the door and my family never came."

After the cast was removed, he was returned to the camp, even though his leg was still weak. "My leg needed more treatment ... they made me stretch it," he said. He was held for twenty additional days and "no one knew where I was." During this time, he was blindfolded and brought for investigation over a period of at least ten days. "They used something hot on my skin while asking questions like 'Why do you go to this mosque?' It felt like a small pen, hot and hard. It was not electric." He also was struck on the elbow and shoulders with "a long, strong wire that draws blood," he told MEW.<sup>7</sup>

### 7. MAY 1987: TORTURE OF A PHYSICIAN

A thirty-nine-year-old internist and assistant lecturer at Mansoura University, Dr. Ahmad Ghassem el-Nafees, told MEW of his arrest in May 1987, following the attempted assassination of former Interior Minister Hassan Abu Basha. "I was first taken to a Central Security Forces barracks and then to Tora Istikbal prison. I was blindfolded and my hands were cuffed behind my back. I was taken somewhere outside the prison, which I knew was the Institute for Police Training in Cairo. They put me somewhere in the open, still blindfolded and handcuffed. I couldn't sit or rest. I spent thirty-six hours like this. There were tens of people with me in this place. We were not interrogated."

He was brought back to Tora and held for two weeks in solitary confinement in a cell had nothing in it – "no mattress, no blankets and 1.5 liters of water a day for all uses." After two weeks, he was taken at midnight, blindfolded and handcuffed, to the Institute for Police Training. He was brought to a room which he believed was lighted. "They told me that collected all the information about me and started to ask random questions, such as why I painted my car, why I visited Cairo. I told them I don't visit Cairo. They wanted to know who Oussama was."

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<sup>7</sup>MEW interview, Cairo, February 1992. Name withheld on request.

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He was electric shocked on the head and he said his interrogators promised to "make me crazy." He was shocked on his nipples and sexual organs "and they told me that would castrate me. This went on for five hours ... with strange, random, disconnected questions. They asked why I wanted to kill Abu Basha, and if I had made an organization." From the voices in the room, he believed there were four or five men present, including SSI officer Ahmad Nouredin, whom he said he knows personally. One person was giving instructions to the others.

"I cried, jumped, resisted and screamed from the electricity. It was intermittent over the five hours. Most of the time I was standing, then falling down. The electricity was used, followed by questions, followed by more electricity with more questions. The purpose was to drive me crazy," he guessed. "They had no specific questions, and they didn't want specific information. They were very careful not to leave any marks." After this ordeal, he was held outdoors until two or three in the afternoon and then returned to Tora prison for three days, after which time he was released.<sup>8</sup>

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<sup>8</sup>Dr. Nafees was one of forty individuals arrested in August 1989 and accused of being part of an illegal Shia organization planning violent actions in Egypt. "We were not activists at all," he told MEW. "The government just needed about thirty to forty people to make a case. The evidence used against me was five books removed from my house, a 1978 issue of *Newsweek* magazine, and another magazine with a picture of Ayatollah Khomeini's funeral. They even took books that attacked Iran." EOHR reported that on August 6, 1989, forty individuals, out of fifty-two accused, were arrested for allegedly forming an illegal pro-Iranian Shia organization aimed "at changing by force the political system, and planning to undertake hostile actions against American, Israeli, Iraqi and Kuwaiti interests in Egypt." EOHR found "a thick shadow of doubt on the seriousness of the investigation which led to the imprisonment of these persons...Among those arrested are persons with no concern for political action or Shiite thought...Doubts on the seriousness of specific allegations against these people are reinforced by the rejection of the Supreme State Security Court (on September 20, 1989) of the detention orders issued by the Minister of Interior for thirteen of the accused." (EOHR, "A Report on the Torture of the Detained in the Case of the Shiite Organization," October 1, 1989.)

## **APPENDIX D**

### **COMPLAINTS OF INCOMMUNICADO DETENTION AND TORTURE SUBMITTED BY THE EGYPTIAN ORGANIZATION FOR HUMAN RIGHTS TO EGYPTIAN GOVERNMENT OFFICIALS, 1990 AND 1991**

#### **COMPLAINTS SUBMITTED TO THE PROSECUTOR GENERAL AND OTHER MINISTRY OF JUSTICE OFFICIALS IN 1991**

(Information listed is as follows: date complaint was submitted; name of victim; allegation and location of abuse; location of detention at time complaint was filed; and official to whom EOHR submitted complaint.)

**1. December 31, 1991**

**Ahmad Mahmoud Muhammed Ahmad  
Torture at Bab el-Shaariya police station in Cairo  
Attorney general (*al-muhammi al-`ami*)**

**2. December 29, 1991**

**Naja Abdallah Eissa and Abd el-Nasser Abdel Rafah, tortured at Zaqaziq First Branch police station  
Ahmad Mahmoud Muhammed, tortured at Bab el-Shaariya police station in Cairo  
Abdel Rahman 'Anter, tortured at Lazoughly  
Ayman Muhammed Said, tortured at SSI headquarters in Port Said  
Prosecutor General**

**3. December 1, 1991**

**Ayman Muhammed al-Sayyid Sayyid  
Torture at SSI headquarters in Port Said  
Detained in Abu Za`bal  
Prosecutor General**

**4. November 19, 1991**

**Muhammed Farghaly Saleh, Muhammed Ahmad Muhammed, Sultan Abdel Rahman, and Mustafa Badawi  
Torture at CSF camps in Assyut  
Detained in Abu Za`bal  
Prosecutor General**

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**5. October 21, 1991**  
**El-Shadly Ebeid al-Sahrir**  
**Torture at Central Security Forces camp in Hurghada**  
**Detained at Tora Istikbal**  
**Prosecutor General**

**6. October 21, 1991**  
**Muhammed as-Sayyid as-Sayyid Higazi**  
**Torture at SSI building in Giza**  
**Detained in Lazoughly**  
**Prosecutor General**

**7. October 2, 1991**  
**Shaaban Ali Ibrahim**  
**Torture at Lazoughly**  
**Detained in Liman Tora prison**  
**Prosecutor General**

**8. May 22, 1991**  
**Baha'a Fouad Buktur**  
**Torture at SSI Heliopolis**  
**Prosecutor General**

**9. April 2, 1991**  
**Muhammed Afifi Mattar**  
**Torture at Lazoughly**  
**Detained at Tora Istikbal**  
**Prosecutor General**

**10. March 6, 1991**  
**Nasser Muhammed Hashem**  
**Torture at Lazoughly**  
**Prosecutor General**

**11. February 21, 1991**  
**Muhammed Mustafa Mandour**  
**Torture in Lazoughly**  
**Detained at Abu Za`bal**

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**Prosecutor General**

**12. February 19, 1991**  
**Muhammed Mustafa Mandour**  
**Torture at Lazoughly**  
**Detained at Abu Za`bal**  
**Head niyaba in al-Khanka district**

**13. February 19, 1991**  
**Muhammed Mustafa Mandour**  
**Torture at Lazoughly**  
**Detained at Abu Za`bal**  
**Prosecutor General**

**14. February 19, 1991**  
**Muhammed Mustafa Mandour**  
**Torture at Lazoughly**  
**Detained at Abu Za`bal**  
**General Attorney of Benha prosecution**

**15. February 17, 1991**  
**Muhammed Mustafa Mandour, Imad Atriss**  
**Torture at Lazoughly**  
**Prosecutor General**

**COMPLAINTS SUBMITTED TO THE PROSECUTOR GENERAL AND OTHER MINISTRY OF JUSTICE OFFICIALS IN 1990**

**16. December 11, 1990**  
**Mustafa Muhammed Said as-Sharqawi**  
**Torture at Lazoughly and Nuzha police station in Heliopolis**  
**Prosecutor General**

**17. November 24, 1990**  
**Suspects in the Mahgoub assassination**  
**Torture at Lazoughly**  
**Prosecutor General**

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**18. September 21, 1990**

**Disappearance Cases: Mustafa Abdel Hameed, Nusra Fathey Ibrahim, Khalid Abdel Latif as-Sherif; Mistreatment of Palestinians**

**Disappearance, torture and mistreatment: Tora Istikbal and Lazoughly**

**Prosecutor General**

**19. September 2, 1990**

**Khalid Abdel Latif el-Sherif**

**Torture at Lazoughly; detained in Tora**

**Prosecutor General**

**20. July 21, 1990**

**Prisoners at Liman Tora**

**Mistreatment at Liman Tora**

**Prosecutor General**

**21. June 17, 1990**

**Mustafa Abdel Rahman al-Najjar**

**Torture at SSI branch in el-Areesh**

**Prosecutor General**

**22. February 25, 1990**

**Sameh Said Mahmoud and Muhammed Abdul Fatteh**

**Disappearance and mistreatment**

**Reports of repeated detention in Lazoughly**

**General Attorney of state security prosecution**

**23. January 15, 1990**

**Torture cases contained in EOHR report issued on January 15, 1990**

**Torture at Lazoughly (Jahber Ibn Hayyan/Tora Istikbal)**

**Prosecutor General**

**COMPLAINTS SUBMITTED TO THE MINISTRY OF INTERIOR IN 1990 AND 1991**

**(Information listed is as follows: date of complaint; name of victim; place of detention; allegation of abuse.)**

**1. November 21, 1991**

**El-Shadly al-Sahrir Ebeid**

**Detained at Tora Istikbal prison**

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### **Tortured at Central Security Forces camp in Hurgada**

**2. November 2, 1991**

**Cases contained in EOHR report concerning mistreatment and torture in police stations**

**3. November 2, 1991**

**Muhammed Abdel Fattah**

**Torture and mistreatment at Lazoughly**

**4. October 21, 1991**

**El-Shadly al-Sahrir Ebeid and Muhammed el-Sayyid el-Sayyid Higazi**

**Detained at Tora Istikbal Prison**

**The first tortured at CSF camp in Hurgada, the second at the SSI building in Giza**

**5. October 2, 1991**

**Shaaban Ali Ibrahim**

**Detained at Tora Istikbal Prison**

**Tortured in Lazoughly**

**6. September 22, 1991**

**Hasna Ibrahim Abdel Dayyem**

**al-Hassaniyya as-Sharqiyya center**

**as-Sharqiyya security directorate received complaint**

**Destruction of agricultural land**

**7. September 2, 1991**

**Residents of Karmseena farm**

**Kufr Saqr el-Sharqiyya**

**Detained at Kufr Saqr el-Sharqiyya**

**Collective punishment**

**8. July 18, 1991**

**Palestinian detainees in Abu Za`bal**

**Abu Za`bal director of medical department in Prisons Administration**

**Poor medical and living situation**

**9. June 17, 1991**

**Memorandum submitted to Ministry of Interior by EOHR concerning human rights violations in Egypt, noting cases of involuntary disappearances, torture in police stations and at SSI headquarters, and the cases of the torture of Palestinians at Lazoughly and SSI**

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**headquarters in el-Areesh.**

**10. May 22, 1991**

**Bahaa Fouad Buktur**

**Torture at SSI office in the Heliopolis police station**

**11. May 22, 1991**

**Hussam Fathi Nayl**

**Tora Istikbal**

**Detention**

**12. May 22, 1991**

**Mahmoud Abdel Hameed Higazi**

**Jabber Jabber al-Gharib**

**Harassment by security forces**

**13. May 22, 1991**

**Abdel Monem Abed el-Salam Abu Yassin**

**Qanater Prison**

**Mistreatment**

**14. April 2, 1991**

**Muhammed Afifi Mattar**

**Torture at Lazoughly**

**Detained in Tora Istikbal Prison**

**15. March 22, 1991**

**Muhammed Mandour**

**Torture at Lazoughly**

**16. March 20, 1991**

**Sa`d al-Badry Hussein**

**March 20, 1991**

**Torture at Isna police station**

**17. March 20, 1991**

**Hani Zaki Gerges**

**Detention at Tanta prison**

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**18. March 19, 1991  
Muhammed Mandour  
Torture at Lazoughly**

**19. March 7, 1991  
Cairo University Events  
March 7, 1991  
Human rights violations**

**20. March 6, 1991  
Nasser Muhammed Hashem  
Torture at Lazoughly**

**21. February 26, 1991  
Sameh Sa`id Muhammed  
Torture at Lazoughly**

**22. November 14, 1990  
Suspects detained in Mahgoub assassination case  
Detained in Tora Istikbal prison  
Tortured at Lazoughly**

**23. November 8, 1990  
Mustafa Muhammed al-Sharqawi  
Muhammed Hassanein Muhammed  
Abu Za`bal Prison  
Torture at Lazoughly**

**24. September 5, 1990  
Ala Moheiddin Abdul Rahim  
Assassination by police officers**

**25. September 3, 1990  
Khalid Abdul Latif el-Sharif  
Torture at Lazoughly**

**26. June 16, 1990  
Hamdi Salim Abdel Rahman**

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**Aja center  
Detention**

**27. June 3, 1990  
Nabeel Abdel al-Magid el-Mougrabi  
Tora Prison hospital  
Mistreatment**

**28. September 19, 1989  
Talat Qassem  
Tora Istikbal Prison  
Mistreatment**