



DEATHS IN CUSTODY – EGYPT

SUBMISSION TO SPECIAL RAPPORTEUR ON EXTRAJUDICIAL,
SUMMARY OR ARBITRARY EXECUTIONS.

JUSTICE HOUSE

March 2023

Contents

1- Introduction	2
2- Legal and policy frameworks in Egypt related to deaths in custody in Egypt.....	3
3- Investigation procedures and accountability mechanisms in Egypt.....	5
A. Types of investigation procedures for deaths in custody in Egypt	5
B. Responsibility for investigation procedures in Egypt	5
C. Implementation of accountability mechanisms in Egypt	6
D. Challenges in implementing investigation procedures and accountability mechanisms in Egypt...	6
4- Forensic medical involvement in Egypt.....	7
A. Level of forensic medical involvement in the investigation of deaths in custody in Egypt	7
B. Requirements for post-mortem investigations in Egypt.....	7
C. Challenges in implementing forensic medical involvement in Egypt.....	8
5- National and international protocols in Egypt.....	9
6- Participation of victims' families and access to effective remedies in Egypt	10
A. Procedures in place for facilitating the participation of victims' families in Egypt	10
B. Access to effective remedies for victims' families in Egypt	10
C. Challenges in providing access to effective remedies in Egypt.....	11
7- Conclusion.....	12
A. Overview of the main findings in Egypt	12
B. Recommendations	13

1- INTRODUCTION

The issue of deaths in custody continues to be a significant challenge to the protection of human rights, particularly in Egypt where impunity for such deaths is widespread. Justice House recognizes the need for effective investigation, documentation, and prevention of deaths in custody to ensure the protection of the right to life of persons deprived of liberty.

This submission by Justice House aims to provide key concerns and recommendations related to deaths in custody in Egypt. The report is intended to inform the forthcoming report of the Special Rapporteur on extrajudicial, summary, or arbitrary executions, which will be presented at the 53rd regular session of the Human Rights Council in June 2023.

The submission highlights Egypt's ongoing human rights and impunity crisis, characterized by a regression of legal protections for human rights since 2013 and widespread violations of its obligations to the right to life of persons deprived of liberty. It also provides findings on legal and policy frameworks, investigation procedures, and accountability mechanisms for deaths in custody, forensic medical involvement in the investigation of deaths in custody, availability and use of national or international protocols for investigating deaths in custody, and participation of victims' families and access to effective remedies.

Egypt has been the subject of international concern due to the frequency and persistence of deaths in custody. In light of the severe human rights [crisis](#) that Egypt has been witnessing since 2013. The country has witnessed a significant increase in reports of extrajudicial killings, arbitrary arrests, enforced disappearances, and torture. The authorities have also been accused of subjecting detainees to inhumane conditions, denying them access to medical care, and failing to adequately investigate deaths in custody. This is what the United Nations Special Procedures [described](#) as “a systemic problem with arbitrary detention in Egypt.”.

The deaths in custody in Egypt raise serious human rights concerns, including the right to life, the prohibition against torture and ill-treatment, the right to a fair trial, and the right to access to justice. The lack of accountability and transparency in investigating and prosecuting these cases has perpetuated a culture of impunity, allowing perpetrators to continue their abusive practices without fear of consequences.

Justice House stresses the critical importance of conducting effective investigations, documenting incidents, and implementing measures to prevent deaths in custody to safeguard the right to life of individuals who are deprived of their freedom, and to promote accountability for human rights abuses. The issue of deaths in custody in Egypt is a matter of utmost importance in ensuring the protection of human rights, upholding the rule of law, and guaranteeing the well-being and safety of detainees. The responsibility falls on the government to take measures to prevent such incidents, investigate and prosecute perpetrators, provide remedies to victims and their families, and ensure accountability for human rights violations. The international community also has a role in supporting Egypt's efforts to address this issue and monitoring progress in this regard.

This report will examine the situation of deaths in custody in Egypt since 2013, highlighting the key issues, challenges, and recommendations for addressing this issue.

2- LEGAL AND POLICY FRAMEWORKS IN EGYPT RELATED TO DEATHS IN CUSTODY IN EGYPT

The issue of death in custody in Egypt is governed by a legal framework that includes provisions related to the treatment of prisoners, investigations into deaths in custody. Despite the apparent of these laws, concerns have been raised about their implementation and enforcement in practice. Reports indicate that detainees are dying in custody due to a lack of adequate medical care and even torture and [abusive](#) detention conditions, indicating a failure to uphold the rights guaranteed by the Egyptian Constitution.

The Constitution guarantees the right to personal safety and security for every person and prohibits torture and cruel, inhuman, or degrading treatment or punishment. Other laws, including the Prisons Regulation Act and the Internal Regulation of Prisons, guide the legal framework for medical care and death in custody in Egypt. These laws require every non-central prison to have one or more physicians responsible for healthcare, with central prisons having a physician on staff. The law also provides for medical parole and entrusts the prison's physician with care for patient prisoners.

Egyptian law mandates the investigation of deaths in custody, with the [Public Prosecution](#) required to investigate whenever a person dies in custody. The Ministry of Interior is also required to submit a report to the Public Prosecution within 24 hours of any death in custody. Despite these legal provisions, there are concerns about the lack of effective implementation and enforcement in practice, with reports of insufficient investigations and failure to hold those responsible accountable.

The Egyptian Penal Code includes provisions for crimes related to torture, ill-treatment, and abuse of authority by public officials. Article 126 of the Code criminalizes the use of force, threats, or torture to extract a confession or information from a detainee. Article 280 criminalizes torture resulting in death. In addition, the Code of Criminal Procedure includes provisions for the investigation of deaths in custody.

Egypt has also ratified several international human rights treaties that provide for the protection of detainees, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). However, concerns have been raised about the lack of effective implementation of these treaties in practice.

The [healthcare](#) in prisons and detention did not meet the minimum standards required to uphold the right to health guaranteed by international law. While there was variation in the quality of care provided depending on location, emergency services were typically very limited and lacked efficiency.

Moreover, the lack of independent oversight and accountability mechanisms for the security forces is a major challenge in ensuring compliance with these frameworks. There have also been reports of extrajudicial killings and enforced disappearances of individuals in custody, further highlighting the need for improved implementation of legal frameworks. [Hundreds](#) of people, including political prisoners, have died in detention in Egypt over the past few years, with allegations of neglect of detainees' health and wellbeing and mistreatment.

DEATHS IN CUSTODY – EGYPT

As the Egyptian authorities launched the National [Strategy](#) for Human Rights and marketed it as evidence of their commitment to human rights, they put forth this strategy without consulting independent human rights organizations or seeking popular participation. The strategy faced harsh [criticism](#) for providing a misleading picture of the human rights crisis in Egypt, and exempting the authorities from any responsibility for human rights violations.

In light of the systematic use of torture and [denial](#) of healthcare in prisons and the Egyptian authorities' tolerance of human rights violations, the legal text alone is not enough to protect the rights and lives of detainees in Egypt. Furthermore, the lack of attention to impunity and the escape of perpetrators of human rights violations and those responsible for deaths in detention from punishment remains a major obstacle to justice in Egypt.

Egyptian law requires prison administrations to inform the Public Prosecution about the sudden or accidental deaths of prisoners, while the prosecution retains the authority to decide the course of criminal investigations. Even when investigations are conducted, families are [rarely](#) informed of the results or steps taken in the course of investigations and results are rarely made public. For example, the Public Prosecutor tasked prosecutors, including from the SSSP, to investigate the causes of former president Mohamed Morsi's death in 2019. To date, no information has been made publicly available on the outcome of the investigation.

Despite these legal, there have been persistent concerns about the lack of effective implementation and enforcement, resulting in continued human rights violations, including deaths in custody. In the next section, we will discuss the procedures in place for investigating deaths in custody and ensuring accountability.

DEATHS IN CUSTODY – EGYPT

3- INVESTIGATION PROCEDURES AND ACCOUNTABILITY MECHANISMS IN EGYPT.

A. TYPES OF INVESTIGATION PROCEDURES FOR DEATHS IN CUSTODY IN EGYPT

Egypt has legal provisions and requirements for cases of deaths in custody, and investigations are mandatory. However, there are significant concerns about the lack of effective measures, policies, and good practices for investigating, documenting, and preventing deaths in custody. The decision and responsibility for the investigation lie with the Public Prosecution Office, and investigations can be conducted by administrative, judicial, or other investigatory bodies.

There are several types of investigation procedures for deaths in custody in Egypt, including an autopsy by a forensic expert, the collection of evidence and witness statements, and investigate the death. However, there are concerns about the adequacy and impartiality of these procedures, as well as the limited involvement of independent forensic experts.

Moreover, accountability mechanisms for deaths in custody remain inadequate in Egypt. While investigations are mandatory, there is limited external oversight and accountability for the results of the investigations. This lack of accountability mechanisms creates a culture of impunity for perpetrators and contributes to a cycle of continued violations.

The United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary or Summary Executions (1989) and The Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) are international protocols that provide guidelines for investigating deaths in custody. However, there are concerns about the availability and use of these protocols in Egypt, as well as the country's compliance with international human rights standards.

B. RESPONSIBILITY FOR INVESTIGATION PROCEDURES IN EGYPT

In Egypt, investigations into deaths in custody are typically carried out by the Public Prosecution Office and the Ministry of Interior. The Public Prosecution Office is responsible for conducting a legal investigation into the death, while the Interior is responsible for conducting an administrative investigation. However, there have been concerns regarding the effectiveness and independence of these investigations.

The Public Prosecution Office and the Ministry of Interior have been [failing](#) to conduct prompt, impartial, and thorough investigations into deaths in custody. Furthermore, the lack of transparency in the investigative process has often led to mistrust and skepticism from the families of the Victims and the public.

In some cases, investigations have been hindered by a lack of cooperation from the authorities responsible for the death. For instance, in the case of [Giulio Regeni](#), an Italian student who was found dead in Cairo in 2016, Italian authorities accused the Egyptian authorities of failing to cooperate fully in the investigation.

In addition, there have been [reports](#) of torture and ill-treatment of detainees during the investigative process, including the use of forced confessions. This raises serious concerns about the fairness and impartiality of the investigations.

DEATHS IN CUSTODY – EGYPT

C. IMPLEMENTATION OF ACCOUNTABILITY MECHANISMS IN EGYPT

Justice House is concerned about the implementation of accountability mechanisms for deaths in custody. There have been reports of a lack of transparency and impartiality in investigations, as well as inadequate access to justice for victims and their families.

Many families of those who died in custody [reported](#) being denied access to information about the investigation or even the cause of death of their loved ones. In some cases, families have been pressured not to pursue legal action or have been subjected to intimidation and harassment. Moreover, the lack of accountability has perpetuated a culture of impunity and contributed to a cycle of violence and abuse.

we have also concerned about the effectiveness and independence of oversight bodies responsible for monitoring and investigating deaths in custody. The National Council for Human Rights (NCHR) and the Forensic Medicine Authority did fail to play their role regarding the issue of death inside detention facilities, but sometimes they covered up these human rights violations, also their limited mandates and lack of independence from the government. Some civil society organizations have [called](#) for the establishment of an independent commission to investigate deaths in custody and ensure accountability.

Additionally, there are [reports](#) of the use of torture and other forms of ill-treatment in detention centers and prisons in Egypt, which further undermines accountability mechanisms for deaths in custody.

D. CHALLENGES IN IMPLEMENTING INVESTIGATION PROCEDURES AND ACCOUNTABILITY MECHANISMS IN EGYPT

Justice House believe that one significant challenge is the lack of independence of the investigative bodies, which undermines the credibility and transparency of the investigations. In many cases, the same entities responsible for carrying out the arrests and detentions are also tasked with investigating the deaths in custody, leading to a conflict of interest. Furthermore, the lack of external oversight and involvement in the investigations makes it difficult to hold those responsible accountable for their actions.

Another challenge is the lack of cooperation and transparency from state authorities in providing access to information and evidence related to the deaths in custody. This has hindered the ability of families of the victims and human rights organizations to effectively participate in the investigations and seek justice.

Moreover, the limited access to forensic medical expertise and the failure to conduct proper autopsies have also as significant challenges in the investigations. In some cases, the autopsy reports are not made available to the families, and the families of the victims reported of tampering with the evidence and falsification of the autopsy reports.

Additionally, the limited resources and capacity of the investigation bodies, including the lack of training and equipment, have also been identified as a significant challenge in effectively carrying out investigations.

Overall, addressing these challenges is critical to ensuring that the investigation procedures and accountability mechanisms in Egypt are implemented effectively and lead to justice for victims of deaths in custody.

DEATHS IN CUSTODY – EGYPT

4- FORENSIC MEDICAL INVOLVEMENT IN EGYPT

A. LEVEL OF FORENSIC MEDICAL INVOLVEMENT IN THE INVESTIGATION OF DEATHS IN CUSTODY IN EGYPT

Forensic medical involvement "It is a body affiliated with the Ministry of Justice" in the investigation of deaths in custody in Egypt has been a topic of concern among since 2013 until now.

According to the Egyptian Forensic Medical Authority, a post-mortem examination is carried out in every death in custody case. While the victims' lawyer reported of inadequate and incomplete post-mortem examinations, leading to a lack of information on the causes of death. In some cases, The absence of forensic medical professionals during investigations and autopsies has also been reported, which raises concerns about the quality and reliability of the investigation procedures.

In addition, the lawyer of one victim reported of tampering with evidence and the falsification of post-mortem reports, where the authorities altered the post-mortem report of a prisoner who died in custody, indicating that the cause of death was "natural causes" rather than "torture and medical negligence".

Also, The lack of proper forensic medical involvement in death in custody cases in Egypt highlights the need for improved forensic medical training and expertise in investigations. This includes ensuring the presence of qualified forensic medical professionals during post-mortem examinations and investigations and establishing procedures for the independent and objective examination of evidence.

B. REQUIREMENTS FOR POST-MORTEM INVESTIGATIONS IN EGYPT

In Egypt, the law requires a post-mortem examination to be conducted in cases of death in custody, as per of the Prisons Act. However, the level of compliance with this requirement has been inconsistent, with some cases not undergoing a proper forensic examination. Additionally, the lack of specialized forensic experts and equipment in some areas hindered the ability to conduct thorough post-mortem investigations.

However, there is still a need for more comprehensive measures to ensure that all deaths in custody are subject to a proper post-mortem investigation, as mandated by law.

Moreover, it is important to note that in some cases, the results of post-mortem examinations not be made public or shared with the families of the deceased. This lack of transparency hinder the ability of families to access effective remedies, as they not have access to crucial information regarding the cause and circumstances of their loved one's death. Therefore, it is crucial to ensure that the results of post-mortem investigations are made available to the families and that they are given access to effective remedies.

C. CHALLENGES IN IMPLEMENTING FORENSIC MEDICAL INVOLVEMENT IN EGYPT

Despite the legal frameworks in Egypt that require forensic medical involvement in the investigation of deaths in custody, there are several challenges in their implementation. These challenges include the lack of trained forensic medical professionals, inadequate facilities and equipment, and limited access to medical records and evidence.

One of the main challenges is the [shortage](#) of qualified forensic medical professionals in Egypt, the number of forensic medical experts in Egypt is insufficient to meet the demand for their services. This shortage results in delays in conducting autopsies and other forensic medical examinations, which in turn delays investigations and impedes accountability.

Another challenge is the inadequate facilities and equipment available for conducting forensic medical examinations. The lack of appropriate facilities and equipment hinders the ability of forensic medical professionals to conduct accurate and reliable examinations. Additionally, inadequate training and supervision of forensic medical professionals in Egypt, which can further compromise the quality of their work.

Access to medical records and evidence is also limited in Egypt, which can hinder the ability of forensic medical professionals to conduct thorough investigations. Some families of victims reported that they were denied access to medical records and reports on the health of loved ones who died in custody, and that evidence was tampered with or destroyed.

Addressing these challenges will require a concerted effort from the Egyptian government, including increasing the number of trained forensic medical professionals, improving facilities and equipment, and ensuring access to medical records and evidence for investigations. Additionally, international cooperation and support may be necessary to address these challenges and improve the overall quality of forensic medical involvement in the investigation of deaths in custody in Egypt.

5- NATIONAL AND INTERNATIONAL PROTOCOLS IN EGYPT

Egypt has ratified several international treaties and conventions related to human rights, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the African Charter on Human and Peoples' Rights. Egypt has also adopted national protocols and guidelines for investigating deaths, such as the Code of Ethics for Medicine Practitioners, which impose obligations on the State to ensure that no one is subjected to torture or other forms of ill-treatment guaranteeing the right to life and health care in custody. The Egyptian Constitution also prohibits torture and requires the State to protect human rights and the right to life.

Despite these legal obligations, there have been reports of violations of human rights, including deaths in custody, in Egypt. The NGOS have both [highlighted](#) the need for compliance with international human rights norms and standards, including the Istanbul Protocol, which provides guidelines for the effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment.

However, the Egyptian authorities have failed to implement [recommendations](#) made by the Committee against Torture, established under the CAT, and have also [failed](#) to allow visits by the United Nations Special Rapporteur on Torture.

However, the implementation of these protocols and guidelines has been problematic. The lawyer of victims reported instances where forensic evidence was not collected or was not used in investigations, and where autopsies were performed without the presence of family members or independent observers. Moreover, the Egyptian authorities have not always [cooperated](#) with international investigations or allowed independent experts to conduct their own investigations into deaths in custody.

In order to address these challenges, it is essential that the Egyptian authorities fully implement national and international protocols for investigating deaths in custody. This includes ensuring the presence of independent observers during autopsies and investigations and allowing for the collection and use of forensic evidence. Additionally, the Egyptian authorities should cooperate fully with international investigations and allow independent experts to conduct their own investigations into deaths in custody. Only through a comprehensive and transparent approach to investigating deaths in custody can the human rights of all individuals in Egypt be protected and upheld.

6- PARTICIPATION OF VICTIMS' FAMILIES AND ACCESS TO EFFECTIVE REMEDIES IN EGYPT

A. PROCEDURES IN PLACE FOR FACILITATING THE PARTICIPATION OF VICTIMS' FAMILIES IN EGYPT

The availability and use of national and international protocols for investigating deaths in custody, as well as compliance with these protocols, have critical in ensuring accountability and preventing deaths in custody in Egypt. However, the impact of these protocols on preventing deaths in custody remains limited due to several challenges.

First, there is a lack of transparency in the implementation of investigation procedures and accountability mechanisms, as well as in the use of forensic medical evidence. The lack of transparency in the implementation of investigation procedures makes it difficult to hold authorities accountable for deaths in custody, while the lack of transparency in the use of forensic medical evidence undermines the credibility of the investigation process.

Second, there is a lack of political will to implement investigation procedures and accountability mechanisms, as well as to ensure compliance with national and international protocols. The government has been using the legal system to justify arbitrary detention and abuse of power, rather than ensuring accountability for deaths in custody.

Third, there are significant limitations in the capacity of forensic medical professionals and the infrastructure for conducting post-mortem investigations. Forensic medical professionals often lack the necessary training and equipment to conduct thorough and accurate post-mortem investigations, while the infrastructure for conducting post-mortem investigations is inadequate and outdated.

B. ACCESS TO EFFECTIVE REMEDIES FOR VICTIMS' FAMILIES IN EGYPT

In Egypt, families of victims of deaths in custody face numerous obstacles to their participation in the investigation process. The Egyptian government has established procedures for victims' families to file complaints with the Public Prosecution Office and the National Human Rights Commission (NHRC) in order to participate in the investigation process. However, these procedures are often lengthy and burdensome, and many families face difficulties in accessing them.

Families of victims of enforced disappearances and deaths in custody in Egypt are often unable to obtain information about the fate or whereabouts of their loved ones. They are frequently subjected to harassment and intimidation by security forces when they attempt to obtain information or seek justice. Additionally, many families are reluctant to come forward due to fear of reprisals or stigma associated with their family member's alleged involvement in terrorism.

Furthermore, victims' families often face barriers to accessing effective remedies for human rights violations. The Egyptian government has established a compensation fund for victims of terrorism, but this fund is not available to families of victims of deaths in custody. In addition, the legal system in Egypt is inaccessible and ineffective, with limited avenues for redress and a lack of transparency in the investigation and prosecution of cases.

while procedures exist for victims' families to participate in the investigation process in Egypt, these procedures are formalities and often insufficient and ineffective in ensuring meaningful participation and access to effective remedies. The Egyptian government should take steps to improve these procedures and ensure that victims' families are able to access justice and obtain information about their loved ones.

C. CHALLENGES IN PROVIDING ACCESS TO EFFECTIVE REMEDIES IN EGYPT

Access to effective remedies for victims' families in Egypt has been and still a significant challenge. In cases, families of those who have died in custody face significant obstacles in obtaining justice and redress for their loved ones.

The legal framework in Egypt provides for the right to compensation for victims of human rights violations, including those who have suffered harm in custody. However, in practice, accessing such remedies be difficult. Many families face significant barriers to obtaining information about the circumstances of their loved one's death, including access to autopsy reports and other relevant documents.

In addition, the process of seeking redress be complex and time-consuming. Families required to navigate a complex legal system, which can be both daunting and expensive. Moreover, there is often a lack of transparency around the investigation and prosecution of those responsible for deaths in custody, which further impede families' ability to obtain justice.

while the Egyptian government claims it has established a new "independent" [mechanism](#) to investigate complaints of human rights violations, including deaths in custody. However, these measures come as a way to beautify the country's image in front of the local and international public opinion only, and without real effectiveness and cannot be reached easily.

However, more needs to be done to ensure that victims' families are able to access effective remedies for human rights violations. This includes improving transparency around the investigation and prosecution of those responsible for deaths in custody, as well as providing adequate support to victims' families throughout the process of seeking redress. Additionally, efforts must be made to address the broader human rights concerns in Egypt, which underlie many cases of deaths in custody.

7- CONCLUSION

A. OVERVIEW OF THE MAIN FINDINGS IN EGYPT

In Egypt, there are still significant challenges in ensuring that these rights are upheld. One major challenge is the lack of resources and infrastructure for effective investigations and legal proceedings. This leads to delays, incomplete investigations, and inadequate compensation for victims' families.

Additionally, there is a lack of transparency and accountability in the legal system, with reports of corruption, bias, and political interference. This led to a lack of trust in the system and a reluctance on the part of victims' families to pursue legal remedies.

Another challenge is the intimidation and harassment of victims' families and their advocates by security forces and other state actors. This makes it difficult for families to speak out and seek justice for their loved ones.

Finally, there are systemic issues related to human rights and the rule of law in Egypt that make it difficult for victims' families to access effective remedies. These include restrictions on freedom of expression and association, the use of torture and other forms of abuse by security forces, and the lack of independent oversight of the security sector.

In order to address these challenges and ensure that victims' families have access to effective remedies in Egypt, it is necessary to address these underlying issues and promote a culture of accountability, transparency, and respect for human rights in the legal system and throughout society. This can involve reforms to the legal system, the creation of independent oversight mechanisms, and efforts to promote human rights education and awareness.

One of the main challenges is the lack of information about available remedies and the procedures for accessing them. Victims' families often have limited knowledge about the legal system and their rights, which makes it difficult for them to navigate the complex legal procedures and seek redress for the harm they have suffered.

Another challenge is the slow and inefficient judicial process in Egypt. The judicial system is often plagued by lengthy delays, corruption, and political interference, which undermine the ability of victims' families to obtain timely and effective remedies. As a result, many cases remain unresolved for years, leaving victims' families without closure and justice.

In addition, there are significant barriers to accessing legal aid and representation in Egypt. Legal aid is often scarce, and the cost of legal representation is prohibitively high for many victims' families, particularly those from marginalized communities. As a result, many victims' families are unable to secure the necessary legal assistance to pursue their claims.

Furthermore, there is a lack of accountability for perpetrators of human rights abuses in Egypt. Perpetrators often enjoy impunity, and the government's efforts to investigate and prosecute cases of human rights abuses are often inadequate. This lack of accountability undermines the credibility of the justice system and discourages victims' families from seeking redress.

In conclusion, while there are a little of legal provisions and mechanisms in place to ensure access to effective remedies for victims' families in Egypt, numerous challenges continue to impede their access to justice. Addressing these challenges will require sustained efforts to strengthen the legal system, ensure accountability for perpetrators of human rights abuses, and improve access to legal aid and representation for victims' families.

B. RECOMMENDATIONS

Since 2013 until now, Egypt has faced significant challenges in addressing deaths in custody and ensuring accountability for those responsible. Investigations into these cases have often lacked transparency, impartiality, and effectiveness, with limited forensic medical involvement and a lack of compliance with national and international protocols. Victims' families have also faced significant challenges in accessing effective remedies and participating in the investigation process.

In order to address these issues, we recommend that the OHCHR and Egyptian Government take the following actions:

Justice House recommends the following to the High Commissioner for Human Rights:

- 1- Call for the establishment of an independent commission to investigate deaths in custody in Egypt, with the participation of forensic medical experts and representatives of victims' families, in order to ensure an impartial and effective investigation process.
- 2- Advocate for the prohibition of torture and other forms of ill-treatment in detention centers and prisons, and for the prosecution of those responsible for such acts, in order to prevent human rights violations and hold perpetrators accountable.
- 3- Request that Egypt allows independent monitoring and reporting on the conditions of detention centers and prisons, including medical care and treatment of detainees, in order to ensure transparency and accountability.
- 4- Provide technical and financial support to Egypt in building capacity for forensic medical investigations, in order to ensure that investigations are conducted in compliance with national and international protocols.
- 5- Encourage Egypt to adopt and implement national and international protocols for investigating deaths in custody, and to ensure compliance with these protocols, in order to ensure that investigations are conducted effectively and impartially.
- 6- Advocate for the release of all individuals who have been arbitrarily detained in Egypt, in order to uphold the right to liberty and due process.
- 7- Call for the Egyptian authorities to ensure that victims' families have access to effective remedies, including compensation, rehabilitation, and justice, in order to provide redress for human rights violations and ensure accountability.

Justice House recommends the following to the Egyptian Government:

- 1- Ensure compliance with national and international protocols for investigating deaths in custody, such as the Istanbul Protocol and the Minnesota Protocol.
- 2- Provide adequate training and resources to law enforcement officials, prosecutors, and judges to effectively investigate and prosecute cases of deaths in custody.
- 3- Establish independent and transparent mechanisms for investigating deaths in custody, involving forensic medical experts, and hold those responsible for deaths in custody accountable.
- 4- Allow victims' families and their legal representatives to participate in the investigation and judicial proceedings related to deaths in custody.
- 5- Prohibit the use of torture and other forms of ill-treatment in detention centers and prisons, and hold those responsible for such acts accountable.
- 6- Ensure that victims' families have access to effective remedies, including compensation, rehabilitation, and justice.
- 7- Allow independent monitoring and reporting on the conditions of detention centers and prisons, including medical care and treatment of detainees.
- 8- Guarantee that all prisoners are held in conditions that meet international standards, including access to timely and adequate healthcare, as well as regular and unrestricted access to their families and lawyers.
- 9- Ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.