

URGENT ACTION

BEATEN AND STILL DETAINED AFTER BAIL WAS PAID

One week since Islam Khalil's bail of 50,000 Egyptian pounds (US\$5,510) was paid, the 27-year-old survivor of enforced disappearance and torture has yet to be released. Instead of complying with a court order for his release, police officers have fabricated a new charge against him and subjected him to severe beating.

In the early morning of 29 August, **Islam Khalil** was transferred from Alexandria's Second al-Raml police station to the offices of the National Security Agency and Public Security Sector in Cairo to the surprise of his family and lawyer, who were expecting his release. On 21 August, the East Alexandria Prosecution ordered Islam Khalil's release on bail. He still faces the charge of belonging to a banned group, but other charges against him have been dropped by the Public Prosecution after investigation into his case and the national and international campaign for his release, his lawyer told Amnesty International. If convicted of this charge, he faces up to five years in prison.

Bail was paid on 23 August. The next day, Islam Khalil was moved from Borg Al-Arab prison to the Alexandria Security Directorate and then to the Second al-Raml police station to complete release procedures. Instead, according to his brother, police officers there beat him repeatedly with water pipes until he fainted and brought a fresh charge against him of assaulting police officers. If convicted, Islam Khalil risks a fine of 10,000 to 20,000 Egyptian pounds (US\$1,123 to 2,245). His brother told Amnesty International that Islam was beaten by police officers who threatened him: "Is this whole noise to pressure for your release? We will not release you unless you are dead." The Public Prosecution also ordered Islam Khalil's release from this second case, pending investigations, and a doctor's report confirmed the presence of injuries on his body.

The lawyer told Amnesty International that by the early evening of 29 August Islam Khalil was taken to the Interior Ministry's transfers office in Sibirbay, in the Gharbeya governorate, north-west of Cairo. The lawyer and his family had no access to him. They do not know what happened to Islam Khalil at the security agencies in Cairo earlier in the day. On 30 August, he is due to be taken to the police station in al-Santa, Islam's hometown in Gharbeya.

Please write immediately in English, Arabic, or your own language:

- Urging the Egyptian authorities to release Islam Khalil immediately as his detention is unlawful;
- Calling on the Egyptian authorities to protect Islam Khalil from further torture and other ill-treatment; and to grant him immediate access to his family, lawyer and any medical attention he may require pending his release;
- Urging the Egyptian authorities to ensure an independent, impartial investigation is conducted into his allegations of torture and other ill-treatment and prosecute anyone against whom there is sufficient admissible evidence.

PLEASE SEND APPEALS BEFORE 11 OCTOBER 2016 TO:

Minister of Interior
Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo
Email: center@moi.gov.eg or
E.HumanRightsSector@moi.gov.eg
Twitter: @moiegy
Salutation: Your Excellency

Public Prosecutor
Nabil Sadek
Office of the Public Prosecutor
Madinat al-Rehab
New Cairo, Arab Republic of Egypt
Salutation: Dear Counsellor

And copies to:
Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa El Din
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Email: Contact.Us@mfa.gov.eg
Twitter: @MFaEgypt

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR NASSER AHMED KAMEL ALI, Embassy of the Arab Republic of Egypt, 26 South Street W1K 1DW, 020 7499 3304/2401, Fax 020 7491 1542, egtamboff@gmail.com, and eg_emb_london@mfa.gov.eg

Please check with your section office if sending appeals after the above date. This is the first update of UA 187/16. Further information:

<https://www.amnesty.org/en/documents/MDE12/4620/2016/en/>

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ADDITIONAL INFORMATION

Islam Khalil has been repeatedly tortured and otherwise ill-treated in detention, according to his own testimony and information received via his family and lawyer. Prior to the severe beating incident at the Second al-Raml police station, Islam Khalil was tortured by Borg al-Arab prison officers in Alexandria after he had a verbal altercation with them about placing more detainees in a four by six meter cell already holding 25 detainees. As a result, the prison officers beat Islam Khalil with batons for 30 minutes, tore his clothes and put him in solitary confinement for nine days from 21 July until 29 July. He was not allowed access to clean drinking water, family visits, or fresh air. He went on hunger strike in protest against his solitary confinement, which he stopped once his solitary confinement ended and was transferred back to his cell on 29 July. His hunger strike caused his health to deteriorate and he suffered from regular vomiting and dizziness. He was also denied access to a doctor.

Islam Khalil was originally abducted from his home in Gharbeya Governorate by agents from the National Security Agency (NSA) in the early hours of the morning of 24 May 2015. He was subjected to enforced disappearance – the authorities refused to acknowledge his deprivation of liberty and his fate was concealed for 122 days. During this time, he was tortured by NSA agents to “confess” to offences he says he did not commit. The NSA compiled a report, which included “confessions” obtained under torture. The NSA sent Islam Khalil to the East Alexandria Prosecutor Office on 21 September 2015, who questioned him based on his forced “confessions” without being allowed to contact his lawyer or family, in contravention to the provisions of the Egyptian Constitution. The prosecutor then ordered Islam Khalil’s pre-trial detention. Throughout his detention, Islam Khalil was beaten, given electric shocks and suspended from the limbs in stress positions. Prison staff repeatedly threatened to kill him.

In the official casefile, Islam Khalil’s date of arrest was falsified by the NSA and was stated as 20 September 2015 whereas in reality, the NSA detained him four months earlier. The falsification of the date of arrest appears intended to cover up the unlawful nature of his arrest and the almost four months during which the NSA held him under conditions of enforced disappearance. Islam Khalil’s lawyers informed the Public Prosecution office about the torture that he faced and the falsification of the date of arrest by the NSA. However, the prosecutor never referred Islam Khalil for an independent medical examination or opened an investigation into the torture allegation, although prosecutors are obliged to investigate allegations of torture and other ill-treatment.

Islam Khalil told his family that the prison guards in Karmouz and Borg al-Arab police stations threatened to kill him after his family published his testimony and subsequent letters. Islam Khalil’s case featured in Amnesty International in a video and press release on Egypt on 13 July entitled: “Hundreds disappeared and tortured amid wave of brutal repression” available at: <https://www.amnesty.org/en/latest/news/2016/07/egypt-hundreds-disappeared-and-tortured-amid-wave-of-brutal-repression/>. Egypt is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other international human rights treaties which, along with Egypt’s Constitution and national laws, absolutely prohibit the practices detailed in the report.

Amnesty International has found that the Interior Ministry’s NSA is using enforced disappearances on a widespread scale to deter opposition and wipe out peaceful dissent. The rise of enforced disappearance has coincided with the appointment of the Interior Minister Magdy Abd el-Ghaffar, who was a long serving officer under the State Security Investigations service, the secret police under former president Hosni Mubarak responsible for abductions, torture and other crimes and violations.

Further information on UA: 187/16 Index: MDE 12/4735/2016 Issue Date: 30 August 2016