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Egypt-Input for the report on the nature, scope and regulation of the production and trade of law enforcement equipment and weapons and the relationship with torture and other cruel, inhuman, or degrading treatment or punishment

In March 2023, the Human Rights Council recognized torture as a systematic practice and adopted the following concluding observations:

'The Committee is deeply concerned at the reportedly systematic use of torture and cruel, inhuman, or degrading treatment by law enforcement personnel. The Committee is concerned with reports that torture and ill-treatment are prevalent within places of deprivation of liberty and that such acts are widely practiced by police and State Security services during the arrest, interrogation, and investigation phases, often as a method of coercion to elicit information or to punish or intimidate opponents and critics, despite constitutional and legislative guarantees. (...). It is equally concerned by the general lack of investigations into such practices and punishment of those responsible, reprisals against victims who denounce torture and the lack of reparation for victims, and the reported absence of meaningful oversight by the judiciary and public prosecution, including with regard to the use of evidence obtained under torture and the disregarding of medical examinations and complaints of torture (arts. 7 and 9).'

Since July 2013, after Egypt's military coup, systematic torture has reigned as a repressive tool in the hands of the national security services, while the lack of punishment for these practices has been the mark of the current military regime. In 2017, the Committee against Torture (CAT) stated that the facts gathered by the committee "lead to the inescapable conclusion that torture is a systematic practice in Egypt.

Psychological torture, such as sleep deprivation, solitary confinement, forced nudity, sexual humiliation, and threats of rape, and physical torture, such as beatings, electric shocks, hanging by hands or feet, blindfolding, and handcuffing, are common practices. Egyptian authorities

equally torture women, men, and minors. In the majority of cases, victims of torture testify before the prosecutors or the judges about the arbitrary arrest, enforced disappearance, and torture they underwent. However, no investigations have ever been set into these allegations. The systematic torture perpetuated by the Egyptian authorities violates Egypt's international obligations under the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, ratified by Egypt in 1987. These practices also violate Egyptian national laws and the country's constitution. Article 55 of the Egyptian Constitution confers that any accused person to be free from torture, treated with dignity, and remain silent. It provides that any statement that is proven to have been given by the detainee under any conditions stated by the article (including torture, coerced, or physically or mentally harmed) shall be considered null and void. Article 40 of the Criminal Procedure Code also states that "no person may be arrested or incarcerated unless under a warrant issued from the legally competent authorities. Persons shall be treated with dignity and may not be physically or morally abused".

Inputs to Question 3: Main producers, suppliers, and exporters of law enforcement equipment:

- Egypt is among the top countries when it comes to weapon imports despite its struggling economy. The country's net foreign reserves stood at \$17.52 billion at the end of May 2021, less than half the \$36 billion it had before the 2011 uprising. According to the media source, [Egypt Independent](#), Egypt was the world's fourth-biggest weapons importer in 2016, spending almost US\$2.3 billion in 2015, the consulting company IHS Inc. said in its Global Defence Trade Report.

Arms imports by Egypt grew by 215 per cent between 2013–2017. **France** has been one of the main suppliers of Egyptian arms. For instance, from 2014 to 2018, France exported 6.8% of the global share to Egypt. From 2017 to 2021, Egypt delivered 5.7 of the global share from France. In 2014, Egypt signed major arms deals with France, and deliveries started in 2015. As a result, France accounted for 37 percent of Egypt's arms imports in 2013–17. From 2015 to 2022, Egypt is one of the five largest arms buyers. Moreover, Egypt has been the most important buyer of French arms exports in 2022 by a 19%.

From 2012 to 2016, France exported 16 and 96 Sherpa vehicles to Egypt, at least 18 Sherpa vehicles delivered to Egypt in 2012 were earmarked "for police" specifically. On August 14, 2013, French-made Sherpa vehicles were involved in the massacre of likely at least 1,000 protesters in Egypt's Rabaa and Nahda squares. In February 2022, France and Egypt secretly signed a significant deal for the supply of 30 Rafale fighter jets worth a total of 3.95 billion euros.

Since 2014, human rights violations have escalated in Egypt, and the Czech government agreed to give 26 and 28 licenses to export arms to Egypt. From 2017 to 2020, **the Czech Republic** exported light weapons to Egypt despite Egypt's low human rights record, besides knowing the possibility of using these weapons directly in internal repression and committing human rights violations. Indeed, the Egyptian Security Forces had used Czech weapons in the violent dispersal of sit-ins in Rabaa Al-Adawiya and Al-Nahda squares in 2013, killing at least 817 supporters of the ousted president Mohamed Morsi.

In 2013, arms exports from the Czech Republic to Egypt included CZ 75 P-07 Duty handguns 5000, hundreds of machine rifles CZ Scorpion EVO 3A1, and (Assault rifles BREN A1 805). In 2014, an agreement was signed to export CZ 75 P-07 5000 pistol and 10,000 pieces of ammunition of 9 mm caliber by analyzing dozens of photos and video clips which belong to the Egyptian Security Forces (the Army and Police), which are published on the official site of the Ministry of the Interior and the Armed Forces Spokesperson as well as other media and press platforms.

Moreover, exports witnessed a significant increase in 2019, as the revenues from arms exports to Egypt reached 10.5 million euros, about five times the same in 2018, which reached about 2.2 million euros. The revenues of Czech arms exports to Egypt have increased significantly since 2013. In 2013, Egypt imported weapons for more than 24 million euros from the Czech Republic. In 2016, exports reached more than 41 million euros. In 2018, the revenues of arms exports decreased to 2 million euros nearly, compared to the previous years. Then, the revenues increased again about five times to reach 10.5 million euros nearly in 2019 and 4.7 million euros in 2020.

Inputs to Questions 1 and 2: the production of materials listed in the Questionnaire as designed for no other purpose than inflicting pain:

The production of these materials is regulated in vague terms in Italian Law. Certainly, they are not listed in the classification of military equipment contained in Law No.110/1975 (with the sole exception of tasers) and in the European Directive 2009/43/EC. This complicates their tracking for export, as they do not fall under any of the classification categories in Italian and international export figures. However, some exceptions exist:

- In the case of Directed Energy Weapons (DEW), such as laser weapons intended to blind or impair sight, classified as ML19, f. "Continuous wave or pulsed 'laser' systems specially designed to cause permanent blindness to unenhanced vision, i.e. to the naked eye or to the eye with corrective eyesight devices.", and "Lasers' of sufficient continuous wave or pulsed power

to effect destruction similar to the manner of conventional ammunition” (ML19, Note 1., point a.)

The Italian ISTAT figures on export indicate the export of € 102.208 of “lasers, other than diodes” (9013). The UN COMTRADE also reports that in 2021, Italy exported “laser, other than diodes” (901320) to Egypt for USD 1.702.318.

The discrepancy between the two figures is significant and may result from an error in compiling either of the two databases or of a transparency gap.

Although we cannot be sure of this information, such material may have included DEW.

-Likewise, the Italian ISTAT databases prove the transfer of generically defined “iron chains” from Italy to Egypt of € 57.502 (classified as 7315) in 2021. Such a figure diverges significantly from the one contained in the UN COMTRADE database, which indicates the export of 57.448 kg of iron chains over the same period, for the value of 427.106 USD.

The discrepancy may be due to an error in compiling either of the figures, or in a transparency gap. Part of that material may have been or be used in the context of abusive and degrading practices against detainees, including torture.

We recommend more transparency in reporting on exporting material used for torture or other cruel, inhumane, and degrading treatment, such as laser devices and technology, particularly DEW and steel and iron chains.

In addition to these items (classified as non-military), Italy has been exporting military material to Egypt for years, in open contravention to the EU Council Common Position 2008/944/CFSP, the EU Council’s Conclusions of 2013 on halting arms trade to Egypt in light of the evident risk of their use for internal repression, the Arms Trade Treaty (to which is a member of since 2014), let alone its own domestic framework, Law No.185/1990.

In particular, EgyptWide has documented the transfer of small and light weapons (SALW) manufactured in Italy to Egypt between 2013 and the present, arriving at the conclusions that:

- over that time, the total value of SALW and ammunition authorized for export to Egypt amounted to more than € 62 million;
- the SALW exported included over 30.000 revolvers and guns, more than 3.600 rifles, and an unspecified number of sub-machine guns, carbines, and assault rifles, most of which were destined for the Egyptian armed forces, the security forces, and the police;

Some of the Italian-manufactured SALW exported in recent years (mainly, the models ARX160, Beretta F92, Beretta rifles AR70/90, and Benelli M3T Super 90, all produced by the group Beretta S.p.A.) have been used to repress internal dissent and assault unarmed protesters (mainly,

but not solely, in al Nahda and Rabaa al Adawiya in 2013), and they are regularly used in law enforcement and counter-terrorism operations in Sinai, where prominent human rights organizations such as Human Rights Watch have denounced a pattern of indiscriminate torture and extrajudicial killings of suspects and civilians often conducted with the use of firearms.

We thank you for your consideration of this matter.

Authors: Committee for Justice (CFJ), Egyptian Front for Human Rights (EFHR), EgyptWide for Human Rights.