

Without Rights Children

**Arbitrary Arrest and Torture of Children
in Egypt**



Arab Organisation for Human Rights in UK
المنظمة العربية لحقوق الإنسان في بريطانيا



Arab Organisation for Human Rights in UK
المنظمة العربية لحقوق الإنسان في بريطانيا

Date:31/03/2014

Children Without Rights

*Arbitrary Arrest and Torture of
Children in Egypt*



Introduction

The UN Convention on the Rights of the Child, ratified in 1989, reaffirmed the general rights provided for in the Universal Declaration of Human Rights of 1948 which each individual is entitled to enjoy irrespective of age, sex, religion or ethnicity. The Convention recognized the legal status of the child and that s/he is entitled to all political and civil rights including the right to peaceful assembly, physical and mental well-being and prohibited subjecting the child to arbitrary arrest.

Many countries do not comply with the provisions of the Convention, thus exposing children to grave violations that could lead to the loss of life. Egyptian children participated in protests and sit-ins after the 3rd of July 2013 coup but, similar to many Egyptians, they were met with brutal force from the authorities who killed and injured many of them. Hundreds more were arrested at their homes, schools and on the streets. Many were subsequently forcefully disappeared and tortured. It has proven very difficult to determine the actual number of children who had been arrested since the Egyptian police often avoid recording the real age of those children to enable so that they could be held in the same cell with adults since it is against the law not to hold minors in separate cells. Egyptian security forces arrested 98 children on the 25th of January 2014, raising the number of children placed under arrest to at least 575.



Serious Violations

Several cases have been documented of the arbitrary arrest of children under the age of 18 and their subsequent torture and detention with adult criminals in a serious violation of both Egyptian and International Laws. These children were treated as adults during detention and trial.

The list of complaints (see below) confirms that the current Egyptian regime has perpetrated many crimes against children since the July 2013 coup. These systematic abuses could be summarised as follows:

- 1- Subjecting children to arbitrary arrests upon directives issued by security forces with the full backing of the highly politicised Prosecutor-general's office often without any probable cause or a shred of evidence.
- 2- Remanding children in custody without probable cause is a violation of Egyptian and international laws which guarantee full protection for children deprived of their liberty by stipulating that all minors who are on or are awaiting trial shall be considered innocent until proven guilty and should only be locked up in the most exceptional of circumstances. And if detention is deemed necessary, juvenile courts must do their utmost to speed up the legal process to ensure the most minimum period of detention which is the exact opposite of what Egyptian courts have been doing.
- 3- Children's legal rights have been systematically abused in Egypt. They are denied access to lawyers and proper defence, are often convicted on the basis of bogus charges, or have confessions extracted from them under torture. Certain judges are chosen to try those cases which prejudices the children's right to a fair trial.
- 4- The forceful disappearance of children is rampant in Egypt. Parents and lawyers are not informed of where those children are being held which, understandably, causes parents a lot of anguish. International



laws guarantee, among other rights, the right to be recognised by the law and the right to liberty and security.

- 5- Children have been systematically tortured to extract false confessions dictated by investigators in a direct violation of the UN Convention Against Torture. The Convention prohibits torture and other cruel, inhuman or degrading treatment or punishment. 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 . It further stipulates that an order from a superior officer or a public authority may not be invoked as a justification of torture.
- 6- According to the Convention on the Rights of the Child “no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation” yet Egyptian authorities constantly force children to be filmed ‘confessing’ to crimes and then makes those films public.
- 7- Minors are regularly locked up with adult offenders in direct violation of Egyptian and international laws which strictly prohibit this practice.
- 8- Juvenile correctional facilities in Egypt are notorious for their abuse of children’s rights and total neglect of their well-being. The crowded facilities are also breeding grounds for viruses and diseases.
- 9- Children are often held in faraway locations to make it more difficult for parents and lawyers to come and visit frequently. Parents are often forced to pay bribes to be allowed to see their children. The Convention on the Rights of the Child stipulates that any child deprived of his liberty “ shall be treated with humanity and respect...shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances...and prompt access to legal and other appropriate assistance”. Egyptian authorities have violated all these provisions.



Based on the above

it may be concluded that Egypt has violated most of the provisions of the UN Convention on the Rights of the Child which guarantees children several important rights such as:

Article (15)

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article (16)

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks

Article (37)

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be



in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action



List of Complaints

1- Complaint from the brother of the detainee Khalid Ibrahim Mu'awad, a 17-year old student.



“My brother was arrested on the 24th of December 2013 at Al-Husari Square in 6 October city by some thugs because he chanced to be at a restaurant on the route of an anti-coup demonstration. He was beaten up and handed over to the police who hit him with batons and rifle butts all over his body. His case was filed under no. 12128 for the year 2013 (6 October Misdemeanours). Khalid was charged with violating the Anti-Protest law and other crimes. He appeared before the prosecutor-general the following day. He was then taken, handcuffed, along with several others to the roof of the building and kept there for 11 hours despite the cold and rainy weather. The same thing happened the following day. He was then transferred to the Correctional Facility in Al-Marj and was greeted upon arrival with more physical abuse, kicking, and slapping known as the “welcoming”.

He was not allowed to wear any warm clothes during the first week and throughout his stay at the Correctional Facility he was beaten up and forced to wash the clothes of other inmates and police officers. He and other political detainees would be forced to sit for hours in certain positions and sleep on concrete beds which affected his health and well-being.”



2- A complaint from the mother of the minor Ahmed Jamal Abdulaziz, a 16-year old student.



“A security force raided our house on Tuesday the 11th of February 2014 and arrested Ahmed without telling us why or where he was being taken. When I went to Mansoura police station they denied he was being held there despite the fact I recognised two of the police officers who had taken him from the house. When I insisted on knowing where he was, they told me he was indeed there and was being quizzed over suspicions he had taken part in an unlicensed demonstration. I was not allowed to see him for three days. When I did finally see him, he looked horrible and had severe bruises and open wounds all over his face. He had been tortured and electrocuted to force him to sign a statement without reading its contents. He was then filmed with several others. According to the statement, my son confessed to being a member of the Muslim Brotherhood who allegedly ordered him to set police cars on fire. My son appeared before the prosecutor-general four days later and his remand was extended. He was held with 40 others in a tiny unventilated cell.”



3- A complaint from the mother of the detainee Shadi Muklis Al-Imam Abdulhamid, a 17-year old student.



“On Tuesday the 11th of February 2014, a police force raided our house and arrested my sons, Shadi and Nabil, without giving us any reasons. Mansoura police station refused to provide us with any information about my sons so we filed a request with the prosecutor-general about the disappearance of Shadi and Nabil at the hands of security forces. Despite that, we had no idea where they were being held until they appeared before the prosecutor-general on the 15th of February charged with bogus charges on the basis of a statement they were forced to sign after being tortured and electrocuted for three days. The

police all took photos of my sons next to some weapons and Molotov bombs.”



4- A complaint from the family of the two minors Suhaib Imad Mohammed Mohammed Ibrahim, 15, and Bilal Imad Mohammed Mohammed Ibrahim, 14.



“On Tuesday the 11th of February 2014 a police forced raided our house at 7:30pm and arrested my two brothers Suhaib and Bilal. They were taken to Mansoura Police station. Bilal was released after midnight on the same day after being quizzed. Suhaib remained in custody and was transferred to another police station in Mansoura on the

14th of February. A police report against my brother and several others



was filed under number 1011 at Mansoura police station on the 13th of February 2014 despite having been arrested on the 11th of February. They were all forced to sign a statement that incriminates them under the threat of torture and physical abuse. They appeared before the prosecutor-general on Saturday the 15th of February 2014. We later found out that Suhaib had been beaten

and electrocuted to confess to being in possession of Molotov bombs and to have been put up to committing violent acts by the Muslim Brotherhood. He was photographed standing next to weapons and Molotov bombs.”





5- A complaint from the family of the minor Karim Kamal Mahfouz Abdo Ismail, 17.



“Karim was arrested at home on Tuesday the 11th of February 2014 and taken to an unknown location. Nasr Police station refused to give us any information about his whereabouts so we filed a request with the prosecutor-general to investigate his disappearance. He

appeared before the prosecutor-general on Saturday the 15th of February and that’s when we discovered he had been tortured and electrocuted to extract a confession and sign a bogus statement. He was held in a tiny cell with convicted criminals without ventilation or a proper toilet.”



6- Complaint from the mother of the minor Al-Bara' Hasan Ali Hasan Al-Jamal, a 16-year old student.



My son was arrested twice. The first time was in July 2013 during a march in Mansoura when he was assaulted by some thugs who stabbed him a number of times and handed him over to the police who also beat him up and threw him into a police van quite brutally despite his injuries. He was subsequently taken to Mansoura police station where he was greeted with more abuse, kicking and torture. He was hung from his handcuffs and beaten up with police batons. This affected his ability to move his hands. He was released a week later after posting a 2000-pound bail. The second time he was arrested was on the 13th of January 2014 and taken to a security camp where he was repeatedly tortured and abused. He was then taken to Dakarnas Facility where they electrocuted his right ear and subjected him to mental and physical abuse by an officer by the name of Mohammed Shami who specialises in torturing children. Al-Bara' sustained many serious injuries in detention but the Facility refused to extend him any medical care. He may lose his eyesight and his right ear is no longer fully functioning as a result of the electrocution.”



7- A complaint from the father of the minor Osama Mamdouh Ghareeb, a 15-year old student.



“On the morning of the 25th of February 2014 a police force raided our house and arrested me and my son Osama. They claimed our neighbours had complained we were making Molotov bombs at home. Once we arrived at the police station, they put us in separate rooms. I could hear my son screaming in pain as he was being beaten, kicked and electrocuted. I was released that same evening but Osama remained in custody. A police report was filed against him (no. 353 for the year 2014) in which he was forced to confess to bogus charges. According to the file, Osama is a member of the Muslim Brotherhood and he was an expert at making Molotov bombs with his friends for the purpose of throwing them at police and army vehicles. The following day, Osama was brought in before the prosecutor-general and he denied all the charges levelled against him. His custody was extended for another 15 days and he was taken a security centre in Banha. His lawyer was denied access to him on the day of his arrest. We are not allowed to bring him food or clothes or even to see him. His lawyer is not allowed to attend the interrogation sessions and his remand has been extended without any probable cause.”



8- A complaint from the mother of the minors Omar Al-Saeed, 17, and Ahmed Al-Saeed, 15.



“My son Ahmed suddenly disappeared on the 12th of December 2013. We searched for him for four days to no avail until we learned he had been arrested and was due to appear before the prosecutor-general on the 16th of December. We learned from him that he had been arrested on the street and taken away in a Mitsubishi Lancer and was kept for four days at Mansoura station where he was tortured, beaten, electrocuted and stripped of his clothes, all the while his hands were handcuffed behind his back. He was tortured on the orders of the chief detective Shareef Abu-Naja. Mohammed was charged (case number 15259 for the year 2013) along 23 other people with murdering a

taxi driver and setting his car on fire a week before their arrest. These charges are punishable by death. Omar was arrested three weeks later and taken to Mansoura police station where he was tortured. A police report (no. 270 for the year 2014, Mansoura police station) was filed against him and he was charged with possession of Molotov bombs, taking part in an unlicensed demonstration, disrupting the peace and belonging to a terrorist organisation. My two sons were transferred from the police stations to a correctional facility where they continued to be abused. Mohammed Shami and other police and army officers torture children on regular basis. In one instance, Mohammed Shami spilled yoghurt on the floor and ordered my son Omar, after he was tortured and beaten, to wipe the floor with his chest. My sons fell ill several times while inside but were denied medical care.”



9- A complaint from the mother of the minor Omar Fathi Mohammed Abdulaziz, a 16-year old student.

My son was taking part in a peaceful demonstration on the 28th of December 2013 in Alexandria when he and others were attacked by police forces and thugs. Omar's foot sustained an injury and he was detained by some thugs who beat him up and handed over to the police. The police hit my son on the head and he lost consciousness for a few minutes. He was taken a police station where he was tortured and abused before being forced to sign a statement that also implicated two other minors. He was charged with vandalising a coffee shop and assaulting its owner and two other people. He was also accused of belonging to a terrorist organisation, the Ahli Ultras and the RG group which targets police officers. The report was filed under no. 207 for the year 2014 (Sidi Bishr Misdemeanours). A month later he was transferred to the Kom Al-Doka Institution and from there to another facility on the 16th of March 2014 where he continues to be tortured.”



10- A complaint from the mother of the minor Ali Rida Ali Salmeh, a 16-year old student.



“Ali was arrested on the 29th of December at Al-Muntazah neighbourhood. He was on his way back home when he chanced to walk past a demonstration the police was breaking up. Many were arrested, including Ali. He was kicked and slapped and taken to the police station where he was physically assaulted again. He was accused of being in possession of Molotov bombs, of setting two armoured vehicles on fire, and of being a member in a terrorist group. He was tortured

and electrocuted in his ears. On the 26th of January, he was taken to a juvenile correctional facility where he was abused on daily basis. Children held there are forced to clean the place and crawl on all four by way of punishment and humiliation. The conditions are quite inhumane and unhygienic. Lots of children are crammed into one room making them susceptible to contagious diseases. We learned on the 16th of March that some of the children, including Ali, were going to be transferred and I was called to come and collect his belongings. When I arrived, he had already left. When we went to the new facility, his name was not listed. I still don't know where my son is.”



11- A complaint from the minor Nader Mohammed Jabir Mahmoud, a 17-year old student.



“My son was taken away on the 30th of December 2013 when a police force from Al-Raml police station raided our house and arrested him without giving us any reasons. We looked for him for three days and finally learned he was being held at the Security Directorate. He was interrogated while handcuffed and blindfolded before he was electrocuted and tortured. Nadir was

then taken to Kom Al-Dukka and afterwards to the Correctional Facility in Al-Marj where he was also tortured and humiliated from the moment he arrived as part of the “welcoming” as it is referred to. The “welcoming” is ritual where new arrivals are stripped off their clothes and then beaten and assaulted by other criminals. They are also forced to sit in a certain position with their heads turned upwards and are not allowed to turn right or left or talk to anyone. Whoever breaks these rules is tortured. It was quite difficult for us to travel the long distance to Al-Marj. Each visit cost us a lot of money in bribes. Nadir was returned to Kom Al-Dukka in a very poor mental state to the extent he needed to see a specialist. The nerves in his hands have been damaged by the electrocution. He developed a fever several times, sometimes as high as 41degrees, because of the poor and unhygienic conditions in detention.”



12- A complaint from the mother of the minor Yasser Kamal Ahmed Hasan, a 17-year old student.

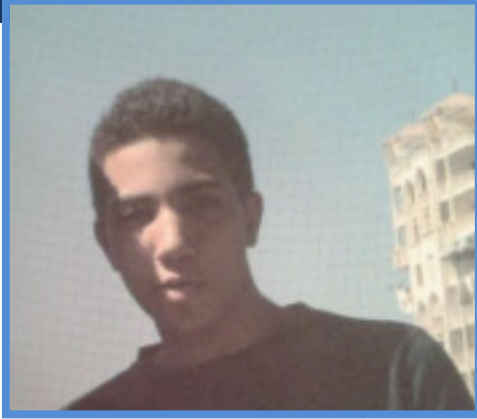


“My son was arrested on the 28th of December 2013 in Sidi Bishr. He was walking by when he came across a demonstration. A thug assaulted him and handed him over to the police who put him in a van and beat him up until he bled. My son is diabetic. I searched for him everywhere until I

found out he was being held at Alexandria Security Directorate. Police officers refused to allow me to see him but I persisted and told them it was urgent I give him his insulin injection. They reluctantly agreed and I was finally allowed to see him in the evening. He was charged with vandalising a coffee shop despite the fact he did not even know the owner. The prosecutor-general remanded him in custody despite the lack of evidence. He was then transferred to Kom Al-Dukka centre for juvenile delinquents where he has been abused and tortured. The conditions are inhumane and unhygienic. We have to pay for his medical treatments there.”



13- A complaint from the mother of the minor Mahmoud Ashraf Saeed, a 16-year old student.



“My son was with one of his friends in Al-Soyyof area on the 17th of January when they were stopped by a security officer who ordered they be searched and arrested. As soon they were detained, the police officers began to kick, slap and beat them up. They were then taken to Al-Muntazah police station where they were forced to sign a statement in police report No. 933 for the year 2014 (Al-Muntazah police station). The charges against them included taking part in an unlicensed demonstration, disrupting the peace, terrorising the public, and attempting to overthrow the regime. Ten days later he was taken to Kom Al-Dukka facility where I finally managed to visit him. That’s when he told me that he had been interrogated by the State Security three times, twice while he was blindfolded. He was beaten and electrocuted to the extent he needed medical attention. The following day he passed out during torture. The same thing happened a few times. The third time he was interrogated he was not blindfolded and the person who quizzed him said the torture would stop if he cooperated and agreed to testify against some of the other political detainees. Mahmoud refused so the abuse continued.”



14- A complaint from the mother of minor Mohammed Judeh, a 16-year old student.



“My son was arrested at Al-Soyyof area on the 15th of January 2014, one day after the referendum on the constitution. He was detained with several others at a local school and physically assaulted before being taken to the Security Directorate. They were interrogated there by members of the State Security. They were blindfolded, beaten and electrocuted during the course of the interrogation.

The bogus charges included belonging to a terrorist organisation, disrupting the constitutional referendum, and throwing stones at the police. He was transferred on the 27th of January to the overcrowded Kom Al-Dukka facility where conditions are quite bad. Detainees are humiliated, tortured and forced to sleep on the concrete floor.”



15- A complaint from the mother of the minor Abdulrahman Mahmoud Abdulqadir, a 17-year old student.



“My son was arbitrarily arrested at Sidi Bishr on the 18th of January 2014 and taken to Al-Muntazah police station where he stayed for two hours before being transferred to the Security Directorate. I was able to visit him three days later and I could see the telltale signs of torture all over his face and body. He told me he had been brutally beaten at the police station

and tortured and electrocuted at the Security Directorate. A week later, he was moved to Kom Al-Dukka juvenile facility where the conditions are quite bad. He was then transferred to Al-Marj Juvenile facility and stayed there 22 days. Upon his arrival he was received the “welcoming” which is basically a lot of kicking, slapping and abuse. Detainees were humiliated and tortured. Many were forced to clean and wipe the floor. One officer in particular would tie Abdulrahman’s hands behind his back and force him to pick up lit cigarettes off the floor with his mouth. My son suffers from epilepsy and requires constant medical attention and medication. On the 16 of March 2014, he was transferred to Al-Marj facility and we visited him there on Tuesday the 18th of March. We had to travel a very long distance to see him. He told us that he was carried and thrown into the police car because he had an epileptic fit when he was arrested. He spoke about the abuse and torture. He also told us that they cannot eat or sleep properly and are allowed to go to the toilet only once a day.”



16- A complaint from the father of the minor Mohammed Abdulkabeer Hasan, a 15-year old student.



“My son was arrested on the 24th of January 2104 during a march in Zezenia. Police officers kicked and beat him up. He was taken to Al-Raml police station where he was tortured. The police report filed against him accused him of disrupting the peace, terrorising the public, the attempted murder of a police officer by shooting at him, hiding weapons in places of worship, and disrupting traffic. My son was tortured to

force him to sign a statement confessing to these crimes. He was kept at the police station for two days during which he was brutally tortured. He was then transferred to the Security Directorate where he stayed for 24 days before being moved to Kom Al-Dukka juvenile facility. When we visited him at the Directorate, we could see the signs of torture all over his body. Kom Al-Dukka was equally bad and the only food served to the children was the stuff sent by parents. On the 16th of March 2013, 44 children, including my son, were transferred to Al-Marj facility. We visited him on the 18th of March and he told us that the police had physically assaulted them and threw teargas at them. Upon arrival at Al-Marj, they were greeted with the “welcoming” ritual which consists of beating up new arrivals. They sleep on concrete floors without blankets or pillows and are allowed to go to the toilet only once a day.”