



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture Seventy-eighth session

Summary record of the 2056th meeting*

Held at the Palais Wilson, Geneva, on Tuesday, 14 November 2023, at 10 a.m.

Chair: Mr. Heller

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* No summary record was issued for the 2055th meeting.

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Fifth periodic report of Egypt (CAT/C/EGY/5; CAT/C/EGY/Q/5; CAT/C/EGY/Q/5/Add.1)

1. *At the invitation of the Chair, the delegation of Egypt joined the meeting.*
2. **Mr. El Bakly** (Egypt) said that the delay in the submission of the fifth periodic report of Egypt (CAT/C/EGY/5) to the Committee was due primarily to political instability and the lack of the requisite institutions and human resources. Lengthy consultations had been conducted in recent years with a view to aligning Egyptian legislation with international and regional human rights treaties. The turbulent regional situation had led to an increase in irregular immigration, refugees, transnational organized crime, terrorist activities and human trafficking networks. Egypt nonetheless remained committed to its international human rights obligations and, since 2019, had prepared five overdue reports for submission to the treaty bodies.
3. The Government gave priority to human rights in its policies and strategies, including during emergencies and while countering terrorism. Budgetary funds were allocated for the implementation of the National Human Rights Strategy (2021–2026). The Supreme Standing Committee for Human Rights, which had been established in 2018, monitored the Strategy's implementation, focusing on action to combat torture, to protect people's right to physical and psychological integrity, including in correctional and rehabilitation centres and care homes, to build the capacity of employees of security and civil State agencies, and to enhance legal awareness of practices constituting cruel, inhuman or degrading treatment.
4. Egypt had been one of the first States to ratify the Convention without any reservations. Under the Constitution of 2014, all forms of torture constituted crimes that were not subject to any statute of limitations. The allegations that torture was systematic in Egypt were totally unfounded. Rights were guaranteed to all persons without exception, including those serving custodial sentences.
5. An integrated package of measures aimed at promoting and protecting human rights had included a decision to end the state of emergency in October 2021, the launching of a national political dialogue, amendments to the Criminal Code and the Code of Criminal Procedure, amendments to the legislation governing political parties, elections and the media, enactment of the Civil Society Act and its implementing regulations to legalize the status of non-governmental organizations (NGOs), and several initiatives aimed at promoting economic and social rights and expanding the social protection network.
6. The plan of action for the prevention of torture was based on the legislative framework, which criminalized all forms of torture and ill-treatment. The plan was intended to ensure that the judicial system rejected confessions or evidence obtained through torture, provided all due safeguards from the first hours of detention, established procedures for receiving and investigating complaints, and guaranteed legal assistance. It was also essential to ensure accountability, prevent impunity, promote the right to redress and rehabilitation and guarantee the necessary medical and psychological care.
7. The new draft Code of Criminal Procedure, which was currently being discussed in Parliament, was designed to modernize criminal justice procedures and to strengthen related guarantees. Community correctional and rehabilitation centres had been established and modernized throughout the country with a view to ensuring compliance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including the reduction of overcrowding in detention centres, the development of medical care services for inmates, the separation of adults from minors and the promotion of inspections by the Public Prosecutor's Office, the National Council for Human Rights and various human rights entities.
8. Complaints regarding the conduct of law enforcement personnel could be lodged with the Ministry of the Interior. Complaints could also be submitted to the Council of Ministers, the National Council for Human Rights and human rights committees in the two chambers

of Parliament. The National Council had also launched hotlines to receive complaints and provide legal aid and psychological support services to victims of violence and ill-treatment, especially women, children, migrants and victims of human trafficking. In addition, the Public Prosecutor's Office had recently launched an electronic petition system to receive complaints submitted remotely and in complete confidentiality.

9. Steps were being taken to promote constructive cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Working Group on Enforced Disappearances and the African Commission on Human and Peoples' Rights in respect of various complaints and communications. For example, more than 412 cases of enforced disappearance had been resolved during the period from 2015 to 2019.

10. The Ministry of the Interior had instituted disciplinary proceedings against its employees in 769 cases and criminal proceedings in 222 cases during the period from November 2019 to May 2023. Strict disciplinary and legal measures had also been adopted against public officials, including doctors, teachers and other public employees, for verbally or physically assaulting citizens or for using corporal punishment in schools.

11. The Government had taken many steps to protect and promote the rights of women and children. For example, it had established a national mechanism for reporting cases of violence against women and had increased the penalty for female genital mutilation. It had also established units to combat harassment and violence in universities, as well as medical response units and three forensic clinics for medical examinations of victims of gender-based violence. In addition, 99 inspection visits had been conducted to social welfare homes and institutions for children during the current year, and programmes to reduce violence among young people had been prepared in cooperation with the United Nations Office on Drugs and Crime (UNODC).

12. Egypt hosted more than 9 million foreigners, including migrants, asylum-seekers and refugees, who benefited from the same medical, educational and other services as Egyptian citizens. The Government had recently drafted a law on asylum, which provided for the establishment of a Standing Committee for Refugee Affairs that would oversee all support and care services. The bill also prohibited the extradition of refugees to their country of origin. Legal and health-care services and rehabilitation programmes for victims of human trafficking had been updated, and seven additional shelters were being built for women and girl victims.

13. The National Human Rights Strategy provided for hundreds of training and capacity-building programmes, especially for law enforcement officers, judicial bodies and prosecutors, concerning action to prevent violence and ill-treatment, effective methods of interrogation and the Nelson Mandela Rules. Programmes for the enhancement of forensic medicine capacities were also being prepared in light of the shortage of qualified human resources.

14. The Egyptian legal system provided means of redress for citizens and non-citizens without discrimination. All victims of torture and ill-treatment were entitled to file claims for compensation with the competent authorities and the courts. The Government had made voluntary contributions of US\$ 10,000 in 2014 and 2019 to the United Nations Voluntary Fund for Victims of Torture.

15. **Mr. Tuzmukhamedov** (Country Rapporteur) said he had noted that article 93 of the Egyptian Constitution stated that international human rights treaties ratified by Egypt had the force of law and article 52 stated that all forms of torture were a crime that was not subject to a statute of limitations. It was unclear, however, whether international treaties had primacy over domestic law and judicial decisions and whether article 52 guaranteed freedom from torture for both citizens and foreigners, including stateless persons and undocumented migrants. He also wished to know why Egypt was not a party to several core human rights instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance and several optional protocols.

16. According to article 2 of the Constitution, the Islamic sharia was the main source of Egyptian legislation. He therefore wondered how the Convention, as a secular document, was compatible with the Constitution. For instance, sura 9 of the Qur'an called for a painful

punishment for those who disbelieved. However, sura 109, in a spirit of tolerance, called for accommodation with disbelievers. In addition, the Cairo Declaration on Human Rights in Islam, adopted in 1990 by the Islamic Conference of Foreign Ministers, stated that subjecting an individual to physical or psychological torture or to any form of mistreatment, cruelty or indignity was not permitted. He therefore wished to know which authority should decide on the compatibility of the Convention, and international treaties in general, with the Islamic sharia. As the preamble to the Constitution referred in that connection to the rulings of the Supreme Constitutional Court, he asked whether the Court had a religious as well as a secular judicial role, whether it had had an opportunity to interpret the applicability of the Islamic sharia after its decision in the case of Al-Az'har University, whether it had ever referred to the Convention and whether it had adopted the constitutional perspective when addressing the offence of torture. It was also unclear whether the Court was entitled to interpret the Constitution, since no such authority was conferred on the Court by the Constitution.

17. The amendment to Act No. 48 on the Supreme Constitutional Court authorized the Prime Minister to refer international judgments and decisions to the Court in order to review their constitutionality. He wished to know whether any such action had been taken and, if so, what the implications were for the State's compliance with its international obligations.

18. The report and the replies to the list of issues claimed quite assertively that the definition of torture in the Criminal Code was comprehensive and went beyond the requirements of articles 1 and 16 of the Convention. However, it was difficult to acquire an overview of the various elements of the offence, given that they were addressed in numerous articles of the Code. As the Criminal Code seemed to focus on providing protection from torture for suspects or accused persons, he asked whether any provisions of the Code provided protection for witnesses in criminal proceedings or convicted persons who were serving their sentence. He also wished to know whether torture could be deemed to constitute an aggravating circumstance entailing a harsher penalty for an offence.

19. Referring to paragraph 20 of the report ([CAT/C/EGY/5](#)), he requested clarification of the alleged "differing interpretations" of article 1 of the Convention that could lead, hypothetically, to legal and practical problems. He asked whether the Egyptian authorities, including the courts, had encountered such problems and, if so, how they had been resolved.

20. The Committee would appreciate information on any landmark administrative and judicial action and any complaints, investigations or court cases in which relevant provisions of the Criminal Code had been applied. It also wished to hear about specific charges, the outcome of legal proceedings, and cases in which the courts had invoked the Convention as a source of law, a tool for the interpretation of local legislation or a legal argument in support of a conclusion based on such legislation. Had any court of general jurisdiction or any branch of government referred the Convention to the Supreme Constitutional Court for interpretation?

21. He would be interested to learn whether judges in Egypt drew on international legal instruments, in particular the Convention, in their decisions. Detailed information about the judiciary, including its gender breakdown, and about how its members were trained and appointed would be useful. He wondered whether a first visit to the country by the Special Rapporteur on the independence of judges and lawyers, which had initially been proposed in 1999, would be possible in the near future.

22. Noting that multiple articles of the Criminal Code and of counter-terrorism legislation prescribed the death penalty and that such a penalty was mandatory in respect of certain offences, he said that he wished to know the current total number of capital offences. He would also like clarification of which capital offences were classified as intentional violent offences against life and bodily integrity and which were classified as crimes against the Government and State security, including terrorism. Were any other offences, such as drug trafficking, drug abuse or financial crimes, deemed to be capital offences? It would be helpful to learn how often death sentences were imposed and for which offences, how many were commuted on appeal, how long convicted persons remained on death row and how often pardons were granted. He wondered how many executions had been carried out during the reporting period.

23. In relation to the case of Ahmed Saddouma, whose death sentence had been commuted to a prison term on appeal because he had been under 18 years of age at the time of the offence, he would like to know whether the reviewing court had considered the fact that the original sentence amounted to inhuman and degrading treatment. He would be interested to learn why the court had misapplied the law, what had been done to prevent such a miscarriage of justice from recurring and whether Mr. Saddouma had been compensated. He was curious about any compensation to which victims of torture or ill-treatment were entitled and about how such compensation was granted.

24. He would appreciate information on how, in practice, military jurisdiction was exercised when extended, under article 204 of the Constitution, to offences committed by civilians against military assets. He would be grateful for clarification of whether Presidential Decree No. 136/2014 had, by extending military jurisdiction to non-military infrastructure, taken precedence over the Constitution. He wondered whether the Emergency Regulation Act (No. 162) of 1958, as amended by Act No. 22 of 2020 in response to the coronavirus disease (COVID-19) pandemic, provided for civilians to be tried in military courts and, since the pandemic no longer constituted an emergency, whether the State party would consider repealing Act No. 22 of 2020. He wished to know how many civilians had been tried before military courts during the reporting period and on what charges. Details of how often civilians were imprisoned at military detention facilities and on what grounds would be helpful.

25. He would like to know whether all law enforcement, prison and border security officials were made aware, in their training, that acts of torture and ill-treatment would be investigated and perpetrators prosecuted and whether such training had led to a reduction in such acts. He would welcome details of any training programmes for judicial and medical staff on detecting and documenting the effects of torture, in particular whether such programmes specifically covered the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). Given that Egypt was a major troop contributor to United Nations peace operations, he was keen to hear about training for military personnel on international legal instruments, in particular the Convention against Torture and the Geneva Conventions of 12 August 1949, and wished to know how the State party guaranteed the accountability of such personnel, including for acts of torture.

26. He would appreciate up-to-date information on measures taken by the State party under counter-terrorism legislation, how such measures had affected human rights safeguards and how the Government ensured that the measures complied with its international obligations, in particular under the Convention. He would be grateful for figures on the number of persons prosecuted under such legislation, disaggregated by nationality of the accused, gender and age, and on the charges and sentences. He also wished to know whether those persons had enjoyed, in practice, the safeguards established in law, and whether any complaints had been made about failure to observe international standards.

27. **Mr. Iscan** (Country Rapporteur) said that he would like to know whether the State party was considering incorporating into its criminal legislation a comprehensive definition of torture, along with mandatory minimum penalties for offences of torture and details of aggravating circumstances, while also ruling out mitigating circumstances and impunity.

28. He would be grateful for information on measures taken to ensure that, in practice, all persons deprived of their liberty enjoyed all fundamental legal safeguards from the start of their detention. Statistical data on any alleged violations of those rights and on whether anyone had been convicted of such violations would be useful. He would be interested to learn what percentage of places of deprivation of liberty and interrogation rooms included video monitoring systems and whether the State party planned to install those systems in all such places. He would appreciate the State party's comments on reports of widespread arbitrary detention and of cases in which individuals had been held in pretrial detention beyond the two-year legal limit; of torture or ill-treatment by State officials, in particular in Badr Correctional and Rehabilitation Centre; and of over 4,000 enforced disappearances since 2018. It would be useful to know whether incommunicado detention was in use and, if so, whether the State party had considered abolishing it. Statistical data on the current use of solitary confinement would be helpful. He wondered whether legislation and training programmes incorporated the Nelson Mandela Rules and the United Nations Rules for the

Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

29. He wished to know the conditions under which pretrial detention was imposed under counter-terrorism law. He wondered whether the State party had taken any steps to ensure that such legislation was compatible with the Convention by strictly defining terrorism. He would be interested to hear how the State party had responded to the concerns of the Special Rapporteur on the situation of human rights defenders about the misuse of counter-terrorism and national security laws to criminalize the work of human rights defenders. He would like to know what steps had been taken to ensure that the maximum duration of police custody in terrorism-related cases did not exceed 48 hours. He also wondered whether legislation and practice on the declaration of states of emergency were compatible with the State party's obligations under the Convention.

30. Details on the structure and functioning of the National Council for Human Rights would be useful, as would information on its resources and financial independence. Could the Council conduct unannounced visits to all civilian and military places of deprivation of liberty? He would be grateful for information on the Council's follow-up procedure and on whether the authorities took due account of its recommendations. With reference to the claim that the authorities had responded to 97 per cent of the complaints received by the Council, he wished to know how many of those complaints had been substantiated, how many had led to investigations and what the outcomes of any such investigations had been.

31. He would welcome updated information, including statistical data, on interrogation rules, instructions, methods, practices or arrangements for custody and on the frequency with which they were reviewed; such data should indicate each detention facility's total capacity and occupancy rate, including the number of remand and convicted prisoners. Statistical data on deaths in custody, disaggregated by year, place of detention, nationality of the deceased and cause of death, would also be useful. Clarification of the State party's current policies and laws on pre- and post-trial alternatives to detention would be helpful.

32. He would like to know whether the Public Prosecutor's Office was competent to initiate an investigation *ex officio* when there was reason to believe that acts of torture or ill-treatment had been committed and to order a forensic medical examination of the alleged victims. He further wished to know whether the alleged perpetrators were automatically relieved of their duties and prohibited from making any further contact with alleged victims. He would be grateful for statistical data showing the number of complaints received and complaints that had led to criminal or disciplinary investigations over the reporting period, as well as the number of cases dismissed, of *ex officio* investigations of such offences and of prosecutions and sentences, indicating whether they were criminal or disciplinary sanctions.

33. The State party was invited to provide up-to-date information and statistics on redress and compensation measures, including any forms of rehabilitation ordered by the courts or other State bodies and actually provided to victims of torture and ill-treatment or to their families. Information on the number of applications lodged, the number of applications granted and the amount of damages awarded and actually paid would be useful.

34. He also requested information on the number of cases in which defendants had alleged that their confessions had been extracted under torture and the number of such cases that had been investigated, on whether forensic medical examinations had been carried out in such cases, on the sentences imposed on the perpetrators and on the redress and compensation awarded to the victims.

35. **Mr. Buchwald** said that he wished to know whether the State party had adopted legal provisions embodying the principle of superior responsibility for acts of torture committed by a subordinate and, if not, whether it would consider doing so to ensure compliance with the requirements set forth in paragraph 26 of the Committee's general comment No. 2 (2007).

36. In 2017, the Committee's annual report to the General Assembly (A/72/44) had noted that Egypt had rejected the Committee's recommendations that it should immediately end the use of incommunicado detention, create an independent authority to investigate allegations of torture, enforced disappearance and ill-treatment, restrict the jurisdiction of the military courts to offences of an exclusively military nature, enforce the prohibition against

“virginity tests” and end the practice of forensic anal examinations of those accused of crimes. He wondered whether the State party’s views on those recommendations had changed and, if so, what its current stance was on those recommendations.

37. He invited the delegation to comment on the case of Giulio Regeni, who had allegedly been tortured and murdered in Egypt in 2016. In particular, he would appreciate information on any steps taken by the Government of Egypt to cooperate with the Italian courts in the investigation and prosecution of the case in accordance with article 9 of the Convention. The delegation was also requested to provide information on the steps taken by the Government to comply with its obligations under article 7.

38. **Mr. Touzé** said that he wished to know why the plan of action for the prevention of torture made no mention of the role that defence lawyers should play in that respect. He wondered whether the delegation could share any information on proceedings before military courts where no defence lawyers had been present. He asked whether the Ministry of Justice had made any attempt to remedy those shortcomings. He would like to find out whether there were any mechanisms to ensure that persons deprived of their liberty could have immediate access to counsel and that the latter could be present during any interrogation or questioning, or when the detainee was brought before the investigating judge. Could the investigating judge appoint a defence lawyer? His final question was whether pressure was brought to bear on lawyers who represented victims of ill-treatment by the police or military authorities or on lawyers who participated in political life.

39. **Ms. Racu** said that the Committee was interested in learning how international standards concerning women in detention were implemented in practice. Perhaps the delegation could explain why the number of women prisoners had increased, what alternatives to incarceration were available and what measures had been adopted to reduce the number of women in detention. She wished to know how many allegations of abuse and ill-treatment of women convicts had been investigated and what the outcomes of such investigations had been. What specific action had been taken by the law enforcement authorities to prevent such abuse, including sexual violence, against women in detention? She would be grateful for a description of any measures taken by the Government to improve female prisoners’ access to medical services and hygiene products. The Committee would like to hear more about the detention conditions of convicted mothers with children and wished to know how many women had been pardoned by the President. It would appreciate details of the detention regime for women prisoners, including their access to counsel, right to receive family visits, education and employment opportunities and the State party’s compliance with other standards established by the Bangkok Rules.

40. The Committee wished to receive updated figures on children in juvenile detention centres and would like to hear of any measures to improve the situation of children behind bars, including those in pretrial custody. Could the delegation clarify the rules and regulations for the solitary confinement of minors and provide a detailed description of any provisions to ensure the prompt investigation of any violations of those regulations? She asked whether any complaint mechanisms were available to minors in the institutions where they were detained and, if so, how many complaints had been lodged with the competent authorities. The Committee would like to be informed about any measures taken to improve the material conditions in juvenile detention centres. It wondered what alternatives to child detention existed. It would be interested to receive the delegation’s comments on reports that Egyptian children were being recruited to fight in pro-Government militias in North Sinai. Lastly, she asked whether the conclusions of the Committee’s confidential inquiry on Egypt had ever been discussed, at what level and whether any action had been taken to implement at least some of the Committee’s recommendations.

41. **Mr. Liu** said that he would welcome an update on recent steps taken to ensure the implementation of Act No. 64 on combating human trafficking, for example by providing sufficient resources to address the needs of women and girls who were victims of such trafficking. He wished to know whether they had access to effective remedies and reparation and whether the State party provided adequate protection for witnesses and victims. He would be interested to hear what specific measures had been adopted to combat trafficking for the removal of organs and the trafficking of women and girls for “temporary marriages”. He recommended that the Egyptian Government should treat all prostitutes under the age of 18

as victims of commercial sexual exploitation and not as offenders. To that end, the Committee recommended that the Egyptian Government should amend article 111 of the Children's Act. The delegation was also requested to provide information on measures to help children removed from the streets to become integrated into society, education and vocational training. Both the Government and the tourism industry should take action to protect children from sexual exploitation. Any information on that subject would be welcome.

The meeting was suspended at 11.55 a.m. and resumed at 12.15 p.m.

42. **A representative of Egypt** said that all forms of torture and ill-treatment were criminalized under numerous provisions of Egyptian law. Torture was a separate offence and not merely an aggravating circumstance. The prosecution of torture was not subject to a statute of limitations. No exceptional circumstances could be invoked as a justification of torture. The plea that the perpetrator was acting under superior orders was also inadmissible. Courts had discretion to decide whether a superior had reasonable grounds to believe that acts of torture or ill-treatment were being committed. If any of the requirements of article 63 of the Criminal Code were flouted, both the perpetrator and the superior would be punished. The prohibition of torture applied to everyone, including stateless persons. The Supreme Constitutional Court had consistently held that evidence extracted through torture or under any form of duress was inadmissible under article 302 of the Code of Criminal Procedure. If any of the evidence adduced before a court was found to have been obtained under coercion, the relevant case would be discontinued. Anyone who used torture in an attempt to obtain a confession would be prosecuted.

43. Under Egyptian law, punishments were imposed in proportion to the gravity of the offence. As the Committee itself had recognized in paragraphs 8 and 10 of its general comment No. 2 (2007), ill-treatment did not involve the same level of pain and suffering as torture and thus could not be criminalized as torture if all the elements of torture were not present.

44. The Convention had been fully domesticated in Egyptian law and the courts could invoke it directly, including its definition of torture. Pursuant to article 93 of the Constitution, the Convention had the force of law in Egypt, as it was one of the core international human rights instruments.

45. The Islamic sharia explicitly prohibited all degrading practices, including torture. The Supreme Constitutional Court had indicated in a number of rulings that from the perspective of Egyptian legislation, the Islamic sharia was the definitive text in terms of its meaning and interpretation; it set out inalienable and universal principles such as justice, equality, equal opportunity and social solidarity. The sharia in its wider sense was thus fully compatible with the Convention.

46. With regard to the application of the Convention in domestic law, the Court of Cassation had invoked its provisions directly in a number of rulings, the most recent of which had been handed down in 2018. Under Egyptian law, no circumstances whatsoever could be invoked as a justification of torture, which was punishable irrespective of its severity. Pain or marks were not required to be present to determine that a person had been tortured. Instigation of or consent or acquiescence to torture and attempted acts of torture were also punishable; the most serious cases, where the torture resulted in the death of the victim, carried a penalty of life imprisonment.

47. With the aim of strengthening the human rights component of Egyptian legislation, broad-based amendments to the Criminal Code had been proposed concerning the reorganization of pretrial detention and e-justice, including remote interrogation. The Government was considering the possibility of restructuring national legislation to align it with international obligations.

48. With regard to the death penalty, the National Human Rights Strategy (2021–2026) identified, as one of the key challenges facing the Government, the need to ensure the right to life and physical and bodily integrity and to ensure the punishment of the most severe crimes that warranted capital punishment, taking into account societal and cultural norms and the typology of crimes committed. Over the previous ten years, there had been an increase in

violence, especially in rural areas, and increased threats to citizens' right to life, and the State had assumed its responsibility to guarantee that right.

49. Multiple safeguards existed in the Egyptian legislative framework to ensure that the death penalty was applied in a humane manner in line with State obligations, including the provision of all procedural safeguards. In addition to crimes involving intentional killing, it applied to crimes that posed a threat to citizens' integrity and safety, including abduction and rape, drug offences and activities that threatened national security, such as the disclosure of State secrets or the formation or financing of terrorist groups. Statistics showed that judges generally tended to impose prison sentences instead of the death penalty, which was mandatory for only a limited number of offences. The Court of Cassation exercised oversight in respect of such rulings. Since December 2021, the number of cases in which the death penalty had been carried out had been low compared with the overall population; in 2022, 56 people had been executed. The death penalty had been imposed on 92 persons convicted of murder, theft, abduction and rape and on 21 persons convicted of terrorism.

50. Regarding the case of Ahmed Saddouma, the individual concerned had been accused of being a member of a terrorist group that had committed a number of crimes, including the attempted murder of a judge using an explosive device. The Court of Cassation in Egypt had intervened and modified the legal error that had been committed by the criminal court following an appeal.

51. With regard to the appointment of judges, the Egyptian Constitution and legislation on judicial power enshrined the independence of the judiciary, including members of the Court of Appeal, the Court of Cassation and the Prosecutor General. New prosecutors were selected on the basis of academic, psychological, cultural and skill-based criteria. The judicial branch oversaw the various affairs of judges, from appointment to retirement, as well as immunity from dismissal. The independence of the judiciary was therefore guaranteed and the possibility of conflicts of interest was precluded.

52. Between January 2020 and January 2023, around 440 training sessions had been conducted for the benefit of over 10,800 members of the judiciary, including judges and prosecutors. The sessions had covered due process and other topics related to human rights. Moreover, workshops for sharia-compliant judges had been held at the National Centre for Judicial Studies. Some of those initiatives had been conducted in consultation with UNODC.

53. As part of its efforts to counter the COVID-19 pandemic, the Government had declared a state of emergency in a manner fully consistent with the Constitution and laws. The state of emergency had been brought to an end in October 2021. Legislation had been amended to ensure that there was no misuse of the newly adopted measures to counter the pandemic and that there would be no restriction of the rights and liberties of citizens. All the measures undertaken had been directly related to public health. The changes, which were in line with articles 204 and 200 of the Constitution, had been intended to enable the security forces to defend the State during the state of emergency and ensure the application of measures to combat the pandemic. Those measures, which had ended with the termination of the state of emergency, had been implemented under the supervision of the Public Prosecutor's Office.

54. **A representative of Egypt** said that the Public Prosecutor's Office was one of the key actors involved in implementing protocols, agreements and conventions for the protection and promotion of human rights. It conducted investigations, collected evidence, interrogated suspects and brought them to justice in accordance with the law. If necessary, it also took all necessary measures to assist and protect victims, whether or not they were Egyptian citizens. The Prosecutor General was the representative of society with regard to criminal complaints and cases and was a member of the Supreme Judicial Council. Staff of the Public Prosecutor's Office had the same rights and obligations as judges and were equally subject to disciplinary action and the supervision of the Supreme Judicial Council.

55. The Public Prosecutor's Office was fully independent and was one of the main avenues through which individuals could pursue remedies in respect of human rights. Its duties included supervising or conducting investigations and overseeing correctional and rehabilitation centres. Its services were provided universally and free of charge, whether through conventional or digital means. It was pursuing a digital transformation strategy to

ensure better governance in investigations and proceedings, applying a human rights lens. To enhance the transparency of its work, it publicized its activities regarding cases and topics that were of public interest.

56. A Directorate General for Human Rights had been established within the Public Prosecutor's Office, which was competent to receive complaints, communications and human rights reports. It also monitored the application of rules stipulated in international and regional human rights instruments. It received periodic reports on unannounced inspections of correctional and rehabilitation centres and other places of detention, on which it made observations regarding the application of rules for the treatment of inmates. The Office issued manuals and guidebooks on human rights, which were distributed among prosecutors. The guidance issued included material on combating violence against women and a code of ethics for prosecutors. The Committee members would be provided with a compilation of statements made by the Prosecutor General to the media on all the cases referred to in their questions.

57. Defendants were presumed innocent until proved guilty in a fair trial in which the right to a defence and procedural guarantees were ensured, pursuant to international standards. The Prosecutor General directly, immediately and neutrally investigated all allegations of torture or ill-treatment pursuant to article 189 of the Constitution and other relevant legislation. Such allegations could be received directly from victims or indirectly from investigators. Any attempt to prevent the reporting of such allegations was prohibited.

58. The Code of Criminal Procedure applied to all crimes, including acts of terrorism. Defendants were informed of the charges against them and the possible punishment in a language they could understand. They were given adequate time and facilities to prepare their defence and to communicate with counsel of their own choosing; questioning of defendants without the presence of counsel was prohibited. If a defendant did not have legal assistance, such assistance was assigned to him or her.

59. All defendants received physical examinations. Any observations would be noted and the arrestees would be asked in the presence of counsel whether they had any injuries. If an injury was corroborated, a separate case against those responsible would be initiated.

60. Investigations were conducted under the supervision of the Public Prosecutor's Office, which provided internal judicial oversight at the highest level, with additional oversight provided by the courts themselves. Grievances against decisions of the prosecution were to be submitted to the Prosecutor General or Deputy Prosecutor General. Internal oversight procedures were initiated to investigate those decisions, which could be annulled if warranted.

The meeting rose at 1.05 p.m.