

Statement at 44th session of the United Nations Human Rights Council

Item 10: Annual thematic panel discussion on technical cooperation and capacity-building - Upholding the human rights of prisoners, including women prisoners and offenders: enhancing technical cooperation and capacity-building in the implementation of the Nelson Mandela Rules and the Bangkok Rules – 15 July 2020

Thank you Madame President.

The report [highlights](#) that in many States, the number of people held in pretrial detention is equivalent to or higher than that of convicted prisoners. In Egypt, women human rights defenders [Solafa Magdy](#), [Esraa AbdelFattah](#), [Sanaa Seif](#) and many others are in pre-trial detention due to their activism.

We recall the High Commissioner's [statement](#) on 3rd April urging the Egyptian Government to follow the lead of other States around the world and release *those convicted of non-violent offences and those who are in pre-trial detention*, and in particular those who are arbitrarily detained due to their political or human rights work.

Madame President,

The Nelson Mandela and the Bangkok Rules provide valuable guidance to States on a wide variety of issues, including on the rights of prisoners to communicate with the outside world, personal hygiene and medical care.

Since COVID-19, Egypt halted prison visits and prison authorities are not consistent in allowing the delivery of supplies brought by their families; leaving them in full communication blackout both in prisons and police stations, and without access to clean food, hygiene products, medication, clothing and other basic needs that prisons and police stations do not provide. We urge Egypt to guarantee prisoners' right to contact their families on a regular and continuous basis by phone, and to ease sending and receiving letters, food and medical supplies to them.

The High Commissioner recommends in the report that while the effective management of prisons requires adequate resources, many of the Bangkok and Mandela Rules do not require additional resources for their implementation, but rather a commitment to the revision of laws and policies. In addition, *Human Rights Council Resolution 42/32 reaffirms* that "technical cooperation should remain an inclusive exercise that engages and involves all national stakeholders, including government agencies, national human rights institutions and civil society". In this regard, Egyptian defenders have made repeated calls¹ on the government

¹ Nazra's Proposal for Urgent Measures Concerning Egyptian Women Prisoners in Light of the COVID-19 Pandemic ([EN](#), [AR](#)); Egyptian Front for Human Rights report on Al-Qanater female prison ([EN](#), [AR](#)); Joint statement following COVID-19 ([EN](#), [AR](#)); Joint statement on access to prisons ([EN](#), [AR](#))

to uphold the human rights of prisoners, including women, *and the implementation of the Nelson Mandela Rules and the Bangkok Rules.*

In conclusion, defenders should not be in prison in the first place. We urge Egypt to immediately and unconditionally release all those detained for exercising their human rights and to stop using pre-trial detention as a punishment.

We [recall](#) that all of the defenders that the Special Procedures and the High Commissioner called for their release since September 2019 are still in pre-trial detention.² We urge the High Commissioner and Special Procedures to continuing calling publicly on Egypt to release them.

² The '[Terrorism Circuit courts](#)' in Egypt, are enabling pre-trial detention as a form of punishment including against human rights defenders and journalists, such as [Ibrahim Metwally](#), [Mohamed El-Baqer](#) and [Esraa Abdel Fattah](#), [Ramy Kamel](#), [Alaa Abdel-Fattah](#), [Patrick Zaky](#), [Ramy Shaat](#), [Eman Al-Helw](#), [Solafa Magdy](#) and [Hossam El-Sayed](#). Once the terrorism courts resumed after they were suspended due to COVID-19, they renewed their detention retroactively.